

WITHDRAW AND APOLOGISE: A DIACHRONIC STUDY OF UNPARLIAMENTARY  
LANGUAGE IN THE NEW ZEALAND PARLIAMENT, 1890-1950

BY

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“Parliament, after all, is not a Sunday school; it is a talking-shop; a place of debate”.  
(Barnard, 1943)

## Abstract

This study presents a diachronic analysis of the language ruled to be unparliamentary in the New Zealand Parliament from 1890 to 1950. While unparliamentary language is sometimes referred to as ‘parliamentary insults’ (Ilie, 2001), this study has a wider definition: the language used in a legislative chamber is unparliamentary when it is ruled or signalled by the Speaker as out of order or likely to cause disorder. The user is required to articulate a statement of withdrawal and apology or risk further censure. The analysis uses the Communities of Practice theoretical framework, developed by Wenger (1998) and enhanced with linguistic impoliteness, as defined by Mills (2005) in order to contextualise the use of unparliamentary language within a highly regulated institutional setting. The study identifies and categorises the lexis of unparliamentary language, including a focus on examples that use New Zealand English or te reo Māori.

Approximately 2600 examples of unparliamentary language, along with bibliographic, lexical, descriptive and contextual information, were entered into a custom designed relational database. The examples were categorised into three: ‘core concepts’, ‘personal reflections’ and the ‘political environment’, with a number of sub-categories. This revealed a previously unknown category of ‘situation dependent’ unparliamentary language and a creative use of ‘animal reflections’. The database design enabled the identification of sub-groups of members of parliament, the ‘principal users’ and ‘frequent targets’ of unparliamentary language. The analysis of the forms of rebuke made by the Speakers of the Legislative Council and House of Representatives, for using unparliamentary language, showed they changed over time.

In the early years of the period examined by the study, the use of unparliamentary language was relatively small with the numbers dramatically increasing after 1930. It is argued that increases in the use of unparliamentary language reflected ‘discontinuities’ in the Community of Practice. This was illustrated in the years 1928 to 1935 with high numbers of unparliamentary language directed at the incumbent coalition government by Labour Party members. The ‘principal users’ of unparliamentary language made full use of the ‘shared repertoire’, both parliamentary and unparliamentary language, as part of their ‘identity’. Following Wenger’s definition of ‘power’, as the duality of ‘negotiation’ and ‘identity’, the

findings suggest that ‘non-participation’ in the institutional preference for parliamentary language was a form of ‘power’ within the Community of Practice.

This study shows unparliamentary language to be a little researched element of parliamentary discourse that reveals much about individual users and the dynamics of the legislative chamber. The trends in its use have mirrored some of the most important political events in New Zealand’s history. While the use of unparliamentary language is popularly considered ‘bad’ behaviour this study casts new light on its role when seen within the wider discourse and historical context.

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## Abbreviations

CofP – Community of Practice

CsofP – Communities of Practice

FTA – Face Threatening Act

Hon. - Honourable

HR – House of Representatives

MHR – Member of the House of Representatives (used until 1907).

MLC – Member of the Legislative Council

MMP – Mixed Member Proportional

MP – Member of Parliament

MPs – Members of Parliament

NZ – New Zealand

NZE – New Zealand English

*NZPD – New Zealand Parliamentary Debates*, also known as *Hansard*

S.O. – Standing Order

USS – United States Senate

UPL – Unparliamentary language

WWI – World War I

WWII – World War II

## Glossary

Bicameral – a legislature with two chambers

Chair – presiding officer during parliamentary debate

Chamber – legislative chamber of a parliament

Council – Legislative Council of New Zealand

*Erskine May* - *Erskine May's Treatise on the Law, Privileges, Proceedings and usage of Parliament*

*Hansard* – common name for the text of parliamentary debates

House – House of Representatives of New Zealand

Journals – *Journals of the Legislative Council* or *Journals of the House of Representatives*

*May* – see *Erskine May*

Member(s) – member(s) of parliament

Order Paper – the agenda or daily order of business of the chamber

Point of Order – a question raised by an MP to the Speaker about a matter of procedure

Question Time – a question and reply session held as part of parliamentary proceedings

Rebuke – term used in the present study to describe the Speakers' response to the use of UPL

Ruling – a decision of the Speaker or Chairman

*Speakers' Rulings* - important rulings made by Speakers when interpreting *Standing Orders*

*Standing Orders* - the rules of procedure

Te reo Māori - the language of the indigenous people of Aotearoa/New Zealand

Unicameral – a legislature with one chamber



## Chapter 1: Introduction

The use of unparliamentary language (UPL) in parliament is often reported in the media as members of parliament (MPs) ‘behaving badly’, being ‘told off’ by the Speaker or ‘thrown out’ of the chamber. It is represented as being a disruption to the correct flow of parliamentary discourse, a reasoned debate alternating between MPs of different parties. This thesis aims to challenge that view by showing that UPL is an important element of robust parliamentary discourse. The use of the Communities of Practice (CsofP) theoretical framework shows that UPL is aligned to concepts of ‘power’ because it is a ‘non-participation’ in the preferred linguistic practice of the community. The present study presents the lexis of UPL, identifies the users and targets and discusses the role of the Speaker in its management. The trends in its use over time, especially significant increases, reveal new insights into New Zealand’s political history.

The original aim of the present study was to develop a comprehensive corpus of the language ruled to be unparliamentary in the New Zealand Parliament and undertake a lexical analysis. Because the study was supported by the New Zealand Dictionary Centre there was a particular interest in the examples of New Zealand English (NZE) and te reo Māori.<sup>1</sup> The intention was to collect data to the present day (or cover the entire 20th century). Therefore, the design of the UPL database, described in Chapter 4 and Appendices 2 and 3, includes some options that were not used. The identification of examples and the data entry proved to be slower than anticipated and the decision was made to end the time period at 1950. While 1890 to 1950 has proved to be insightful it could be argued that a contemporary time period would include more examples of NZE and te reo Māori and illustrate greater changes in language use. The incorporation of political, historical and biographical information has shifted the study away from being a strictly lexical analysis but, when the use of UPL is seen in relation to these factors, it provides a unique perspective on New Zealand parliamentary discourse. By undertaking a comprehensive 60 year overview of UPL this study provides both a strong foundation of information and highlights many new avenues for further research.

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<sup>1</sup> Te reo Māori is the language of the indigenous people of Aotearoa/New Zealand. With the passing of the *Māori Language Act* 1987 it became an official language.

This topic has brought together a number of strands of research interest. I have worked as a Research Librarian in the Parliamentary Library in Wellington and I was fortunate to undertake a course on parliamentary procedure from the University of Tasmania. I have an interest in New Zealand history, particularly early colonial libraries, voluntary associations and the Wakefield family. I drew on my background as a Librarian to design the database that supports this study. The discipline of Linguistics is a relatively new area for me and I have found certain of its strands, such as politeness theory as well as lexicography, to be an insightful way to understand the use of language within a social dynamic. The study of the language used by New Zealand politicians has revealed characteristics of many individuals I have come to know through the pages of *Hansard*. Some were overbearing bullies; others were angry and driven by their beliefs; and some were charismatic and charming. I thank them for their contribution to the study.

This chapter provides an introduction and begins by discussing the study's rationale. That is followed by a detailed discussion of definitions that linguists have proposed for parliamentary discourse in general. The discussion then focuses on defining UPL as an element of parliamentary discourse. To provide the historical and political background, a brief synopsis of the development of the political parties discussed in the study is included. The final section provides an outline of the chapters. Throughout the study the terms and phrases in **bold** typeface have been signalled or ruled to be unparliamentary by the Speaker. The examples are included to: illustrate the discussion, represent a category or sub-category of UPL, show changes in language and rebukes over time and provide colourful illustrations. They are not a comprehensive representation of all the examples in the UPL corpus. Terms that have been signalled or ruled as UPL on a number of occasions are in **bold** typeface and not attributed to an individual. The examples fully or partially<sup>2</sup> in **bold**, and attributed to an individual MP, are a single occurrence of the language in the corpus or one that is specifically highlighted in the discussion. These are often the more unique or contentious expressions.

## 1.1 Rationale for the Study

The use of UPL in the legislative chamber is a topic that has received little scholarly attention but, as the present study shows, reveals much about language and politics. It is a multi-dimensional element of parliamentary discourse that can be studied from a number of

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<sup>2</sup> Some examples are presented in the context of surrounding language where only the UPL is in bold.

perspectives. The aim of the present study was to undertake a comprehensive, diachronic study of the UPL recorded in the New Zealand Parliament between 1890 and 1950. Parliamentary discourse is recognised as being formal, rule-bound and adversarial. It is a corner-stone process in the passage of draft legislation into acts of parliament and is characterised by turn-taking, the use of specific forms of address, speaking through the Speaker and with a set of agreed rules, or *Standing Orders*, to maintain order and penalties for infractions. Based on the rules and the context of the time, the language ‘assessed’ by the Speaker to be ‘out of order’ is described as ‘unparliamentary’. The following discourse exchange provides an example of the rebuke and repair discourse structure of UPL.

Mr RICHARDS. Yet we have the honourable member for Hamilton and those who support her, with the audacity to say that the Labour Government is neglectful, indolent, and is incapable of realizing the needs of education.

Mr JOHNSTONE. – So it is.

Mr RICHARDS. – Hear the “**little kiwi**” from Raglan chirping up.

Mr SPEAKER. - Order. The honourable member must not refer to any honourable member as a **kiwi**.

Mr RICHARDS. – I will withdraw the word.

Mr SPEAKER. – The honourable member must not use the term at all.

Mr THORN.- The kiwi is a rare bird.

Mr RICHARDS. – And I am a great admirer of the forest, Sir.

Mr SPEAKER.- Order, the honourable gentleman must comply with the Standing Orders.<sup>3</sup>

Despite the rules to guide MPs about the institutional preference for ‘parliamentary language’ instances of UPL are common. This contradiction forms a central point of enquiry for the present study. The research questions, outlined in 2.4, reflect the multi-dimensional aspects of the study from the lexis of UPL to the role of ‘power’ in its use.

## 1.2 Parliamentary Discourse and Unparliamentary Language

There are a number of discourses and genres that are sub-forms of political discourse; for example, political speeches, political interviews and parliamentary discourse. Within the

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<sup>3</sup> In *Hansard* the term “little kiwi”, used by Richards (1946a), is enclosed in quotes indicating it was recognised in the editorial process as attracting a ruling of UPL. Speaker Schramm also used the term in his ruling; a common practice of some Speakers.

environs of a parliamentary complex there could be a number of identifiable discourse types, such as the caucus meeting of a political party or a select committee hearing. However, the term ‘parliamentary discourse’ (Bayley, 2004b; Ilie, 2006) is mainly used to refer to the talk that takes place in a legislative chamber. An alternative term, ‘parliamentary debate’ (van Dijk, 2000, 2004), is slightly narrower in meaning because not all discursive activity in the chamber is in the form of a debate on a specific issue. For the purposes of the present study ‘parliamentary discourse’ will be used because it encompasses all discourse in the chamber and UPL can occur at any point during parliamentary proceedings.

In their discussion on politics and political discourse Chilton and Schäffner state there are two broad approaches to defining politics. One is that “politics is viewed as a struggle for power, between those who seek to assert and maintain their power and those who seek to resist it” (2002, p. 5). Politics is also seen as a co-operative practice “for resolving clashes of interest over money, power, liberty and the like” (2002, p. 5). As a consequence, political discourse contains language that reflects “co-operation and well as conflict” (Chilton, 2004, p. 198). This is reflected in the parliamentary discourse of a legislative chamber. The established procedural practices, and associated language, support the collective advancement of parliamentary business. In contrast, the deliberative nature of the chamber means a government in power needs to maintain its position in the face of their opponents’ attempts to gain it. The clash of political forces and agendas is interwoven into parliamentary discourse in the language of justification and attack. In this adversarial environment there exists a complex relationship between discourse and power that is intrinsic to the study of parliamentary discourse. This section discusses how parliamentary discourse has been defined by researchers with the aim of accepting or extending one definition as a step towards establishing one for UPL.

**1.2.1 Parliamentary discourse.** This section discusses the definitions of parliamentary discourse proposed by four linguists. They incorporate ideas that parliamentary discourse is used by a particular group of people, speaking in a specific place, that it is argumentative or deliberative in nature and subject to institutional rules. There is general agreement that parliamentary discourse is made up of elements variously described as ‘features’ (Bayley, 2004b, p. 13; Ilie, 2016, p. 135), or ‘properties’ (van Dijk, 2000, p. 45).

When brought together, the elements of non-linguistic context, discourse structure and language form what is recognised as parliamentary discourse (see also 3.1.3).

According to van Dijk, parliamentary debate “should be defined primarily in contextual terms ... we may find little interactional, discursive or grammatical evidence of structures or strategies that uniquely define such discourse” (2000, p. 53). This is because it shares many characteristics with other discourse types such as institutional gatherings and formal speeches. It is better regarded “prototypically, that is, collections of properties that characterize representative, typical examples of such debates” (2000, p. 53). In a later work van Dijk reiterates the central role of context: “the genre theory of parliamentary debates should be formulated in terms of properties of their *context* ... by the fact that the people engaging in these debates are Members of Parliament (MPs), that the debates are taking place in the political institution of Parliament, and that the MPs are ‘doing politics’ or ‘doing legislation’ among other contextual features” (2004, p. 339).

Bayley describes “parliamentary talk [as] a sub-genre of political language and represents its most formal and institutionalised variety” (2004b, p. 1). He agrees with van Dijk’s view that it does not have “exclusive linguistic features” but rather “a number of prototypical non-exclusive features” (Bayley, 2004b, p. 13). He does however draw attention to turn-taking and the use of specific forms of address as being features of parliamentary discourse. This is because people listening to it would identify it as parliament rather than a religious sermon or a school lesson.

Thus it might be argued that particular combinations of certain features involving various levels of linguistic and discursive analysis, such as some phonological features, ... interaction strategies, intervention length, terms of address, metadiscursive and argumentative lexis, direct and indirect quotation, explicit expressions of belief and opinion, epistemic modality tending towards certainty rather than probability, and complex structures of subordination favouring conditionals and concessives, give parliamentary language its distinctive and recognisable flavour. (Bayley, 2004b, p. 13)

In her research on discourse in the Mexican Parliament Carbó forwarded the following definition which encompasses aspects of structure and argumentation set against a number of idealised concepts.

Parliamentary debate might be characterized as a highly structured institutional and political speech-event whose main declared goal is to produce legal instruments for the benefit of the nation, and which is presided over by a set of juridical values, wherein faith in rational argumentation and counter argumentation, order, clarity, justice and equality is assumed to prevail. (Carbó, 1992, p. 29)

The definition proposed by Ilie draws together aspects of institutional rules, membership and place.

Parliamentary discourse can be regarded as a particular genre of political discourse characterised by a norm-regulated interaction which takes place among politically elected representatives for deliberation and decision-making purposes in a specific political institutional setting (the parliament) and which displays recurrent institutionalised communication patterns. (Ilie, 2010c, p. 8)

She also points out that parliamentary discourse has several identifiable subgenres, depending on the parliament being studied, such as, *ministerial statements, speeches, interpellations, debates, oral/written questions and Question Time* (2010c, p. 9). These subgenres contain their own unique discursive properties with Question Time being one that has attracted considerable research interest (Bates, Kerr, Byrne, & Stanley, 2014; Bull & Wells, 2012; Fenton-Smith, 2008; S. Harris, 2001; Ilie, 2003a; Ladley, 2006; Loginova, 2013; Murphy, 2014; Pérez de Ayala, 2001; Rasiah, 2010; Salmond, 2004).

In a later publication, Ilie discusses the relationship between parliamentary discourse and deliberative rhetoric and, like Chilton and Schäffner (2002), notes a duality of features in the genre. Parliamentary rhetoric, she states, has a “double-sided nature ... parliamentary debates display both a rhetoric of dissensus, involving confrontation and adversariality, and a rhetoric of consensus, involving compromise and solidarity” (Ilie, 2016, pp. 134–135). It should be studied at both the ‘micro level’ of discursive patterns and also the ‘macro level’ which involves institutional mechanisms (Ilie, 2016, p. 135).

In general, parliamentary discourse exhibits a mixture of features belonging to both the institutional genre (= monitored, agenda-centred and audience orientated) and the conversational genre (= spontaneous, improvised and interlocutor orientated) ... The unpredictable combination of two discourse genres – institutional and conversational – often renders parliamentary rhetoric irresistibly engaging and captivating. (2016, p. 135)

This statement aligns with the idea that parliamentary discourse is made up of a number of elements that can be identified and potentially individually analysed. In this discussion Ilie connects the use of parliamentary rhetoric with power by seeing “the use of language as a concrete manifestation of the struggle for power: acquiring political power, challenging it, competing for it, or defending and consolidating it” (2016, p. 134).

When considering these definitions of parliamentary discourse, the context driven definition of van Dijk does not refer to the effect of institutional rules on the discourse whereas Bayley lists a selection of structural features but does not highlight the importance of context. Carbó includes elements of structure and argumentation embedded within a number of institutionally ideological concepts. The definition forwarded by Ilie in 2010 provides a more balanced definition, than van Dijk, Bayley or Carbó, because it encompasses properties of participation, rules and discursive structures. However, it is a general statement and the “recurrent institutionalised communication patterns” (2010c, p. 8) are not defined. It is interesting to note that in 2016, Ilie shifted from a prescriptive description, of place and participants, to reflecting parliamentary discourse as a complex interplay of features that come together in a recognisable genre. This is similar to the approach taken in the present study and discussed further in 3.1.3. However, as a useful basis, Ilie’s 2010 definition of parliamentary discourse articulates the central elements the present study accepts.

**1.2.2 Unparliamentary language.** According to Palonen, the first recorded use of the term ‘unparliamentary’ in the British Parliament was 1626 with reference to a fiscal imbalance of spending more money than was available (2014, p. 151). However, the practice of chastising certain language used by MPs pre-dates this time with a procedural guide from

1583<sup>4</sup> stating that, “no reviling or nipping wordes must be used. For then all the house will crie, it is against the order” (Palonen, 2014, p. 68). A century later, another procedural guide<sup>5</sup> described the power of the Speaker to interrupt and admonish MPs for using “a range of evil words” (2014, p. 68).

In the 19<sup>th</sup> century, the first edition of Thomas Erskine May’s *A Treatise on the Law, Privileges, Proceedings, and Usage of Parliament* (1844) set out the rules for parliamentary procedure in the British Parliament.<sup>6</sup> It included six rules that were directed at maintaining order during debate.<sup>7</sup> If transgressed, they form the foundation of a ruling by the Speaker of UPL although, as Erskine May commented, “an ingenious orator may break through any rules, in spirit, and yet observe them to the letter” (1844, p. 199). In the establishment of other Westminster-style parliaments, such as New Zealand, the procedures and precedents of the British Parliament were highly influential. The sources of parliamentary procedure in New Zealand are: “statute; Standing Orders; other orders of the House; rulings of the Speaker; and practice” (McGee, 2005, p. 113). These practices are maintained and enforced by the Speaker whose “chief duty ... is to chair the House, presiding over its deliberations, keeping order and determining points of procedure” (McGee, 2005, p. 53). The *Standing Orders* have been described as a “code of practice” (McGee, 2005, p. 115) but they are not exhaustive and “there is no strict doctrine of binding precedent [although] Speakers naturally tend to follow the decisions of predecessors” (McGee, 2005, p. 120).

Originally published in 1985, *Parliamentary Practice in New Zealand* was the first major text to provide “an accurate and authoritative account of how the [New Zealand] House of Representatives works” (McGee, 1985, p. v). On the topic of UPL, the first and second editions have sections on ‘references’, ‘reflections’, ‘unparliamentary language’ and ‘offensive or disorderly words’. In the third edition, ‘unparliamentary language’ appears as a

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<sup>4</sup> *De Republica Anglorum* by Thomas Smith.

<sup>5</sup> *The Orders, Proceedings, Punishments and Privileges of the Commons of Parliament in England* by William Lambarde published in 1641. See also 2.2.1.

<sup>6</sup> An earlier guide was *Precedents of Proceedings in the House of Commons; with Observations* (1818) by John Hatsell but Erskine May’s *Treatise* included the House of Lords. The text, commonly referred to as *Erskine May*, is regarded as the authority on British parliamentary procedure and the 24th edition was published in 2011.

<sup>7</sup> (1). A member, while speaking to a question, may not allude to debates upon a question already decided by the house in the same session; (2), nor speak against, or reflect upon, any determination of the house, unless he intends to conclude with a motion for rescinding it; (3), nor allude to debates in the other house of Parliament; (4), nor use the Queen’s name irreverently, or to influence the debate; (5), nor speak offensive and insulting words against the character or proceedings of either house; (6), nor against particular parties or members of the house in which he is speaking (May, 1844, p. 198).



heading with sub-headings of ‘offensive or disorderly words’, ‘personal reflections’, ‘accusations of lying’, ‘reflections to the absence of a member’, ‘references to parties’ and ‘references to persons outside the House’ (McGee, 2005, pp. 187–190). The section begins, “as well as the more technical rules already described,<sup>8</sup> the House’s debates are regulated in respect of matters which might otherwise be regarded as suitable to be left for the taste or discretion of individual members” (McGee, 2005, p. 187). The use of the words “as well as” connects the various instances of language use that, when taken together, attract a ruling of UPL.

The approach taken by McGee (2005) is different from other texts on parliamentary practice in Commonwealth countries that make a clearer distinction between ‘reflections’ and ‘personal insults’ that are described as unparliamentary language. In *Erskine May’s* 23rd edition references to ‘reflections’ appear within a chapter on the rules governing the content of speeches. In a separate section, headed ‘allegations against members’, four types of expressions are listed as unparliamentary: “(1) The imputation of false and unavowed motives. (2) The misrepresentation of the language of another and the accusation of misrepresentation. (3) Charges of uttering a deliberate falsehood. (4) Abusive and insulting language of a nature to create disorder.” (McKay, 2004, pp. 440–441). The equivalent publication for the Australian House of Representatives, *House of Representatives Practice* (I. C. Harris, Wright, & Fowler, 2005) takes a similar approach by discussing various types of ‘reflections’ and the use of ‘offensive or disorderly words’ in a chapter titled ‘Control and conduct of debate’. The Canadian *House of Commons Procedure and Practice* discusses ‘reflections’ but has a separate section for ‘unparliamentary language’ where “the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscenities are not in order” (O’Brien & Bosc, 2009, chapter 13).

Because the present study focuses on the New Zealand Parliament, and aims to be a comprehensive analysis of UPL over a period of time, it will follow the format of *Parliamentary Practice in New Zealand* (McGee, 2005). The term UPL is used to encompass all the instances of language ruled or signalled to be out of order, with further categorisations discussed in Chapter 5. Because the *Standing Orders* state that UPL should not be used, but do not provide guidance on individual terms, what is, or is not UPL, is dependent upon the

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<sup>8</sup> References to the Sovereign or the Governor-General and references to proceedings of a committee (McGee, 2005, pp. 186–187). Unbecoming references to Judges are also in this category (McGee, 2005, p. 191).

ruling of the Speaker. For example, the first New Zealand Standing Order (S.O.) referring to UPL stated, “No member may use offensive or unbecoming words in reference to any member of the House” (*Standing orders of the House of Representatives*, 1856, p. 5). The slightly open-ended description of language that is ‘offensive’ means the ‘assessment’ that UPL has been used is a central element to a definition of UPL. Therefore, the present study defines UPL as an element of parliamentary discourse, as defined by Ilie (2010c, p. 8). Language is unparliamentary when it is ruled or signalled by the Speaker to be out of order or likely to cause disorder. The user may be requested to articulate a statement of withdrawal and apology or risk further censure.

### 1.3 Historical Political Background

This section begins with a discussion about the origin and function of parliamentary debate or discourse and then provides a brief background to the New Zealand Parliament during the years 1890 to 1950.<sup>9</sup> A discussion about the practices of the New Zealand Parliament should incorporate the British Parliament because many of the conventions were adopted in New Zealand. The term ‘parliament’ is a borrowing from the French term *parlement*, with an etymology from Anglo-Norman, Old French and Middle French; it was first recorded in England in 1258 (‘Parliament’, 2016). “Parliament meant, in common medieval speech, any meeting for speech or conference. But in political terms, the parley, the speech, the conferencing, was one which essentially and necessarily involved the sovereign” (Blackburn, Kennon, & Wheeler-Booth, 2003, p. 3).

In the 13<sup>th</sup> and 14<sup>th</sup> centuries “the monarch began to call parliaments ... in order to obtain consent to collect taxes and ... discuss matters of public importance” (Martin, 2015, p. 141). From early beginnings, as a gathering of people who articulated different views that were expressed in laws, the institution of parliament emerged in three constituent parts, the Crown and two assemblies, the House of Lords and the House of Commons. One of the ancient conventions, the privilege of freedom of speech, is fundamental to the concept of a deliberative democracy. The principle was expressed in 1667.

No man can doubt ... but whatever is once enacted is lawful; but nothing can come into an Act of Parliament, but it must be first affirmed or propounded by somebody; so that if the Act can wrong nobody, no more than the first propounding. The

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<sup>9</sup> See Appendix 1 for a list of parliaments and governments.

members must be as free as the houses: an Act of Parliament cannot disturb the state; therefore the debate that tends to it cannot; for it must be propounded and debated before it is enacted. (May, 1844, p. 76)

The above quote reflects an important concept that legislation ‘must’ be debated before it is enacted. The structure of parliamentary debate in the British Parliament also developed from ancient customs. One was “the assumption that parliamentary speeches involve debating items *pro et contra*” (Palonen, 2014, 109). A procedural guide from the 17<sup>th</sup> century states a pro and contra debate should continue for some time, although a member can only speak once. The Speaker should “collect the Sense of the House” and “reduce the same into a Question, which he is to propound” (Palonen, 2014, 111). This reflects the distinctive structural pattern of parliamentary discourse of alternating views on a topic followed by a procedural action.

The development of the party political system began in Britain with identifiable ‘factions’ in the late 17<sup>th</sup> century and the first ‘parties’ following the accession of George III in 1760. While many valued the idea of independent members, the political philosopher Edmund Burke was influential in arguing, “only through the concerted efforts of men organised in parties, ... can measures for public good be brought into practical effect” (Reid, 2012, p. 169). By 1812, a “kind of two-party system was operating at Westminster” (Evans, 2006, p. 26), with the Tories outnumbering the Whigs. The delineation between government and opposition created a naturally adversarial environment in parliaments. This was reinforced in the physical layout of a legislative chamber with parties facing each other and the Speaker in an elevated position presiding in the middle. In a party system MPs normally vote along agreed party lines and a persuasive speech is unlikely to change the opinion of other MPs to change their votes. This was highlighted in an observation about the New Zealand Parliament in 1948. “It is undeniable that the tightness of party discipline ... [has] detracted from the prestige of members singly and of Parliament collectively. The ordinary representative is viewed as a cipher or puppet, voting in the House as he is told ... Debates are a mere forensic exercise, since the outcome is nearly always prearranged” (Lipson, 1948/2011, p. 335). However, a more contemporary analysis sees legislative chambers “as forums within which the contending powers – the parties and those whom they represent, and the individual Members or peers - publically debate the issues of the day and matters of their choosing, and through which the government may secure the authority it needs for the implementation of its

policies and the exercise of its powers” (Blackburn, Kennon, & Wheeler-Booth, 2003, p. 6). This view sees the chamber as a debating forum where parties promote policies, challenge those of others and importantly hold a government to account.

In their research on parliamentary debate Proksch and Slapin agreed with others that “parliamentary speech rarely has persuasive effects in policy-making” (2014, p. 174). They found “that MPs use floor speeches primarily to communicate policy positions to other members within their own party, to members of other parties, and, most important, to their voters” (Proksch & Slapin, 2014, p. 1). This discussion shows there may have been a shift in the perceived audience of parliamentary debate but the presentation of a range of views followed by a collective decision holds true. The process of discourse and decision making is publically recorded or reified in *Hansard*. It does not always reflect the idealised form of deliberative democracy but importantly, “political debate and decision-making represent a continuum between one election and another” (McRobie, 2015, p. [xx]) where governments are re-elected or defeated.

From 1854 to 1950 the New Zealand Parliament had two Houses, the Legislative Council and the House of Representatives, established by a United Kingdom Act, *The New Zealand Constitution Act 1852*.<sup>10</sup> The Legislative Council was an Upper House modelled on the British House of Lords where its members were appointed by the government. The members of the House of Representatives were the elected representatives of the people. Both the Council and the House had its own debating chamber and respective Speakers. The history of the role of the Speaker comes directly from British parliamentary tradition and the need for a representative of the commoners who came to Parliament to speak on their behalf to the King and Lords (McGee, 2005, p. 52; ‘The Speaker in history’, 2009). This tradition developed into a role that has a set of administrative duties and powers but with the key element of maintaining order in the debating chamber. In both the Council and the House the Speaker was elected from the floor of the chamber at the beginning of each parliament. Over the course of its existence, the Council became less influential in the New Zealand context. During the 1949 election the National Party, who won the election, campaigned for its abolition. The Council sat for the final time in December 1950 with the *Legislative Council Abolition Act* coming into effect on 1<sup>st</sup> January 1951 (McLintock, 1966; Ministry for Culture

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<sup>10</sup> *The New Zealand Constitution Act 1852* (15 & 16 Vict. c. 72) granted self-government to the colony of New Zealand.

and Heritage, 2012). The conclusion of the present study comes at this point of a constitutional change from a bicameral to a unicameral parliament.

In the 1890s members of the Legislative Council were appointed by the Governor for a term of seven years and members of the House of Representatives, each representing an electorate, were elected by majority vote in a general election. Members were not permitted to sit or vote in the House or Council until they had taken the oath set out in section 46 of *The New Zealand Constitution Act 1852*.<sup>11</sup> By the virtue of becoming an MP an individual crossed a boundary to belonging to the legally defined group of people entitled to speak in the chamber. In Foucault's terms these requirements act as a form of control on the discourse because "none shall enter the order of discourse if he does not satisfy certain requirements" (1981, p. 61-62).

The party political system was first established in New Zealand following the 1890 election. Before this time, governments were made up of loose coalitions formed on the floor of the chamber (Martin, 2004, p. 108). The introduction of the party system is a defining moment in New Zealand political history and establishes a natural starting point for the present study by providing a clear distinction between government and opposition members. The year 1890 saw the election of the Liberal Party, first under John Ballance and then dominated by New Zealand's longest serving Premier, Richard Seddon. In 1909, the formation of the Reform Party, under William Massey, established a credible opposition. In 1912 they defeated the Liberal Government in a vote of no-confidence and remained in power until 1928. In response to World War I (WWI), the Reform and Liberal Parties, under William Massey and Joseph Ward, formed a National Coalition Government. After 1910, a number of labour or early socialist MPs entered parliament and, in 1916, the New Zealand Labour Party was formed. At the end of WWI the National Coalition ended with the Reform and Liberal Parties again becoming separate entities.

In the late 1920s the United Party was formed by a group of former Liberal MPs led by the aging Joseph Ward. Following the 1928 election, the United Party with the support of the Labour Party, successfully won a vote of no-confidence in the Reform Government and took office. In 1931, the politically difficult 'three party system' was resolved with the fusion of

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<sup>11</sup> Today members are sworn in under the *Constitution Act* (1986) s.11(1).

the two non-Labour parties, United and Reform, under George Forbes. The United-Reform Coalition Government was returned for one term before the Labour Party, led by Michael Joseph Savage, swept to power in the 1935 election. The final major political event in the time period was the formation of the New Zealand National Party in 1936 by the merger of the United and Reform Parties. This established a strong two party system of the Labour and National parties. Although the parties dominated this time period there were a number of independent MPs and four Māori representatives in the House who also contributed to the political landscape.

#### 1.4 Conclusion and Outline of the Chapters

This chapter has provided an introduction to the present study by placing UPL within the overarching genre of political discourse and as an element of parliamentary discourse. The discussion on the definition of parliamentary discourse has highlighted viewpoints that have shown it combines a number of elements, including UPL. It was decided the 2010 definition of parliamentary discourse by Ilie was the one most aligned to the present study but it needed to be extended to accommodate UPL. The discussion on the treatment of UPL in texts on parliamentary procedure has shown there was international variation on the use of the term unparliamentary language. For the purposes of the present study it was decided to include all the recorded examples of language ruled or signalled to be out of order. The references to the historical political background set the scene for the discussion in Chapters 5 to 7.

This section provides a brief overview of the chapters and their contents. Chapter 2 begins with a review of the research specifically on UPL and discusses studies on relevant topics, including parliamentary discourse and NZE. The chapter concludes with the research questions the study aimed to address. Chapter 3 discusses the applicability of the CsofP theoretical framework, in conjunction with linguistic impoliteness, as a basis for the evaluative analysis in the study. In this chapter, an example, the UPL term **quibble**, is highlighted and discussed. The methodology of data collection and classification is outlined in Chapter 4 and includes a discussion about *New Zealand Parliamentary Debates (NZPD)* or *Hansard* as a source. The design of the relational database used to manage the data in the study is outlined.

Chapters 5 to 7 present the results of the study. Chapter 5 discusses the categorisation of the corpus of UPL into two main categories, ‘personal reflections’ and the ‘political environment’ and identifies four ‘core concepts’ of UPL. A number of sub-categories are identified including one, ‘situation dependent’ UPL that has not been previously discussed in the relevant literature. Chapter 6 identifies and discusses the ‘principal users’ and ‘frequent targets’ of UPL and includes brief biographical details. The chapter highlights the UPL used by specific groups: parties, independent MPs, women, Māori and two generations of the McCombs family. The role of the Speaker in the management of UPL and ‘refusals to withdraw’ is discussed in Chapter 7. This chapter includes a number of quotes by Speakers about UPL and relates to Appendix 5 that lists the ‘refusals to withdraw’ UPL included in the present study. It also focuses on one specific volume of *Hansard*, volume 227, 1931 as a defining historical moment in the use of UPL. The final Chapter 8 draws together the results into a discussion about ‘identity’ and ‘power’, as defined in the CofP framework. This is followed by a review of the research questions and implications for further research. There are a number of appendices that provide additional information with Appendix 6 presenting the results of the statistical analysis.





## Chapter 2: Literature Review

A review of the literature shows there have been very few studies on UPL and none that have conducted a comprehensive diachronic analysis of the language ruled by successive Speakers to be unparliamentary. This chapter begins with an overview of the research on unparliamentary language, although the descriptions used by researchers may vary, for example, parliamentary insults or expunged words. It then broadens to encompass relevant research on disorderly verbal behaviour in legislative chambers and lexico-grammatical research on parliamentary discourse. Studies on New Zealand parliamentary discourse will then be discussed along with research on the use of NZE and te reo Māori. Finally, the research questions addressed by the present study are outlined.

Notwithstanding the low number of specific studies on UPL, “towards the end of the 20<sup>th</sup> century and the beginning of the 21<sup>st</sup> century, parliamentary discourse and parliamentary rhetoric have gradually become an increasingly important object of scholarly research in the fields of political science, history and sociology” (Ilie, 2010c, p. 5). Following this trend, linguists from a number of theoretical perspectives, including “pragmatics, critical discourse analysis, rhetoric and cognitive linguistics ... have ... develop[ed] and use[d] interdisciplinary approaches to the study of parliamentary discursive practices” (Ilie, 2010c, p. 5). The research to date demonstrates a wide variety of interests and approaches ranging from debates on specific topics to linguistic or structural discourse elements.

The analysis of debates has tended to focus on controversial topics: European immigration policies (Rojo & van Dijk, 1997; Rojo, 2000; van der Valk, 2000), UK university tuition fees (Fairclough, I. & Fairclough, N., 2012), the age of sexual consent for gay men in the UK (Baker, 2004), civil partnership legislation in the UK (Bachmann, 2011) and prostitution reform in New Zealand (Zangger, 2009). Because of its adversarial nature, a specific form of debate, Question Time or similarly named question and answer sessions, has attracted considerable research. Studies on the linguistic aspects of Question Time include: rhetorical performance (Ilie, 2003a), evasion strategies (Rasiah, 2010), discourse structures (Fenton-Smith, 2008; Loginova, 2013) and politeness/impoliteness (S. Harris, 2001; Murphy, 2014; Pérez de Ayala, 2001).

There have been a small number of studies on the lexico-grammatical aspects of parliamentary discourse: collocations (Bayley, 1999), phrases (Elspaß, 2002), clichés, parentheticals (Ilie, 2000, 2003c) and demonstratives (Cuenca, 2014). Studies on rhetorical discourse strategies include: forms of address (Ilie, 2010d), quoting opponents' words (Antaki, & Leudar, 2001), using vague expressions (Cucchi, 2010) and ad hominem arguments (Plug, 2010). Research on the historical development of the parliamentary vocabulary is a relatively new area (Ihalainen & Palonen, 2009; Palonen, 2012). There has been considerable research on disruptive verbal behaviour in legislative chambers: interruptions (Carbó, 1992; Ilie, 2005; van der Valk, 2000; Zima, Brône, & Feyaerts, 2010) and heckles (Grisdale, 2011; Zima & Feyaerts, 2010). There have been studies on gender and parliamentary discourse, mainly focussed on UK parliaments and using the CofP theoretical framework, discussed in Chapter 3 (Christie, 2002; Ilie, 2013, Shaw, 2000, 2011). Publication in the area of parliamentary discourse has mainly been journal articles, individual chapters in texts on political discourse or edited texts, with the most notable examples to date being, *Cross-Cultural Perspectives on Parliamentary Discourse* (Bayley, 2004a), *European Parliaments under Scrutiny: Discourse Strategies and Interaction Practices* (Ilie, 2010a) and *Parliament and Parliamentarism: A Comparative History of a European Concept* (Ihalainen, Ilie, & Palonen, 2016).

## 2.1 Unparliamentary Language Research

The focus of the present study is the New Zealand Parliament which, along with a number of Commonwealth countries, has a Westminster-style parliamentary system based on the British Parliament.<sup>12</sup> Commonwealth countries, for example Australia, Canada and New Zealand, share similar parliamentary procedures and terminology. For this reason, most of the research referred to in this section has been published in English, with the exception of a text in Dutch by Bootsma and Hoetink (2006).<sup>13</sup> It is important to note that while studies of insults, interruptions or verbal aggression in the legislative chamber are relevant to the present study, this language may not necessarily be ruled out of order by the Speaker. This is a point of difference from other studies because UPL, as the concern of this study, focuses on language that generally attracts some form of rebuke. This underscores the importance of

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<sup>12</sup> For an explanation of New Zealand's system of government see ('Parliament brief: What is parliament?', 2010).

<sup>13</sup> It is possible that studies on UPL have been published in languages other than English but few have been referenced by international authors writing in the area of parliamentary discourse.

establishing clear definitions because legislative chambers have their own terminology and discourse rules that are different from the language used outside.

**2.1.1 Parliamentary insults.** The research of Ilie<sup>14</sup> on parliamentary discourse and unparliamentary language has made an important contribution to this area. Since 2000 she has written on a number of aspects of parliamentary discourse, focussing mainly on the British and Swedish Parliaments. For example, the use of clichés (2000), metadiscourse in parliamentary debates (2003a), parliament as a form of discursive theatre (2003b), parliamentary parentheticals (2003c), interruption patterns (2005), interpersonal confrontation (2010b) and forms of address (2010d). She has edited a text on parliamentary discourse strategies (2010a) and co-edited a text on parliament and parliamentarism (Ihalainen et al., 2016). Her research on unparliamentary language was published in two articles (2001, 2004).

In the article, “Unparliamentary Language: Insults as Cognitive Forms of Ideological Confrontation” (2001), Ilie analysed ‘insults’ in *Hansard* from the British Parliament between 1996 and 1999.

[The study focused] on the cognitive processes that underline the verbal manifestations of hostile and aggressive behaviour ... in order to point out the correlations between their underlying causes, ulterior motives and actual effects. How can accusations or criticisms be perceived as insults? When do ironical utterances become insulting? To what extent is name-calling allowed by parliamentary regulations? (2001, p. 237)

She argued, in the rule-bound environment of parliament, “insults are powerful because they challenge the interactional conventions in an attempt to destabilise the ‘status quo’. ... By resorting to unparliamentary language, the insult initiators attack the most vulnerable points of their adversaries in order to enhance the force of the underlying political message” (Ilie, 2001, p. 236). The theoretical perspectives Ilie drew on were: institutional discourse analysis, politeness theory and cognitive approaches (2001, p. 238). She specifically highlighted the work of Lakoff and Johnson (1980) and their cognitive schemata theory although she noted,

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<sup>14</sup> Cornelia Ilie is Professor of Business Communication, Zayed University, UAE. Prior to 2014 she was Professor of English Linguistics at Malmö University in Sweden.

when applied to parliamentary discourse, it “may require certain reconsiderations and specifications” to include the role of irrationality in “emotional linguistic manifestations” (Ilie, 2001, p. 247).

Ilie identified four properties of parliamentary insults: the target<sup>15</sup>, the focus, the end-goal of insults and counter insults. An ‘insult’ directed at another MP often related to one of three personal characteristics: physical impairment, lack of intellect, or moral shortcomings such as alleged hypocrisy (2001, p. 250). The END-GOALS<sup>16</sup> of ‘parliamentary insults’ were: to score points in the chamber by silencing or humiliating opponents; to challenge the authority and institutional role of political adversaries; to redress the political power balance; and strengthen group cohesion (2001, pp. 253–254). In applying Lakoff and Johnson’s CONTAINMENT and BOUNDEDNESS schema Ilie stated that when MPs “engage in insult-based confrontations [they] are actually testing and stretching the boundaries of parliamentary immunity”<sup>17</sup> (2001, p. 245). She concluded that “parliamentary insults represent an instance of extreme irregularity and irrational behaviour” (Ilie, 2001, p. 258).

In her second article on unparliamentary language, “Insulting as (Un)parliamentary Practice in the British and Swedish Parliaments: A Rhetorical Approach” (2004), Ilie compared ‘parliamentary insults’ in the British House of Commons and the Swedish Parliament, the Riksdag. The research had three aims: to counterbalance the numbers of studies on linguistic politeness; to reveal institutional principles of conduct by examining disruptions of normative forms of politeness; and to compare institutional and cultural differences in the verbal exchange of parliamentary insults (2004, p. 45). The data was obtained from selected transcripts of debates, including Question Time. Following a discussion of unparliamentary language from three theoretical perspectives: cognitive, politeness and rhetorical theories, Ilie asserted:

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<sup>15</sup> The present study also uses the term ‘target’ to describe an identifiable MP, role or party that UPL is directed towards. In 6.4 the targets of UPL are discussed and the ‘frequent targets’ identified.

<sup>16</sup> In cognitive linguistics the use of small capitals indicates this concept is part of the conceptual schema.

<sup>17</sup> By using the term ‘parliamentary immunity’ Ilie has introduced the concept of parliamentary privilege. It is the legal privilege that allows a parliament to conduct its business without interference from outside (‘Parliament brief: Parliamentary privilege’, 2007). Freedom of speech is a privilege and the rules of debate still operate to impose restraints on what can be said and how MPs conduct themselves (McGee, 2005, p. 619). Therefore, UPL, as defined for this study, is not a breach of parliamentary privilege but the rules made under the power of parliamentary privilege.

The present investigation starts from the assumption that what is generally referred to as unparliamentary uses of language represents instances of institutionally ritualised confrontational interaction. Parliamentary insults are offensive rhetorical acts performed in a highly competitive institutional setting. They are deliberate in the sense that they are intended to be perceived and recognised as such by the person targeted. (2004, p. 53)

In a comparison of ‘insults’ in the British and Swedish Parliaments Ilie discussed three aspects. The first was manifestations of (un)parliamentary polarisation, where the speeches of British MPs were more adversarial and therefore stronger in “political polarisation” (Ilie, 2004, p. 56). In the second, (un)parliamentary mitigation strategies, Ilie identified three rhetorical strategies used by MPs to deliver an ‘insult’ without being ruled out of order. The third aspect, (un)parliamentary interplay between in-group identity and inter-group dissent,<sup>18</sup> reflects the use of language to strengthen an in-group identity (i.e. a political party) and reinforce inter-group dissent (i.e. between parties). In comparing the two parliaments she found that Swedish MPs favoured “ethos-orientated insults”, intended to disarm and undermine adversaries and boost one’s image, while British MPs favoured “pathos-orientated insults”, which strengthen one’s own group cohesion, entertain and emotionally connect with an audience (2004, pp. 79–80). These differences, she argued, are linked to institutional and cultural differences.

When considering Ilie’s research on unparliamentary language in 2001 and 2004, several points emerge. The theoretical framework shifted from cognitive linguistics in 2001 and, at the conclusion of a discussion about the options,<sup>19</sup> to a rhetorical perspective in 2004.<sup>20</sup> The definition of ‘parliamentary insults’ also developed from a group of behaviours, strategies or institutional challenges to a more formal ritualised rhetorical act. Although ‘politeness’ is signalled as a focus in the 2004 article it is not fully explored, especially the possible application of ‘linguistic impoliteness’ to ‘parliamentary insults’. These observations illustrate the challenge of identifying a suitable theoretical framework for parliamentary discourse, as discussed in Chapter 3. In 2001 Ilie noted, “it is as difficult to draw the line

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<sup>18</sup> Later, in the same article, this is described as “(un)parliamentary dissociation between in-group identity and inter-group dissent” (Ilie, 2004, p. 61).

<sup>19</sup> This section of the article is titled “unparliamentary language revisited” (Ilie, 2004, p. 48) confirming Ilie was reconsidering the theoretical framework she used in the 2001 article.

<sup>20</sup> In a later publication Ilie’s view remained the same (Ilie, 2016).

between parliamentary and unparliamentary language as between acceptable and unacceptable” (2001, p. 237). However, in the legislative chamber, this decision is made by the Speaker based on the parliamentary rules, decisions of the past and the context of the situation. This aspect is unique to the institution of parliament and means that a term or phrase is unparliamentary because it is ruled to be so.<sup>21</sup> However, Ilie does not emphasise the role of the Speaker or make the direct connection between a ruling of UPL and insulting language, choosing instead, to apply her own categorisation of ‘parliamentary insults’, identified in the present study as a sub-category of UPL, ‘personal reflections’ (see 5.2). This approach differs from the present study where the identification of UPL is a central element of the methodology. Finally, Ilie contends, “the study of unparliamentary strategies provides important clues about moral and social standards, prejudices, taboos, as well as value judgments of different sociopolitical groups, as well as individuals in a community” (2006, p. 195).

**2.1.2 Formulaic discourse structures.** This section focuses on the comparative study by Loginova (2013) of Question Time in the New Zealand and the Australian Federal Parliaments in the years 2007 and 2008. Her research approach is discussed in 2.2.3 and 4.2.3. The aim of her thesis was to:

Look at and analyse the use of formulaic vocabulary used by MPs in the year preceding general elections in New Zealand and Australia. The formulaic language includes phrasal lexical items and formulae for asking / answering questions, for raising points of order and the Speakers’ idiolectal phrasal vocabulary for quelling disorder in the Chambers and regulating the work of the House. (Loginova, 2013, p. xi)

The use of unparliamentary language, and its rebuke, was part of the research and she noted “although Standing Orders prohibit certain unparliamentary references, expressions and figures of speech, as well as arguments, inferences, imputations, epithets, ironical expressions and expressions of opinion, this technique is widely used by MPs to show their disapproval of policies and decisions” (2013, p. 296). Loginova categorised unparliamentary language into three: swear words, name calling and derogatory remarks. Accusations of lying were considered as a separate category. In the months before a general election the statistical

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<sup>21</sup> Chapter 7 discusses the role of the Speaker in ‘assessing’ the language used in the legislative chamber.

analysis, a linear regression, showed an increase in the frequency of examples of unparliamentary language and accusations of lying (2013, pp. 302, 307).<sup>22</sup>

In Loginova's research there were several points of difference between the two parliaments. The unparliamentary language used by New Zealand MPs was directed towards a policy or the government, whereas Australian Federal MPs were more personal and included 'rhetorical hooks'<sup>23</sup> to end statements (Loginova, 2013, p. 300). The formulaic vocabulary also differed with the typical rebuke by the Australian Speaker to unparliamentary language being, "I ask that it be withdrawn" and, in New Zealand, "I ask that the [named person] withdraw and apologise" (Loginova, 2013, pp. 265–266). The study revealed differences in the styles of the respective Speakers. The New Zealand Speaker, Hon. Margaret Wilson, was more tolerant of MPs disorderly behaviour than the Australian Speaker, Hon. David Hawker. The influence of this 'human factor', as Loginova described it, showed that "in spite of the existence of strict rules and regulations, it is the personal traits of the Chair and their level of tolerance towards misconduct that sets the atmosphere of the forum and the boundaries for misbehaviour" (2013, p. 341). Because of this finding Loginova recommended further research to compare the decisions of Speaker's from different countries or male and female Speakers (2013, p. 339–340). The discussion in Chapter 7 of the present study takes a different approach to the 'human factor' by focussing on a single parliament and analysing different Speakers' rulings over time.

**2.1.3 Behavioural standards.** In a comparative study of three Australian parliaments Salisbury (2011) used the numbers of withdrawals of unparliamentary language as a measure of MPs misbehaviour. He did not approach the topic from a linguistics perspective but the statistical trends and conclusions are relevant to the present study. Using the online *Hansard* databases of the Queensland, Western Australian and Federal Parliament he devised search strategies based on the phrase 'I withdraw Mr Speaker'. The aim was to determine the number of instances of unparliamentary language in each of the three parliaments from 1997 to 2010. The results indicated that "Queensland's parliamentarians are almost twice as badly behaved (at least in their choice of parliamentary language) as their counterparts in Canberra. Even clearer is the impression that members of Western Australia's Lower House (or should

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<sup>22</sup> For a statistical analysis of the frequency of UPL examples in the present study see Appendix 6.

<sup>23</sup> The term 'rhetorical hook' is used by Fenton-Smith (2008, p. 105) in his analysis of Australian parliamentary discourse structure. It describes a concluding remark that adds a rhetorical punch at the end of a statement.

it be relabelled the ‘Lowest’ House?) are twice as likely again to flout parliamentary standards as their Queensland peers” (2011, p. 171).

Salisbury’s research highlighted a number of trends. When comparing the number of withdrawals by the government and opposition parties, the numbers were equal in the Queensland Parliament. However, in the Western Australian and Federal Parliaments, the numbers by opposition MPs were almost 40% higher than the government MPs. A graph of the numbers of withdrawals in all three parliaments showed distinct fluctuations over time (2011, p. 172). Unfortunately, this was not developed further by separating out the data from individual parliaments and overlaying the election dates (for example, see Appendix 6 Figure 3). This would have been a useful adjunct to Loginova’s research which indicated an increase in the use of unparliamentary language preceding an election. In taking a comparative approach Salisbury noted the results did not take into account how different Speakers have applied the rules. He also revealed a ‘shame file’ of MPs described as ‘serial offenders’ in using unparliamentary language (2011, pp. 174–175). There were several MPs in this category whose inclusion would be “no surprise” (2011, p. 174) whereas others were mainly party leaders. He noted that some prominent MPs, and women in general, were not represented as ‘serial offenders’. This observation is one the present study explores further in Chapters 6 and 8.

**2.1.4 Expunged words.** Another area of research relevant to the present study is language expunged from the official record by a decision of the Chair. In *Over Lijken: Ontoelaatbaar taalgebruik in de Tweede Kamer* (2006) Bootsma and Hoetink analysed the passages erased from the record of the Dutch Parliament between 1934 and 2001.<sup>24</sup> The erased language was only available for the Second Chamber and the authors undertook a chronological discussion that illustrated the changes over time. The text was written in Dutch, and reviewed in English, the reviewer making the following comment:

The study concludes that the limits of parliamentary speech and its registers are not absolute. They change in accordance with shifting linguistic standards, the political constellation and the metanarratives of a certain period (i.e. post-war traumas,

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<sup>24</sup> Expunging UPL was not the practice of the New Zealand Parliament during the time of the present study. However, in 1892, a petition was presented to parliament asking for censures to be expunged from the *Journals of the House of Representatives*, see 7.3.1.



decolonization, cold-war rhetoric, Europeanization, neo-liberalism), but also depend on the personal relationships between, for instance, the chairman of parliament and members of parliament. (Couperus, 2011, p. 95).

Couperus went on to make the point that the research lacked a strong conceptual framework that combined political theory, linguistics and history.<sup>25</sup> However, it “offers a formidable start for a strand of research which will teach us much about how parliamentary speech constructs context-bound norms and limitations for linguistic political behaviour” (2011, p. 96).

The aspects of Bootsma and Hoetink’s research that are of interest are (1) the diachronic approach and (2) the parallels between *lijken* (or corpses when translated into English) and UPL, although importantly, UPL is not usually expunged from *Hansard*. The Couperus review highlighted two points: the first was a change over time in the expunged language and the second was the influence of the Chair in the decision. This is important in light of similar observations by Loginova (2013, p. 341) and Salisbury (2011, p. 171). The criticism of the theoretical framework adopted by historians Bootsma and Hoetink is of note when considered alongside Ilie’s attempts to align ‘parliamentary insults’ with an appropriate linguistic theory. This suggests the need for a multi-dimensional approach and a theoretical framework that includes both linguistic and contextual elements.

## **2.2 Parliamentary Discourse Research**

This section draws together research relevant to the present study but which is not specifically focused on UPL. It begins by discussing current and historical studies on the verbal behaviour of MPs in legislative chambers, something that is often criticised by the media and public. It then focuses on interruptions to debates and relevant lexico-grammatical research. The section on interruptions is prefaced by a discussion of the meaning of the term ‘interruption’ in parliamentary procedure. The reason for its inclusion is that the term ‘interruption’ has been used extensively by researchers in the area of parliamentary discourse but a distinction needs to be made about its use within the context of parliamentary procedure.

**2.2.1 Adversarial language.** In their study of Australian MPs Alomes and Jones (2009) developed a typology of three types of ‘bad behaviour’ that MPs engaged in:

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<sup>25</sup> Couperus suggested the theoretical perspective of historian J. G. A. Pocock could have been an option.

illegality, political scandal and political bad behaviour. Political bad behaviour was defined as, “behaviour that is perceived as bad only because it is the behaviour of politicians” (Alomes & Jones, 2009, p. 162). Examples included generous pay rises, perks and aggressive verbal behaviour. Critics of MPs’ verbal behaviour during Question Time have described the chamber as a ‘bearpit’, ‘kindergarten’ and a ‘schoolyard’ (Alomes & Jones, 2009, p. 163). However, Alomes and Jones draw the analogy between the verbal warfare of the chamber and physical aggression on the sports field, both of which are confined to a specific place and category of participants. They suggest the behaviour takes on a negative perception with the public only because it is engaged in by politicians and therefore reinforces an already negative opinion.

In his historical research on humour and insults in the British House of Commons, Meisel (2009), showed the use of UPL has a long history. He referred to a ruling recorded as early as 1604<sup>26</sup> and disruptive behaviour by MPs was described in publications of the 17<sup>th</sup> and 18<sup>th</sup> century (2009, pp. 229–231). For example, a cartoon published in 1805 depicts the following words bursting out of an uncorked sherry bottle.

Sheridan’s bilious mixture of ‘Bouncings, Growlings, Fibs! Fibs! Fibs!, Abuse, Abuse, Damn’d Fibs, Invectives, Old Puns, Groans of Disappointment, Stolen Jests, Invectives, lame Puns, Invectives, Loyal Boastings, Dramatic Ravings, Low Scurrilities, Stale Jokes, Fibs, Fibs, Fibs! Egotism. (Reid, 2012, p. 105)

By analysing the verbal exchanges of two leading 19<sup>th</sup> century politicians, Lord Palmerston and Benjamin Disraeli, Meisel aimed to show how they used humour and insults in parliament. He concluded the dynamics between the two men illustrated the difference between an ‘insider’ (Palmerston) and an ‘outsider’ (Disraeli). “At its core, the humour of the insider is an assertion of position and dominance. In equal measure, the humour of the outsider aims fundamentally to overturn position and subvert dominance” (Meisel, 2009, p. 245). This observation suggests there is a close association between language and power in parliamentary discourse, discussed further in 3.2.2 and 8.1.4.

A number of studies have focussed on the adversarial nature of the chamber during Question Time and drawn on the theoretical perspective of linguistic politeness. In her research on

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<sup>26</sup> “After hearing a speech ‘which was not thought to be noted or remembered’, the Commons agreed that, as a rule, ‘*Qui digreditur a materia ad personam*’ [Whoever shall descend from the substantive to the personal], Mr Speaker ought to suppress” (Meisel, 2009, p. 229).

Prime Minister's Question Time in the British Parliament, Sandra Harris (2001) applied the CsofP framework and linguistic politeness to parliamentary discourse. She recorded and transcribed 12 sessions of Question Time and analysed the linguistic behaviour, including a pragmatic analysis of face-threatening or face-enhancing exchanges. The main aim of the research was to extend the application of politeness theory from informal to formal situations. She noted that most politeness research had focussed on informal situations following the Brown and Levinson model of "the strategic avoidance of 'face threatening acts'" (S. Harris, 2001, p. 452) while politeness, in institutional contexts and/or discourse types, had received less attention. As an alternative approach she considered Robin Lakoff's 1989 comparative study of therapeutic and courtroom discourse which describes three sub-types of discourse behaviour, polite, non-polite and rude.

Let us call 'polite' those utterances that adhere to the rules of politeness whether or not they are expected in a particular discourse type; 'non-polite', behaviour that does not conform to politeness rules, used where the latter are not expected; and 'rude', behaviour that does not utilize politeness strategies where they would be expected, in such a way that the utterance can only or most plausibly be interpreted as intentionally and negatively confrontational. (R. T. Lakoff, 1989, p. 103)

Harris described Prime Minister's Question Time as a "particular version of adversarial political discourse" where "positive and negative face strategies co-occur" and noted the "difficulties both of assigning absolute politeness values to particular speech acts and of any ultimately meaningful separation between negative and positive face as linguistic strategies, requiring mitigation" (2001, p. 469). She concluded that this illustrated the difficulty of applying a universal model of politeness and that Lakoff's definitions were "too restrictive and over-categorical" (2001, p. 469). However, the approach of analysing the House of Commons as a Community of Practice, rather than a particular generic type of discourse, had been 'useful' (S. Harris, 2001, p. 469). The present study has also found the CsofP framework a useful way to conceptualise the membership and dynamics of the legislative chamber as will be discussed in detail in Chapter 3.

Also based on the Brown and Levinson model of politeness Pérez de Ayala's (2001) research on politeness in Question Time in the British Parliament identified a high number of Face Threatening Acts (FTAs) and an equally large number of politeness strategies. She drew a

distinction between ‘permitted’ and ‘forbidden’ FTAs, the latter being those which are not allowed by the rules of the House set out in the text *Erskine May*. The ‘forbidden’ FTAs included “accusations of lying, of hypocrisy, of unavowed motives and of insults, all of which caused the intervention of Madam Speaker” (2001, p. 161). These are clearly examples of UPL, but defined using the Brown and Levinson model as, “*FTAs* forbidden by May and not formulated with enough face-redress (politeness strategies) result[ing] in an immediate interruption of the debate” (2001, p. 161).

The analysis by Pérez de Ayala’s suggests ‘forbidden’ FTA’s are a failure to use a prescribed form of language whereas the present study will show the use of UPL has a more strategic element. This point is reinforced by Bull and Wells, who extended the work of Harris (2001), to “present a conceptualisation of facework in [Prime Minister’s Questions]” (2012, p. 15). Although the use of UPL was not a focus of their study they concluded, “adversarial discourse finds no place in the politeness theory formulated by Brown and Levinson” (Bull, & Wells, 2012, p. 15). This point has been contested by Murphy (2014, p. 102) who argued both politeness and impoliteness strategies occur during Prime Minister’s Questions. This discussion on the application of politeness/impoliteness to UPL is expanded in 3.3.

In the area of adversarial language, researchers have studied a lack of decorum (Borden, 2013) and incivility in the chamber (Darr, 2011). For example, to determine the opinion of Members of the Provincial Parliament on the decorum of the Ontario legislature Borden conducted interviews and a survey. A lack of decorum was defined as the continual breaking of the *Standing Orders* of the legislature by behaviour such as heckling.<sup>27</sup> The members interviewed saw a lack of decorum as a problem but 94% admitted to engaging in the practice. A minority believed heckling was “a very legitimate and democratic method” and an “effective tool” but “personal attacks are unwarranted” (Borden, 2013, [p.7]). Borden discussed ways to improve decorum suggesting the stronger use of the existing powers of the Speaker was a way to set the tone of the legislature.

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<sup>27</sup> “Heckling, by its nature, is difficult to study. It is often indecipherable from the galleries. It is not recorded in Hansard because it does not emanate from the person whose microphone is activated” (Grisdale, 2011, p. 38). The Canadian Federal *House of Commons Procedure and Practice* states the Speaker usually turns a blind eye to incidental interruptions, such as heckling, as long as disorder does not arise (O’Brien & Bosc, 2009, chapter 13).

Based on the Scottish philosopher Adam Ferguson's theory of the civil society<sup>28</sup> Darr (2011) studied civility in the United States Senate [USS]. The aim of Darr's study was to "[ground] the contemporary literature ... [on civility in the USS] in the notion of civil society as espoused by Adam Ferguson" (Darr, 2011, p. 603). In *An Essay on the History of Civil Society* Ferguson proposed three principles for a civil society: a drive for antagonism and conflict, a drive for perfection, and a society of citizens who engage in moral behaviour (Darr, 2011, p. 605). Darr discussed a number of perspectives on civil discourse<sup>29</sup> in the Senate including the use of insults, personal attacks, unparliamentary language and other behaviours. He concluded that, unlike some contemporary perspectives, Ferguson's "utilitarian view of morality would suggest that harsh rhetoric directed towards one's opponents is not necessarily harmful if such tactics help to pass legislation that is beneficial to the common good" (Darr, 2011, p. 609). In this view of civil discourse he criticised labelling antagonistic rhetoric as uncivil because he saw a role for (in)civility. It "contributes to robust debate and achieves moral ends because deliberative bodies exist to function for pragmatic purposes" (Darr 2011, p. 615). Importantly, the rules to govern debates were necessary but they should not be too restrictive because that has the potential to stifle the deliberative process.

A review of these studies illustrates that adversarial language has been used in legislative chambers for centuries. The use of terms such as 'bad behaviour' or 'forbidden' belie the complex dynamics associated with parliamentary discourse. As more linguistic research has been undertaken the unique multi-layered elements of parliamentary discourse have become clearer. The present study aims to contribute to that understanding, by following Darr's view that UPL needs to be seen in the context of a larger discourse structure, rather than the use of 'bad' language.

**2.2.2 Interruptions, interjections and interventions.** There have been a number of studies on different forms of verbal interjections made by MPs into the idealised turn-taking structure of parliamentary discourse. Researchers have described these events as:

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<sup>28</sup> Adam Ferguson (1723-1816) was a clergyman and academic. He held the Chair of Pneumatics and Moral Philosophy at the University of Edinburgh. *An Essay on the History of Civil Society* is considered his most important work (International Association for Scottish Philosophy, 2016).

<sup>29</sup> "Civil discourse (a) encourages continuing debate and discussion, (b) expresses or demonstrates the value of compromise, (c) relies on reasoned argument, (d) is respectful, and (e) follows prescribed rules and precedents" (Darr, 2011, p. 608).

“unauthorized” (Carbó, 1992, p. 25), “illegal interventions” (Shaw, 2000, p. 401), “forbidden” (Pérez de Ayala, 2001, p. 146), “interruptions” (Ilie, 2005, p. 417), or “unauthorised interruptive comments” (Zima, E. et al., 2010, p. 135). In the context of the New Zealand Parliament these events are not unauthorised but seen as an element of parliamentary discourse that, along with UPL, are managed by the Speaker. Importantly, the terminology used in parliamentary proceedings may differ from that used by others to describe these discourse events. Understanding of the existence of a “parliamentary vocabulary” (Palonen, 2012, p. 124) is central to the study of parliamentary discourse.

According to the text, *Parliamentary Practice in New Zealand*, the ‘interruption’ of a debate occurs when the chamber temporarily sets it aside to deal with another matter. Most interruptions take place between speeches and not while a member is speaking (McGee, 2005, p. 197). In contrast, ‘interjections’ are made by members in the chamber during the speech of another. Interjections are a well-established parliamentary custom where members can contribute relevant information to a debate. The Speaker will rule an interjection out of order if it promotes disorder or where UPL is used. Another type of interjection is a request to ‘yield’ or ‘give way’.<sup>30</sup> This is a practice used in the British House of Commons and was not a convention in the New Zealand Parliament. In the United Kingdom, the current edition of *Erskine May* distinguishes between the interruption of business and interruptions or interventions into another member’s speech (Jack et al., 2011, p. 311–313, 436). Similar terminology is used in the Canadian Federal Parliament (O’Brien & Bosc, 2009, chapter 13).

As part of a study of the Mexican Parliament, from 1920 to approximately 1960,<sup>31</sup> Carbó (1992) researched ‘interruptions’ in the discourse. During this time “unauthorised turn-taking devices” (Carbó, 1992, p. 25) were forbidden by the procedural rules but, using as a source the *Journal of Debates* of the Chamber of Deputies, she found they frequently occurred. The ‘interruptions’, consisting of a sentence that provided an answer or asked a question, commonly occurred in clusters during long and heated sessions of debate and were used at natural transition points between speakers. The offenders were rarely admonished. She concluded that even though the interruptions violated the rules, they were tolerated because they conformed to the idea of how parliamentary debate should proceed. “Interruptions,

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<sup>30</sup> The interjector rises from their seat during another members’ speech with a relevant question or comment. The current speaker, who has the floor, may or may not, ‘give way’ by resuming their seat temporarily for the question or comment to be made (McGee, 2005, p. 195).

<sup>31</sup> One dominant party controlled both chambers of the Mexican Parliament during this time.

therefore, might be interpreted, at least at one level of analysis, as cohesive operations that serve to create one of the various features of a polyphonic discourse genre, that of *polemical discourse*” (Carbó, 1992, p. 37). She also noted that “interruptions in general might seem a minor phenomenon of discourse ... but they turn out to be surprisingly informative about the political processes in which they occur ... [and] the interruption phenomenon ... could not be adequately analysed or explained without extensive reference to political and historical studies” (1992, p. 44). This observation illustrates the benefit of a diachronic approach that analyses data in context and over time.

In her study of the French Parliament van der Valk supported Carbo’s view that ‘interruptions’ were “surprisingly informative about ongoing political processes” (2000, p. 126). She studied the parliamentary debates of proposed controversial changes to the nationality act and immigration laws.<sup>32</sup> In 1997 a draft law was introduced by a right-wing coalition government. The debate continued for over 100 hours with 2,000 amendments and many ‘interruptions’ in the form of harsh words, derogatory remarks, cries, shouts and heckles (van der Valk, 2000, p. 108), mainly by the right-wing coalition MPs. The second time the bill was debated, a speech by Fabius<sup>33</sup>, representing the socialist grouping in parliament, was ‘interrupted’ 236 times by right-wing MPs (van der Valk, 2000, p. 111). An election in mid-1997 resulted in a socialist government taking power and van der Valk analysed the ‘interruptions’ of a speech on a new draft immigration bill. She found a speech, by the now opposition MP Perben,<sup>34</sup> was only ‘interrupted’ 56 times and 37 of those were by his supporters (2000, p. 124). She concluded, ‘interruptions’ were used more by conservative than socialist MPs and they were a “strategic tool of delegitimization and discrediting of political opponents” (2000, p. 126). Their use, she argued, showed a “lack of balance between the two contradictory elements of interruptions, violation of the norms and cooperatives in a polemical discourse” (van der Valk, 2000, p. 127). Although van der Valk’s research was focused on one controversial topic several aspects are relevant to the present study. Firstly, the value of recording the frequency of ‘interruptions’ to provide information about the internal dynamics of a debate and secondly, discussing the changes within the context of the political landscape of the time.

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<sup>32</sup> Known as the Debré-laws (van der Valk, 2000, p. 111).

<sup>33</sup> Laurent Fabius (1946- ) a member of the French Socialist Party and Prime Minister from 1984 to 1986.

<sup>34</sup> Dominique Perben (1945- ) a member of the Rally for the Republic Party.

In a study of the participation of male and female MPs in British House of Commons debates Shaw (2000) used the CsofP framework as the theoretical basis. In the legislative chamber she identified two forms of ‘turn-taking’ systems, the legal one, where an MP asked another to ‘give way’ and ‘illegal interventions’ such as, shouting, cheering or interjections. The analysis showed 90% of ‘illegal interventions’ in the sample were made by male MPs. She argued this “suggests that the norms of male MPs’ discourse styles are pervasive in debates, as the gendered behaviour of contributing illegally to debates is often not censured by the Speaker, and therefore has to some degree been accepted as a norm of interaction” (Shaw, 2000, p. 416). Shaw concluded all the MPs belonged to the same Community of Practice but they were “on different terms according to [their] gender” (2000, p. 416) and the propensity of male MPs to ‘control the floor’ through the use of ‘illegal interventions’ gave them more power in debates.

In a cross-genre study of British parliamentary discourse and theatrical discourse Ilie (2005) aimed to reveal similarities and differences in interruption patterns. She categorised verbal ‘interruptions’ in parliament into three types: turn-eliciting, turn-regulating and backchanneling (2005, p. 420). The ‘turn-eliciting interruptions’ were requests by one MP for another MP to ‘give way’.<sup>35</sup> A ‘turn-regulating interruption’ was used by the Speaker and often expressed by the formulaic ‘Order’. Backchanneling interruptions covered a range of expressions made by MPs during the speech of another. They could be made by an individual or a group and be supportive, for example, ‘Hear, hear’, or dismissive, depending on the party of the member speaking. In the article Ilie does not discuss UPL, apart from noting, “experienced MPs take the opportunity to score a point or two by countering their interruptors’ attacks through sharp, pointed and often ironical comments” (2005, p. 429). In terms of Ilie’s categorisation, if UPL was used as an interjection, it would be a ‘backchanneling interruption’ and the Speakers’ rebuke, a ‘turn-regulating interruption’.

What are described as ‘heckles’ in the Canadian House of Commons by Grisdale (2011) could also be called ‘interjections’ or, following Ilie, a form of ‘backchanneling interruption’. In the spectrum of interruptions, a request to ‘give way’ using formulaic language, is opposite to a heckle, defined as “call[ing] out in the chamber of the House of Commons without having the Speaker’s recognition to speak” (Grisdale, 2011, p. 39). In her research Grisdale

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<sup>35</sup> Ilie’s example shows this ‘interruption’ is expressed by the formulaic ‘will the [honorific] Gentleman give way?’ (2005, p. 420).



surveyed and interviewed MPs with the majority expressing concerns about the level of heckling and the impression it gave the public. The participants said heckles often contained offensive personal remarks that were not heard by the Speaker. She discussed the initiatives individual parties have taken to curb heckling along with a suggestion for increased intervention by the Speaker.

In their comparative research on the Austrian and French Parliaments, Zima, Brône & Feyaerts aimed to expand the literature on ‘interruptions’ by using the “cognitive-functional model of dialogic syntax” (2010, p. 136). Dialogic syntax, proposed by Du Bois, is “when speakers selectively reproduce aspects of prior utterances, and when recipients recognize the resulting parallelisms and draw inferences from them” (2014, p. 359). The data came from debates in 2005 and 2006 and showed a high occurrence of ‘call-outs’ or ‘interruptive comments’. The results showed that some MPs interrupted more than others with the top five responsible for over 30% of the examples. The analysis of ‘interruptive comments’ showed “speakers not only use the basic dialogic strategy of resonance activation to ironically echo given linguistic input, but additionally exploit the vast meaning potential attached to this input to suit their own communicative (i.e. adversarial) goals” (Zima, et al., 2010, p. 157). A point to note is that for ‘interruptive comments’ to generate responses, and counter responses, they cannot be ruled out of order. Therefore, the findings may represent a fine line of discourse that is one step removed from UPL. The significance of the research, to the present study, is that a small group of MPs were responsible for the majority of the ‘interruptive comments’. This is similar to UPL and is discussed in Chapter 6.

The above discussion has emphasised, when undertaking linguistic research in the institution of parliament, procedural language may have a different interpretation from that outside. To avoid confusion, either the language of the institution should be adopted or clear definitions given. This section has shown there are a variety of verbal ‘interruptions’ made by MPs during the speech of another.<sup>36</sup> They range from formulaic phrases to cheering and heckling. In some institutions, they are regarded as a custom and subject to the rules on parliamentary language, in others, they are not allowed, but happen anyway. These two types, according to Ilie, can be described as “institutionally sanctionable intrusions” and “unmitigated interruptions” (2005, p. 424). ‘Interruptions’ in parliamentary discourse are relevant to the

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<sup>36</sup> This includes the intervention made by the Speaker to rebuke an MP when UPL is used.

present study because ‘interruptions’ often contain UPL but, it is important to note, not all UPL occurs as an ‘interruption’.

**2.2.3 Lexico-grammatical research.** The lexico-grammatical studies relevant to the present study have analysed parliamentary discourse for clichés and parentheticals (Ilie, 2000, 2003c), apologies (Christie, 2002), phraseology (Elspeß, 2002; Loginova, 2013) and collocations (Bayley, 1999). The approaches to data management strategies, especially the development of specialised corpora, is also of interest (Baker, 2004; Bevitori, 2006; Loginova, 2013). In her study on clichés in the British Parliament Ilie (2000) developed a corpus by searching *Hansard* on the House of Commons internet site. All the examples contained the word ‘cliché’ used by the MP to define the language. Ilie explained the rationale for this approach.

I have deliberately chosen to examine these obvious cases of metadiscursively labelled clichés for two reasons: first, in order to have a common denominator in the process of cliché identification and second, to avoid the analyst’s uncertainty of cross-categorization and overlaps with pragmatically closely related semi-fixed phrases, such as idioms, sayings, proverbs etc. (2000, pp. 66–67)

By using this strategy Ilie identified examples through the self-selection by the user. In the present study the use of UPL is identified by a rebuke from the Speaker (see Chapter 7). Using a pragma-argumentative approach Ilie found clichés were used to reinforce one-dimensional arguments for example, the subject of debate was old/new or true/false. In a later study Ilie analysed randomly selected debates from the British House of Commons and focussed on parentheticals that occurred mid-sentence and indicated in *Hansard* by dashes or commas.<sup>37</sup> Because the ‘parliamentary parentheticals’ varied in length and structure, she described them as rhetorical strategies rather than phraseological units (2003c, p. 254). She categorised them into three types of rhetorical appeals: rational, ethical and emotional. In debates, she argued, they act as rhetorical shifts and “operate at the sentential and intersentential level as local or global strategies of planning, signalling, explicating, justifying and/or evaluating competing positions” (Ilie, 2003b, p. 263).

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<sup>37</sup> For example, “No sensible person – *from which category one should probably exclude the right hon. Gentleman* – would favour European Union enlargement at any price” (Ilie, 2003c, p. 262).

Christie's (2002) research on transgression and apology behaviour in parliamentary discourse used a CsofP perspective coupled with politeness and gender studies. The aim was "to show that applying a CofP framework to the analysis of politeness behaviour brings into view aspects of gender identity that are specific to parliamentary practice". She concluded that "apologies ... are agentive, strategic acts of politeness that go beyond, but acquire their significatory power from, the structural constraints of the practice of parliamentary debate" and that "Brown & Levinson's model of politeness may not be the most appropriate analytical tool for capturing their significance" (Christie, 2002).

In his research Elspaß (2002) adopted Harald Burger's definition of a phraseological unit of language.<sup>38</sup> The data came from three well known German post-war parliamentary debates and all phraseological units identified in the text were counterchecked against the oral archive. He found approximately 10% of the language was phraseological, made up of gambits, forms of address and idioms. Some idioms were modified to attract attention or demonstrate a witty turn of phrase. Elspaß concluded that phraseology was an essential feature of political discourse and creative modifications could be a powerful device. On the other hand, linguistic blunders could have a negative effect (Elspaß, 2002, p. 106). In his analysis of Question Time in the British Parliament, Chilton also discussed linguistic malfunctions and repairs. The ability to successfully manage a repair, and even turn it to advantage, within the course of a speech was an important aspect of the 'performance' (Chilton, 2004, p. 108). When UPL is used there is an institutionally established rebuke and repair structure to enable the discourse to proceed by withdrawing the language. This procedural 'safety net' is lost however if an MP 'refuses to withdraw' and examples are discussed in Chapter 7 and listed in Appendix 5.

A small group of researchers have incorporated corpus linguistic techniques with parliamentary discourse research. Bayley (1999) used the parliamentary sub-corpus of a multilingual thematic corpus on European integration to study collocations of the words 'democracy' and 'federalism'. The data was selected from British House of Commons debates, between 1992 and 1998, and consisted of 570,000 words and 15,000 word forms (Bayley, 1999, p. 45). Baker (2004) analysed the debate in the British House of Lords on a

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<sup>38</sup> "Consists of at least two words (but is not longer than a sentence), is syntactically and semantically not the result of the mere combination of its constituents, is used as a lexical unit in a language community, and may in some cases be idiomatic" (Elspaß 2002, p. 82).

bill to equalise the age of sexual consent for gay men. Using debates in 1998, 1999 and 2000 he divided them into two sets of data, those for and those opposed. Using corpus analysis software, Wordsmith Tools, he identified the high frequency keywords in each set of data.<sup>39</sup> He concluded, “using corpus-based approaches to sociolinguistics based on keywords has therefore been useful in uncovering the main lexical differences between the two sides of the debate. However, qualitative interpretations of the ways that these words were used in context were also required in order to make sense of the findings” (Baker, 2004, p. 104).

Taking a similar approach to Bayley, Bevitori (2006) combined quantitative and qualitative methodology in her study of ‘reporting verbs’ used in parliamentary discourse. From a corpus of all the debate in the British House of Commons in 2003 she focussed on a sub-corpus of discussions on Iraq. The use of ‘reporting verbs’, such as, ‘admitted’, ‘acknowledged’ or ‘claimed’, to quote the words of others, was established by generating frequency lists and concordances using corpus software. Further analysis found the use of ‘reporting verbs’ was a rhetorical strategy that had the effect of affording neutrality to the speaker or distancing them from the original source (Bevitori, 2006, pp. 175–176). In a similar two-stage process Loginova developed a corpus of Question Time discourse covering two years and consisting of 338,673 tokens (2013, p. 43). The corpus software Wordsmith was used to identify word strings and clusters. Sixty examples of phrasal lexical items were manually identified and, along with contextual information, “stored in a purpose-created database which, in my opinion, is the best way to collect, store and access ethnographic data” (Loginova 2013, p. 25). The use of a relational database for the management of data is discussed further in Chapter 4.

This section has shown that many aspects of research on parliamentary discourse are applicable to UPL. That is because UPL can be used at any time during parliamentary proceedings and its study intersects with existing areas of research. Although parliamentary discourse lends itself to be studied in discrete areas such as topics, debates or lexico-grammatical elements, it is important to maintain a holistic view. Parliamentary discourse encompasses the controversial and mundane, with unique structural and lexical features and a ‘human element’ that ultimately shapes and changes the language.

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<sup>39</sup> The highest frequency keyword in the pro-reform speeches was ‘law’ and in the anti-reform speeches was ‘buggery’ (Baker, 2004, pp. 91–92).

### 2.3 New Zealand English and te reo Māori

One of the research questions in the present study asks how NZE and te reo Māori have been used in UPL. This section discusses the study of NZE and research on New Zealand parliamentary discourse, with specific reference to NZE and te reo Māori. The English language came to New Zealand with colonisation and European settlement in the 19th century. In the past, NZE was associated with Australia as a form of Australasian English, as illustrated by the text *The English Language in Australia and New Zealand* (Turner, 1966). In the 1980s there was a change and NZE, as a separate variety of English, became the focus of concerted study (Kuiper & Bell, 2000, p. 15). “New Zealand English is now known in its own right as one of the MAVENS or major English varieties of the world” (Bardsley, 2013, p. 9). The features of NZE include: a lexicon of slang that dates from the time of early contact between Māori and European to the 21st century; the borrowing and blending of words from the indigenous Māori language; and compounding words to create new ones (Bardsley, 2014). As Gordon states:

The words we use tell us a lot about New Zealand and New Zealanders. They reflect the society we live in. Our vocabulary is extended with new words, borrowed words, newly created words, words made up as jokes, words from other places now given a new meaning. But at the same time as our vocabulary expands we also find words going out of fashion until no one remembers them and their interest is purely historical. (2008, p. 59)

The development of NZE is recorded in the seminal work *The Dictionary of New Zealand English*, edited by H. W. Orsman (1997). Comprised of approximately 6,000 headword entries it “records the history of words and particular senses of words which are in some way distinctively or predominately, though not always exclusively, ‘New Zealand’ in meaning or use” (1997, p. [vii]). More recently, there has been an increased focus on New Zealandisms and distinctive aspects of NZE as a variety of English. As part of the Group Researching English in New Zealand (GRINZE) the New Zealand Dictionary Centre has developed a 40,000 headword database of New Zealand English words and usages (Bardsley, 2014, p. 96). Research on NZE includes, the rural lexicon (Bardsley, 2003), the influence of te reo Māori on the NZE lexicon (Macalister, 2003), the lexicon associated with harvesting the marine environment (Connor, 2010) the lexis of public sector reform in the 1980s (Quigley, 2010) the argot lexicography of prisoners (Looser, 2001) and male sex workers (Ings, 2010).

Other studies on the distinctiveness of NZE are reported in journals such as *English in Aotearoa*, *New Zealand English Journal*, *NZwords*, *Te Reo: Journal of the Linguistic Society of New Zealand* and articles in the *International Journal of Lexicography*.

**2.3.1 Parliamentary discourse in New Zealand.** The linguistic research on New Zealand parliamentary discourse has three distinct perspectives. One is studies on the discourse associated with a particular topic or type of debate (Connor, 1991; Horn, Leniston, & Lewis, 1983; Ladley, 2006; Loginova, 2013; Salmond, 2004; Zangger, 2009). A second perspective is the use of *Hansard* as a corpus to identify examples of NZE or te reo Māori (Macalister, 2003; Stephens & Boyce, 2011; Williams, 2010). A third area has been research on the use of te reo Māori in the legislative chamber (Stephens & Monk, 2012; Stephens, 2010).

Two researchers, Connor (1991) and Zangger (2009), have investigated specific topics. In a Master's thesis Connor analysed the verbal behaviour associated with debates on industrial relations.

[He undertook] a content analysis ... upon twelve sample Hansard issues and two elected industrial relations bills over a one year sample period, from October 1987 to September 1988. It was directed at the amount of coverage and type of industrial language appearing in parliamentary debates, the manner in which it was presented and by whom, and the types and characteristics of participants who appeared in the debates. (1991, p. 1)

He found industrial relations received a lot of attention in the House but the opportunity to speak on the topic was not spread equally amongst the MPs. By comparing the topics debated in parliament, with those reported in the news media, he found differences between the two fields in what was considered "high public value" (Connor, 1991, p. 1). For politicians, the "economic context of industrial relations featured the most prominently whereas industrial action was hardly mentioned" (Connor, 1991, p. 1). They were also concerned with a range of participants as opposed to a specific group.

In her Master's thesis Zangger focussed on the discourse associated with the passage of the Prostitution Reform Bill from 2000 to 2003. The sources used were *Hansard* debates on the bill and background information from newspaper articles and government documents. Using

Critical Discourse Analysis, Zangger aimed to “identify the competing discursive framings during the decriminalisation of the sex industry in NZ” (2009, p. 25) by analysing the speeches of the supporters and opponents. During the three years it took to pass the bill a general election in 2002 changed the political make-up of parliament and the bill was amended by a select committee. It passed into law but lost support between the first and third readings.<sup>40</sup> During the process the original decriminalisation model of the bill was changed to a legalisation model. The MPs who supported the original intentions were no longer in agreement. As a result, Zangger argued, “the discursive divides amongst Supporters for decriminalization and Supporters for legalization led to a drastic and constant decline in support for the [Prostitution Reform Bill]” (2009, p. 84).

Research on specific debates has focused on two of the set-pieces of parliamentary discourse, maiden speeches<sup>41</sup> and Question Time. A content analysis of the maiden speeches given by the first 21 women MPs who entered the New Zealand Parliament was undertaken by Horn et al (1983). Their analysis noted the common themes of electorate, women and party and identified a “fine thread, joining the women MPs together, bound up in its fibres in a shared sensitivity to the predicament of women in a difficult and in some ways all-to-predictable [*sic*] world” (1983, p. 264). From a political science perspective, both Salmond (2004) and Ladley (2006) focussed on Question Time and used questions and responses to analyse the ‘performance’ of Prime Ministers and Leaders of the Opposition from the 1980s to the mid-2000s. In his research, on Leaders of the Opposition, Salmond found “experienced leaders are able to use Question Time as a tool for influencing their poll rating” (Salmond, 2004, p. 89) and this had implications for the choice of party leader. In his 20 year survey of questions directed to Prime Ministers Ladley found ‘credibility’ to be a recurring theme and noted the potential of Question Time for further research on “style and language” (Ladley, 2006, p. 79). A comparative study of Question Time in the New Zealand and Australian Federal Parliaments by Loginova (2013) is discussed in 2.1.2 and 2.2.3.

**2.3.2 New Zealand English in parliamentary discourse.** As a source, *Hansard* is a record of the language of individuals elected or appointed to represent the people. As representatives of a wider community the language of New Zealand parliamentarians might

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<sup>40</sup> The vote at the first reading was 87 for and 21 against. The vote at the third reading was 60 for and 59 against (Zangger, 2009, pp. 99–100).

<sup>41</sup> A maiden speech is the first speech a new MP makes in the legislative chamber. MPs typically include personal details, their motivations for entering parliament and references to their electorates.

be expected to reflect linguistic change over time including NZE and borrowings from Māori. For use in lexical research New Zealand *Hansard* is a rich source because of the extensive date coverage and the potential size of the corpus, however it is only available in electronic format from 1987 to the present day.<sup>42</sup> In his PhD thesis Macalister (2003) studied the inclusion of words of Māori origin in written NZE from 1850 to 2000. He used *Hansard*, along with newspapers and the *School Journal*, as sources to develop a corpus of five and a half million words. A number of indicator years were established and the data from *Hansard* “focussed on debates on ‘Maori-specific’ issues identified through the indices of the relevant *Hansard* volumes” (2003, p. 66). The analysis showed “an increase in the presence of Maori words in written New Zealand English, and an increase in the contribution of social cultural types and tokens to that presence” (2003, p. 293).

To identify examples of NZE and New Zealandisms Williams (2010) used *Hansard* as a source. Using the three marker years of 1905, 1955 and 2005 she located approximately one hundred examples of NZE “comprising mainly of compounds and words borrowed from Maori” (2010, p. 2). The three datasets provided examples of compound words, a feature of NZE, such as ‘backblocks’ or ‘shelter-shed’. An increase in borrowings from te reo Māori in the 2005 sample aligned with Macalister’s (2003) findings. These studies illustrate the usefulness of *Hansard* for a diachronic study and a particular focus of the present study is to identify and contextualise examples of NZE ruled as UPL.

**2.3.3 Te reo Māori in parliamentary discourse.** A third area of New Zealand parliamentary discourse research has been the traditional and contemporary use of te reo Māori. From an analysis of *Hansard* Stephens (2010, p. 220) established, that since 1997, there had been an increase in the use of te reo Māori in parliament. In a later article, Stephens and Monk discussed the contemporary use of te reo Māori as an example of the “(partial) institutionalism of Maori in the modern New Zealand Parliament” (2012, p. 75).

Parliamentary debates, along with acts, bills, select committee reports, were among the sources used to develop the Legal Māori Corpus,<sup>43</sup> “a digitised collection of thousands of pages of legal and law-related texts in the Māori language dating from between 1828 and

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<sup>42</sup> Electronic versions of *Hansard* are available via a subscription database *The Knowledge Basket* exclusively for the dates 16 September 1987 to 17 December 2002. It is freely available on the Parliament website [www.parliament.nz](http://www.parliament.nz) from 11 February 2003 to present.

<sup>43</sup> He Pātaka Kupu Ture / Māori Legal Archive is available on the New Zealand Electronic Text Collection website <http://nzetc.victoria.ac.nz/tm/scholarly/tei-corpus-legalMaori.html>



2009” (Stephens & Boyce, 2013, p. vii). This corpus formed the basis for the publication, *He Papakupu reo Ture = A Dictionary of Māori Legal Terms* (Stephens & Boyce, 2013). Along with instances of NZE ruled as UPL this study intends to identify examples of te reo Māori ruled as UPL. These could be terms used by native speakers of Māori or borrowing by Europeans, which also is a feature of NZE.

## **2.4 Conclusion and Research Questions**

This chapter has highlighted the research on UPL and parliamentary discourse relevant to the present study. It has shown only a small number of specific studies on UPL have been undertaken. They have mainly focused on UPL as a form of ‘bad’ verbal behaviour or a transgression of accepted rules. A point of difference in the present research is that no previous study has conducted a comprehensive analysis of the language ruled as unparliamentary in two houses of parliament over a 60 year period. Following are the research questions proposed for the present study. They are reviewed, and the areas where a lack of data was encountered, are discussed in 8.2.

A study of unparliamentary language in the New Zealand Parliament from 1890 to 1950 aimed to address the following research questions:

1. What words and phrases have been ruled as UPL?
- 2a. How can UPL be categorised and analysed to develop a greater understanding of the sub-genre?
- 2b. How is linguistic change in the institution of parliament, and potentially the wider community, reflected in this study?
3. How have NZE and te reo Māori been used in UPL?
4. What changes have there been in the interpretation of the rules on UPL?
5. To what ends has UPL been used strategically by members of parliament?
6. What trends in the use of UPL can be determined from a diachronic study?



### Chapter 3: Theoretical Framework

All activities need to be theorised as a basis for offering an explanation of what is occurring. This chapter aims to evaluate two theoretical perspectives and propose a combined framework to underpin the present study. The main theory is Communities of Practice (CsofP) as defined by Etienne Wenger (1998)<sup>44</sup> and the second is linguistic impoliteness. It will be argued the CsofP framework provides a useful model to represent and interpret the membership, activities and language of a legislative chamber, while noting there has been some criticism by linguists about deficiencies in the concepts of language and power. The evaluation begins with a discussion of the main features of the CsofP framework. The three dimensions that constitute a CofP will be applied to the legislative chamber, with one dimension, ‘shared repertoire’, being discussed in detail. The use of the CsofP framework in linguistics is discussed along with an extended example based on the term **quibble**. Finally, the application of linguistic impoliteness, as defined by Mills (2005) will be highlighted as also being highly relevant to this research.

#### 3.1 Communities of Practice

In the CsofP framework ‘practice’ is a central concept and associating it with ‘community’ brings together the two main characteristics of a CofP. The example Wenger gives of what is not a CofP can be helpful. A neighbourhood may be called a community but it is not a CofP and practising the piano may improve playing but it is not a CofP (1998, p. 72). Both concepts of ‘community’ and ‘practice’ need to come together and associate around the three dimensions of a CofP: ‘mutual engagement’, ‘joint enterprise’ and ‘shared repertoire’. Membership alone is not sufficient to constitute a CofP as there must be a recognised activity. Practice resides in the historically accumulated and negotiated actions of what the CofP does and “membership in a community of practice is therefore a matter of mutual engagement. That is what defines the community” (1998, p. 73).

**3.1.1 Background to the Community of Practice framework.** The theory of CsofP was first published by Lave and Wenger (1991) in *Situated Learning: Legitimate Peripheral Participation* and extended by Wenger (1998) in *Communities of Practice: Learning, Meaning and Identity*. Lave and Wenger used an ethnographic study of apprenticeship to

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<sup>44</sup> Now known as Etienne Wenger-Trayner (Wenger-Trayner, Fenton-O’Creevy, Hutchinson, Kubiak, & Wenger-Trayner, 2015, p. 9).

challenge the idea that learning was based on the transmission of knowledge from teacher to student. The aim was “to broaden the traditional connotations of the concept of apprenticeship – from a master / student or mentor / mentee relationship to one of changing participation and identity transformation in a community of practice” (Wenger, 1998, p. 11). They introduced the concept of ‘legitimate peripheral participation’ to describe the learning that takes place in a CofP where new members learn by undertaking peripheral activities and over time become established members. For example, in the parliamentary situation, it is expected that new MPs will take time to understand the complexities of the role, and inadvertent procedural transgressions are tolerated and guided by the Speaker. However, the same treatment would not be accorded a long serving MP. The text *Situated Learning: Legitimate Peripheral Participation* (1991) has been described as seminal and that it “represented nothing short of a paradigm shift ... in the study of learning” (Hughes, Jewson, & Unwin, 2007b, p. 2). It opened up new areas of research but many of the concepts were undeveloped and, as a result, in *Communities of Practice* Wenger set out to address those deficiencies (1998, p. 12).

As a social learning theory CsofP is based on the premise that learning occurs where people engage and interact with one another with a common purpose.

Over time, this collective learning results in practices that reflect both the pursuit of our enterprises and the attendant social relations. These practices are thus the property of a kind of community created over time by the sustained pursuit of shared enterprise. (Wenger, 1998, p. 45)

A feature of the framework is the definition of a CofP which has three dimensions: ‘mutual engagement’, ‘joint enterprise’ and ‘shared repertoire’. In *Communities of Practice* Wenger (1998) develops these dimensions along with a number of other concepts to express the dynamics that occur within and between CsofP. As a theoretical framework CsofP has gained wide appeal in a number of disciplines and is described as “one of the most influential concepts to have emerged within the social sciences” (Hughes et al., 2007b, p. [1]). However, it is not without criticism and a number of articles and edited texts have discussed the “many unresolved issues and problems associated with the concept” (Hughes, Jewson & Unwin, 2007a, p. 171). One of the main criticisms has been the lack of focus on the concept of power within the framework (Hughes, et al., 2007a, p. 173), discussed more fully in section 3.2.2.

Other criticisms have included: ambiguities in the concepts (Cox, 2005, p. 536), the difficulty of embedding CsofP within a larger political economy, the importance of wider social membership and a view that the model reflects the transmission of knowledge rather than innovation (Hughes et al., 2007a, pp. 171–176). In the latter chapters of *Communities of Practice* Wenger (1998) signalled a new direction for the theory, based on social learning in organisations.<sup>45</sup>

**3.1.2 Dimensions of a Community of Practice.** The first dimension that defines a CofP is ‘mutual engagement’ where “people are engaged in actions whose meanings they negotiate with one another” (Wenger, 1998, p. 73). ‘Mutual engagement’ involves the motivation that brings people together, such as a workplace or a club, and encompasses the activity they engage in. It is an active process that creates a defined community where people move in and out but the CofP endures. The members of the CofP can be diverse or homogenous but together they form a community where social relations may not always be harmonious. This is a key point: the term ‘community’ generally has positive connotations but “in some communities of practice, conflict and misery can even constitute the core characteristic of a shared practice” (Wenger, 1998, p. 77). The mutual engagement in a legislative chamber comes as a consequence of the electoral process where a defined number of MPs gather together. As a group, they represent different political parties or viewpoints and have diverse backgrounds. The formation of a new parliament brings them together in their ‘mutual engagement’ as MPs.

The second dimension of a CofP relates to ‘joint enterprise’ the “enterprise that keeps a community of practice together” (Wenger, 1998, p. 77). Enterprise is not simply a description of an ‘output’ but a negotiated experience within the CofP. For example, when individuals come together in a community the practice is defined, collectively and individually, by the participants and their engagement in it. “The enterprise is joint not in that everybody believes the same thing or agrees with everything, but that it is communally negotiated” (Wenger, 1998, p. 78). The role of parliament is to represent the people, pass legislation, scrutinise the activities of the Government and approve the supply of public funds (‘Parliament brief: What is parliament?’, 2010). One aspect of the ‘joint enterprise’ is law-making. It is expressed

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<sup>45</sup> Etienne Wenger-Trayner and his partner currently run a consultancy based on social learning theory (Wenger & Trayner, 2016).

through a discourse that has strong adversarial properties. The deliberative process allows for the policy stance of different parties and individuals to be heard, recorded and influence change. For example, in the passage of a bill into an Act of Parliament, the result is the ‘joint’ decision of the parliament and not of a political party.

This dimension of a CofP includes a “communal regime of mutual accountability” (Wenger, 1998, p. 81) that may be expressed in reified rules such as *Standing Orders* and *Speakers’ Rulings*. The rules are subject to review and change over time and the ruling of one Speaker may overturn an earlier decision. In the case of UPL, a contradiction exists, because even though the rules require the use of parliamentary language, UPL is still relatively common. This aligns with Wenger’s statement, “even when the enterprise is reified into a statement, the practice evolves into a negotiated interpretation of that statement” (1998, p. 81).

The third dimension of a CofP is a ‘shared repertoire’ which encompasses non-linguistic and linguistic properties:

The repertoire of a community of practice includes routines, words, tools, ways of doing things, stories, gestures, symbols, genres, actions, or concepts that the community has produced or adopted in the course of its existence, and which have become part of its practice ... It includes the discourse by which members create meaningful statements about the world, as well as the styles by which they express their forms of membership and their identities as members. (Wenger, 1998, p. 83)

While the focus of this research is on the discursive activity that occurs in the legislative chamber it is important to acknowledge that non-linguistic symbolism and ritual adds to the contextual properties of the discourse. The language used in the chamber may appear to be similar to that used outside but there are many unique elements that combine into the distinctive formulation that is parliamentary discourse as discussed in 1.2.1.

This discussion of the three dimensions that define a CofP has shown that members of a legislative chamber can be regarded as a CofP. The membership and numbers are legally defined and it is made up of people with a range of political views. In the CsofP framework “disagreement can be viewed as a productive part of the enterprise” (Wenger, 1998, p. 78) just as much as co-operation. The practice of the legislative chamber is anchored in the

institutional role of parliament and the rules that guide the procedure. The rules are communicated to the members and applied by the Speaker but they are also a site of negotiation. While acknowledging there are some deficiencies in the CsofP framework it is suited to the analysis of a complex and dynamic environment. Rather than modifying or extending the framework, as suggested by Davies (2005) and Tusting (2005), an alternative option is to see CsofP as an overarching theoretical superstructure into which other theories might be drawn to develop the analysis of a particular CofP. Therefore, the theoretical framework of CsofP, as articulated by Wenger in 1998, will form the basis for this research but into which philosophical and linguistic theories on discourse, power and impoliteness will be drawn and explored from within its bounds.

**3.1.3 Shared repertoire and parliamentary discourse.** This section discusses in greater detail the ‘shared repertoire’ of the legislative chamber by focusing on the three elements of parliamentary discourse referred to in 1.2.1: non-linguistic context, discourse structure and language. It is important to note that parliamentary discourse is a part of the ‘shared repertoire’ that has a wider definition. The contextual non-linguistic elements of the ‘shared repertoire’ signal, within a legislative chamber, that formal behaviour and language is expected. There is a specific allocation and arrangement of seating in the chamber. The exclusive nature of the space is often reflected in high quality fittings, furnishings and objects of special symbolism. The dress is formal and, during the time of the present study, the Speaker sat in an elevated position wearing a wig and gown. The summoning and opening of the New Zealand Parliament following a general election and its dissolution are conducted by a proclamation from the Governor General with the associated ceremonial formalities. Many contextual elements of the shared repertoire are dominated by the parliamentary conventions of the past adopted from the British Parliament. Overlaying an expectation of formality is the adversarial system of opposing political parties that has led researchers to describe the legislative process as a “legislative struggle” (Gross, 1978, p. 7), a “field of struggle” or a “parliamentary game” (Rojo, 2000, p. 179).

Many of the structural elements of parliamentary discourse relate directly to the procedural rules set out in *Standing Orders*. To speak in the New Zealand Parliament a member seeks a call by rising from their seat and calling to the Speaker. The Speaker recognises the member by name which is the signal they may begin to talk. Members must speak through the

Speaker and not directly to another member. “The origins of this practice are obscure, but it does, to some extent, assist in restraining quarrels or personal recriminations in the House by figuratively interposing the Speaker between members” (McGee, 2005, p. 183). The party system of representation is reflected in a turn-taking structure where speeches from members of different political parties alternate for set periods of time. Ideally, this would result in a discourse made up of “a series of monologues all addressing the same question” (Bayley, 2004b, p. 25), followed by a decision such as a vote. But typically, different forms of ‘interruptions’ intrude into the turn taking sequence, such as the clarification of a point of procedure, interjections or the use of UPL. These ‘interruptions’ are mostly made by members but, in the case of UPL, it is the Speaker who intervenes in the discourse. What follows is a rebuke and repair sub-structure that allows the discourse to continue beyond that point, illustrated in the following exchange between an MP and the Deputy-Speaker Rev. Clyde Carr.

Mr T. E. SKINNER ... The honourable member who has just resumed his seat talked about militant unions, and having tribunals set up, and he talked about all the “**hooley**” that is usually talked about by members of the Opposition.

The DEPUTY-SPEAKER.- The honourable gentleman is not supposed to use that word.

Mr T. E. SKINNER.- Very well, Sir. I withdraw it. (Skinner, 1947)

The CsofP framework includes the concept of ‘boundaries’ to describe the relationship between communities and ‘boundary objects’ that are “artifacts, documents, terms, concepts, and other forms of reification around which communities of practice can organize their interconnections” (Wenger, 1998, p. 105). Because of the disruptive properties of UPL to the discourse structure its use creates a ‘boundary’ between the intended flow of a speech and the alternative outcome where the user is stopped and rebuked by the Speaker, as illustrated in the above example. The disrupted discourse is reified in the written pages of *Hansard* and shown as broken lines of text where the speech is halted by the Speakers’ intervention, rebuke and the subsequent repair. The publication process also imposes an additional meta-structure. The discourse is transcribed, edited and organised into daily proceedings. It is labelled with the subject of the debate, the names of the MPs speaking, indexed and published on websites and ultimately printed in sequentially numbered volumes. The structured text is contained within the publication of *Hansard* having been organised to



conform to editorial policies of the institution itself. But, as part of the structural elements of parliamentary discourse, UPL could be described as representing the boundary between acceptable and unacceptable language in the chamber (see also 3.3.2). The concept is useful because ‘boundaries’ in CsofP are important, they “are like fault lines: they are the locus of volcanic activity. They allow movement, they release tension; they create new mountains, they shake existing structures” (Wenger, 1998, p. 254).

The third element of parliamentary discourse is language. There are specific terms and phrases that form a “parliamentary vocabulary” (Palonen, 2012, p. [123]) such as, forms of address, the ‘Member for’ or, the Minister of’,<sup>46</sup> formulaic procedural phrases and parliamentary jargon. The institutional rules state a preference for the use of ‘parliamentary language’ and provide a way to manage the use of UPL by giving the Speaker authority to rebuke those who use it. In the ‘assessment’ of what is, or is not, UPL the Speaker draws on the practices of the past and considers the context of the language use. The ‘assessment’ that UPL has been used is the decision of the Speaker at the time. Therefore, the diachronic approach of the present study is a useful way to expose changes.

The topics of debate are largely dictated by a government’s legislative and budgetary programme apart from set-piece opportunities for the opposition such as Question Time, the General Debate, Members’ Bills and urgent debates on matters of public importance. The language is often orientated towards the future with proposed policies for change countered by alternative arguments. The more robust debate usually occurs during debates on controversial or “highly topical issues” (Ilie, 2006, p. 191). The parliamentary rules state debate should be relevant “nevertheless ... unparliamentary language, issues before the courts, and so on - are instances of material which is out of order despite the fact that it may be relevant and, therefore, on the face of it suitable for inclusion in a speech” (McGee, 2005, p. 185).

The turn-taking structure of speeches creates a system where alternate views are presented. However, in this stylised contest of ideas, “it is questionable whether language and argument in Parliament actually succeed in shifting votes from one side to the other – the discourse of

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<sup>46</sup> In the New Zealand Parliament there was a rule that personal names could not be used but since the introduction of MMP, and the election of members from party lists, full names can be used but not Christian names or nicknames (McGee, 2005, p. 183).

party loyalty and power seems to be a decisive factor – but it does provide the semantic framework within which important questions can be represented” Bayley (1999, p. 44). Because of the party system in Westminster-style parliaments, such as New Zealand, it is relatively uncommon for MPs to ‘cross the floor’ and cast his or her vote contrary to that of their party. According to parliamentary practice, “members are formally free of [party] loyalties and allegiances at all times and may vote in any way they please on any issue, but they tend to act in accordance with caucus decisions as part of their covenant with the electorate which returned them to the House as members of a political party” (McGee, 2005, p. 99). The exceptions are conscience issues, such as alcohol or abortion law reform, where members can vote free from party constraints and the debate can be “fractious, stimulating, moving and confusing by turns” (McGee, 2005, p. 100).

In summary, the ‘shared repertoire’ of the legislative chamber is shaped by the historical practices of the past and institutional responses to change. The discourse is based on an idealised turn-taking monologue structure where views on a particular topic are alternated. The non-linguistic context is dominated by the formalities of the chamber, the institutional requirements to manage the business of parliament, set against the adversarial system of party politics. The structure of the discourse reflects these contextual elements through turn-taking speeches and different forms of ‘interruptions’. While ‘interruptions’ appear to disrupt the structure they are also an intrinsic part of it and the mechanisms of interruption, points of order, interjections and UPL offer ways for members to exert a form of ‘power’ over the discourse. As Wodak states, disordered discourses are “in no way random or chaotic; they possess their own order and serve certain functions of exclusion, power, justification and legitimisation” (1996, p. 171). Members can gain political kudos by demonstrating superior rhetorical skills or challenging procedural boundaries by “developing and using a wide variety of strategic, and even subversive, mechanisms to challenge and bypass some of the norms and regulations” (Ilie, 2010c, p. 2).

### **3.2 Linguistics, Community of Practice and ‘Power’**

The following sections discuss the use of the CsofP framework in linguistics research with a focus on the concept of ‘power’. In section 3.2.2, Wenger’s concept of ‘power’ is introduced, along with the criticism from linguists and his response. The question of ‘power’ is returned to in 8.1.4. One reason for this separation is that 8.1 addresses Wenger’s concept

of ‘identity’, and ‘power’ is associated with that part of the framework. Another reason is the results, discussed in Chapters 5 to 7, will underscore the later analysis. In section 3.2.3 an extended discussion, based on the term **quibble**, will apply concepts in the CsofP framework to illustrate the complex dynamics that can exist behind the language of the legislative chamber.

**3.2.1 Communities of Practice in linguistics.** The CsofP framework was first used in language and gender research by Eckert and McConnell-Ginet where they proposed to “sketch the main outlines of a theoretical perspective on language, gender and power” (1992, p. [89]). Their interest developed out of Eckert’s 1980s study of language variation amongst high school adolescents where she identified two CsofP in suburban Detroit called the jocks and the burnouts (Eckert & McConnell-Ginet, 1999, p. 195). They rejected the concept of speech community because it defined differences between people in terms of characteristics such as age, sex or location and did not recognise the importance of practice. For this reason, they adopted Lave and Wenger’s CofP – a community defined by social engagement described as follows:

A community of practice is an aggregate of people who come together around mutual engagement in some common endeavour. Ways of doing things, ways of talking, beliefs, values, power relations – in short, practices – emerge in the course of their joint activity around the endeavour. A community of practice is different as a social construct from the traditional notion of community, primarily because it is defined simultaneously by its membership and by the practice in which that community engages. (Eckert & McConnell-Ginet, 1992, p. 95)

As a framework for use in sociolinguistic research CsofP has been described as “a fruitful concept” (Holmes & Meyerhoff, 1999, p. 181), when compared to alternative models such as speech community, social identity theory or social network analysis. Holmes and Meyerhoff saw it as a way to examine language change and link micro-level to macro-level analyses where the “detailed ethnographic analysis of discourse in context” (1999, p. 181) can be related to a wider social context and this aspect of the concept has the most to offer linguistics.

In a later article Meyerhoff and Strycharz state “to date, CofP as a domain of analysis has been adopted most wholeheartedly by researchers working on language and gender” (2013, p. 439). Apart from studies conducted in the 1990s it has been used less often, possibly because of the “methodological challenges the application of CofP presents” (2013, p. 435). They note however an increased focus on researching locally constructed groups even if CofP terminology is not used (2013, p. 435). The ability to generalise linguistic variation from a CofP to the wider society remains problematic even though Eckert and McConnell-Ginet state, “even a single study of a local CofP, however, can suggest significant generalizations about language and gender which can be explored in other community studies, and perhaps with other methods (e.g. survey data) (1999, p. 199). Of interest to the present study is Eckert’s (2000) work in the area of language change which indicated the CsofP framework can be used in longitudinal analysis. Her study of the linguistic variation of two groups of American high school students, and plotting the variation in their surrounding community, “indicate[d] a relation between the use of variables in a given community and their distribution in the urban-suburban continuum, integrating gender and social categories in the process” Eckert (2000, p. 136).

**3.2.2 ‘Power’ and Communities of Practice.** A major criticism of the CsofP framework has been the approach to ‘power’. In the text *Beyond Communities of Practice: Language, Power and Social Context* Barton and Tusting argued “framings provided by theories of language, literacy, discourse and power are central to understandings of the dynamics of communities of practice, but they are not bought out in Wenger’s formulations” (2005, p. 6). Power, in the CsofP framework, is not seen as a hierarchical structure but as a constant negotiation of meaning within the CofP (Meyerhoff & Strycharz, 2013, p. 434). An example of this issue was highlighted by the research of Davies who reconsidered the data in Eckert and McConnell-Ginet’s research on adolescent talk. Davies argued, that in informal groups, “gaining legitimate peripheral participation is a matter of sanction from within the hierarchy” (2005, p. 557). For example, simply wanting to belong, or emulating a dress style or language, does not necessarily lead to entry of a CofP.

The fact that these communities do have barriers, and monitor access and admission, must entail that they have an internal structure and hierarchy. If an individual is to have the right (power) to sanction another’s access and admission, then that right (power) must be recognized and accepted by the majority of the community, and thus

they must be considered to be towards the apex of the community. (Davies, 2005, p. 576)

In a response to Davies, Eckert and Wenger agreed that “communities of practice are a good locus for studying how power is organized and exercised in day-to-day linguistic practice” (Eckert & Wenger, 2005, p. 582) but they disagreed that concepts of ‘hierarchy’ and ‘acceptance’ were missing from the framework. They argued that “issues of power and legitimacy are built into the communities of practice theory, and therefore their importance cannot be questioned” (Eckert & Wenger, 2005, p. 588). In a later work, Wenger acknowledges “a common line of critique is that the concept of communities of practice, especially in its later formulations in my own work, does not place enough emphasis on issues of power” restating that CsofP is a “learning theory, not a political theory” and issues of power are inherent and incorporated into the theory (Wenger, 2010, p. 188).

The concept of ‘power’ is broadly addressed by Wenger in Part II of *Communities of Practice* (1998). “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, p. 189). He suggests there is a duality of interplay of two concepts, ‘identification’ and ‘negotiability’. The duality of concepts is a feature of the CsofP framework. ‘Identification’ builds “identities through an investment of the self in relations of association and differentiation” whereas ‘negotiability’ “determines the degree to which we have control over the meanings in which we are invested” (1998, p. 188).

In *Communities of Practice* Wenger gave an example of the dual nature of power where 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, p. 208). He continues by saying, that “in this interplay of identification and negotiability, there is a discipline of belonging, which we apply to ourselves and to each other in a very fine-grained process” (1998, p. 208).<sup>47</sup> This example is

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<sup>47</sup> This, he states, is “reminiscent of Michael Foucault’s view of power and institutional discourse as pervading human interactions ... but ... his theory misses ... a notion of identity and identification to explain why the

highly relevant to the study of UPL and Wenger's concept of the dual nature of power is a useful construct to reflect the tensions or 'discontinuities' associated with the use of UPL.<sup>48</sup> When used in the chamber expressions such as being **unpatriotic**, being branded as a **hypocrite** or a **liar** are likely to be ruled as UPL and bring about an internal procedure of control over the discourse (Foucault, 1981, p. 56). Not only does the use of UPL create a tension between notions of 'identification' and 'negotiability', as Wenger suggests, but the rebuke by the Speaker has the effect of altering the internal discourse structure of a debate until it is repaired by formulations of withdrawal and apology. As Foucault states:

The regular formation of discourse can incorporate the procedures of control, in certain conditions and to a certain extent, ... and conversely the figures of control can take shape within a discursive formation ... so much so that any critical task, putting in question the instances of control, must at the same time analyse the discursive regularities through which they are formed; and any genealogical description must take into account the limits which operate in real formations. (1981, p. 72)

The duality of the concepts of 'identification' and 'negotiation', as a source of power in discourse, is an area that has not been fully explored in linguistic research. To date, the focus has been more on the 'practice' elements of the framework rather than 'identity'.

In *Communities of Practice* (1998) Wenger rejected ideas of structural power but, as Davies (2005) highlighted, internal structures do exist within a CofP and have a bearing upon practice. Within linguistics there has been a reformulation of Wenger's original concept of power to incorporate elements of hierarchy as a site of negotiation within the CofP. A more recent discussion by Meyerhoff and Strycharz indicates a greater acknowledgement of a structural hierarchy in a CofP but "even if there is a clear hierarchy in a given CofP, members at the top need to constantly (re)assert their place there" (2013, p. 434).

**3.2.3 The case of quibble.** Throughout the book, *Communities of Practice* (1998), Wenger used the example of a medical claims processor Ariel, and her colleagues, who worked for a fictional company called Alinsu. To reinforce this discussion on the CsofP

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power of institutional discourses works in the first place" (Wenger, 1998, p. 296). The concept of 'belonging' in the CsofP framework is discussed in 8.1.1.

<sup>48</sup> 'Continuities' and 'discontinuities' in practice are one of the many dual concepts in the CsofP framework. Discontinuities, in relation to UPL, are discussed further in Chapter 7.

framework a number of uses of the term **quibble**<sup>49</sup> provides an example. In 1899 the term **quibbling** was ruled as UPL in the New Zealand Parliament and was not recorded again until August 1905 when it was used four times in quick succession. On the first occasion it was used by an opposition MP, Herdman,<sup>50</sup> to suggest the contents of a petition had not changed and the minister, Hall-Jones, was “only **quibbling**” (Herdman, 1905). In reply, Hall-Jones suggested that Herdman, who was a lawyer, “belong[ed] to a fraternity who **made a living out of quibbling**” (Hall-Jones, 1905). The Speaker Guinness requested that Hall-Jones withdraw the expression. He initially refused because Herdman had not been required to withdraw **quibbling**, even though, as Hall-Jones pointed out, **quibble** was listed in a guide to parliamentary procedure<sup>51</sup> as being ruled as unparliamentary in the House of Commons (Hall-Jones, 1905). On further reflection, the Speaker asked Herdman to withdraw, which he did, stating he had not objected to the remark because he thought Hall-Jones “**knew no better**” (Herdman, 1905).

In this example, the adversarial nature of the CofP can be seen with MPs from opposing parties trading unparliamentary expressions. The Conservative MP Herdman used the term **quibbling** which did not attract a rebuke from the Speaker. However, the response by the minister, a ‘personal reflection’ on Herdman’s profession, could not go unnoticed. The reification of **quibble** in a procedural guide added weight to the claim by Hall-Jones that Herdman should also withdraw. But in the withdrawal statement Herdman deliberately used a ‘personal reflection’ regarding intelligence to redress to the ‘power’ balance between two men.

Four days after Herdman’s use of **quibbling** an unexpected change in the Order Paper by the Premier Seddon led the Leader of the Opposition, William Massey, to use the phrase, “you are **quibbling**” (W. Massey, 1905a). Seddon called on the Speaker to rule it unparliamentary, which he duly did, but Massey said he would withdraw “if you rule that it is unparliamentary”.<sup>52</sup> Speaker Guinness replied, “I am bound by the decisions of the House of

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<sup>49</sup> “To raise a petty objection; to argue about a triviality; to evade a point at issue by a quibble” (‘Quibble’, 2015).

<sup>50</sup> Alexander Herdman (1869-1953) was, according to his biographer, “deeply opposed to the Seddon government” (Butterworth, 2013). He joined the Reform Party in 1908. He served as a minister in the Reform Government and the National Coalition of WW1 before leaving parliament and serving as a Judge.

<sup>51</sup> According to the guide **quibble** was listed as UPL in *Peel’s Decisions*, 1887-1889 (Steward, 1904, p. 121).

<sup>52</sup> In this exchange the use of ‘you’, as opposed to a procedural guide, is important.

Commons. If I had to rule myself it might be different” (Guinness, 1905a). Seddon insisted that Massey “must comply with the rulings and practice of the House of Commons” (Seddon, 1905a), to which Massey replied he would comply with the rulings of the Speaker.

This exchange built on the previous situation where Massey must have known the use of the term **quibbling** would draw a response and disrupt proceedings. Massey’s support of the Speaker to reject a practice of the House of Commons and claim the authority of the Speaker to rule in the New Zealand Parliament is noteworthy. In this example he questioned a received practice from the House of Commons about the use of the term **quibble** and at the same time renegotiated the accepted authority of the Speaker. As Wenger states, “the repertoire of a practice combines two characteristics that allow it to become a resource for the negotiation of meaning: 1) it reflects a history of mutual engagement 2) it remains inherently ambiguous” (Wenger, 1998, p. 83).

Two days later, Premier Seddon used the phrase “**quibbling** disquisition” (Seddon, 1905b) to which Massey objected. The Speaker extracted a reluctant withdrawal from the Premier who restated it was a “ruling of the House of Commons and not agreed by you” (Seddon, 1905b). The Speaker replied, “but enforced by me” (Guinness, 1905b). The Premier’s response was not to continue on with his speech but add the comment “Yes, enforced by you, but not believed by you” (Seddon, 1905b). These series of events, focused around the use of the term **quibble**, shows how politicians used UPL to delay and distract the House by upholding the rules on one occasion and breaking them the next. The term **quibble** became a locus of negotiation first between a backbencher and minister, then the Premier and Leader of the Opposition and, in the final example, Premier Seddon challenging and undermining the authority of the Speaker.

The term **quibble** was ruled as UPL on three further occasions, 1909, 1915 and 1938 but it was used without rebuke on at least ten occasions between 1907 and 1949. These examples were located during the physical search of *Hansard* described in 4.1.3. The term **quibble** sits on the boundary between parliamentary and UPL and its treatment illustrates that the practice of a CofP can be negotiated and reinterpreted.<sup>53</sup> This dynamic aspect enables a CofP to change and maintain relevance both internally and to the wider community and illustrates the

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<sup>53</sup> For more examples of language not deemed to be unparliamentary see 7.4.



usefulness of the CsofP framework when applied to the joint enterprise of the legislative chamber.

### 3.3 Impoliteness and Parliamentary Discourse

The adversarial language of parliament is often described as aggressive, rude or impolite but in the chamber there is a level of tolerance for robust debate, which in itself, is an element of parliamentary discourse. In 2.2.1, the discussion on the use of adversarial language reported that some research on Question Time used ‘linguistic politeness’ as a theoretical basis (Bull, & Wells, 2012; Christie, 2002; S. Harris, 2001; Murphy, 2014; Pérez de Ayala, 2001). This section begins with a general discussion about politeness and how it intersects with the CsofP framework with the view of establishing whether the institutional categorisation of parliamentary language and UPL holds similar meaning to linguistic politeness/impoliteness.

**3.3.1 Politeness and impoliteness.** Interest in the area of ‘politeness’ developed from pragmatics and sociolinguistics and is broadly “seen as a phenomenon connected with (the relationship between) language and social reality” (Eelen, 2001, p. [1]). There are a number of different theories of linguistic politeness and each has a different definition. From a critique of nine politeness theories Eelen concluded the main elements of commonality included strategic conflict-avoidance and social-indexing or ‘appropriateness’ (2001, p. 21). Among politeness theories the seminal text by Brown and Levinson, *Politeness: Some Universals in Language Usage* (1987) originally published in 1978, sees politeness “as a universal concept and that it is used as a technical term to (mainly) describe mitigation” (Locher, 2012, p. 41). From the 1990s on, the study of politeness has grown and developed into new areas, including impoliteness, and moved away from the presumed universality of politeness to a stronger focus on local and situated meanings (Locher, 2012, p. 41).

In comparison to politeness, the study of impoliteness has been described as the “long neglected ‘poor cousin’ of politeness” (Locher & Bousfield, 2008, p. 2). Impoliteness cannot be simply interpreted as the opposite of politeness. In his analysis Eelan considered the “mystery of impoliteness” and its treatment within politeness theories. He concluded that “the combination of the speaker behaviour bias and the conceptualization of impoliteness as the opposite and negative of politeness, results in the implicit performance of impoliteness as the

non-performance of an act, as the lack of absence of something” (2001, p. 98). Because of this, “the concepts involved can never explain impoliteness in the same way or to the extent as they explain politeness” (Eelen, 2001, p. 104). As with politeness, there is no one definition of impoliteness. Locher and Bousfield found the definitions proposed by researchers included variations related to the use of language in a threatening or conflictive way. They suggest the lowest common denominator to a number of different definitions is, “*impoliteness is behaviour that is face-aggravating in a particular context*” (2008, p. 3; original italics).

The term ‘face’ is used extensively in politeness research. It was introduced by Brown and Levinson (1987) but the original concept is derived from the work of sociologist Erving Goffman (1972). Brown and Levinson define face as “the public self-image that every member wants to claim for himself ... [it] is something that is emotionally invested, and that can be lost, maintained, or enhanced, and must be constantly attended to in interaction” (1987, p. 61). In their theory of politeness ‘face-threatening acts’ or FTAs are those acts which “intrinsically threaten face” (1987, p. 60). These threatening behaviours could include being rude, impolite, or over-polite, which can be interpreted as impolite in itself (Culpeper, 2008, p. 22). Therefore, being impolite has negative connotations because it is considered inappropriate behaviour, but how that distinction is made and by whom turns the focus to the contextual elements of the impolite exchange.

The research trajectory of Jonathan Culpeper reflects these changing views of impoliteness in relation to politeness. Beginning in the 1990s he proposed an impoliteness framework based upon simply reversing the Brown and Levinson theory of universal politeness. The five ‘opposite impoliteness superstrategies’ were: (1) *bold on record impoliteness*, (2) *positive impoliteness*, (3) *negative impoliteness*, (4) *sarcasm or mock politeness* and (5) *withhold politeness* (Culpeper, 1996, p. 356-357). However, in later research, he acknowledged “an impoliteness framework is not simply a mirror-image of a politeness framework” (Culpeper, Bousfield, & Wichmann, 2003, p. 1576). In *Impoliteness: Using Language to give Offence* (2011) Culpeper advanced a revised definition of the notion of impoliteness that began as follows:

Impoliteness is a negative attitude towards specific behaviours occurring in specific contexts. It is sustained by expectations, desires and/or beliefs about social

organisation, including, in particular, how one person's or a group's identities are mediated by others in interaction. Situated behaviours are viewed negatively – considered 'impolite' – when they conflict with how one expects them to be, how one wants them to be and/or how one thinks they should be. (p. 44)

This definition identifies context as being an important component in impoliteness. It fits well with the situation of members of the public listening or viewing parliamentary discourse and believing that some of the language used is impolite. Using the above definition, the experience has conflicted with a person's expectation of how MPs should behave. The definition is based on the view of the hearer and Culpeper acknowledges it "is pitched as a subjective interpretative construct" (2011, p. 143). However, it is important to note that, from the perspective of the institution of parliament, the same language would not necessarily be ruled as UPL.

When discussing institutional impoliteness Culpeper uses the examples of commands used by employers to employees, judges to defendants, and army sergeants to recruits, as situations where "impoliteness is legitimised" (2011, p. 274). "Those structures create contexts (e.g. army recruit training, parliamentary debates, interrogations) in which (some) impoliteness is licenced and rewarded, at least as far as some participants are concerned" (2011, p. 242). Culpeper highlights the research of Question Time in the British House of Commons by Sandra Harris (2001), discussed in 2.2.1, as an example of institutionally "sanctioned impoliteness" (2011, p. 242). However, for the purpose of the present study, this description falls short by failing to recognise that a part of parliamentary discourse, the use of UPL, is not 'sanctioned'. In making the decision that UPL has been used the Speaker draws upon the history of the institutional practice and the context to enforce the rules. While Culpeper's definition of impoliteness applies to those observing parliamentary discourse it does not align as successfully with those who speak or manage it. Therefore, because it is shaped by 'practice' as part of the 'shared repertoire' of a specific community, the unparliamentary exchange lends itself to analysis within a theoretical framework such as communities of practice (CsofP). The following section brings together impoliteness and CsofP with a view to adopting a definition of impoliteness applicable for the present study.

**3.3.2 Impoliteness and Communities of Practice.** In his articulation of the CsofP framework, Wenger makes the point, "peace, happiness, and harmony are ... not necessarily

properties of a community of practice ... disagreement, challenges, and competition can all be forms of participation” (1998, p. 77). There are some situations where “impoliteness is legitimised” ... and contains “sanctioned aggressive facework” (Culpeper, 2008, p. 39). For example, in the courtroom, “we find the curious case of systemic, intentional, and non-reciprocal rudeness ... [where] the ordinary constraints against rudeness are inoperative” (R. T. Lakoff, 1989, p. 123). The parallel between the ritual and rules of the courtroom and the legislative chamber are unmistakable. Lakoff suggests that “classification and analysis of discourse types must begin with an understanding of their function” (R. T. Lakoff, 1989, p. 126) and this necessity for context fits well with the CsofP framework. However, in the adversarial situation, there must also be cooperation because “cooperation is the necessary premise for non-cooperation” (Chilton, 2004, p. 200). The cooperative practices of the chamber are set down in the rules of debate with the power of the Speaker to enforce them. The parameters of acceptable behaviour are therefore subject to a self-regulating process where serious indiscretions can be punished by rebuke or suspension. The institution tolerates a specific form of adversarial discourse but also imposes internal “procedures for controlling and delimiting discourse” (Foucault, 1981, p. 56).

The difficulty of applying a universal model of politeness has led to an increase in the use of the CsofP framework “to focus on the local working out of relations between participants using politeness and impoliteness” (S. Mills, 2011, p. 73). The emphasis on local interpretations has become a point of difference in impoliteness research. This was signalled by Watts when he presented a model of impoliteness that “place[d] the onus of deciding what linguistic behaviour is ‘polite’ or ‘impolite’ squarely on the shoulders of members of a speech community in which these attributions or similar, related ones are made” (2003, p. 201). This view recognises that “different discourse types generate different versions of politeness” (S. Harris, 2001, p. 453).

In her research on impoliteness and gender Sara Mills emphasised the importance of context within a CofP and suggested “that impoliteness only exists when it is classified as such by certain, usually dominant, community members, and/or when it leads to a breakdown in relations” (2002, p. 79). This definition aligns well with a possible distinction between parliamentary language and UPL, as polite and impolite, because UPL is ruled by the Speaker with the aim of maintaining order in the chamber. However, this distinction may be overly

simplistic because it refers to a context-related decision but does not include the intention of the user. In a later article, Mills offers a more developed interpretation:

Impoliteness can be considered as any type of linguistic behaviour which is assessed as intending to threaten the hearer's face or social identity, or as transgressing the hypothesized Community of Practice norms of appropriacy. (2005, p. 268)

This definition retains the element of assessment, which is important in UPL, but expands it to include face threats to a hearer or a transgression of norms of the CofP and makes it highly applicable to a CofP such as the legislative chamber. Mills emphasises that her use of the term 'hypothesized' is important:

The notion of appropriateness is not ideologically neutral, and this is why I stress that it is a hypothesized norm – one which individuals assume to be in place. But this process is informed by wider societal norms of what behaviour is considered to be gender-appropriate. Thus when individuals hypothesize what the Community of Practice would consider appropriate behaviour for them, they necessarily also invoke these social norms, whether to contest or affirm them. (2005, p. 277)<sup>54</sup>

In terms of UPL this is important because what is unparliamentary is generally understood by the CofP but actions are not isolated from the wider social context. Therefore, an increased acceptance of a formerly 'rude' term in the general community could lead to a softening of a ruling in parliament or influence a member to use it and test the boundaries of acceptability. As Locher suggests, "while members of a community indeed have the last word on 'politeness' because we are dealing with evaluative concepts, this does not mean that scholars cannot start looking for patterns in language use within CofPs and reflecting on how these patterns relate to the greater cultural context" (2012, p. 53).

### **3.4 Conclusion**

This chapter has focussed on evaluating two theoretical perspectives to use as a basis for the present research. The literature review in Chapter 2 showed there have been a number of different theoretical approaches taken with research on parliamentary discourse and highlighted some of the difficulties. Because the present study is taking a multi-dimensional

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<sup>54</sup> Mills is proposing this interpretation in relation to impoliteness and gender but it is applicable to the present study where the 'hypothesized norm' of using parliamentary language exists.

approach, that encompasses the lexis of UPL and the context of its use, the evaluation of the CsofP framework has shown it to be applicable to the members of a legislative chamber. The focus on ‘practice’ in this chapter will be balanced in 8.1 by the discussion on ‘identity’ and ‘power’.

In a legislative chamber a form of sanctioned impoliteness exists. Because language is ‘assessed’ by the Speaker to be unparliamentary the distinction between acceptable and unacceptable language lends itself to the evaluation of ‘linguistic impoliteness’ as the second theoretical perspective. By applying the definition of impoliteness, proposed by Mills (2005, p. 268), to parliamentary discourse a distinction can be made as to what is impolite, even in an adversarial situation. The blending of the CsofP theoretical framework and ‘linguistic impoliteness’, enables the research to focus on the unique dynamics of the legislative chamber as a site of discursive negotiation and UPL as an expression of that practice.

## Chapter 4: Methodology

The present study takes a diachronic approach to the analysis of UPL used in the New Zealand Parliament between 1890 and 1950. Set against major national and international historical events, the breadth and depth of the data and associated contextual information is unparalleled in any other study of UPL. The time period covered equates to 288 volumes of *Hansard*, consisting of approximately 290,000 pages of text, and 2592 individual examples of UPL. The major challenges of the study were the comprehensive identification of examples of UPL and the development of a database to manage the data. This chapter discusses the source of the data, the research approach, database design and approach to the data analysis.

### 4.1 *Hansard* as a data source

In Commonwealth countries *Hansard*, as it is commonly referred to, is the official record of parliamentary debates. New Zealand *Hansard* dates from the first parliamentary session in 1854 to the present, with volume number 700 published in 2014. For most of that time *Hansard* was only published in print format. It was not until the 1990s that it was also available in electronic format on a subscription database, *The Knowledge Basket*, covering the dates 16 September 1987 to 17 December 2002. From 2003 to the present there is public access to the electronic version of *Hansard* via the New Zealand Parliament website.<sup>55</sup> To date, there has not been a retrospective digitisation of New Zealand *Hansard*. While *Hansard* is the official record, parliamentary proceedings have been broadcast on the radio since 1936 (Martin, 2004, p. 206). More recently, parliamentary proceedings have been televised and streamed on the Internet. The development of an online video archive of proceedings, dating from 2009, provides a rich source for linguistic research in the future.<sup>56</sup>

**4.1.1. Historical background.** The name *Hansard* comes from the surname of the family involved in printing the British parliamentary reports in the 19th century and continues to be used in some countries as a shorthand term for the official reports (McGee,

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<sup>55</sup> *Hansard* can be searched and browsed on the New Zealand Parliament website at the following address <https://www.parliament.nz/en/pb/hansard-debates/>

<sup>56</sup> Available at, In the House, Parliament TV on Demand <http://www.inthehouse.co.nz/> New Zealand *Hansard* has also been used as the source for a play, *The Hansard Show* (1989) by Roger Hall. It included extracts of controversial and famous parliamentary debates, examples of unparliamentary language and several musical numbers.

2005, p. 61). In Great Britain, the systematic reporting of parliamentary debates began in the early 18th century in periodicals such as the *Gentleman's Magazine*, the *Historical Register* and the *London Magazine* (McBath, 1970, p. 25). The content came from notes, often supplied by members or officials, because reporters and note taking were not allowed in parliament (McBath, 1970, p. 26). The reason was that for centuries a tradition of privacy had developed about parliamentary speeches as a way to protect members from an adverse reaction of a Monarch to something that had been said (McBath, 1970, p. 25). The reporting of parliamentary debates by publishers of magazines and newspapers was sporadic throughout the 18th century with a number of initiatives starting and failing because of opposition from parliament.

The predecessor to *Hansard* was a compilation of debates published by William Cobbett<sup>57</sup> and printed by Thomas C. Hansard. When Cobbett was incarcerated for sedition, and in debt, he sold his interest in the debates to Hansard who published the series until his death in 1833. The publication was taken over by his son until 1889. In New Zealand, early debates were reported in newspapers, but in 1867, an editor and reporting staff were appointed under the management of the Parliamentary Reporting and Printing Debates Committee (Martin, 2004, p. 53). An official reporting service in New Zealand, and other countries, pre-dated its establishment in Great Britain. That did not occur until 1909. In 1943 the word Hansard was restored to the title page of the official reports on the recommendation of a select committee (McBath, 1970, p. 29).

**4.1.2 Accuracy and completeness.** In New Zealand, the early *Hansard* reporters were required to write accurate shorthand of 180 words a minute and transcribe a variety of speeches from the “roughly fashioned, poorly expressed, ungrammatical and repetitive [to the] erudite ... full of classical allusions, quotations and abstruse phrases” (Martin, 2004, p. 54). There has always been, to a greater or lesser degree, an element of editing to conform to the institutional standards. It is also important to note, in the context of the present study, the “official report of debates is authorised to be made of such portions of the proceedings of the House and its committees as the House or the Speaker determines” (McGee, 2005, p. 62). This means that not all proceedings have been reported and, in the time of the present study,

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<sup>57</sup> Cobbett's *Parliamentary History of England from the Norman Conquest in 1066 to the year 1803* is available at the following address: <http://www2.odl.ox.ac.uk/gsd/cgi-bin/library?site=localhost&a=p&p=about&c=modhis06&ct=0&l=en&w=iso-8859-1>



the first reading speeches of bills and the majority of the speeches made during the committee stages of bills were not included in *Hansard* (Martin, 2004, p. 54).<sup>58</sup>

The difference between official reports and the language used in the chamber has been highlighted by researchers who have undertaken a comparative analysis (Elspeß, 2002; Mollin, 2007; Slembrouck, 1992). This form of analysis requires access to both the written record and a second verbal source for comparison. As a source *Hansard* does not reproduce all the language used in the legislative chamber. The editing process means it is “substantially the verbatim report, with repetitions and redundancies omitted and with obvious mistakes corrected, but which on the other hand leaves out nothing that adds to the meaning of the speech” (Littlejohn, 1966). In regard to the completeness of the corpus of UPL, apart from debates that were not reported<sup>59</sup> and interjections made by MPs, but not responded to by the original member speaking (see 7.4.4), it is assumed, that where possible, examples of UPL have been reported.

**4.1.3. Data identification and collection.** For periods of time in the present study occurrences of UPL were not listed in the index of *Hansard* volumes. The year 1905 was indexed and, from 1913, ‘reflections on members’ are indexed under Speakers’ rulings. The early indexing was not comprehensive because the physical examination of volumes located additional examples. As time progressed, the quality of the indexing improved and ‘unparliamentary language’ was used as an index term from 1931. To locate examples of UPL four methods were employed. The most time consuming, but also the most reliable, was a volume by volume, page by page physical examination of *Hansard*. By casting an eye over the text it was relatively easy to pick up the unexpected end of a speech where the Speaker intervened, or interjections, or passages of broken and disturbed text that indicated the use of UPL. In the volume by volume approach, the UPL example, the volume and page number were noted and later used to guide the data entry into the database (see 4.3.2). Where UPL was listed in the index of a volume this was used to identify the relevant page in the volume. This was the second method. The third method was an examination of the indexes of the *Journals of the Legislative Council* and the *Journals of the House of Representatives*. These

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<sup>58</sup> Prior to 1996 only about 10% of proceedings in committee were reported (McGee, 2005, p. 62). However, examples of ‘refusals to withdraw’ UPL during the committee proceedings were reported because the Speaker was recalled to the chamber (see Chapter 7 and Appendix 5).

<sup>59</sup> As well as the first reading speeches and the unreported committee stages during World War II there were 18 secret sessions of the New Zealand Parliament (New Zealand Parliament, 2012).

are the official record of proceedings and do not contain the text of the debate. This search confirmed or identified examples of a more serious nature where a member might be suspended for not withdrawing UPL. The fourth method was to examine the *Hansard* index and identify debates on contentious topics, such as alcohol reform, where UPL would be more likely to occur. This is similar to the approach taken by Macalister (2003, p. 66) when he collected data on words of Māori origin in written NZE by focussing on ‘Māori specific’ debates.

There were several ways a word or expression was considered to be an example of UPL. The most straightforward was its inclusion in the *Hansard* index as UPL. When examining the text of *Hansard* the actual term or expression articulated by the Speaker to be withdrawn were considered the unparliamentary element. There were also occasions, where the MP was not specifically asked to withdraw, but the Speaker used a rebuke indicating they should not use those words. These were given the categorisation of a ‘reprimand’. Another form of rebuke occurred when the Speaker ‘interrupted’ the speech in a way to signal disapproval, for example, by using the word ‘Order’. All of these forms of rebuke were considered to be responses to the use of UPL. For the different forms of rebuke see Table 7.1. The database design allowed for these different forms of rebuke to be recorded and three fields were included to illustrate a situation where an original ruling to withdraw might escalate to a censure.

## **4.2 Research Approach**

The aim of the present study was to analyse the use of UPL within the context of the CsofP framework and ‘linguistic impoliteness’ and to address the research questions outlined in 2.4. The discussion in Chapter 3 concluded the CsofP framework was suitable for this study. When compared with other frameworks, such as speech communities, Meyerhoff and Strycharz state, “the value of the CofP lies in the social information that it highlights and which other constructs ... miss” (2013, p. 434). Within the constraints of the source the data collection attempted to be as comprehensive as possible to enable robust conclusions to be drawn. The following section begins with a discussion about the date coverage of the present study. The previous methods used to enumerate examples of UPL will then be discussed followed by the research approach taken in the present study.

**4.2.1 Date coverage.** The exact dates of *Hansard* used for this study begin with the 11<sup>th</sup> Parliament, which first sat on the 23<sup>rd</sup> of January 1891, and ends on the 21<sup>st</sup> of October 1949, the final sitting day of the 28<sup>th</sup> Parliament. However, the dates 1890 to 1950 have been adopted to express the general date coverage for the following reasons. The New Zealand Parliament first assembled in 1854 but 1890 was selected primarily as the beginning date because that election marks the beginning of party government in New Zealand.<sup>60</sup> This change established a clear distinction between government and opposition MPs and provides a natural starting point for the study of UPL. The second reason for the later beginning date was that the early volumes of *Hansard*, from 1854 to 1866, were reconstituted from newspapers reports and personal recollections. Even after the establishment of official reporting in 1867 some members found it difficult to resist the temptation to change the proofs of speeches to reflect what they had intended to say (Martin, 2004, p. 54) and therefore reduced the accuracy of the source. The end date of 1950 is aligned to a constitutional change, the abolition of the Legislative Council, ending New Zealand's bicameral parliamentary structure. The 60 years of this study cover a number of major national and international events: depressions, wars, women's suffrage, the rise of the New Zealand Labour Party and the sudden deaths of political leaders.

**4.2.2 Previous approaches.** When an MP uses offensive or disorderly words in the chamber the Speaker is required to intervene (McGee, 2005, p. 187). But, for the user, what constitutes offensive or disorderly language may not be clear until they cross that invisible boundary. The texts on parliamentary procedure and *Standing Orders* provide general guidelines whereas *Speakers' Rulings* provide examples of how the rules have been applied in specific instances. There is no historical corpus of the language ruled in the New Zealand Parliament as UPL. There are scatterings of information such as old lists and a small historical selection on the New Zealand Parliament website (New Zealand Parliament, 2006). Examples can only be found by browsing the print and electronic indexes of *Hansard*, or searching on online databases. However, this strategy is dependent upon the date coverage of the database and the way the information has been indexed for retrieval.

One approach, used in parliaments in the 19th century, was the publication of decisions of individual Speakers including the ruling and the relevant excerpt from the debate and the

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<sup>60</sup> The election, won by the Liberal Party, was held on 27<sup>th</sup> of November 1890 for the Māori seats and the 5<sup>th</sup> of December 1890 for the general election (Atkinson, 2003, p. 244).

reference (Blackmore, 1892; Bourke, 1857). These were often used as precedents to guide decisions in other parliaments. Another approach was the compilation of lists for the guidance of members and Chairs. For example, up until the 19<sup>th</sup> edition of *Erskine May* a select list of expressions was published as an Appendix of Unparliamentary Expressions (Lidderdale, 1976, p. 445). In New Zealand, a list was tabled in the House of Representatives in 1936 and was said to be regularly consulted by members (T. McCombs, 1950). But the problem with lists, as pointed out by the Leader of the Opposition, Rt Hon. Peter Fraser, was that “different words have different meanings as time goes on” (1950). Because a term had been ruled as UPL in the past did not mean it would automatically attract the same rebuke. This is echoed in a quote from a former Clerk of the House.

One can spend a considerable amount of time researching the ingenious ways members have found to hurl abuse at each other, but although lists of these are kept, one must be careful of citing as precedents expressions which have been ruled out in the past, for these are applications of the rules in particular instances and not interpretations which give any real guidance for the future. (McGee, 1985, p. 141)

In recent times, a selection of unparliamentary expressions, mainly for the information of parliamentary officials, has been published annually in *The Table: The Journal of the Society of the Clerks-at-the-Table in Commonwealth Parliaments*.<sup>61</sup>

**4.2.3 Current research approach.** The approach taken in the present study was to identify individual examples of UPL and use a relational database to record contextual information about each one. This information, enabled by the features of the database, formed the basis for the analysis. A corpus that includes additional contextual information aligns to Koester’s description of a ‘small specialised corpora’.

Background information is useful in not only interpreting the data, but can be also be an integral part of the corpus design. Having detailed information about the speakers or writers, the goals of the interactions or texts and the setting in which they were produced as part of the corpus database means that linguistic practices can easily be linked to specific contextual variables. (2010, p. 72)

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<sup>61</sup> Recent issues of *The Table* are available on the website [http://www.societyofclerks.org/SCAT\\_Publish.asp](http://www.societyofclerks.org/SCAT_Publish.asp)

In the present study, the decision to use a relational database enabled the inclusion of additional contextual information that can be categorised as bibliographic, lexical, descriptive and evaluative, as detailed in 4.3.1.

In a discussion of current trends in political discourse research Ädel predicted the increasing use of specialised ‘topic-based corpora’ along with ‘multimodal corpora’, incorporating a variety of formats (2010, p. 602). She also noted the analysis of political discourse would benefit from “improved general tools for manual or automated annotation of corpus data” (2010, p. 602). This is illustrated by Whyte’s comparative research on decorum in the Canadian and British Parliaments where she wrote a “custom Hansard analysis program in Python [programming language] to clean, process and comparatively analyse data from [the websites] TheyWorkForYou and openparliament.ca” (2014, p. 4). The launch of a “Hansard corpus ... [of] nearly every speech given in the British Parliament from 1803-2005 ... [that enables] semantically-based searches” (SAMUELS project, 2015) will open new areas of linguistic research that use *Hansard* as a source.

The methodology of the present study is not dissimilar to that of Loginova’s (2013) research on formulaic discourse structures in the New Zealand and Australian Parliaments (see 2.1.2). After using corpus software to identify word strings she entered 60 examples, along with contextual information, into a “purpose-created database which, in my opinion, is the best way to collect, store and access ethnographic data” (Loginova, 2013, p. 25). Using Filemaker Pro10<sup>62</sup> software she developed a database of four interrelated tables that linked information about the phrase, the MP who used it and ethnographic information. She also developed a table that displayed the text of a question alongside the relevant video clip. Although the database was “not without its problems” (Loginova, 2013, p. 334), she found the search features and display options improved the efficiency of accessing information. While the decision to use a relational database in the present study is similar to Loginova, it should be noted that the choice of software and design features are different as described in detail in 4.3.1 and 4.3.2.

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<sup>62</sup> Filemaker Pro10 is a cross-platform relational database from FileMaker, an Apple subsidiary. It integrates a database engine with a graphical user interface. The latest version is 15.0 (‘FileMaker’, 2016).

### 4.3 Database Design and Analysis

The design and information choices for the UPL database fields related to the research questions outlined in 2.4. The relational database chosen was Microsoft Access 2010<sup>63</sup> because it was a commonly used programme and likely to be supported into the future. Each example of UPL, and the associated contextual information, was regarded as an individual record. A record consisted of 35 fields, although not all were used on each occasion, and some were originally included but not used. For example, an image field to display the image of the relevant page of *Hansard* was not used because of the time involved in scanning images and the storage capacity involved. A hyperlink field was also included and, if this was a more contemporary study, a hyperlink to a pdf or video clip on an external website could have been added.<sup>64</sup> Although these fields were not used for the present study they could be useful if the data collection were to be extended beyond 1950. Eleven of the fields were indexed and therefore searchable. To ensure the accuracy of information, wherever possible, data was entered using pre-established options from drop-down menus. Where this was not possible a standard format was adopted for consistency. Once the fields were established in the 'table format' of the database a 'data entry form' was created with a user-friendly interface. The design features of the database are listed in Appendix 2 and 3.

**4.3.1 Design features.** A number of trials were conducted to establish a database design that included relevant information and could be manipulated for the purpose of analysis. The database design contained a number of different data type fields: numerical, text and images. Many of the text fields drew their information from other tables. The information related to each example can be divided into one of four categories: parliamentary/bibliographic, lexical, descriptive and evaluative. The parliamentary / bibliographic information included: the number of the parliament, the name of the debate, the *Hansard* reference, date of the debate and page number. The lexical fields were: the UPL term or expression, the expression in context and any alternative expression that was used. Other lexical fields were the number of terms in the UPL expression and the lexeme string. This was included as a way to use the functionality of the database to display UPL examples with one to four terms. For longer examples these fields were not used because the data entry was too unwieldy and time consuming. Finally, two domain fields were available to describe

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<sup>63</sup> "Microsoft Access, also known as Microsoft Office Access, is a database management system that combines the relational Microsoft Jet Database Engine with a graphical user interface and software-development tools" ('Microsoft Access', 2016).

<sup>64</sup> This field was sometimes used to link to biographical information available on the Internet.

the UPL with the second field to add another layer of description. These were pre-established from a preliminary analysis of the examples and available from a drop-down menu. A check box was included to indicate an example of NZE. A free text field was available for any additional lexical notes related to the example.

In the descriptive fields the data for the chamber, government in power and the Speaker or Chair were pre-established. The information entered for the user and target was essentially the same format with three fields: the name, role and party. Not all examples of UPL were directed at an identifiable target so these fields were not always used. Three fields were established for the result following the use of UPL. The pre-established list provided a number of options and could be used to reflect the progression of a situation, for example: Result 1 – Refused to withdraw, Result 2 – Named, Result 3 – Suspended. The design also included two fields for additional notes, one for historical information and one for the ruling of the Speaker. Three fields were established for evaluative information. Two domain fields contained the same list of choices to describe the subject of the UPL, not unlike the subject headings assigned to a text in a bibliographic record of a library. The ‘intent’ field provided a list of options for the researcher to describe the perceived intent of the UPL.

**4.3.2 Data entry.** Each new record was automatically given an individual number and the date it was entered in the database. Wherever possible, pre-established drop-down menus were used to aid the data entry and avoid errors. Some free text fields also had a form of authority control<sup>65</sup> so that information was entered in similar ways. For example, the name of the debate was taken from the top of the page of *Hansard*. The names and electorates of MPs came from the list in the front of each relevant volume. The source for the party affiliation of an MP was from a schedule in the publication *New Zealand Parliamentary Record 1840–1984* (J. O. Wilson, 1985, pp. 179–247).

Identifying the UPL term or phrase was often assisted by the Speaker repeating it as part of the ruling or it was listed in the index of *Hansard*. Other situations relied on the judgment of the researcher to record the UPL element with the aim to be as concise as possible. In the ‘context field’ the UPL term or phrase was entered in context of other words around it. In the ‘alternative field’ any correction the MPs made following a ruling of UPL was noted. For

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<sup>65</sup> Authority control is a concept used in librarianship to ensure the consistent use of terms in a bibliographic record.

example, the unparliamentary term **two-faced** was used in the phrase “the Government has been **two-faced** in this matter” and after withdrawing it the MP rephrased it to “a ‘Dr-Jekyll-and-Hyde’ attitude” (Langstone, 1933a).

The name of each user and target was entered in the same format, surname, any honorific and first name. This consistent approach meant that all the UPL used by an individual MP would begin with the surname with slight variations if they became a minister or received a title. For example, James Allen MP became a minister and his title changed to Hon. James Allen; he was later knighted and became Hon. Sir James Allen. In the database, the same man has three variations of his name but they all start with the same surname and can be brought together by using the features of the database.

Table 4.1: Example of authority control of MPs names in the UPL database

MP name	MP party	MP role
Allen, James	Conservative	Bruce
Allen, James	Conservative	Bruce
Allen, James	Conservative	Bruce
Allen, James	Reform	Bruce
Allen, James	Reform	Bruce
Allen, Hon James	Reform	Minister, Bruce
Allen, Hon Sir James	Reform	Minister, Bruce

The party names were pre-established as a drop-down menu and the role information reflected the electorate they represented at the time of the UPL and if they were a minister. Because some ministers held a large number of portfolios it was decided not to name them individually but use the terms: Minister, Prime Minister, or alternatively Leader of the Opposition, to designate these roles.

Several domains were established to describe the subject of the UPL expression. Each UPL expression was assigned one, and on occasion, two domains to describe the subject. The aim was to utilise the filter functionality of the database to bring together all the examples assigned the same domain. It was also possible to select several domains at the same time. For example, both the domains ‘lying’ and ‘truth’ could be included in a single search result. An example of this feature is illustrated in Table 4.2 that lists examples of UPL assigned the domain of ‘clothing’. See Appendix 3 for a list of the domains used in the database.



Table 4.2: Selected UPL assigned the domain of clothing

Unparliamentary language	<i>Hansard</i> reference
boots the honourable gentleman is <b>not fit to blacken</b>	99, 1897, p. 285.
<b>not fit to loose their shoe strings</b>	107, 1899, p. 522.
boots he is <b>not worthy to blacken</b>	151, 1910, p. 855.
the <b>cap fitted</b>	154, 1911, p. 707.
<b>Not one of them wears a suit of clothes -</b>	169, 1914, p. 270.
<b>their pockets are also the mainsprings of their motive power and the graves of consciences</b>	203, 1924, p. 1082.
Perhaps <b>your pocket was in it.</b>	209, 1926, p. 161.
There is no need for the Minister to take off his hat; that might <b>cool his head</b>	227, 1931, p. 395.
<b>not fit to brush the boots</b>	235, 1933, p. 554.
<b>talking through his hat</b>	238, 1934, p. 809.
<b>carpet-slipper gentleman</b>	250, 1938, p. 376.
<b>tore a passion to tatters about elastic</b>	273, 1946, p. 122.

Another set of fields, with established drop-down menus, included lexical terminology such as idiom, metaphor, jargon and binomial. The descriptor ‘taboo word UPL’<sup>66</sup> was used for examples of ‘core concepts’ of UPL such as accusations of lying or cowardice (see 5.1).

**4.3.3 Data analysis.** The analysis of the data was directed by the research questions outlined in 2.4 and the topics of individual chapters. Most of the data analysis utilised the ‘table format’ of the database and features that enabled the data to be filtered, sorted and searched in multiple ways to bring together information. It was found that filtering was an effective way to isolate all the examples of UPL in a single parliament, or all the UPL used by, or targeted at, an individual MP. The data from the House and the Council could be separated and searched independently. The use of filters also enabled the analysis of the rebukes given by different Speakers. The evaluative information, added at the time of data entry, could be filtered to bring together all the examples that had been allocated the same domain. The filter features were found to be a useful starting point to isolate relevant data.

<sup>66</sup> Taboo word UPL was an early categorisation term. When the analysis of the corpus was undertaken the phrase ‘core concepts’ was adopted.

Another main feature of the database was the ability to sort and search within a particular field. This was used extensively in the 'UPL field' and the 'Context field'. The sort feature meant all the data in the field could be sorted alphabetically. This was useful to identify similar terms and their occurrence. In addition, these fields could be searched in a number of ways; for example the text filter 'begins with' would identify terms or phrases that began with a particular word. The text filter 'contains' identifies a term anywhere in the phrase. This feature was particularly useful to identify the use of terms in context. The text filter could also search between two specified dates. This was used to search for UPL in a session of a particular parliament. The data extracted from the database was used to develop the tables and figures used throughout the present study.

**4.3.4 Statistical analysis.** The data used for the statistical analysis was a combination of the information derived from the relational database, the frequency of examples of UPL in a parliament or a session, and the sitting hours of the House of Representatives from an appendix in volumes of *Hansard*.<sup>67</sup> While acknowledging some discourse was not reported in *Hansard* there was confidence of having identified a substantial number of UPL examples by the process outlined in 4.1.3. This is in contrast to a sampling approach. For example, in Loginova's comparative study, the data collection was restricted to one sitting day, specifically a Wednesday (2013, p. 330). As a result, the number of examples was small and their frequency was mapped month by month with no account for the number of sitting days in that month, which may have affected the results. The numbers of examples in Salisbury's research on unparliamentary language in three Australian parliaments was identified by undertaking database searches using the phrases "Mr Speaker, I withdraw" and "I withdraw" (2011, pp. 170–171). This approach also has its limitations. Firstly, searching three different databases made the results less comparable. Secondly, the results were dependent upon the use of the exact phrase by the user when the present study has identified many examples where the Speaker used the rebuke 'Order' but did not require a withdrawal statement.

For statistical analysis the IBM SPSS Statistics, version 20 was used in 2014 to analyse trends and model predictions of the use of UPL. At a later date it was discovered the source for the number of sitting hours in each session had omitted some information. This necessitated the composition of the data from the relevant volumes of *Hansard* and repeating

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<sup>67</sup> For example, "House of Representatives, comparative table showing number of sitting-days and length of each session, etc. since 1905", (1949), *NZPD*, 288, 3073.

the statistical analysis in 2015. The results of the analysis are outlined in Appendix 6. The analysis looked at trends in the frequency of UPL over time and in relation to the electoral cycle. The impact of longer sitting hours on the use of UPL was also considered. A Generalised Linear Model, the Poisson distribution, showed the effect of including multiple dependent variables. It also showed which governments were similar (or different) in the use of UPL. The statistical analysis supports many of the findings discussed in Chapters 5 to 8.

#### **4.4 Conclusion**

This chapter has discussed *Hansard*, the data source used to identify examples of UPL and the known limitations and possible gaps in the information. Rather than using a sampling technique for data collection the aim was to be as comprehensive as possible and a number of strategies were used to ensure all recorded examples of UPL were identified. The design of the relational database underwent several trials before the structure was finalised. The database of UPL acts as both a corpus of UPL and an information source for the detailed analysis on multiple levels of enquiry. The functionality of the database to filter, sort and search the information formed the basis of the methodology to address the research questions and extract data for the statistical analysis.



## Chapter 5: Categories of Unparliamentary Language

This chapter takes the approach that words and phrases ruled by the Speaker as UPL can be categorised in ways that bring new meaning to understanding this element of parliamentary discourse. The texts on parliamentary procedure typically describe the language MPs should not use by dividing them into two: ‘reflections’ and ‘offensive or disorderly words’. A ‘reflection’ is language that discredits the intended target. It could be an individual, institution or a role. The terminology is still used in *Standing Orders*, specifically in relation to ‘personal reflections’.<sup>68</sup> Because it is difficult to be prescriptive about what constitutes UPL, the phrase ‘offensive or disorderly’, provides a general description for the guidance of members without attempting to list all the possibilities. This open-ended terminology enables the Speaker to make a ruling based on the language and the context at the time but, as the following discussion will show, UPL can be categorised into discernible thematic categories and sub-categories. To the researchers’ knowledge, no-one before the present study, has proposed a categorisation of UPL based on a comprehensive analysis of all the identified rulings of UPL in one parliament in a specific time period.

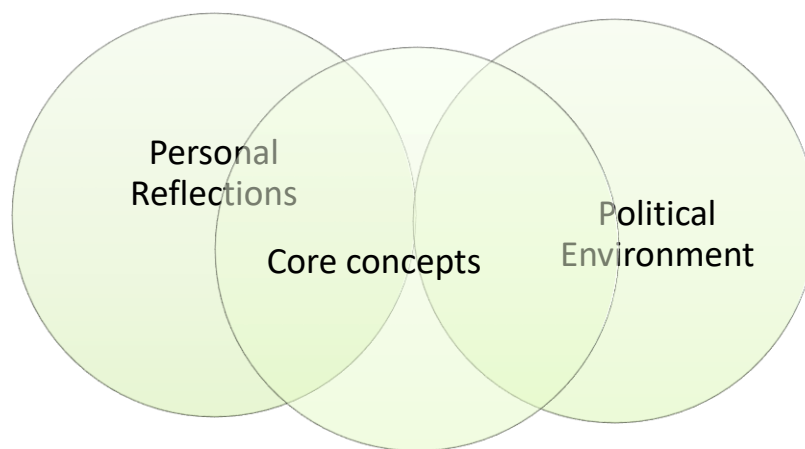
The analysis of approximately 2600 examples of UPL has shown they naturally fall into three main categories. The first category is language almost always ruled as unparliamentary: the ‘core concepts’ of UPL. The term ‘concept’ is used because it relates to four thematic areas but there can be variations in the language used to convey the concept. The second and third categories include examples of ‘core concepts’ but also extend to a wider grouping. Figure 5.1 illustrates how the three categories relate to each other with the intersect reflecting the ‘core concepts’. An indicative analysis of the data suggests that 45% of the UPL in the sample used a ‘core concept’. Of the remainder, 32% were ‘personal reflections’ and 23% related to the ‘political environment’.<sup>69</sup>

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<sup>68</sup> In the New Zealand *Standing Orders* the term ‘reflection’ was first used in 1889, S.O. 151. “No member of the Legislative Council shall in any way reflect on the House of Representatives or on any member hereof” (*Standing orders of the Legislative Council*, 1889, p. 22). In the 1894 *Standing Orders*, S.O. 144. states, “No Member may use offensive or unbecoming words in reference to any Member of the House; and all imputations or improper motives, or offensive reference to a Member’s private affairs, and all personal reflections, shall be deemed highly disorderly” (*Standing orders and forms of proceedings of the House of Representatives relating to public business and to private bills*, 1894, pp. 28–29).

<sup>69</sup> This was estimated by dividing the ‘intent’ categorisation into two groups. ‘Personal reflections’ included the categories: accuse, criticise, derogatory and personal insult. The ‘political environment’ included: discredit the institution, disrupt proceedings, highlight an issue and refute. Each group was filtered by the lexical categorisation ‘taboo UPL’ (i.e. a core concept) and the numbers in each category calculated.

Figure 5.1: Relationship of the main categories of UPL



This chapter discusses each of the main categories and the associated sub-categories. Numerous examples are used to show gradations of language use and, in some cases, the subtlety of meaning that exists within the UPL discourse exchange.

## 5.1 Core Concepts

There is some language that, when used in a legislative chamber, will always attract the attention of the Speaker as UPL. The category of ‘core concepts’ can be broadly grouped into four sub-categories.

1. Accusations of lying, deception or criminal activity
2. Implying a lack of courage
3. Implying a lack of respect
4. Accusations of influence and control

When considered in the reverse, they are, by definition, the values upheld by the institution of parliament as important for political leadership: telling the truth, being courageous, respectful and incorruptible.

The following discussion will illustrate that three discernible lexical forms exist within a ‘core concept’. For example, an accusation of lying expressed by the word **lie** is immediately recognisable as UPL. The second is an alternative synonym, such as **incorrect**, that is likely

to be used on a regular basis. The third are synonyms that might be unconventional language and used infrequently or on a single occasion, for example **hooley**. This differentiation is not dissimilar to the X-phemism model of language expression developed by Allan and Burridge (2006). The term X-phemism refers to the union of a set of orthophemisms, euphemisms, and dysphemisms<sup>70</sup> as illustrated in the following example.

Table 5.1: Contrasting X-phemisms<sup>71</sup>

Orthophemism	Euphemism	Dysphemism
toilet	loo	shithouse

This model is useful because it underscores the importance of not only focussing on individual terms and phrases but seeing them on a continuum of meaning within a general concept area. An unembellished accusation of **lying**, the suggestion that a statement is **incorrect** or a lot of **hooley** should all be recognised as UPL under the ‘core concept’ of ‘accusations of lying’ even though different language has been used.

**5.1.1 Lying, deception or criminal activity.** This ‘core concept’ relates to accusations of **lying**, or **not telling the truth** and associated terms such as, **mislead**, **misled**, **dishonest** and **deception**. Aligned to this concept are allegations of **illegal** or **corrupt** activity directed towards individuals, parties or organisations. When all the UPL examples in the present study, with **lying** or **not telling the truth** assigned as a domain,<sup>72</sup> were combined, a total of 419, more than half of them were statements of refute. Figure 5.2 shows the examples of UPL in the combined domains of ‘lying’ and ‘not telling the truth’ and further divided by the ‘intent’ of the language.<sup>73</sup> For the purposes of including all the information, the sub-categories of ‘intent to discredit’ the Council, House, Speaker, government or opposition, were combined into one.

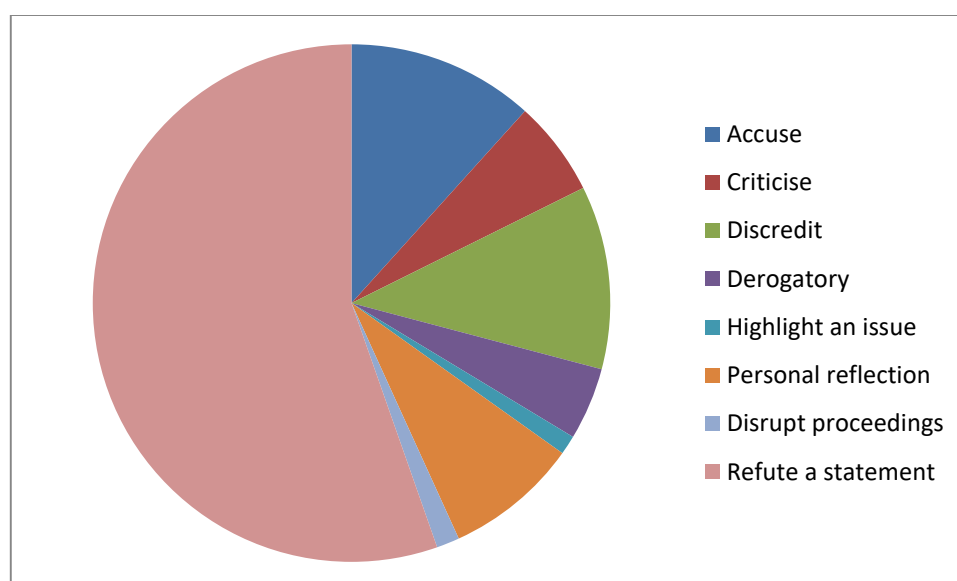
<sup>70</sup> An orthophemism is formal and more direct than the corresponding euphemism. Euphemism is more colloquial and figurative than the corresponding orthophemism. Dysphemism is a word or phrase that has offensive connotations to the subject or the hearer (Allan & Burridge, 2006, pp. 31, 33).

<sup>71</sup> Adapted from (Allan & Burridge, 2006, p. 32).

<sup>72</sup> For a discussion of the domains used in the present study see 4.3.1.

<sup>73</sup> The ‘intent’ field was included in the database design to enable further categorisation options. For the list of categories see Appendix 3.

Figure 5.2: UPL in the domain of lying, by intent of use (n=419)



Many of the accusations of lying used the terms **false** (or **falsehood**), **lie** (or **lies**), sometimes associated with deliberate (or deliberately), to add additional emphasis. In accusations of ‘not telling the truth’ there were three main ‘refute’ expressions: **absolutely false** (or **absolutely untrue**), **not true** and **untrue**. In refute expressions the phrase, ‘not a (n) of truth’, is a non-idiomatic phraseological unit was used only in the earlier part of the present study. Table 5.2 shows this UPL phrase in the context of its use.

Table 5.2: Unparliamentary refute phrase ‘not a (n) of truth’

Unparliamentary language in context	<i>Hansard</i> reference
There is <b>not a scintilla of truth</b> in anything he has said, and the honourable gentleman knows it.	108, 1899, p. 718.
There was <b>not a tittle of truth</b> in the statement made by the Premier.	118, 1901, p. 373.
There is <b>not a word of truth</b> in what you are saying.	148, 1909, p. 1510.
There is <b>not a word of truth</b> in it, and he knew it.	166, 1913, p. 295.
There is <b>not a particle of truth</b> in the statement that because the Prime Minister could not borrow in London he could not get money that he would lend out at 4 3/4 per cent, without loss.	222, 1929, p. 66.



Unparliamentary language in context	<i>Hansard</i> reference
There is <b>not a shadow of truth</b> in it or justification for it.	226, 1930, p. 1057.
An utterly unfounded assertion, which he must have known had <b>not a vestige of truth</b> .	254, 1939, p. 363.

There are a number of alternative expressions to the term **lie** that illustrate dysphemism or the third lexical form of the concept. Before 1940, the words “**bosh**” (Pirani, 1895), “**fib**” (Poole, 1909) and “**tommy rot**” (Glover, 1910) were ruled to be UPL. Between 1944 and 1949 there was a proliferation of alternatives: **ballyhoo**, **hooey**, **rot** and **rubbish**, with a discernible increase between 1944 and 1945. A closer analysis showed that one Labour MP, Edward Cullen, used a selection of **lie** expressions, **hooey**, **rubbish** and **ballyhoo**, even following his appointment to a ministerial position. Another contributor, the Labour MP David Coleman, favoured just one word, **rot**, used four times between 1933 and 1949. For a discussion about ‘lie’ terms not deemed to be unparliamentary see 7.4.4.

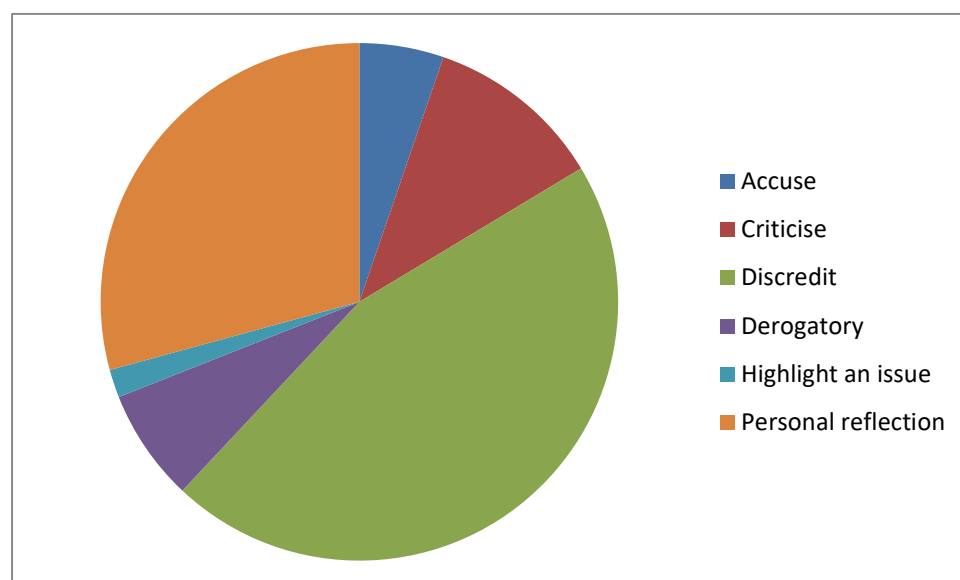
Accusations of deception are not as clear-cut as **lying** or **not telling the truth** so a ruling of UPL may be dependent upon the context of the expression. The terms **mislead** and **misrepresent** are regularly used in this category often with the term deliberate or deliberately. Terms that have been used as alternatives to **deception** include, **crooked**, **humbug**, **tricked** and **twisted** with the American slang expressions “**fast one**” (Sheat, 1949a) and “**play me for a sucker**” (Langstone, 1943) used in the 1940s. This category included the language associated with criminal activity. Expressions that included **corrupt**, **criminal**, **fraud**, **rob** and **steal** were traded between government and opposition members when describing the others policy. Less common were **blackmail**, **pimp**, **murder** and “**gang of political highwaymen**” (Semple, 1933). The MP Robert Wright attempted to unsuccessfully circumvent a ruling on the latter expression by using the expression “**I ... was in the company of Dick Turpin, Ned Kelly**”<sup>74</sup>; and his revised utterance, “**if I voted for the clause, I would be cancelling the Commitment which says, ‘Thou shalt not steal’**” (1933), was also rebuked by Speaker Statham.

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<sup>74</sup> Richard ‘Dick’ Turpin (1705-1739) was an English Highwayman. Edward ‘Ned’ Kelly (1855-1880) was an Australian bushranger. Both men were executed for their crimes.

**5.1.2 Lack of courage.** Language in the ‘core concept’ of courage was ruled to be UPL 171 times in the present study. The three lexical forms can be clearly seen with language ranging from accusations of **cowardice**, having a **lack of courage**, being **afraid**, **frightened** or in a **funk**.<sup>75</sup> The term **funk** was only used on four occasions and three of those were by the Labour MP John A. Lee who used **funked**, **funking** and **funks** in 1933 and 1934. The term **coward** was often combined with others such as, **miserable coward**, **political cowardice** and **cowardly attack**. The phrase **coward’s castle**,<sup>76</sup> Australian slang for parliament, was ruled as UPL in 1933 and 1934. The term **courage** was often associated with terms suggesting an absence of this quality. For example, the person or group had **not sufficient courage** or **not the courage**. Gender based accusations of being **unmanly** or **not man enough** are also in this category. Other terms, that by implication suggest **cowardice**, were **not game** and **timid**. Prior to 1930, a **lack of pluck** was an unconventional form of **lack of courage**. After this time, body parts were more favoured: a lack of **intestinal fortitude**, lack of “**guts**” (Endean, 1932) or **backbone**.<sup>77</sup> The use of the human body in UPL is discussed further in 5.2.3. Figure 5.3 shows the examples of UPL assigned the domain of ‘courage’ and divided by ‘intent’. When compared to Figure 5.2, there are fewer categories, with the ‘refute statement’ notably absent, and ‘discredit’ more highly represented in the UPL related to accusations of a **lack of courage**.

Figure 5.3: UPL in the domain of courage, by intent of use (n=171)



<sup>75</sup> “funk, n. 3. Cowering fear; a state of panic or shrinking terror” (‘Funk’, 2015).

<sup>76</sup> “Cowards’ castle. *Colloquial* parliament when used as an arena in which to vilify and abuse others while under parliamentary privilege” (‘Cowards’ castle’, 2003, p. 446).

<sup>77</sup> For examples of UPL in the domain of courage used during WW1 see Table 7.3.

**5.1.3 Lack of respect.** This concept relates to a large group of terms used to imply a lack of respect towards a person, role or institution. As a sub-category, they are not as clear-cut as accusations of **lying** or a **lack of courage**. This concept is illustrated by the selections in Table 5.3 that lists the UPL, the dates it was ruled, the frequency of use along with an example.

Table 5.3: Terms related to the UPL ‘core concept’ lack of respect

Unparliamentary term	Date coverage in database <sup>78</sup>	Frequency	Example	<i>Hansard</i> reference
<b>Contempt / contemptible / contemptuous</b>	1898-1948	36	deserved <b>contempt</b> and ridicule	161, 1912, p. 1324.
<b>Despicable</b>	1900-1946	11	<b>despicable</b> statement	270, 1945, p. 558.
<b>Discreditable (or no credit)</b>	1891-1947	26	monstrous, unjust, and most <b>discreditable</b>	210, 1926, p. 133.
<b>Disgrace / disgraced / disgraceful / disgracefully</b>	1891-1945	36	<b>disgrace</b> to the Scottish race	235, 1933, p. 849.
<b>Dishonour / dishonourable</b>	1912-1947	7	born through <b>dishonour</b>	159, 1912, p. 130.
<b>Disloyal / disloyalty</b>	1900-1943	8	<b>disloyal blackguard</b>	112, 1900, p. 556.
<b>Hypocrite / hypocrisy / hypocritical</b>	1892-1949	36	gush of <b>hypocrisy</b>	287, 1949, p. 2119.
<b>Impertinent / impertinence</b>	1895-1945	13	piece of <b>impertinence</b>	153, 1910, p.1143.
<b>Impudence</b>	1891-1947	15	colossal <b>impudence</b>	260, 1941, p. 409.
<b>Mean / meanness</b>	1899-1946	27	dirty, <b>mean</b> attitude	249, 1937, p. 102.
<b>Shame (or ashamed)</b>	1891-1949	60	blush of <b>shame</b>	233, 1932, p. 212.
<b>Unscrupulous</b>	1922-1947	9	slandered in such an <b>unscrupulous</b> fashion	266, 1944, p. 741.

The addition of certain terms can take a ‘lack of respect’ UPL further into unacceptability. For example, the word **dirty** in the collocations<sup>79</sup> **dirty insinuations**, **dirty answers**, **dirty**

<sup>78</sup> The dates indicate the year of the first and last entry in the UPL database developed for this study.

<sup>79</sup> In linguistics a collocation is the common association of a particular word with other particular words.

**business, dirty work and dirty trick.** Some creative MPs have attempted to cloak disrespectful comments in poems as illustrated in the following verse by the Labour MP Frank Langstone, who was interrupted by Speaker Statham and asked to withdraw.

The **Government method** puts me in mind of a little verse I learnt when I was a boy  
and there used to be Band of Hope<sup>80</sup> picnics, -

Out at the elbows, out at the toes  
Hatless and shirtless; purple the nose;  
**Dirty and lazy, beastly and low,**  
Onward and downward daily they go

Every measure the **Government** has passed – (1935b)

It is a long established convention, still in practice today, that MPs do “not refer to the Sovereign or the Governor General disrespectfully in debate or for the purpose of influencing the House in its deliberations” (*Standing Orders of the House of Representatives: Amended 30 July 2014 (with effect on 15 August 2014)*, 2014, p. 44).<sup>81</sup> Disrespectful language directed towards the Sovereign, Governor-General, Judges, the Speaker, or Parliament itself, are included in this sub-category because they always attract a ruling of UPL. In the present study only five examples made reference to the King or the Governor General. Most were minor indiscretions. However, one MP was admonished for drawing attention to the King’s “**unpronounceable name**” (Jordan, 1927) that was changed to Windsor at the outbreak of war. Disrespectful UPL towards members of the judiciary included allegations of political interference in appointments, the possible bias of a “**class-conscious judge**” (E. Howard, 1921) or one whose “**political leanings**” (O’Brien, 1939) were known.

Reflections directed towards the Speaker or Chairman can be divided into two types. The first are comments on the Speaker’s failure to make a ruling or control the chamber. The second were accusations of not being given “**fair play**” (J. McCombs, 1920) or they always get “**picked on**” (Langstone, 1935a). There was only one example of a reflection on the Speaker of the Legislative Council. In a speech on the Land and Annual Tax (Annual) Bill, Hon. Sir William Hall-Jones noted that some Councillors had referred to a different bill. He remarked

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<sup>80</sup> The Band of Hope was a temperance movement first established in the United Kingdom in the 19<sup>th</sup> century.

<sup>81</sup> For example see footnote 7.

to the Speaker, “I fully expected **you, Sir, to check** those honourable members who have discussed Customs taxation instead of the ordinary annual taxation Bill” (1925). At the conclusion of the speech Speaker Carncross said he did not wish to interrupt the Councillor during his speech but noted that he made a reflection on the Chair by saying he allowed a reference to customs taxation during an annual taxation debate. He reminded Hall-Jones that during discussions on taxation a wide latitude was allowed (Carncross, 1925).

In the *Standing Orders* for 1865, S.O. 129 stated, “No Member may use offensive words against either House of Parliament, nor against any Statute, unless for the purpose of its repeal” (1865, p. 25). The abolition of the New Zealand Legislative Council in 1951 brought to an end to the sub-category of UPL that reflected on the ‘other place’.<sup>82</sup> The Legislative Council, as an appointed chamber, was open to criticism of being under the influence of the government of the day, reflected in UPL such as: “**miserable creatures**” (T. Taylor, 1904) and “**political rejects**” (Webb, 1916). Closer to the time of abolition, MPs used expressions such as, “**the other place no longer serves a useful purpose**” (E. Howard, 1932) and was a “**museum of political curiosities**” (Doidge, 1941). Conversely, one Legislative Councillor complained the House had made the Council a “**cat’s paw**”<sup>83</sup> by giving it the task of rejecting a bill that had been “supported merely for party purposes” (Reynolds, 1894).<sup>84</sup>

In the conduct of parliamentary business MPs have used a wide range of UPL language to describe legislation including **diabolical, humbugging, mad, pernicious, shifty** and **vicious**. The term **stonewall** was ruled as UPL 38 times between 1892 and 1949. **Stonewall** is regarded as Australasian political slang (‘Stonewall’, 2015) and is listed in the *Dictionary of New Zealand English* (Orsman, 1997, p. 785). A **stonewall** is a strategy used by opposition parties to delay the passage of legislation by making long or numerous speeches to obstruct business (New Zealand Parliament, 2010). Its alternative, **filibuster** (Langstone, 1936) was also reprimanded by Speaker Barnard. There was a time during the present study when stonewall was not UPL. In 1914 Speaker Lang ruled, “the expression is not unparliamentary.

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<sup>82</sup> In the Westminster system, where there are two Houses, it is a tradition that members do not refer to the other House by name but use the euphemism ‘the other place’ or ‘another place’ (UK Parliament, 2016).

<sup>83</sup> This idiom refers to a person that is used as the tool of another. It originates from a 15<sup>th</sup> or 16<sup>th</sup> century fable where a monkey persuades a cat to use its paw to extract chestnuts from a fire by promising it a share. The cat burnt its paw and the monkey ate all the chestnuts providing a lesson in being used by another (‘Cat’s-foot’, 2015).

<sup>84</sup> The bill was the Riverton Harbour Board Empowering Bill.

It is unparliamentary to refer to another member as stonewalling, but not to refer to a stonewall” (Lang, 1914b). In 1927 Speaker Stratham ruled the use of **stonewall** again UPL (Statham, 1927) and it remained so during the remainder of the time period of the present study. Today, in the New Zealand Parliament, the term filibuster does not attract a ruling of UPL. The terms **stonewall** and **filibuster** provides examples of a diachronic change in language that is no longer ‘assessed’ as unparliamentary (see 7.4.1).

**5.1.4 Accusations of influence and control.** The examples related to this sub-category have, in the main, two aspects: accusations of influence from groups outside parliament and people being under the control of another. The term **dictator** was used by three National Party MPs in 1947 and directed at one member, the Rt Hon Walter Nash, Minister of Finance.<sup>85</sup> There have been allegations that parliament has been dictated to by “**London financiers**” (Rushworth, 1933), “**Communists and waterside workers**” (Sutherland, 1948) and that parties were under the control of unnamed **masters** or “**riding [to] orders**” (Parry, 1947). One MP used an ancient term, “the rights of the people have been bargained away for **pelf**<sup>86</sup> received from outside this House” (Langstone, 1934a). The Speaker questioned Langstone on his understanding of the term and reminded MPs that veiled suggestions of bribery and corruption would not be tolerated (Statham, 1935a).

The UPL terms relating to the control and domination of others have included **instrument**, **hireling**, **servile** and **tool**. This sub-category extends to the metaphor of puppetry in “**political puppets**” (T. Taylor, 1905a), “**pulled the strings**” (Payne, 1917) and a “**crowd of marionettes**” (H. Armstrong, 1933). Some examples used animals to imply servile behaviour, “he is like a **poodle**, following the Prime Minister” (Hindmarsh, 1913), “members might lay claim to be **sheep**” (Carr, 1933b) and “**hypnotized rabbits** on the other side” (Doidge, 1949). ‘Personal reflections’ that used animals are discussed further in 5.2.4 and 7.4.3.

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<sup>85</sup> The MPs were Keith Holyoake, William Sheat and Matthew Oram.

<sup>86</sup> Meaning stolen goods. The *OED Online* etymology of the term **pelf** dates it from “apparently Anglo-Norman c1272” (‘Pelf’, 2014).

## 5.2 Personal Reflections

A large group of UPL expressions were used by one MP to target another. The expressions that accused an MP of not possessing a personal quality, such as courage, honesty or respect, fall into the category of ‘core concepts’ discussed in 5.1. The rest draws on a wide range of personal characteristics or behaviours to “pick up on and debase a person’s physical appearance, mental ability, character, behaviour, beliefs and/or familial social relations” (Allan & Burrige, 2006, p. 79).<sup>87</sup> Many of the examples in this category are creative expressions cloaked in ways that the target is only recognisable to close associates. This section discusses the sub-categories of ‘personal reflections’: personal and professional background, behaviour, intelligence, with a special discussion about UPL that includes ‘animal reflections’.

**5.2.1 Personal and professional.** There was a convention in parliament that MPs did not refer to the former occupations, financial circumstances, or the personal lives of other MPs. For this reason, saying an MP had “**worked in a restaurant**” (A. Armstrong, 1945), was a “**gentleman of [the] cloth**” (Bitchiner, 1933), or was “**brought up on 15s a week**” (Kyle, 1938), were ruled as UPL. References to members being **lawyers**, even if that was their profession, were not allowed, along with derogatory comments such as, “**fungus farmer**” (H. Armstrong, 1936), “**counter-jumper**” (Kidd, 1948) or that a particular MP would be better suited as a **clown** or **undertaker**.

In 1900, during the Committee debate on the Public-school Teachers’ Salaries Bill,<sup>88</sup> a number of verbal exchanges occurred between Roderick McKenzie, Liberal Party MHR for Motueka, Frederick Pirani MHR for Palmerston and the Premier Seddon. They began with an accusation from Seddon that information from the Education Department was leaked to Pirani. The debate then descended into comments about their respective wives where McKenzie said that Pirani “might recall ... the occasion on which **his wife broke her umbrella over his head in the Square in Palmerston North**” (McKenzie, 1900). The Chair reminded McKenzie that he should not bring personal matters before the House (Guinness, 1900). Pirani then accused the Premier of being responsible for circulating a **slander** about

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<sup>87</sup> Allan and Burrige state these are the characteristics of the personal insult. In keeping with the parliamentary usage of the term ‘reflection’, and to avoid confusion with Ilie’s ‘parliamentary insult’ (see 2.1.1), this category is called ‘personal reflections’.

<sup>88</sup> The debate on the Public-school Teacher’ Salaries Bill can be found in *NZPD*, (1900) 115, 144-153, followed by Disorder in Committee, pp. 153-162.

his marriage (Pirani, 1900).<sup>89</sup> Pirani refused to withdraw this final remark and Speaker O'Rourke was recalled to the House. After a number of speeches about the circumstances of the exchange Pirani was suspended for the remainder of the day.<sup>90</sup> From this example two points can be made. That UPL, when put into context, can reveal information about the people and dynamics involved. The second point is that Pirani's transgression was not the accusation of **slander** but his refusal to withdraw when requested to do so. This point is discussed further in Chapter 7.

The irregular use of personal names and titles was a source of UPL. For example, lampooning ministerial portfolios: the "**Minister for smallpox**" (Witty, 1913), "**rainbow Minister**" (Hanan, 1913), "**Minister for mousetraps**" (Langstone, 1932b) and the "**Minister of Funny Money**" (Smith, 1945). The 1940s saw the use of sobriquets or nick names such as "**soda-water Sid**" (Boswell, 1943) for Sid Holland, National MP and Leader of the Opposition, and "**dead shot Fred**" (Osborne, 1947) for National MP Frederick Doidge. Another 'name strategy' was to use the name of a famous, or infamous, person by way of implication: "**Judas Iscariot**" (Seddon, 1897a), "**Herr Hitler**" (Coates, 1939) or fictional characters "**Paul Pry**"<sup>91</sup> (Cadman, 1896) and the "**great Panjandrum**"<sup>92</sup> (Hogg, 1896a).

**5.2.2. Behaviour.** Reflections on the behaviour of other MPs intersects with the 'core concept' of 'lack of respect' when there are accusations of **impudence** or **impertinence**. One notable example was an expression used by Sir Joseph Ward, the Liberal Prime Minister from 1906 to early 1912. At the time he was a witness before the Public Accounts Committee<sup>93</sup> and told the Chair, John Hine, in response to a question, it is a "**downright**

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<sup>89</sup> Pirani's marital difficulties were well known and he divorced in 1922 (Oliver, 2014).

<sup>90</sup> A close reading of the debate reveals that both Seddon and McKenzie were not blameless for Pirani's reaction. The 'tit for tat' nature of the exchange was recognised by the House but the procedure had to be followed.

<sup>91</sup> 'Paul Pry' was a character in a 19<sup>th</sup> century play of the same name written by John Poole. It was first performed in London in 1825. The character Pry interferes in other people's business and makes a habit of leaving his umbrella behind as an excuse to return and eavesdrop ('Paul Pry (play)', 2014). This UPL was directed at Frederick Pirani.

<sup>92</sup> The term 'great Panjandrum' originated in a nonsense verse written by Samuel Foote in 1754 or 1755. It later became a mock title for a pompous or self-important person ('Panjandrum', 2014).

<sup>93</sup> The Public Accounts Committee was a parliamentary select committee. The rules in *Standing Orders* apply in a select committee.



**piece of impertinence**” (Hine, 1912).<sup>94</sup> Ward refused to withdraw the words and they were ‘taken down’<sup>95</sup> and reported to the House as a breach of privilege. In considering the report of the Committee the House debated the circumstances of the offence, the authority of the Chair, possible provocation and prior situations. The debate began at approximately 4.00 pm on the 22<sup>nd</sup> October 1912 and concluded eight hours later with the passing of a resolution by 39 votes to 32.<sup>96</sup> Like the McKenzie-Pirani example, when seen in a wider context, the use of UPL can unmask political or personal tensions. In the background are events that may have accounted for Ward’s outburst and refusal to withdraw. The 1911 election resulted in a deadlock between the Liberal and Reform parties with a number of Labour and independent members of uncertain allegiance (Martin, 2004, p. 142). Ward’s biographer states that he was “privately crushed by the election result” (Bassett, 2014). The Liberal Party’s hold on power was tenuous and they barely survived a vote of no-confidence. Ward resigned as Prime Minister but his successor, Thomas MacKenzie, was defeated in a second no-confidence vote in July 1912 that resulted in the formation of a Reform Government under William Massey.<sup>97</sup> The UPL incident involving Ward occurred just months after the Liberal defeat and may have been a factor in his reaction to the close questioning by Hine, the Chair of the Committee and a member of the Reform Party.

Reflections on the behaviour of other MPs have ranged from the light hearted, **buffoonery**, **foolish** and **silly** to more serious accusations of being **vicious**, **vindictive** and **sadistic**. From 1931 on, the terms **sneer**, **sneers** or **sneering** were ruled as UPL nearly forty times.<sup>98</sup> In the ‘behaviour’ sub-category there were derogatory comments about laughter, language or

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<sup>94</sup> The Chair of the Committee Hine repeated the words used by Ward to the House. The events are reported in (Public Accounts Committee, 1912).

<sup>95</sup> Under *Standing Orders* a request that words are ‘taken down’ was made if a member objected to words used in a debate. If the House was in agreement the Speaker would direct the Clerk to ‘take the words down’ and disciplinary procedures would begin. *Erskine May* states this is one of the ancient disciplinary practices that existed before *Standing Orders*. In the British House of Commons it has not been used since 1946 (C. Gordon, 1983, pp. 442–444) but the power to enforce ‘ancient usages’ still exists in S.O. 44(5) (*Standing orders of the House of Commons: Public business*, 2013). In the present study the last request for ‘words to be taken down’ was 1914.

<sup>96</sup> The length time of the debate is estimated from the hours recorded in *Hansard*. The resolution was, “That this House expresses its regret that the right honourable member for Awarua has not thought proper to withdraw words that have been taken down and reported to the House by the Chairman of the Public Accounts Committee” (Guinness, 1912).

<sup>97</sup> In the 60 years of the present study there were two occasions when a government was defeated by a vote of no-confidence that led to a change of government. The first was the defeat of the Liberal Government in 1912 and the second was the defeat of the Reform Government in 1928.

<sup>98</sup> Examples of the term not deemed to be unparliamentary were identified in 1912, 1926, 1936, 1939, 1940, 1941 and 1949.

speeches. Members have been described as **cackling**, sounding like a “**laughing-jackass**” (C. Mills, 1899), having a “**hyena laugh**” (Langstone, 1931a) and “**laughter which is akin to imbecilic**” (Broadfoot, 1936). The content of speeches has been “**wild and woolly**” (H. Armstrong, 1928), “**miserable and humiliating**” (W. Massey, 1905b) or containing “**second-hand music-hall witticisms**” (Smith, 1931).

The accusation that an MP had a drinking problem has been ruled UPL. In 1899 Thomas Taylor, representing Independent Prohibition, said in the Committee of the House that George Fisher “**was a big nuisance last session and a bigger nuisance this session because he was sober**” (Guinness, 1899).<sup>99</sup> The words were ‘taken down’ and reported to Speaker O’Rorke. Taylor was asked to leave the House while the matter was discussed and where it became clear that Fisher was known for making irritating remarks about other MPs in a quiet tone.<sup>100</sup> The resolution of the House was the language was unparliamentary. When Taylor returned to the chamber he was encouraged by the Speaker to apologise and demonstrate sufficient remorse. A feature of this exchange was the way the Speaker brought the situation to a swift and uncontentious end by out-manoeuvring a request from the MP Pirani for a division<sup>101</sup> which meant the votes would be recorded in *Hansard*. Further examples of ‘refusals to withdraw’ UPL are discussed in Chapter 7 and listed in Appendix 5.

**5.2.3 Body and mind.** Features of the human body and accusations of a lack of intelligence contributed a number of examples to this sub-category. Members have accused others of being **babies** and **old men** in comments such as, “**when he was sitting ... in the Dominion Museum he looked as good as some of the exhibits**” (F. Jones, 1949). References to members **slobbering**, **grunting**, **blushing** and **grinning** have been rebuked as has “**underfed dwarf**” (Cullen, 1944) and “**abnormalities are always present, and some nasty persons would even refer to the honourable gentleman in that connection**” (Lyon, 1936). Some body parts feature strongly, particularly the **gut**, **backbone**, **heart**, **tongue**, **skin** and **nose**. **Skin** can be **thick**, **got under** and **saved** while **noses** can be **broken**. In 1907, the Legislative Councillor Wiremu Pere said to John Ormond, “give full consideration to your

<sup>99</sup> The House was in Committee at the time of the UPL and the proceedings were not recorded in *Hansard*. The reference is to the Chairman of Committees Guinness advising the House the language had been used.

<sup>100</sup> See 6.1.2, 1891 to 1899, for examples of UPL used by Fisher against Taylor.

<sup>101</sup> A division is a formal vote where MPs physically enter the Ayes or the Noes Lobby and their vote is recorded by a teller. In New Zealand today this procedure is only used for personal votes on conscience issues (McGee, 2005, pp. 208-211).

tribe - the Maori. If you neglect them **I will break your nose**” (Pere, 1907). This is a rare threat of physical violence and notable because the words “your tribe – the Maori” were used by a Māori to a man of European descent. By way of explanation Pere told the Council Ormond was a long-standing friend of the Māori who would understand the spirit in which the remark had been made.<sup>102</sup>

There were over one hundred examples in the present study where one MP reflected on the intelligence of another. The most commonly ruled term was **stupid** followed by **fool** and **ignorant**. Other ‘lack of intelligence’ terms were **dense**, **dud**, **dunce**, **idiot** and **imbecile**. Members have **no brains**, **water** or **wool on their brains** and that “**his brains could revolve inside a peanut shell for a thousand years without touching the sides**” (Langstone, 1949). The animals used as euphemisms for a ‘lack of intelligence’ included the **donkey** and **ass** and less commonly, “**slow-witted bovrility**” (Carr, 1933a), “**blow-fly mind**” (Langstone, 1933b) and “**retardate worm**” (Lee, 1943).

**5.2.4 Animal reflections.** The comparison of people and animals was a feature of the category of ‘personal reflections’ and ‘animal reflections’ are some of the most creative examples of UPL in the present study. Allan and Burridge state, the “dysphemistic uses of animal names take some salient, unpleasant characteristic from the folk concepts about the appearance and/or behaviour of the animal, which is then metaphorically attributed to the human named or addressed” (2006, p. 80). In the present study 125 examples included animals in some form. From the general use of **creature** this category covers the smallest, “**modest as a codlin-moth**” (Lee, 1937), to the largest in the animal kingdom, “**thicker hides than a rhinoceros**” (Langstone, 1931b). The canine family had the largest number of examples followed by **rats**, **cats** and small mammals. Table 5.4 lists the UPL expressions that have a canine theme and illustrates this language was used by Prime Ministers and back benchers alike but favoured by Labour Party members more than any other party. In the examples, the use of **cur** and **dingo** are features. The repetition of the term **dingo** in the 1945 apology statement by MP James Thorn, was a strategy used by some MPs to observe the rules but take the opportunity to repeat the reflection. On this occasion the term was again ruled as UPL.

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<sup>102</sup> Ormond’s eldest son George Canning Ormond married a Māori woman, Maraea Kiwiwharekete, in the late 19<sup>th</sup> century. One of their children, Tiaki Omana, was an MP from 1943 to 1963 (Parekowhai, 2013).

Table 5.4: Animal reflections with a canine theme

Unparliamentary expression	User	Party	<i>Hansard</i> reference
<b>dumb dog that does not bark</b>	Fergus, Hon. T.	Conservative	75, 1892, p. 357.
<b>cowards and curs</b>	Allen, J.	Conservative	88, 1895, p. 492.
<b>That he may keep office he lies down to be kicked and takes his whipping just like a cur-</b>	Bedford, H.	National Liberal (1905)	134, 1905, p. 284.
<b>He is like a poodle, following the Prime Minister.</b>	Hindmarsh, A.	Labour	163, 1913, p. 105.
<b>miserable cur</b>	Hindmarsh, A.	Labour	175, 1916, p. 297.
<b>cur</b>	Payne, J.	Social Democrat	178, 1917, p. 310.
<b>absolute cur</b>	Hindmarsh, A.	Labour	180, 1917, p. 781.
<b>dog-watch in politics</b>	Poole, C.	Liberal	184, 1919, p. 777.
<b>chain them to-day, and put a collar around their necks, like dogs</b>	Howard, E.	Labour	194, 1922, p. 191.
<b>dumb dogs</b>	Wright, R.	Coalition Reform	229, 1931, p. 34.
<b>parliament of curs</b>	Lee, J. A.	Labour	231, 1932, p. 534.
<b>Like dogs they return to their own vomit and lap it up.</b>	Langstone, F.	Labour	233, 1932, p. 273.
<b>the dingo - an animal that snaps and snarls and slinks away</b>	Lye, F.	Coalition United	239, 1934, p. 920.
<b>dumb dogs</b>	Armstrong, H.	Labour	240, 1934, p. 515.
<b>interjecting like a pack of dingoes</b>	Osborne, A.	Labour	269, 1945, p. 622.

Unparliamentary expression	User	Party	<i>Hansard</i> reference
<b>yelping curs</b>	Carr, Rev C.	Labour	270, 1945, p. 390.
<b>lost dingoes</b>	Semple, Hon. R.	Labour	270, 1945, p. 779.
<b>yelping puppies</b>	McCombs, T.	Labour	271, 1945, p. 377.
<b>scream like a bunch of dingoes</b>	Thorn, J.	Labour	271, 1945, p. 567.
<b>I apologize to the dingoes</b>	Thorn, J.	Labour	271, 1945, p. 567.
<b>snarling little curs</b>	Fraser, Rt Hon. P.	Labour	275, 1946, p. 420.

A number of UPL expressions referred to birds with the **kookaburra**, a noisy native of Australia, being a favourite of Robert Semple, who was born there. The name of New Zealand's national bird was ruled UPL when Arthur Richards said, "hear the '**little kiwi**' from Raglan chirping up" (1946a). Farm animals, the **bull**, **sheep**, **goat** and **pig** have been used in UPL along with the more exotic **monkey** and **crocodile**. The use of animals in unparliamentary reflections draws upon the characteristics of that animal and applies them to others. In the syntax of some animal reflections the phrase 'like a' signals a comparison is being made while others are examples of metaphors. Expressions can also be enhanced by the inclusion of an adjective for example, "**political magpies**" (Langstone, 1947a), "**human muck-worm**" (Hogg, 1899) and "**silliest creature**" (Richards, 1945).

### 5.3 Political Environment

The third category of UPL relates to the political environment of the institution of parliament. It intersects with the 'core concepts' discussed in section 5.1 where accusations of lying, deception and a lack of respect directed at the government or opposition would be ruled as UPL. This category encompasses UPL directed at a current government, politics and politics in general. It also includes UPL used by an MP to highlight an issue. The present study has identified a sub-category, not previously discussed in parliamentary texts or research on UPL, that of 'situation dependent' UPL. This refers to language not normally regarded as unparliamentary but, which because of external circumstances such as a war, took on an increased sensitivity.

**5.3.1 Government and opposition.** During the 60 years of the present study there were six governments in power (see Appendix 1). Parties or independent MPs not in government are the opposition. Since 1889, the leader of the largest party not in government has been known as the Leader of the Opposition and that party the official Opposition (McGee, 2005, p. 85). By its nature, the party system creates an adversarial situation between a government and opposition. Following a general election the result can mean a party, that was in government, becomes the opposition and vice versa. This alternation brings a unique perspective in a diachronic study because of the movement of politicians in and out of parliamentary roles.

Examples of UPL directed towards a current government have included: **“you were begotten by slander, you were shapen in intrigue, and you were born through dishonour”** (Isitt, 1912), **“a Government that would encourage that sort of thing is no better than the pimp and the spy and the sneak”** (Langstone, 1932a) and **“joy-ride for a group of political parasites”** (Semple, 1935). Governments have been compared to **“Judas Iscariot”** (Langstone, 1925a) and the **“Devil's own crowd”** (H. Armstrong, 1935b). Conversely, the opposition have been called, **“pliable sycophants”** (McKenzie, 1903), **“slanderers”** (Laurenson, 1910b), **“empty-headed people”** (Endean, 1935) and a **“bunch of hoodlums”** (Richards, 1946b).

In the present study, approximately 500 examples of UPL were identified as having the ‘intent’ of discrediting the government and 200 the ‘intent’ to discredit the opposition. The categorisation was made by the researcher at the time the UPL and contextual information was entered into the database (see 4.3.2). Many of the examples directed at the government did not have an identifiable MP as a target or were directed to a minister as a representative of the government. While the categorisation of ‘intent’ has a subjective element, the numbers provide an indication of the balance of the UPL in this category. Table 5.5 outlines the frequency of examples used by opposition MPs to ‘discredit’ the government, and vice-versa, divided into the time different governments were in office. The information is displayed by parliament and does not fully account for short-lived changes in government during that time. See Appendix 1 for a full list of parliaments and governments.

Table 5.5: Frequency of UPL intended to discredit the government or opposition<sup>103</sup>

The government and years in office	Frequency of UPL intended to discredit a party or MP in <b>opposition</b> (i.e. used by MPs in government)	Frequency of UPL intended to discredit the <b>government</b> in power (i.e. used by MPs in opposition)	The opposition party/parties or independent MPs
Liberal 1891-1911 (11th to 17th Parliaments)	22	20	Conservatives, independents, 'labour'
Reform 1912-1914 (18th Parliament)	4	18	Liberal, 'labour', independents
National Cabinet 1915-1919 (19th Parliament)	2	9	'labour'
Reform 1920-1928 (20th to 22nd Parliaments)	6	39	Liberal, Labour, independents
United / United – Reform 1928-1931 (23rd Parliament)	15	71	Reform, Labour, Country Party, independents

<sup>103</sup> This table includes information from Appendix C of the publication *Adventures in Democracy* (Atkinson, 2003). Conservative is “the label the Liberals applied to their opponents, some of whom described themselves as ‘Reform’ before the formation of the Reform Party as an organised national party in 1909” (Atkinson, 2003, p. 251). Prior to the establishment of the second New Zealand Labour Party in 1916, ‘labour’ candidates entered Parliament having stood for a variety of parties (Atkinson, 2003, p. 251).

The government and years in office	Frequency of UPL intended to discredit a party or MP in <b>opposition</b> (i.e. used by MPs in government)	Frequency of UPL intended to discredit the <b>government</b> in power (i.e. used by MPs in opposition)	The opposition party/parties or independent MPs
United-Reform Coalition  1932-1935 (24th Parliament)	19	170	Labour, Country Party, independents
Labour  1936-1949 (25th to 28th Parliaments)	128	181	United-Reform, National (1936), Country Party, independents

The data in Table 5.5 reveals information about the relationship between the parties in government and opposition. In some time periods the numbers of examples are relatively even, but in others, the frequency of UPL used by the opposition is higher. The alternation of parties, from being in opposition to becoming a government, is also illustrated, particularly in the final two rows where the Labour Party moved from opposition to government. The results of the ‘intent’ categorisation are replicated in 6.2.3 that discusses, in more detail, the use of UPL by different parties over the course of the present study.

**5.3.2. Policy and politics.** The language ruled as unparliamentary has described policies as **beastly**, an **insult**, **iniquitous**, **vicious**, **wicked** and a “**transparent piece of insincerity**” (E. McCombs, 1934a). Legislation has been called “**an abortion**” (Lysner, 1928), policy as an “**illegitimate proposal**” (Sheat, 1945) and a “**calculated blow to family life**” (Harker, 1945). On one occasion, a criticism of government policy extended to the influence of an international financial advisor, Sir Otto Niemeyer, “the starvation-wage level of this country is a product of the advice given by this little international globe-trotter representing nothing more or less than **a band of Shylocks in a land of usurers**” (Semple, 1932).



Politics has been in the **gutter** and the **garbage**. Members have accused others of being **hacks**, an “**arch-Tory**” (Payne, 1914), a “**Socialist**” (Osborne, 1945b) and an “**avowed Communist**” (J. Massey, 1948). The Liberal Party were characterised as “**crawling like wounded worms on the face of politics, and wriggling themselves out of the chamber to escape facing the issue**” (Langstone, 1925b). The adjective ‘political’ was combined 70 times to form collocations such as **political acrobat**, “**political cuckoo**” (Meachen, 1940), **political hypocrite** and “**political misfits**” (Osborne, 1939a).

**5.3.3 Highlighting issues.** There is a sub-category of UPL that was used in the course of an MP highlighting a particular issue in the legislative chamber. It is unclear whether MPs knowingly include language that might attract the attention of the Speaker or press gallery but that possibility should not be dismissed. Land issues have attracted strong language with accusations that Māori have been “**robbed of their land by the administration of the Government**” (A. Fraser, 1903) and the government should acquire land from the “**greedy, gluttonous land-holders**” (Carr, 1932). Parliamentary privilege allows MPs to make accusations that could not be made outside but the language must still be parliamentary. That was not the case when an MP said, “**he may have a woman in his house who is very attractive and gets that information that enables her male relative to buy shares; and then, behold, they get a title because they give [five thousand pounds] to the Massey Party to help win the elections in New Zealand**” (Hindmarsh, 1917). James Hogan, an Independent MP, considered “the conduct of the flour milling industry in New Zealand is an absolute scandal, and that the people of New Zealand have been **fleeced and robbed** for far too long” (1930).

In 1947, MPs debated the prices of agricultural exports and in particular, the payment received by farmers for calf-skins that was described as a **scandal** and a **racket** (J. Massey, 1947).<sup>104</sup> In the same year, the Minister of Customs proposed a series of changes to sales-tax, removing it from a number of foodstuffs and increasing the price of tobacco.<sup>105</sup> Opposition members suggested that many foodstuffs were in short supply and housewives were

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<sup>104</sup> Farmers had been asked to assist the stabilization of prices by selling 50,000 skins to tanners at the price of 16d. There had been a rise in commodity prices and number of skins increased to 300,000 but the price paid to farmers had not increased. This was a calculated loss to farmers of 10s a skin (Corbett, 1948).

<sup>105</sup> This measure was intended to reduce the demand on imported tobacco from America and free up dollars for the British to import foodstuffs from the United States. It was also to support the domestic tobacco industry (Nash, 1947).

concerned they could not obtain dried fruit to make Christmas cakes (Doidge, 1947). The MP James Maher added that New Zealand cool stores were full of meat and butter, the goods Britain needed, but there was no coal for trains suggesting a practical reciprocal solution and “let us stop this nonsense of taking the sales-tax off certain things which the housewife does not care a **‘tuppenny damn’** whether she has or not” (Maher, 1947).

Following the end of World War II, the continuation of “import controls, land sales controls, price controls, building controls, inflation, shortages and rationing” (Gustafson, 1986, p. 54) necessitated a large number of inspectors to police the regulations. This led one MP to complain that “an agent of the **‘Gestapo’** had visited [his] electorate of Hauraki” (A. Sullivan, 1947) and the alternatives he forwarded, “**inquisitorial State pimp**” and “**snooper**” were also ruled as UPL. In his particular example Sullivan uses **Gestapo**, a term which is UPL because of its associations with **Nazi Germany** (see 5.3.4), probably for effect. This category of examples was relatively small but UPL can be shown to be used strategically to draw attention to an issue or demonstrate to an audience a personal level of commitment.

**5.3.4 Situation dependent.** This final sub-category is language that has been ruled as UPL but, in ‘normal circumstances’, it would not. This is usually because external events have cast new meaning on the language. The majority relate to international conflict situations. An early example was the return of soldiers from the Boer War in South Africa to New Zealand on the ship *Tagus*. The decision to berth in the colder southern area of New Zealand led to an accusation directed at Premier Seddon, “since that ship left Albany five or six of those men were dead. Who had the responsibility? The Premier was **afraid to offend the people of Invercargill, even though to please them he had to sacrifice the lives of men who had been serving their country**” (Allen, 1901). At the beginning of WWI, a minister in the Reform Government said to a member of the Liberal Party, that “in the innermost recesses of the honourable gentleman’s heart he would rather see the **Germans overrun Europe than that we should occupy the Treasury benches**” (Herdman, 1914). During WWI, the Prime Minister was accused of being “**worse than the Kaiser**” (Webb, 1915). It was also alleged the mother of Hon. Alexander Herdman was of German extraction, meaning there were “**Germans in the Cabinet**” (Payne, 1915).<sup>106</sup>

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<sup>106</sup> Herdman responded that his mother was of Scotch descent.

In 1935 the statement, “what use is a League of Nations if a kind of **inhuman monster like the Dictator of Italy** can plunge the world into a war?” (H. Armstrong, 1935a) was ruled as UPL. The Rev. Arnold Nordmeyer, a Labour MP for Oamaru, was asked if he would “**go to China and bear a rifle? Would he go to Czechoslovakia and bear a rifle?**” (Broadfoot, 1939a). In 1940, the same MP said he wished that the Minister for Lands, Hon. Frank Langstone, had been **kept in Berlin** by the Germans following a visit was ruled as UPL (Broadfoot, 1940). The terms **Gestapo**, **Nazi** and the name **Hitler** were ruled as UPL on several occasions because of their association with **Germany** and the events of World War II (WWII). A suggestion the Electoral Amendment Bill would “take its place in history, along with the **burning of the Reichstag**” (Oram, 1945) was withdrawn. In this category, the name of a ship the *Mataroa* (Endean, 1940) was ruled as UPL because, for security reasons, MPs could not publically refer to the names of ships during the war years.

## 5.4 Conclusion

Based on the approximately 2600 examples of UPL identified in the present study this chapter has advanced a new approach to the categorisation of UPL. Three major categories have been identified: ‘core concepts’, ‘personal reflections’ and the ‘political environment’, with a number of sub-categories falling under each. The use of gradations of language, especially in the ‘core concept’ category, where three identifiable lexical forms can be seen, conforms to the X-phemisms model of Allan and Burridge (2006). These ‘concepts’ indirectly reveal a set of institutional values: honesty, courage, respect and incorruptibility that have been rarely identified in this way.

The UPL categorised as ‘personal reflections’ included ‘core concepts’ such as accusing an MP of **lying** or **deception**. Many of the examples outside the ‘core concepts’ illustrated a creative use of language that drew upon the physical characteristics or intellectual ability of another MP. The present study has shown the use of ‘animal reflections’ to be a distinct sub-category of UPL that could be an area for further research. The canine themed UPL particularly highlights the use of the derogatory terms **cur** and **dingo**. Individual examples discussed in this chapter have shown some instances of UPL which examined in detail, reveal the personal and political dynamics behind a given situation.

The analysis has shown the third main category of UPL, the ‘political environment’, consists of a number of sub-categories. The use of UPL to discredit parties or their policies could be considered a natural extension of the adversarial environment of the legislative chamber. The use of UPL to highlight an issue suggests its strategic use to gain the attention of the chamber and demonstrate the strong feelings of an MP. Finally, the categorisation has identified a separate sub-category of ‘situation dependent’ UPL that, to the researcher’s knowledge, has not been previously described. This category includes terms and phrases that have taken on an increased sensitivity and been ‘assessed’ as unparliamentary. With the passage of time, many of these examples would not attract the same rebuke.

## Chapter 6: The Users and Targets of Unparliamentary Language

This chapter discusses those MPs who used UPL as part of their discourse and those who were the objects of UPL, the targets. In his study of the Queensland, Western Australian and Australian Federal Parliaments, Salisbury observed, “the search results threw up the names of several members of the respective federal and state parliaments, some of whom it became apparent could be termed ‘serial offenders’ in making un-parliamentary remarks – they stood out more clearly and much more often than others in the offenders ‘hit list’” (2011, p. 174). The present study also identified a group of serial offenders, referred to here as ‘principal users’. Along with the ‘principal users’ of UPL this chapter discusses three specific groups of MPs: the independent, Māori and women. The numbers of MPs and examples in these groups are relatively small but could form the basis for further research.

In his study Salisbury (2011) also illustrated how a chronological study of the withdrawal of unparliamentary language can reveal information about different parliaments and the dynamics between government and opposition. He posed the question, “is it incumbent upon the opposition ... to push the accepted boundaries of parliamentary standards in holding the governments to account? Or, as some might well suspect, is one side of politics more prone to lowering parliament’s standards than another?” (2011, p. 167). His analysis of the Queensland, Western Australia and Federal Parliaments, from 1997 to 2010, showed the numbers of withdrawals differed in each one and also fluctuated over time. When comparing the numbers from government and opposition parties he found opposition MPs in the Western Australian and Federal Parliament withdrew more unparliamentary language. However, in the Queensland Parliament the percentage of withdrawals by the government and opposition were the same. This result Salisbury found to be ‘surprising’ and contrary to assumptions about an “‘arrogant’ incumbent government or a feisty, disgruntled opposition” (2011, p. 173) being more responsible for unparliamentary language. In all three Australian parliaments the members of the Australian Labor Party used more unparliamentary language than other parties although the margin was small in Queensland. Historically, this finding is replicated in the present study with the New Zealand Labour Party members using more UPL than other parties (see Table 6.2). Salisbury’s research suggested each parliament had their own ‘culture’ in relation to the use of UPL and that a comparative study highlights, but does not fully address, the underlying reasons.

The final section of this chapter discusses the ‘frequent targets’ of UPL. This is an aspect of UPL that, to the researcher’s knowledge, has not been previously investigated. A focus on users and targets of UPL, by political affiliation, reveals trends that, when seen in context, have wider implications for revealing the dynamics of the parliamentary electoral cycle. The data presented in this chapter was identified by searching the UPL database developed for this study. The ‘principal users’ and ‘frequent targets’, for each parliament are listed, along with other relevant information, in Tables 6.1 and 6.4. Brief biographical details of individuals and selected examples of UPL are discussed throughout the chapter with the aim of isolating factors that might contribute to their use of UPL, or the understanding of why they were targeted.

## 6.1 Principal Users

This section discusses the users of UPL in the Legislative Council followed by the ‘principal users’ of the House divided into two main time periods, 1891 to 1928 and 1928 to 1949. The first division aligns to a period of relatively low use of UPL, followed by a significant increase. For the present study, the ‘principal users’ are defined as the three MPs who used the most UPL in any one parliament. To identify them, a chronological, parliament by parliament analysis was used (see Table 6.1). This approach was taken because the time that individual MPs are in parliament differs, ranging from one term to decades. This methodology provided a way of identifying the ‘principal users’ within the context of a parliament, usually extending over three years.

**6.1.1 The Councillors.** In the UPL corpus, consisting of approximately 2600 examples, only 38 or 1.4% of the total sample, were used by Councillors. When considering that approximately 200 Councillors<sup>107</sup> were appointed between 1890 and 1949 it is clear the use of UPL was not a strong element of ‘shared repertoire’ of that chamber. In some years there were no rulings of UPL and in others, only one or two with a high of four in 1903. The latter part of the Council’s existence was characterised by a decline in its function as a revising chamber. This is illustrated by the fact that “in the period from 1936 to 1950 the council only amended just over 9% of bills from the lower house and could not claim a single bill that originated in its chamber becoming an Act” (Kumarasingham, 2010, p. 104). This

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<sup>107</sup> The number is estimated by subtracting the number appointed between 1854 and 1889, a figure of 121 (McIntock & Wood, 1987, pp. 241–245), from the total number of Councillors, 330 (*List of members of the New Zealand Legislative Council*, 2014).

decline is also reflected in the lack of UPL after 1938. This should not be seen as evidence of ‘good behaviour’ but more an indication of the Council’s lack of performance as a functional deliberative chamber.

Even in the rarefied atmosphere of the Council a small group of individuals revealed themselves to be users of UPL. The 38 examples of UPL were used by 21 Councillors with nine responsible for two or more, but no more than four. The two highest users were Hon. George Jones (1844-1920) and Hon. William Earnshaw (1852-1931). Jones was noted for being outspoken while there is some uncertainty about Earnshaw’s political affiliations. However, they shared something in common, strong views about prohibition. Jones was born in Wellington and educated in Australia. He began working as a compositor in the printing industry and went on to become the publisher of several New Zealand newspapers. He came into prominence in 1877 when he wrote an article about the Attorney-General and was accused of a breach of parliamentary privilege. He was imprisoned within the precincts of parliament until the end of the session where he “entertained himself and his friends by playing on the violin” (‘The Hon. George Jones, M.L.C.’, 1920). In 1880 he was elected as a MHR and briefly represented Waitaki as an Independent before retiring in 1881. He served on the Council for four terms<sup>108</sup> from 1895 until his death. He was described as being “fearless and outspoken” (‘The Hon. George Jones, M.L.C.’, 1920) and a strong advocate of prohibition as illustrated by the following UPL. **“The traffic [in alcohol] which is pronounced by the highest ecclesiastical, medical, and judicial authorities to be the most fertile cause of crime, misery, insanity, pauperism, disease, and death may be fittingly described as ‘detestable’”** (G. Jones, 1901). During the debate on a bill that would not allow brewers to own licenced premises he accused his fellow Councillors of being **“afflicted with a mental and moral obliquity”** (G. Jones, 1903) in the face of a lawless liquor traffic.

The second Councillor who used UPL on four occasions, William Earnshaw, was born in England and trained as an all-round mechanic. He was elected to the House in 1890 and 1893. His obituary stated that he stood as a Labour candidate although other sources say he represented the Liberal Party (‘Obituary: Hon. W. Earnshaw, M.L.C.’, 1931; J. O. Wilson, 1985, p. 194). As a MHR he used UPL on six occasions and was a ‘principal user’ in the 11<sup>th</sup> Parliament, 1891 to 1893. During this time he became increasingly critical of the Seddon

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<sup>108</sup> Councillors were originally appointed for life but this was abolished in 1892 and replaced with seven year appointments (Kumarasingham, 2010, p. 102).

administration and was not re-elected in 1896. He was appointed to the Council as a ‘labour representative’ in 1913 and remained there until his death in 1931. He was reprimanded in the Council for stating four MPs were “**miscalled Labour members**” (Earnshaw, 1920) and that a “**monstrous, unjust, and most discreditable**” (Earnshaw, 1926) statement had been made by a fellow Councillor Sir William Hall-Jones. Several traits exhibited by Jones and Earnshaw can also be seen in some of the ‘principal users’ of UPL in the House, namely, being skilled orators, having ambiguity about their political affiliations and a passion about a single issue.<sup>109</sup>

**6.1.2. Members of the House, 1891 to 1928.** In Chapter 5 two main time periods for the categorisation of UPL were identified, 1891 to 1928 and late 1928 to 1949. The analysis of the ‘principal users’ revealed there was three distinct sub-periods during 1891 to 1928. This section discusses the first main time period, and associated sub-periods, that was characterised by relatively low numbers of UPL. The following Table 6.1 lists those MPs with the highest frequency of UPL in each of the parliaments in the present study. Where several MPs used the same number they are all included. The findings of this table are discussed in this section and in 6.1.3.

Table 6.1: Frequency of UPL used by ‘principal users’, HR, 1891 to 1949<sup>110</sup>

Parliament and date	Party in power	Total UPL in the HR	Member of parliament	Party affiliation	Electorate represented	Frequency of UPL
11 <sup>th</sup> 1891-1893	Liberal	52	Buckland, W.	Conservative	Manukau	8
			MacKenzie, T.	Conservative	Clutha	5
			Earnshaw, W	Liberal	Peninsula	4
			McKenzie, Hon. J. (M)	Liberal	Waitaki	4
			Taylor, R.	Liberal	City of Christchurch	4

<sup>109</sup> For another example of UPL used by Earnshaw in the Council see 7.2.2.

<sup>110</sup> Table 6.1 key: M=Minister, NC=vote of no-confidence, P=Premier or Prime Minister, LO=Leader of the Opposition. Party affiliation is taken from the Roll of Members of the House of Representatives (J. O. Wilson, 1985, pp. 179–247).



Parliament and date	Party in power	Total UPL in the HR	Member of parliament	Party affiliation	Electorate represented	Frequency of UPL
12 <sup>th</sup> 1894-1896	Liberal	34	Pirani, F.	Liberal / Independent	Palmerston North	4
			Hogg, A.	Liberal	Masterton	3
			Bell, F. D.	Conservative	City of Wellington	2
			Earnshaw, W.	Liberal	City of Dunedin	2
			Mackenzie, T.	Conservative	Clutha	2
			Mitchelson, Hon. E.	Conservative	Eden	2
			Reeves, Hon. W. P.	Liberal	City of Christchurch	2
13 <sup>th</sup> 1897-1899	Liberal	92	Fisher, G.	Liberal	City of Wellington	7
			Seddon, Rt Hon. R. (P)	Liberal	Westland	7
			Taylor, T.	Independent Prohibition	City of Christchurch	7
			Crowther, W.	Conservative	City of Auckland	5
			Lawry, F.	Liberal	Parnell	5
			Mackenzie, M.	Conservative	City of Dunedin	5
			McGuire, F.	Conservative	Hawera	5
			Monk, R.	Conservative	Waitemata	4
14 <sup>th</sup> 1900-1902	Liberal	50	Pirani, F.	Conservative	Palmerston	10
			Mackenzie, T.	Independent	Waihemo	4
			Wilford, T.	Liberal	Suburbs of Wellington	4
			Fraser, A.	Liberal	Napier	3
			Hornsby, J.	Liberal	Wairarapa	3
			Seddon, Rt Hon. R. (P)	Liberal	Westland	3

Parliament and date	Party in power	Total UPL in the HR	Member of parliament	Party affiliation	Electorate represented	Frequency of UPL
15 <sup>th</sup> 1903-1905	Liberal	73	Taylor, T.	Independent Prohibition	City of Christchurch	16
			Bedford, H.	National Liberal	City of Dunedin	6
			Massey, W. (LO)	Conservative	Franklin	5
			McKenzie, R.	Liberal	Motueka	5
16 <sup>th</sup> 1906-1908	Liberal	25	Fraser, A.	Liberal	Napier	3
			Massey, W. (LO)	Reform	Franklin	3
			Hornsby, J.	Liberal	Wairarapa	2
			Laurenson, G.	Liberal	Lyttelton	2
			McKenzie, R.	Liberal	Motueka	2
			McLauchlan, J.	Liberal	Ashburton	2
17 <sup>th</sup> 1909-1911	Liberal	54	Laurenson, G.	Liberal	Lyttelton	6
			Herdman, A.	Reform	Wellington North	5
			Massey, W. (LO)	Reform	Franklin	4
			Ward, Rt Hon Sir J. (P)	Liberal	Awarua	4
18 <sup>th</sup> 1912-1914	Liberal (NC), Reform	119	Payne, J.	Socialist	Grey Lynn	18
			Russell, G.	Liberal	Avon	12
			Hindmarsh, A.	Labour	Wellington South	9
19 <sup>th</sup> 1915-1919	Reform, National Cabinet	93	Hindmarsh, A.	Labour	Wellington South	18
			Payne, J.	Social Democrat	Grey Lynn	14
			Webb, P.	Social Democrat	Grey	14
			McCombs, J.	Social Democrat	Lyttelton	7

Parliament and date	Party in power	Total UPL in the HR	Member of parliament	Party affiliation	Electorate represented	Frequency of UPL
20 <sup>th</sup> 1920-1922	Reform	49	Holland, H. E.	Labour	Buller	8
			McCombs, J.	Labour	Lyttelton	8
			Fraser, P.	Labour	Wellington Central	5
			Nosworthy, Hon. W. (M)	Reform	Ashburton	3
			Smith, S.	Independent Labour / Liberal Labour	Taranaki	3
			Thacker, Dr. H.	Liberal	Christchurch East	3
21 <sup>st</sup> 1923-1925	Reform	54	Langstone, F.	Labour	Waimarino	8
			Monteith, A.	Labour	Wellington East	5
			Sullivan, D.	Labour	Avon	4
22 <sup>nd</sup> 1926-1928	Reform	74	Armstrong, H.	Labour	Christchurch East	10
			Jones, D.	Reform	Ellesmere	6
			Parry, W.	Labour	Auckland Central	5
			Sullivan, D.	Labour	Avon	5
23 <sup>rd</sup> 1928-1931	Reform (NC), United, United – Reform Coalition	258	Semple, R.	Labour	Wellington East	30
			Langstone, F.	Labour	Waimarino	29
			Armstrong, H.	Labour	Christchurch East	15
24 <sup>th</sup> 1932-1935	United - Reform Coalition	476	Semple, R.	Labour	Wellington East	73
			Langstone, F.	Labour	Waimarino	63
			Armstrong, H.	Labour	Christchurch East	43

Parliament and date	Party in power	Total UPL in the HR	Member of parliament	Party affiliation	Electorate represented	Frequency of UPL
25 <sup>th</sup> 1936-1938	Labour	191	Polson, W.	National	Stratford	17
			Armstrong, Hon. H. (M)	Labour	Christchurch East	13
			Broadfoot, W.	National	Waitomo	12
26 <sup>th</sup> 1939-1943	Labour	212	Doidge, F.	National	Tauranga	17
			Semple, Hon. R. (M)	Labour	Wellington East	16
			Armstrong, Hon. H. (M)	Labour	Christchurch East	13
27 <sup>th</sup> 1944-1946	Labour	254	Richards, A.	Labour	Roskill	25
			Osborne, A.	Labour	Onehunga	20
			Thorn, J.	Labour	Thames	13
28 <sup>th</sup> 1947-1949	Labour	394	Sheat, W.	National	Patea	19
			Sutherland, A.	National	Hauraki	16
			Baxter, A.	Labour	Raglan	15

**1891 to 1899, mavericks and bullies.** The ‘principal users’ of UPL in the first three parliaments of the present study can be described as (1) maverick or individualist MPs, often with a strong interest in a single-issue; (2) parliamentary bullies, personified in the Premier Seddon who held sway over the House; and (3) working men with similar life experiences and socialist political affiliations. The highest use of UPL by an individual MHR in a single parliament was eight. This number was attained by the first ‘principal user’, William Francis Buckland (1847-1915), a Conservative,<sup>111</sup> who was elected to parliament in 1884 representing Franklin North. He was defeated in the 1887 election but returned in 1890 representing the Manukau electorate. Buckland lost the 1893 election and was unsuccessful in two further attempts to re-enter parliament. He trained as a civil engineer but changed careers to become a lawyer in 1884 (‘Frank Buckland (politician)’, 2014; Scholefield, 1940, p. 114). He gained notoriety in 1892 by drafting and introducing into parliament a fictitious bill, the Washers

<sup>111</sup> This is the party affiliation listed in the *New Zealand Parliamentary Record 1840–1984* (J. O. Wilson, 1985, p. 186). It was the term generally used by the Liberals to describe the opposition (Atkinson, 2003, p. 251).

and Manglers Bill.<sup>112</sup> The majority of the UPL used by Buckland was during the debate on the Oyster-fisheries Bill and targeted at one person, Hon. Richard Seddon. In July 1892 the bill passed its third reading in the House and following the vote to pass it, Seddon accused several MPs, including Buckland, of saying they supported the bill but had in fact attempted to prevent it becoming law (Seddon, 1892). Buckland's denials and objections to Seddon's claim attracted a series of rulings of UPL. Following the death of Premier Hon. John Ballance in April 1893 Seddon became Premier. In July, a year after the Oyster-fisheries Bill was passed, Buckland unexpectedly moved the adjournment of the House under the name of the Oyster-fisheries Bill, "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"** (Buckland, 1893). Seddon moved that the words 'be taken down'<sup>113</sup> but the House was not in agreement. The Speaker asked Buckland to withdraw the words, which he did. He then recounted at length the events of the previous year, discounting Seddon's claim and ensuring his response would be forever recorded in *Hansard*.

In the 13<sup>th</sup> Parliament, from 1896 to 1899, three members used UPL seven times, George Fisher, Thomas Taylor and the Liberal Premier Richard Seddon (1845-1906), New Zealand's longest serving Premier or Prime Minister.<sup>114</sup> This is the only time in the present study that a Premier or Prime Minister had the highest number of UPL in a single parliament. Seddon was originally from Lancashire, England and came to New Zealand via Australia in 1866. He worked in mines and owned a small business on the West Coast of the South Island. He became involved in local politics and entered parliament in 1879 initially representing Hokitika, then Kumara and Westland until his sudden death in 1906 (Hamer, 2014a). Seddon had an aggressive and dominant style where, "at his peak he exercised almost one-man, one-party rule" (McLean, 2014). His extensive knowledge of parliamentary practice was gained by studying *Hansard* and texts on parliamentary procedure, including *Erskine May* (Hamer, 2014a).

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<sup>112</sup> The aim was to highlight the large number of regulating bills introduced by the government. It was printed by the Government Printer but its circulation was suppressed by the Speaker once he became aware of the content ('Parliamentary notes', 1892). It was then privately printed and appeared in newspapers as a 'skit' ('The "Washers and Manglers Act"', 1892). This last point was lost on some of English press that commented on the bill under the belief it was legitimate ('Anglo-colonial notes', 1893).

<sup>113</sup> For an explanation of the use of 'words taken down' see footnote 95.

<sup>114</sup> In the 19<sup>th</sup> century the leader of the government was known as the Premier but the change to Prime Minister began in 1906 (Ministry for Culture and Heritage, 2014).

In the 13<sup>th</sup> Parliament Seddon suggested members were uttering “**drivelling rubbish**” (1897b), that MHR Pirani was behaving like a “**ferret**” (1897c) and a former Leader of the Opposition, William Rolleston, had “**knocked about for a few days, holding meetings with the prisoners just as if they were free, shaking hands with them, and some of our men said he rubbed noses with them**” (1899a). This last comment was made during the debate on the Marine Commission Report when a number of ‘scandals’ emerged. The UPL was a quote from a letter read by the Premier suggesting that, in 1868, Rolleston had been responsible for the escape of Te Kooti and other Māori prisoners from the Chatham Islands, because he had recommended a reduction in the number of guards.<sup>115</sup> This increase in the UPL from the Premier coincides with a time that he was embroiled in a number of controversies (see 6.4.1) and the point where his health began to clearly fail (Hamer, 2014a).

Another MHR who was a high user of UPL at this time was George Fisher (1843-1905) who represented several Wellington electorates from 1884 to 1893 and 1896 to 1905. Fisher did not regularly use UPL but that changed in the 13<sup>th</sup> Parliament when he targeted Thomas Taylor with the expressions, “**gratify his sordid craving for money**”, “**mendacity**” and “**born and bred in deceit and concealment**” (G. Fisher, 1898a, 1898b, 1899). Fisher was known as a powerful debater but he was also an “alcoholic, argumentative and eccentric” (Martin, 2004, p. 115). This ‘flurry’ of UPL was uncharacteristic and may have been related to his drinking problem.<sup>116</sup>

**1900 to 1906, passionate individuals.** In this time period two of the ‘principal users’ of UPL were men who felt strongly about a single issue and whose political affiliation was ambiguous or outside the two main parties. In the 14<sup>th</sup> Parliament, 1900 to 1902 and the 15<sup>th</sup> Parliament, 1903 to 1905, the number of UPL examples used by an individual MHR reached double figures with Frederick Pirani (1858-1926) and Thomas Taylor (1862-1911) using ten and 16 respectively. Pirani represented the electorate of Palmerston from 1893 to 1902 and the *Parliamentary Record* (J. O. Wilson, 1985, p. 227) lists his political affiliation as Liberal in 1893, an Independent in 1896 and Conservative in 1899. He had a background in the newspaper business and a long standing interest in education. His parliamentary candidacy had been supported by Seddon but they later came into conflict. The Premier “became openly

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<sup>115</sup> Seddon said he read the letter from Mr Mullooly of Tolago [sic] Bay on the “spur of the moment while suffering under provocation” (1899b) and then withdrew the accusation. Information about the imprisonment and escape of Te Kooti can be found at <http://www.nzhistory.net.nz/people/te-kooti-arikirangi-te-turuki>

<sup>116</sup> See 5.2.2 for an example of UPL targeted at Fisher by Taylor.

hostile to Pirani, and once referred to him in parliament as a ‘moodlewort’ – a Lancashire dialect term for a mole – because he was always burrowing and was blind to everything but his own interests” (Oliver, 2014).<sup>117</sup> This expression does not appear in *Hansard*: it was however reported in the press (‘Assets Realisation Board’, 1899). Several days later, Pirani recounted to the House the catalogue of epithets the Premier had used towards him, “‘a political wasp’, a ‘political **ferret**’, a ‘political mosquito’ and last, probably least he has called me a ‘moudie-worp’” (Pirani, 1899).<sup>118</sup> Although this criticism was directed at Seddon’s use of language in the chamber it could also be interpreted as a ‘reflection’ on the ability of the Speaker to maintain order, however Pirani was not rebuked by the Deputy-Speaker Guinness. For a discussion on ‘animal reflections’ see 5.2.4 and for language not deemed unparliamentary see 7.4. An example of an UPL exchange between Pirani and Seddon is discussed in 5.2.1.

The MP Thomas Taylor represented two Christchurch electorates in parliament as an Independent Prohibitionist for the years, 1896 to 1899, 1902 to 1905 and 1908 to 1911 (J. O. Wilson, 1985, p. 239). He died suddenly in 1911 soon after he had been elected mayor of Christchurch. Taylor was a lifelong supporter of prohibition and a number of other social reforms (Grigg, 2012). In the 15<sup>th</sup> Parliament, from 1903 to 1905, Taylor used 16 UPL expressions with the majority targeted at Premier Seddon. He described Seddon’s behaviour when introducing a Licensing Bill into parliament as a “**disgraceful** exhibition” where he “bellowed and threw himself about like a wounded bull and roared for the full space of an hour” (1903). He accused him of “**corrupting**” (1905b) the Legislative Council and made the statement that Seddon was “one of the most **unprincipled opponents** that any man has ever had to contend with” (1905c). Taylor’s speaking ability was described as dramatic and entertaining (Martin, 2004, p. 115) and that he pursued reforms “with a zeal that frequently led to oratorical extremism” (Grigg, 2012). The characteristics identified in the Councillors Jones and Earnshaw are also apparent in Pirani and Taylor: men who had a strong interest in a single issue and stood as independents or fell out with a mainstream party. The main target of both men was Seddon and after 1900 they were among the few MHRs that provided some opposition to the Premier whose presence dominated parliament.

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<sup>117</sup> For a discussion of Seddon’s dialect and style of oratory see Brooking (2013).

<sup>118</sup> The term mouldwarp was used for 1. The European mole, 2. An underhand person (‘Mouldwarp’, 2015) see also the *Dictionary of the Scots Language* under mowdiewort (‘Mowdiewort’, 2004). Of the expressions directed by Seddon at Pirani only **ferret** was ruled as UPL.

**1906 to 1928, the early socialists.** Following the death of Seddon in 1906 the use of UPL fell to pre-1900 levels until a group of MPs, following socialist ideals, were elected. In the 18<sup>th</sup> and 19<sup>th</sup> Parliaments three men were responsible for the highest number of UPL: John Payne, Alfred Hindmarsh and Patrick Webb. The controversial John Payne (1871-1942) represented the Grey Lynn electorate from 1911 to 1919. He was associated with several parties but is described in the *Parliamentary Record* as a Socialist and later a Social Democrat (J. O. Wilson, 1985, p. 226). He was born in England and emigrated to New Zealand in 1892. He was the head accountant and auditor for a large firm, taught commercial subjects at a technical college and had commercial interests in office systems and motion pictures (Gustafson, 2013). During his parliamentary career Payne used UPL 32 times and was suspended from parliament on three occasions after ‘refusing to withdraw’ UPL. His biographer describes him as “an eloquent, witty and fiery speaker” but he was also a “loud, frequent and effective interjector during parliamentary debates” (Gustafson, 2013). During WW1 he was reprimanded for using the UPL, “the public are beginning to wonder whether we have not **Germans in the Cabinet**” and “**was German gold buying the souls of our politicians**” (Payne, 1915, 1916). A close analysis of Payne’s UPL during WW1, when there was a National Coalition government consisting of Reform and Liberal MPs, reveal two points of interest. In 1914 and 1915 his UPL was directed towards the Reform ministers; in 1916 he targeted Liberal ministers and backbench Reform MPs; and in 1917 he targeted Reform ministers and backbench Liberals in a literal ‘spray’ of UPL across the chamber (Graham, 2013). The second point is, the onslaught of UPL ceased in October 1917, even though he remained in parliament for two more years before retiring because of ill health (Gustafson, 2013). This abrupt cessation suggests his use of UPL was not an entrenched style. It was political and targeted.

One of the early socialist MPs was Alfred Hindmarsh (1860-1918) who was born in Australia and was the grandson of the first Governor of South Australia. In New Zealand he trained as a lawyer and was active in the Wellington labour movement. He represented the Wellington South electorate as a Labour member from 1911 until his early death from influenza in 1918. After the establishment of the New Zealand Labour Party in 1916 he was the first leader of the parliamentary wing (K. Taylor, 2013). His UPL showed a preference for the word **cur** and a creative turns of phrase that included, “**the face of the member for Taumaranui always reminds me of a great cheese out of which a yokel has taken a huge bite**”



(1912a)<sup>119</sup> and “he is so **actuated by ... feminine spite that it is impossible to place any reliance on anything he says**” (1912b). His biography states he was a “breezy and emphatic speaker ... just as likely to criticise friends as opponents” (K. Taylor, 2013). This statement is confirmed by the analysis of his UPL targets that covered the entire political spectrum.

The third UPL ‘principal user’ at this time was Patrick Webb (1884-1950), known as Paddy Webb. Like Hindmarsh he was born in Australia. He worked in the Victorian mines and was involved in the union movement. It was there he met Michael Joseph Savage who later became New Zealand’s first Labour Prime Minister. In New Zealand, Webb worked in mines, was a union leader and entered parliament in 1913 by winning the Grey electorate representing the Social Democratic Party, a forerunner to the New Zealand Labour Party. This stage of his parliamentary career ended in 1918 with a conviction of two years hard labour when he refused to undertake military service in opposition to conscription (Richardson, 2014).<sup>120</sup> The target of Webb’s UPL was, in the main, Prime Minister Massey and other ministers. In 1914 he was suspended from parliament for suggesting Massey should be “**tried for manslaughter**” (1914) and was reprimanded for stating he was “**worse than the Kaiser**” (1915) and afflicted with “**pig-headedness**” (1917).

**6.1.3. Members of the House, 1928 to 1949.** This section discusses two distinct sub-periods between 1928 and 1949. The first covers 1928 to 1935, a period of political instability where three parties vied for power, the Reform Party, the United Party (earlier known as the Liberal Party) and the emerging Labour Party (see 5.3.1 and 6.2.3). The ‘three-party system’ had existed since 1911. During WW1 the two non-Labour parties came together to form the National Cabinet coalition but this ended in 1919 and they maintained separate identities until the Reform and United Parties entered into a coalition in late 1931 near the end of a parliamentary term. The fusion of Reform and United had the effect of blocking the Labour Party from government by consolidating the non-Labour vote.<sup>121</sup> In the following 24<sup>th</sup> Parliament, 1932 to 1935, the use of UPL reached a level not previously seen in the New Zealand Parliament. When the numbers of UPL in the two parliaments following

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<sup>119</sup> The member for Taumaranui was Charles Kendell Wilson (1862-1934) who served for one term from 1911 to 1914 representing the Reform Party. A photo of Wilson can be found in his wife’s memoirs (H. Wilson, 1951, p. 124).

<sup>120</sup> Webb returned to Parliament in 1933 representing the Buller electorate and became a Minister of Mines in the first Labour Government of 1935.

<sup>121</sup> The Coalition won 51 seats, Labour 24, Independents 4 and the Country Party 1. A breakdown of the votes showed that Labour had won more votes than any other single party (Bassett, 1982, p. 63).

the 1928 election are combined they total 741.<sup>122</sup> In both, the same three Labour Party MPs were the ‘principal users’: Robert Semple, Frank Langstone and Hubert Armstrong.<sup>123</sup> In the second sub-period, 1935 to 1949, the Labour Party became the government and the National Party was established in 1936. This time sees a political mix of ‘principal users’ with increased evidence of the strategic use of UPL.

*1928 to 1935, the rise of the Labour Party.* Like Alfred Hindmarsh and Patrick Webb, who were discussed in the previous section, Robert (Bob) Semple (1873-1955), was born in Australia. He worked in the mining industry and was involved in a bitter industrial dispute that caused him to be blacklisted.<sup>124</sup> He travelled to New Zealand under an assumed name and worked in the West Coast mines and in the union movement. He was “a dynamic, flamboyant and earthy speaker, [who] moved from pit to pit cajoling, bullying and demanding that miners use the industrial power he believed they possessed to win justice for their class” (Richardson, 2012). He first entered parliament by winning the Wellington South by-election following the death of Hindmarsh in 1918 but lost it the following year in the general election.<sup>125</sup> In 1928, representing the Labour Party, he won the Wellington East electorate and went on to become the Minister of Public Works in the first Labour Government. His “extravagant rhetoric” (Richardson, 2012) extended to UPL. He frequently used **insult** and **scandal** and was reprimanded for using the expressions: “**sitting with half-boiled smiles on their faces**” (1931), “how can decent men listen to such **cant, humbug, hypocrisy, and somersaulting?**” (1934a) and, “**a joy-ride for a group of political parasites**” (1935), directed at the United-Reform Government.

The MP Frank Langstone (1881-1969) was born in New Zealand and was a small businessman who became involved with the union movement and joined the Labour Party in 1916. Because of his family circumstances, he received little education but read extensively and spoke to reo Māori. He was described by his biographer as a “brilliant orator, with a tenacious memory” whose speaking abilities “rivalled Robert Semple and John A. Lee”

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<sup>122</sup> In the 23<sup>rd</sup> Parliament, from 1928 to 1931, there were 263 examples of UPL and in the 24<sup>th</sup> Parliament, from 1932 to 1935, there were 478 examples.

<sup>123</sup> When their numbers for the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments are combined, Semple used 103, Langstone 92 and Armstrong 58.

<sup>124</sup> “A list, compiled by an employer (or groups of employers), of workers whom it was considered undesirable to employ (‘Blacklist’, 2015).

<sup>125</sup> During that time he used one unparliamentary expression, “that is **not true**” (Semple, 1919).

(Verran, 2013).<sup>126</sup> Langstone entered parliament in 1922 representing the Waimarino electorate, lost his seat in the 1925 election but regained it in 1928. He became a minister in the first Labour Government and represented New Zealand in international forums. His strong views held him back from senior appointments but Langstone's use of UPL was a unique addition to the 'shared repertoire' of the legislative chamber.

The third highest user of UPL during this time was Hubert (Tim) Armstrong (1875-1942) who represented the Christchurch East from 1922 until his death. He worked in the Waihi mines and became involved in the labour movement, joined the Labour Party and also sat on the Christchurch City Council. In parliament he was "quick and assertive in debate, and occasionally abrasive" (McAloon, 2013a). He held a number of ministerial portfolios in the first Labour Government. Many of Armstrong's unparliamentary expressions draw on animal characteristics and a few included foods, such as, "what about the '**noodles**' who supported him?" (1932) and "The Labour Party is comprised of thinking atoms - its members are not a **string of sausages** like the members of the Coalition party" (1935c). These three men are representative of the group of Labour Party MPs who were responsible for the significant increase in UPL that began in 1928 and continued to 1935, see Appendix 6 Figure 3. During this time, the uncertainty of the political relationship between the United and Reform Parties was complicated by the onset of the Great Depression. "As overseas prices tumbled, unemployment took on a permanent air ... Conservatives, whatever their party labels, knew of only one solution ... budget cuts" (Bassett, 1982, p. 49). The Labour Party's demand for the more expansionist economic policies was played out in the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments and is reflected in the unparalleled increase in UPL.

*1935 to 1949, strategic use of unparliamentary language.* The final phase of this chronological discussion covers the years 1935 to 1949, the term of the first Labour Government. The overall numbers of UPL in each parliament remained at a level higher than before 1928. However, the numbers used by an individual in a single parliament did not exceed 25 and the 'principal users' came from both sides of the House. In three of the four

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<sup>126</sup> John A. Lee (1891-1982) represented the electorates of Auckland East and Grey Lynn from 1922 to 1940 as a Labour Party MP and, after being expelled from the Labour Party in 1940, he formed the Democratic Labour Party. He reputedly first heard Robert Semple speaking from outside the prison in which he was serving a sentence. In parliament Lee had a reputation for "the fluency, fire and wit of his speeches" (Olssen, 2012). In his parliamentary career he used UPL forty times with a number of 'animal reflections' including "he was **modest as a codlin moth** trying to dodge socialistic spray" (1937) and "**retardate worm**" (1943). See also 6.3.1.

parliaments under the Labour Government, three National MPs used the most UPL: William Polson, Frank Doidge and William Sheat. William Polson (1875-1960) represented the Stratford electorate as an Independent MP from 1928 and then became a member of the National Party in 1936. He had a life-long interest in the rural sector and was associated with farmers unions and commercial companies. In parliament, he advocated for the establishment of producer boards and improved rural finance (Bremner, 2014). As an Independent MP he rarely used UPL<sup>127</sup> but in the 25<sup>th</sup> Parliament, 1936 to 1938, he was responsible for 16 UPL expressions. All were directed at the Labour Ministers and Government including, “**reeking with the odour of sanctimoniousness**” (1936b) and “there are a few in New Zealand with **unpronounceable names**; and some of them are not very far away from the **other side of the House**” (1936a).

The second National Party MP, Frederick Doidge (1884-1954), was born in Australia and was a newspaper reporter. He came to New Zealand in 1902 and rose to the position of Chief Reporter of the *Auckland Star* before serving in WW1 and working as a director in a publishing company in England. On his return to New Zealand he contested the electorate of Tauranga for the National Party in 1938 and held it until his appointment as High Commissioner to London in 1951 (Waterson, 2013). Like Polson, he only featured as a ‘principal user’ of UPL during one parliament, 1939 to 1943, where he was reprimanded for using “**syphophantic**” (1939a), “**figment of his own disordered imagination**” (1939b) and “**slick one**” (1943). Doidge is described as “a first-rate phrase-maker and audacious debater ... a great asset to the National Party but was frustrated in opposition” (Waterson, 2013).

The third National Party MP was William Sheat (1899-1982). Sheat grew up in Taranaki and was a graduate of Victoria University College. He served in local government and stood for parliament as a Labour Party candidate and an Independent, but was unsuccessful. In 1943 he was selected as a National Party candidate to represent the electorate of Patea which he held until 1954<sup>128</sup> (‘William Sheat’, 2014). Examples of Sheat’s UPL include, “**vindictive spite**” (1947), “**hoodlum interruptions**” (1948) and “**I would not speak about the Minister's**

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<sup>127</sup> He used eight UPL expressions as an Independent between 1928 and 1935.

<sup>128</sup> Sheat was not selected as the National candidate for the 1954 election. He resigned from parliament and forced a by-election standing and winning as an Independent candidate but he did not contest the following general election. He stood for the Egmont electorate in 1957 and held the seat until 1966 (‘William Sheat’, 2014).

**conscience, because I like to speak about things that have some existence in fact”**  
(1949b).

In the years following 1935 the ‘principal users’ in three of the four parliaments were a mix of both Labour and National MPs. The parliament that differed was the 27<sup>th</sup> Parliament, from 1944 to 1946, where three Labour Party back bench MPs used the most UPL: Arthur Richards, Arthur Osborne and James Thorn. Both parties had equal numbers of MPs using UPL but these three were more prolific. They differed from the National MPs Polson, Doidge and Sheat, who were new party members, because they had all been in parliament since the 1930s. Arthur Richards (1877-1947) was born in England and came to New Zealand in 1894. He stood unsuccessfully in several electorates before winning and holding Roskill from 1931 to 1947 (‘Arthur Shapton Richards’, 2014). Arthur Osborne (1891-1953) also stood unsuccessfully in several elections before winning a by-election in 1936 and going on to represent Onehunga from 1938 to 1953 (‘Arthur Osborne (politician)’, 2014).

The third Labour MP, James Thorn (1882-1956), first stood for parliament in 1904, and on a number of occasions, finally successfully representing Thames from 1935 to 1946 (McAloon, 2014). His biography states, “with so many other Labour veterans in Parliament well ahead of him, Thorn had no hope of cabinet, and his 11 years in the house were perhaps marked by a lingering sense of disappointment” (McAloon, 2014). This comment could also be applied to Richards and Osborne which supports a conclusion that, in Labour’s third term in office, they were given the task to attack and expose the opposition National Party to aid Labour’s retention of power. Examples of UPL from this group of Labour MPs included “**the honourable gentleman’s farm in Taranaki is a disgrace**” (Richards, 1944), “**dirty filthy insinuation**” (Osborne, 1944) and “**tore a passion to tatters about elastic**” (Thorn, 1946). The final Labour Party ‘principal user’ at this time was the one-term MP Alan Baxter (1911-1976) who was awarded the Distinguished Flying Cross in WWII (‘Alan Baxter (Politician)’, 2015). His attempts to re-enter parliament after 1949 were unsuccessful but his vigorous use of UPL included: “**milking the dairy farmers for years through his legal profession**” and “**the honourable gentleman’s parents made a mistake once**” (Baxter, 1947, 1948).

**6.1.4. Characteristics of the users of unparliamentary language.** A chronological survey of the ‘principal users’ of UPL in the Council and the House reveals a number of distinct time phases and recurring themes in their personal backgrounds. The question of

whether the ‘principal users’ constitute a separate CofP should be considered. Aligned to the three dimensions of a CofP (see 3.1.2), Wenger argues ‘competent membership’ of a CofP includes: mutuality of engagement, accountability to the enterprise and negotiability of repertoire (1998, p. 137). ‘Mutuality of engagement’ means the users of UPL would recognise themselves as a distinct ‘community’ but nothing in the present study suggests this to be so. As a consequence, a collective ‘accountability to the enterprise’ as UPL users would also be lacking. Based on the rejection of two of the competencies of membership the users of UPL do not constitute a separate CofP.<sup>129</sup> However, one competence of membership, the ‘negotiability of the repertoire’, is present. This competence is described 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 it in the elements of its repertoire. Then it requires the ability – both the capability and the legitimacy – to make this history newly meaningful. (Wenger, 1998, p. 137)

In this description it is important to note the idea of ‘making use’ of the repertoire which is qualified by having an understanding of the history of the CofP and the ability to negotiate within its parameters. This is highly relevant to this study because the practice of using UPL was available to all but, in the main, used by a sub-group of MPs, the ‘principal users’, and those who selectively used it for effect.

In the Council the users of UPL were men who held strong opinions about a single issue and this is replicated in the first phase in the House with the MHRs Buckland, Pirani and Taylor. They could also be described as individualists or maverick personalities. Many of their examples of UPL were targeted at Premier Seddon as they provided a semblance of opposition to his dominant hold over parliament. The ‘bullying’ Seddon also featured as a user of UPL, often ‘picking’ on those he saw as a threat (see 7.3.1).

The next phase began with the election of a group of ideologically driven MPs representing a socialist viewpoint. From the lone voices of Payne, Hindmarsh and Webb the numbers of MPs unified in the Labour Party, increased, and finally resulted in their election to

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<sup>129</sup> This observation is not unlike one made by Meyerhoff (1999) in her study of forms of apology used in the Pacific nation of Vanuatu. The term *sore* (meaning sorry) was only used by women to express empathy but when Meyerhoff applied the test of being a CofP she concluded they were not and it was a shared practice.

government in 1935. The MPs Semple, Langstone and Armstrong represented a group of Labour Party MPs from working class backgrounds with involvement in the union movement. Most have been described as skilled orators. The difference between this group and the earlier is they represented a collective political ideology as opposed to the maverick single-issue MP. In the later phase, some of the ‘principal users’ were Labour Party members who became the government in 1935. This suggests that even after achieving the goal of becoming the government using UPL was an element of their speech they were unable or unwilling to moderate. Another trend that emerged was a strategic or political use of UPL by a group of backbench MPs, whose political careers were in the fringes of the party or in decline. This discussion has revealed a set of elements that contribute to an individual using UPL: a passion for a single issue or the advancement of a political ideology, strategic or political motives. Typically, they were skilled orators, often honed in the union movement or local government, with a fearless, sometimes ill-judged, element to their rhetoric.

## **6.2 Role and Political Affiliation**

This section discusses the use of UPL from the perspective of political affiliation of the individuals who attained high office and the UPL used by particular political parties. The analysis showed there was little change in the level of use of UPL by men who progressed from backbencher to minister and Prime Minister. The separation of UPL by a political party provides new insight into the trends associated with its use by government and opposition MPs. In the early part of the present study the numbers of UPL used by the major parties were relatively similar. There was a significant change from the 23<sup>rd</sup> Parliament, beginning in 1928. The number of UPL expressions used by the Labour Party MPs increased dramatically reaching a zenith in the 24<sup>th</sup> Parliament, 1932 to 1935, and stabilising to an average of 130 in the next four parliaments. A detailed analysis of the numbers of UPL used by Labour and National Party MPs between 1936 and 1949 showed an increase in its use by National MPs in the years 1947 and 1948 (see Table 6.3). This finding points to the strategic use of UPL in the parliamentary term that preceded the change of government in 1949. For an associated discussion about UPL categorised with the ‘intent’ to discredit the government or opposition (see 5.3.1).

**6.2.1 Premiers and Prime Ministers.** In the time period of the present study 12 men held the office of Premier or Prime Minister. There were differences in their length of tenure.

Some held the office for a number of days and others for over a decade.<sup>130</sup> The men who became Prime Minister spent time as backbenchers or ministers and the data collected in this study enables some examination of their use of UPL in each of these roles. However, the beginning date of 1890 excludes the earlier careers of Ballance and Seddon and the first three years of Ward and Mackenzie. An analysis of the numbers of UPL used by future Prime Ministers throughout their careers shows that, in the main, they were not high users of UPL.

Both Seddon and Massey held the office of Premier or Prime Minister for considerable lengths of time. Seddon was the longest serving Premier from May 1893 to June 1906 and Massey was the second longest from July 1912 to May 1925. Seddon used UPL 14 times as Premier, which is a relatively high number for the time, and in the 13<sup>th</sup> Parliament, from 1897 to 1899, he was one of the ‘principal users’. As a backbench MP Massey used UPL once, as Leader of the Opposition 12 times and as Prime Minister 11 times in a parliamentary career of over 30 years. In Table 6.1 Massey was also been identified as a ‘principal user’. Joseph Ward held the office of Prime Minister from 1906 to 1912 and again from 1928 to 1930. During the time of the present study he used UPL 20 times and seven as Prime Minister. He was rebuked for using the term **impertinence** three times. The last occasion is discussed in 5.2.2.

Gordon Coates, Prime Minister from 1925 to 1928, used no UPL during his tenure but was reprimanded for using it 19 times on other occasions. The Prime Minister from 1930 to 1935, George Forbes, used UPL three times but was a target of UPL a high 42 times during the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments, from 1928 to 1935, when there was a significant increase in the use of UPL by Labour MPs (see 6.1.3). The Labour Prime Minister from 1935 to 1940, Michael Joseph Savage, used no UPL in that role and was only reprimanded twice in a parliamentary career that began in 1919.<sup>131</sup> His successor, Peter Fraser, used UPL 29 times as a backbench MP and a minister. He used UPL 14 times as Prime Minister. These results show, that with the exceptions of Seddon and Massey, the majority of the men who attained the office of Prime Minister were not ‘principal users’ of UPL, as defined in 6.1. It also shows the attainment of high office did not change MPs linguistic behaviour. There was a consistency in their use of UPL as they progressed from backbencher, to minister and Prime Minister.

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<sup>130</sup> Biographies and dates of tenure of Premiers and Prime Ministers are available on the New Zealand History website <http://www.nzhistory.net.nz/politics/premiers-and-prime-ministers>

<sup>131</sup> He used the UPL, “that is **untrue**” and “**pugnacious speech**” (Savage, 1920, 1930).



Those who never or rarely used UPL as backbenchers maintained that behaviour as Prime Minister, for example Forbes and Savage. Likewise, Massey, Ward and Fraser who used UPL as MPs continued to do so as Prime Minister, although not at high levels.

**6.2.2 Ministers.** A review of the numbers of UPL used by ministers indicates a similar trend to Prime Ministers. A change of role from backbench MP to minister did not dramatically reduce the use of UPL if an MP had used it in the past. Some MPs who had never used UPL before becoming a minister used it subsequently but in relatively low numbers. This is not entirely surprising given the increased responsibilities for accountability in the role. An example would be the Labour MP Rev. Arnold Nordmeyer (1901-1989) who was elected to parliament in 1935 and became the Minister of Health in 1941. His biography states that “as a backbench MP Nordmeyer soon displayed obvious intellectual and debating ability” (B. Brown, 2013). As a backbench MP he did not use UPL. As a minister he was reprimanded on four occasions for the expressions, “**thugs**”, “**cows**”, and “**you are not very popular**” (Nordmeyer, 1941, 1944, 1947), directed at the National Party opposition. He also used an expression that was not recorded in *Hansard* but for which he apologised by saying “Sir, I said something – I shall not mention the name of the honourable member I had in mind – but I said something that ought not to have been said” (Nordmeyer, 1948).

The highest numbers of UPL used by ministers was by members of the Labour Party from 1935 to 1949. These men had used UPL as backbenchers and continued to do so as ministers, but at slightly reduced numbers. For example, Robert Semple entered parliament in 1918 and in the 17 years before he was a Minister he used 104 UPL expressions. In the next 14 years, from 1935 to 1949 as a minister, he used UPL just 40 times. Similarly, Walter Nash used 16 UPL expressions in the five years before he was a minister and 20 in the 14 years to 1949. The MP Daniel Sullivan showed no change in his moderate use of two UPL expressions a year throughout his entire parliamentary career as a backbencher and minister. The analysis of the approximately 50 MPs who were, or became, ministers showed those who rarely or never used UPL as a backbencher were more likely to do so when they were ministers, albeit at a low rate. Those MPs who used high numbers of UPL as backbenchers continued to use UPL as ministers but also at a slightly reduced rate.

**6.2.3 Parties.** The analysis of the use of UPL by party affiliation shows trends in two areas, those for the main parties in government or opposition and those of MPs whose party

affiliation was recorded as a form of ‘independent’. The following Table 6.2 provides a chronological break-down of the number of UPL expressions used by the members of a party or an independent MP. The discussion on parties continues below. For the use of UPL by independent MPs, see 6.3.1.

Table 6.2: Frequency of UPL by party affiliation, HR, 1891 to 1949<sup>132</sup>

Parliament and date	Party in power	Total UPL HR	Party affiliation of MPs who used UPL	Frequency of UPL	‘Independent’ MPs
11 <sup>th</sup> 1891-1893	Liberal	52	Conservative	26	
			Independent	2	Hutchison, G., Palmer, J.
			Liberal	24	
12 <sup>th</sup> 1894-1896	Liberal	34	Conservative	11	
			Independent	3	Pirani, F.
			Liberal	20	
13 <sup>th</sup> 1897-1899	Liberal	92	Conservative	40	
			Independent	1	Pirani, F.
			Independent Prohibition	7	Taylor, T.
			Liberal	44	
14 <sup>th</sup> 1900-1902	Liberal	50	Conservative	19	
			Independent	5	Mackenzie, T., Palmer, J.
			Liberal	26	

<sup>132</sup> Table 6.2 key: NC=no confidence. Party affiliation is taken from the Roll of Members of the House of Representatives (J. O. Wilson, 1985, pp. 179-247).

Parliament and date	Party in power	Total UPL HR	Party affiliation of MPs who used UPL	Frequency of UPL	'Independent' MPs
15 <sup>th</sup> 1903-1905	Liberal	73	Conservative	10	
			Independent	5	Fisher, F., Mackenzie, T., Moss, E.
			Independent Prohibition	16	Taylor, T.
			Liberal	36	
			National Liberal (1905 group)	6	
16 <sup>th</sup> 1906-1908	Liberal	25	Conservative	1	
			Independent	1	Mackenzie, T.
			Liberal	18	
			Reform	5	
17 <sup>th</sup> 1909-1911	Liberal	54	Independent	2	Fisher, F., Taylor, T.
			Independent Liberal	1	Brown, J. V.
			Liberal	36	
			Reform	15	
18 <sup>th</sup> 1912-1914	Liberal (NC), Reform	119	Independent	3	Pomare, M.
			Independent Labour	2	Veitch, W.
			Independent Liberal	10	Atmore, H., Brown, J.V., Ell, H., Isitt, L.
			Labour	10	
			Liberal	43	
			Reform	24	
			Socialist	18	
			Social Democrat	8	
			Unattributed	1	

Parliament and date	Party in power	Total UPL HR	Party affiliation of MPs who used UPL	Frequency of UPL	'Independent' MPs
19 <sup>th</sup> 1915-1919	Reform, National Cabinet	93	Independent Labour	1	Veitch, W.
			Independent Liberal	1	Ell, H.
			Labour	19	
			Liberal	24	
			Reform	13	
			Social Democrat	35	
20 <sup>th</sup> 1920-1922	Reform	49	Independent	1	Mitchell, G.
			Independent Labour	3	Kellett, E., Smith, S.
			Independent Liberal	1	Isitt, L.
			Labour	27	
			Liberal	9	
			Liberal Labour	1	
			Reform	7	
21 <sup>st</sup> 1923-1925	Reform	54	Independent	1	Poland, H.
			Labour	32	
			Liberal	7	
			Liberal Labour	1	
			Reform	13	
22 <sup>nd</sup> 1926-1928	Reform	74	Labour	38	
			Liberal	1	
			National (1925 Liberals)	7	
			Reform	27	
			United	1	

Parliament and date	Party in power	Total UPL HR	Party affiliation of MPs who used UPL	Frequency of UPL	'Independent' MPs
23 <sup>rd</sup> 1928-1931	Reform (NC), United, United – Reform Coalition	258	Coalition Reform	3	
			Country Party	1	
			Independent	8	Atmore, H., Hogan, J., Polson, W.
			Independent Reform	5	Lysnar, W.
			Labour	165	
			Reform	48	
			United	28	
24 <sup>th</sup> 1932-1935	United Reform Coalition	476	Coalition	4	
			Coalition Reform	44	
			Coalition United	34	
			Country Party	1	
			Independent	11	Atmore, H.
			Independent Ratana	1	Tirikatene, E.
			Independent Reform	7	Hargest, J., McLeod, A.
			Labour	374	
25 <sup>th</sup> 1936-1938	Labour	191	Country Party	1	
			Independent	7	Atmore, H., McDougall, D., Wilkinson, C., Wright, R.
			Labour	111	
			National	72	
26 <sup>th</sup> 1939-1943	Labour	212	Independent	9	Atmore, H., Lee, J.A., Wilkinson, C.
			Labour	120	
			National	83	

Parliament and date	Party in power	Total UPL HR	Party affiliation of MPs who used UPL	Frequency of UPL	'Independent' MPs
27 <sup>th</sup> 1944-1946	Labour	254	Labour	140	
			National	111	
			Unattributed	3	
28 <sup>th</sup> 1947-1949	Labour	394	Labour	159	
			National	235	

When comparing the party in power in each parliament, with the party responsible for the most UPL, three main time periods emerge. The first was from the 12<sup>th</sup> to 17<sup>th</sup> Parliaments, 1894 to 1911, when the Liberal Party was in government and their MPs were consistently using the most UPL. Prior to this, in the first parliament under the party system 1891 to 1893, the Conservatives were marginally more unparliamentary. The second main period was the 18<sup>th</sup> to 24<sup>th</sup> Parliaments, 1912 to 1935, where the party with the most examples of UPL was different from the party in government. For most of this time it was the Labour Party or members of parties, such as the Socialist and Social Democrat MPs, who later joined the Labour Party. The third time period was the 25<sup>th</sup> to 27<sup>th</sup> Parliament, 1936 to 1946, when the Labour Party was in government and the Labour Party members were also responsible for the most UPL. However the 28<sup>th</sup> Parliament, 1947 to 1949, sees a reversal of that trend.

The results shown in Table 6.2 illustrate the political dynamics that existed as a result of the party system. In the early period the Liberal and Conservative Parties were evenly matched and there were low numbers of UPL. The 18<sup>th</sup> Parliament in 1912 was the first occasion that a government lost a vote of no confidence (see 5.2.2). This heralded a period of political instability that would last until the 1930s. This is seen in: a number of new parties and independent MPs entering parliament, the difficult 'three-party system', the eventual fusion of the United and Reform Parties and rise of the Labour Party. Tracking the numbers of UPL used by the Labour Party from 1916 shows a steady increase, partially explained by the increase in the number of MPs, but as section 6.1.3 discussed, a small group of Labour MPs used UPL as part of their 'shared repertoire'. This is particularly highlighted in results for the 24<sup>th</sup> Parliament where the United-Reform Coalition MPs used less than one hundred examples of UPL but the Labour Party MPs used 374 and 154 of those, had the intent of

discrediting the government (see 5.3.1 and 6.4.2 ). This crescendo of UPL was quelled, but not extinguished, when the Labour Party became the government in 1935.

In the final time period of this study there was a discernible rise in the numbers of UPL from both the National and Labour MPs. The following Table 6.3 shows a session by session<sup>133</sup> analysis of the numbers of UPL used by the National and Labour MPs between 1936 and 1949.

Table 6.3: Frequency of UPL by Labour and National Party MPs, 1936 to 1949

Parliament	Parliamentary sitting dates by session	Frequency of UPL of Labour Party MPs	Frequency of UPL of National Party MPs
25 <sup>th</sup>	25 Mar - 31 Oct 1936	43	32
	9 Sep - 10 Dec 1937	28	16
	1 Mar - 16 Sep 1938	40	24
26 <sup>th</sup>	27 Jun - 7 Oct 1939	52	39
	30 May - 6 Dec 1940	9	13
	12 Mar - 17 Oct 1941	32	15
	11 Dec 1941 - 4 Dec 1942	2	5
	24 Feb - 26 Aug 1943	24	11
27 <sup>th</sup>	22 Feb - 15 Dec 1944	55	31
	27 Jun - 7 Dec 1945	65	49
	26 Jun - 17 Oct 1946	20	31
28 <sup>th</sup>	24 Jun - 27 Nov 1947	48	98
	22 Jun - 3 Dec 1948	69	90
	28 Jun - 21 Oct 1949	42	47

In most of the parliamentary sessions the use of UPL is relatively even with the Labour Party MPs usually using more UPL but there is a noticeable rise in the years 1947 and 1948 from the National MPs. This goes against the numerical trends to that point and provides evidence of a strategic decision to increase the targeting of the Labour Government in the two years before an election (see also 6.4.2). To date, few studies have presented data such as this on the use of UPL. One example is a contemporary study by Loginova who found an upward trend in the use of unparliamentary language and accusations of lying over the course of a single election year (2013, pp. 302–307), although the sample was relatively small (see section 2.1.2). The results illustrated in Table 6.3 show that separating the UPL used by

<sup>133</sup> A parliamentary session typically occurred within a calendar year.

parties provides new information about the dynamics of the legislative chamber and could be an area for further research.

### 6.3 Independents, Māori and Women

This section discusses the use of UPL by three sub-groupings of MPs. They are included to provide an additional dimension to this discussion and provide a possible basis for further research. The frequent use of UPL by some independent MPs has been discussed in this chapter. Their non-alignment with a party often allowed the independent MP increased freedom to express their point of view. Analysis on the use of UPL by MPs of Māori descent is unfortunately restricted because of the editorial practices of *Hansard* related to the recording of their speeches and discussed in 6.3.2. Women MPs first entered parliament during the time of the present study and, although the data is limited, two women used UPL, while most did not.

**6.3.1 Independent members.** Establishing the political affiliation of MPs during the time of the present study can be problematic because it was not stated on ballot forms.<sup>134</sup> The authority used for this study, the *New Zealand Parliamentary Record*, sourced information from newspapers of the time but notes the information was potentially unreliable and some MPs changed political affiliation during the course of a parliament (J. O. Wilson, 1985, p. 177). In general, “political allegiances and labels were relatively fluid until the late 1930s” (Atkinson, 2003, p. 251); therefore, the information provided in sources can differ. There were 27 MPs who used UPL and are described as: Independent, Independent Labour, Independent Liberal, Independent Reform, Independent Prohibition or Independent Ratana.<sup>135</sup> Table 6.2 lists the political affiliation of the independent MPs at the time the UPL was used. A notable feature of these MPs was the majority were affiliated with two, three or even four parties over their parliamentary careers. Some began as independents and then joined one of the main parties while others left them to become an independent. For most of the MPs who are identified as independents and also used UPL, their frequency of use is low. However, there are a few notable individuals: Frederick Pirani, Thomas Taylor and William Polson who were discussed in sections 6.1.2 and 6.1.3.

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<sup>134</sup> Party allegiance was not included until 1957 (Atkinson, 2003, p. 251).

<sup>135</sup> The *Parliamentary Record* lists 11 party affiliations that begin with the word Independent (J. O. Wilson, 1985, p. 177).



Another independent MP was Thomas Mackenzie (1853-1930) who represented five different electorates and was affiliated with two political parties as well as being an Independent from 1900 to 1908. He was described by his biographer as an “enigmatic politician” (Brooking, 2012). He used UPL 18 times and was a ‘principal user’ in the 12<sup>th</sup> and 14<sup>th</sup> Parliaments. A number of his UPL examples are in the form of refute expressions such as “**distinctly untrue**”, “**absolutely false**”, “**not true**” and “**lie**” (Mackenzie, 1893, 1901, 1904, 1910). He first entered parliament in 1887 as MHR for Clutha where his political affiliation is listed as Conservative and he opposed the Liberal Government, although he supported many of their policies. He resigned in 1896 “because he became frustrated with the essentially negative role required of opposition members” (Brooking, 2012) and spent time in London as a marketing agent. In 1900 he won the seat of Waihemo and subsequently represented Waikouaiti, Taieri and finally Egmont until 1912. In 1908 he “controversially, but not entirely illogically” (Brooking, 2012) joined the Liberal Party and held several ministerial portfolios in the Liberal Government. As Minister of Agriculture he implemented a number of effective initiatives and was chosen to succeed Ward as Prime Minister in 1912. He held office for just three months before his government was defeated in a vote of no confidence and he resigned from parliament (see 5.2.2).

The MP Harry Atmore (1870-1946) was a long serving independent for the electorate of Nelson. He first entered parliament in 1911 and was defeated in the 1914 election. Three years later he regained the seat and held it continuously until 1946. His allegiance was first and foremost to the people of his electorate many of whom regarded him as a personal friend because of his commitment and accessibility to his constituents (Tunnickliff, 2013). The *New Zealand Parliamentary Record* lists four different political affiliations for Atmore: Independent Liberal from 1911 to 1914, Liberal in 1919, National (a group of Liberals in 1925) and an Independent from 1928 (J. O. Wilson, 1985, p. 181). He usually supported the Liberal Party although after 1925 the Labour Party did not stand a candidate against him. He was appointed Minister of Education in the 1928 United Government, a position he held until 1931. Many of the education reforms he proposed were brought to fruition by the later Labour Government. In his long parliamentary career Atmore used UPL 28 times with the first two occasions directed at Hon Dr Maui Pomare, who represented the Western Māori electorate, describing a speech as “**ill-bred**” and that he was “**an imposter who sells his race for the sake of a position in the Cabinet**” (Atmore, 1913a, 1913b). He was particularly

critical of the United-Reform Coalition Government, 1931 to 1935, and was rebuked for using the terms “**servile**”, “**tools**” and “**instruments**” (Atmore, 1932, 1933a, 1933b).

An example of an MP who changed political allegiance from a main party and established his own was John A. Lee (1891-1982). He represented the Grey Lynn electorate for the majority of his parliamentary career until his expulsion from the Labour Party in 1940. In his final three years in parliament he formed the Democratic Labour Party and targeted UPL at his former associates calling one “the supreme ‘**yes-man**’” and another a “**booby**” (Lee, 1940, 1941).<sup>136</sup> The MP Sydney Smith was an Independent Labour candidate in the early part of his parliamentary career but finished as a National Party MP. His controversial appointment as Chairman of Committees and his targeting by UPL are discussed in 6.4.3.

**6.3.2 Māori members and te reo Māori.** This section discusses the recorded UPL of the small number of members of the Council and House of Māori descent. It is difficult to draw conclusions about the use of UPL by Māori MPs from the examples in *Hansard* because the speeches of early members were only reported in Māori language newspapers and, from 1881 to 1906, in the publication *Ngā Kōrero Paremate*.<sup>137</sup> The *Hansard* record of Māori MPs must be regarded as incomplete “because some Māori language elements of members’ speeches were simply ignored for the purpose of the record, and also because only English translations of Māori language speeches were usually printed” (Stephens & Monk, 2012, p. 72). The early MPs spoke entirely in te reo Māori with an interpreter for the benefit of the chamber. This practice ceased in the early 20<sup>th</sup> century because the Māori MPs at that time were proficient in English (Martin, 2004, p. 91). In the present study there is only one example of a phrase in te reo Māori being ruled as UPL when Samuel Carnell (1832-1920), Liberal MHR for Napier, used the phrase “**Kaati te kororo**” (Carnell, 1896) directed at Hone Heke the MHR for Northern Māori.<sup>138</sup>

Between 1890 and 1950 12 Legislative Councillors of Māori descent were appointed or served a term (Sorrenson, 1986, p. 80.). There is only one example of UPL used by a Māori

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<sup>136</sup> See also footnote 126.

<sup>137</sup> *Ngā Kōrero Paremata* was a series of collated volumes of the speeches of Māori MPs and other members’ on topics of interest to Māori. They were not transcripts but ‘back transcriptions’ into Māori of the English translations of the original Māori (Stephens & Monk, 2012, p. 79).

<sup>138</sup> William Kelly, MHR for the Bay of Plenty, rose with a point of order that Carnell had “practically [Heke] to hold his tongue” (Kelly, 1896). The Speaker suggested that if he had made an offensive remark he should apologise. The terms *Mataroa* and *kiwi* were ruled as UPL in 1940 and 1946 respectively.

Councillor, Hon. Wiremu Pere, discussed in 5.2.3. The Māori MPs in the House mainly represented one of the four Māori seats, established by the *Māori Representation Act 1867*, with James Carroll (1857-1926) representing the general electorates of Waiaapu and Gisborne from 1893 to 1919.<sup>139</sup> The recorded use of UPL by Māori MPs shows they tended to target other Māori MPs, although not exclusively. In the 1914 Address in Reply debate Taare Parata (1865-1918), representing Southern Māori, spoke about Native land and used UPL on three occasions accusing Prime Minister Massey of not having the “**honesty**” to reply to a deputation and that Dr Hon. Maui Pomare “**did not stick to his pledges**” and a particular vote had been “**dishonourable**” (Parata, 1914a, 1914b, 1914c).<sup>140</sup>

The MP for Southern Māori, Tuiti Makitanara (1874-1932) was reprimanded for using the term **hypocrisy** on three occasions during the debate on the Gaming Amendment Bill suggesting that MPs were supporting the bill only to appeal to their constituents. In 1938 Sir Apirana Ngata (1874-1950) was disappointed that a planned visit to his electorate by the Minister of Mines, Hon Patrick Webb, had been cancelled and, as a consequence, Webb did not hear the haka<sup>141</sup> prepared by the Ngāti Porou tribe. Ngata attempted to record the words of the haka in *Hansard* by reciting it in the House in English and Māori. He advised the Speaker there were some swear words in the Māori text but they were parliamentary. The Speaker replied he would be judge and for the English to be recited first (Barnard, 1938a). Ngata reached the following passage:

You have lifted your foot against the Treaty of Waitangi,  
And thrust it from the lions’ den at Wellington;  
Or maybe suspended it on the walls of the House of Laws,  
as a bandage for bloodstained brows!

**Thou boiled head!** (1938)

He was stopped by the Speaker who ruled the final phrase should not be applied to a member of the House (Barnard, 1938b) despite Ngata’s claim that it was a compliment.

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<sup>139</sup> The four Māori seats were Eastern, Northern, Southern and Western Māori. For further information see *The Origins of the Māori Seats* (J. Wilson, 2009).

<sup>140</sup> Parata suggested that Pomare obtained the support of prominent chiefs by pledging he would vote on the side of Sir James Carroll (the Government) but had voted with the opposition instead (Parata, 1914c).

<sup>141</sup> A haka is a traditional warlike Māori posture dance accompanied by chanting (Orsman, 1997, p. 328).

The Māori MPs were targets of UPL from both European and Māori MPs. The two most targeted were the Ministers Pomare and Carroll, both on six occasions. Some of the UPL directed at Pomare is discussed in this section and 6.3.1. James Carroll represented both Māori and European electorates. He became the Native Minister in the Liberal Government from 1899 to 1912 and served as acting Prime Minister on two occasions (Ward, 2013). As Native Minister he had to contend with the competing interests of Māori and European in the ownership and management of land. During the debate on the Māori Land Claims Amendment Bill, clause 33 was described as “possibly the worst piece of **jobbery** that has ever been perpetrated in any part of the civilised world” and the alternative term “**duplicity**” was also ruled as UPL (A. Fraser, 1907).<sup>142</sup> This review of the UPL used by and targeted at Māori MPs has highlighted the deficiencies in the *Hansard* record. The few recorded examples of UPL are concentrated towards particular MPs or focus on a single issue. Because of the translation inconsistencies and the time frame of the present study the results can only provide the basis for further research on UPL spoken in te reo or used by Māori MPs.

**6.3.3 Women members and the McCombs family.** The first woman was elected to the New Zealand Parliament in 1933. She was Elizabeth McCombs (1873-1935) and by 1949 a small group of women had entered parliament. This section discusses the two women MPs who used UPL along with the political dynasty of the McCombs family. With the passage of the *Women’s Parliamentary Rights Act* in 1919 women were entitled to stand for election to the House of Representatives.<sup>143</sup> The first successful woman succeeded her husband James McCombs who represented the Lyttelton electorate as a Social Democrat and Labour MP from 1917 until his death in 1933. Elizabeth had a long association with socialist ideals and served on a number of local government committees and boards. She was described as a “skilled and effective orator” (Garner, 2013). She was followed into the House by Catherine Stewart in 1938, Mary Dreaver in 1941, Mary Grigg in 1943 and Mabel Howard in 1943. In 1946, the first women, Mary Anderson and Mary Dreaver, were appointed to the Council. Of the six women who entered parliament between 1933 and 1949 only two, McCombs and Howard, used UPL.<sup>144</sup>

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<sup>142</sup> Fraser argued the clause gave statutory title to one person over large areas of Native land that was illegal (1907).

<sup>143</sup> Following 1919 a small number of women, including McCombs, stood for parliament but none were successful.

<sup>144</sup> Mabel Howard was in parliament from 1943 to 1969. Any UPL she used after 1949 is not discussed.

The MP Elizabeth McCombs used UPL four times, all in 1934, with the most notable examples being “**transparent piece of insincerity**” and “**insult** ... to women and girls” (E. McCombs, 1934a, 1934b). Mabel Howard (1894-1972) spent many years assisting her father who was a leader in the trade union movement and she was also involved with a number of service organisations and local government. She entered parliament in 1943 and was appointed New Zealand’s first female Minister in 1946 (McAloon, 2013b). She was fond of the term **sneer** which she used in, “**sneers** from the other side of the House” and “**sneer and make sneering interjections**” (M. Howard, 1945a, 1948). When the Public Petitions Committee reported to the House on a petition requesting that husbands and wives be permitted to sit together in the galleries<sup>145</sup> Howard was rebuked by the Speaker for accusing the committee of not being “**brave enough**” (1945b). The committee had recommended the Ladies’ Gallery and the Public Gallery were made available to both sexes but Howard’s UPL was related to her contention they had not gone far enough and to also open the floor of the House to both distinguished male and female visitors. The example given was, a Mayor from an obscure town could sit to the side of Mr Speaker but Mrs Roosevelt would have to sit in the gallery (P. Fraser, 1945b). There was some support for Howard’s view but the matter was left to the discretion of Mr Speaker.

Elizabeth McCombs was one of the three family members who represented the Lyttelton electorate continuously from 1913 to 1949. James McCombs (1873-1933) was first elected in 1913 and was one of a group of Social Democrats who later joined the Labour Party. He used UPL on 31 occasions. During the debate of the Appropriation Bill in 1930 the United Government came under sustained attack from the Labour MPs over a ‘breach of faith’ in their delay in passing the Industrial Conciliation and Arbitration Amendment Bill that had been ‘promised’ (‘I.C. and A. Amendment Abandoned’, 1930). In expressing their displeasure the Labour MPs used UPL 18 times during the debate, with James McCombs targeting the Acting Prime Minister Ransom with: “**he lies down and hides behind his desk**”, “**spineless leader**”, “**ashamed**” (1930a) and “**no man with self-respect**”(1930b). Following the death of Elizabeth McCombs in 1935 her son Terence McCombs (1905-1982) was elected. He served as Minister of Education from 1947 to 1949 and lost his seat in the 1951 election. Like his parents, Terence used UPL and was reprimanded 32 times as a

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<sup>145</sup> Until this time men and women were required to sit in separate galleries. The galleries in parliament were the Press Gallery, Mr Speakers’ Gallery (only available to men), Legislative Council Gallery, Ladies’ Gallery, Mr Speakers’ Ladies Gallery, Ladies Press Gallery, Public Gallery (only available to men) (Denham, 1945).

backbencher and Minister. He used **not true** on five occasions along with “**some relation of Holyoake’s**”, “**miserable trick**” and “the **pack** opposite” (T. McCombs, 1936, 1945, 1949). In total, the McCombs family were responsible for 67 examples of UPL and illustrate a unique example of a shared style of parliamentary discourse.

## 6.4 Targets of Unparliamentary Language

The few studies on UPL undertaken have focused mainly on the users of UPL and not the targets. The present study is unique because, where possible, the intended target of the UPL was recorded in the database developed for this study. The target was determined from the context of the discourse, for example, an interjection during a members’ speech or a comment where the target is named or clearly identified. The number of UPL examples with an identifiable target is therefore smaller than the full corpus but there are sufficient numbers to draw some conclusions. The results show there was a group of MPs who were more ‘frequent targets’ of UPL. This was strongly influenced by their role in parliament, but other trends emerge. A chronological comparison of the parties most targeted by UPL shows, possibly for the first time, a unique pattern of alternation between the party in government and the party in opposition. The final section discusses the UPL that has been targeted at MPs in their role as Speaker or Chairmen of Committees.

**6.4.1 Targets of the Council and House.** From the small number of UPL examples in the Legislative Council only 16 had an identifiable target of another member or a party. No individual was targeted more than once, so no conclusions can be drawn, but typically comments about the behaviour and background of Councillors attracted a censure. For example, the Hon. Samuel Shrimski accused Hon. George Jones of being “**one of the worst ‘sweaters’ in this country**” (Baillie, 1901). He refused to withdraw the words and was suspended for the remainder of the day. The Hon. Leonard Isitt stated that Hon. William Earnshaw had “**disgraced himself and disgraced the dignity of this Council**” (1926) for which he was asked to withdraw. The last UPL used in the Council was Hon. Eliot Davis towards Hon Sir James Archer, “one of these days we shall see in the Dominion Museum a moa,<sup>146</sup> and in its beak will be the licensing laws of 1938. Probably alongside we will see a **wax effigy of the Reverend Mr Archer**” (1938) to which the Speaker reminded the Councillor that he was “becoming personal” (Carncross, 1938). After 1930, there were four

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<sup>146</sup> “Any of several genera and species of large extinct flightless ratite birds of the order Dinornithiformes” (Orsman, 1997, p. 498).

examples of members of the House using UPL towards members of the Council including an attack on Sir James Allen by Patrick Webb that he “**is an old man now**” and “that gentleman, at the time I sat in the House with him, had, probably, **a narrow mind; and he did not always play as fair as he might**” (1934).

Of the approximately 2600 examples of UPL used in the House, the targets of 1550 were identified. A chronological analysis of the three MPs who were the most ‘frequently targeted’ in a parliament is shown in Table 6.4 and is discussed below.

Table 6.4: ‘Frequent targets’ of UPL, HR, 1891 to 1949<sup>147</sup>

Parliament and date	Party in power	Target MP	Party affiliation	Electorate represented	Frequency of UPL
11 <sup>th</sup> 1891-1893	Liberal	Seddon, R. (M) (P)	Liberal	Westland	10
		McKenzie, J.(M)	Liberal	Waitaki	4
		Fish, H.	Liberal	City of Dunedin	4
		Reeves, Hon W. (M)	Liberal	City of Christchurch	4
		Ballance, Hon J. (P)	Liberal	Wanganui	3

<sup>147</sup> Table 6.4 key: CC=Chairman of Committees, LO=Leader of the Opposition, M=Minister, P=Premier or Prime Minister, S=Speaker. Party affiliation taken from Roll of Members of the House of Representatives (J. O. Wilson, 1985, pp. 179–247).

Parliament and date	Party in power	Target MP	Party affiliation	Electorate represented	Frequency of UPL
12 <sup>th</sup> 1894-1896	Liberal	Seddon, R. (P)	Liberal	Westland	5
		Ward, Hon. J. (M)	Liberal	Awarua	3
		Stout, Hon. R.	Liberal	City of Wellington	3
		Bell, F. H. D.	Conservative	City of Wellington	2
		Earnshaw, W.	Liberal	City of Dunedin	2
		Hall, C.	Liberal	Waipawa	2
		Hall-Jones, Hon. W. (M)	Liberal	Timaru	2
13 <sup>th</sup> 1897-1899	Liberal	Seddon, Rt. Hon R. (P)	Liberal	Westland	12
		Taylor, T.	Independent Prohibition	City of Christchurch	9
		Fisher, G.	Liberal	City of Wellington	7
14 <sup>th</sup> 1900-1902	Liberal	Seddon, Rt. Hon R. (P)	Liberal	Westland	9
		McKenzie, R.	Liberal	Motueka	4
		Russell, G.	Liberal	Riccarton	3
15 <sup>th</sup> 1903 1905	Liberal	Seddon, Rt. Hon. R. (P)	Liberal	Westland	24
		Taylor, T.	Independent Prohibition	City of Christchurch	6
		Massey, W. (LO)	Conservative	Franklin	5



Parliament and date	Party in power	Target MP	Party affiliation	Electorate represented	Frequency of UPL
16 <sup>th</sup> 1906-1908	Liberal	Hornsby, J.	Liberal	Wairarapa	5
		Carroll, Hon. J. (M)	Liberal	Waiapu	2
		Baume, F.	Liberal	Auckland East	2
17 <sup>th</sup> 1909-1911	Liberal	Ward, Rt. Hon. Sir J. (P)	Liberal	Awarua	10
		Massey, W. (LO)	Reform	Frankin	9
		Fisher, F.	Independent / Reform	Wellington Central	6
18 <sup>th</sup> 1912-1914	Reform	Massey, Rt. Hon. W. (LO), (P)	Reform	Franklin	16
		Allen, Hon. J. (M)	Reform	Bruce	8
		Hine, J.	Reform	Stratford	5
		Payne, J.	Socialist	Grey Lynn	5
		Pomare, Hon. Dr (M)	Reform	Western Maori	5
		Russell, G.	Liberal	Avon	5
19 <sup>th</sup> 1915-1919	Reform, National Cabinet	Massey, Rt. Hon. W. (P)	Reform	Franklin	9
		Allen, Hon. Sir J. (M)	Reform	Bruce	7
		Herdman, Hon. A.	Reform	Wellington North	5

Parliament and date	Party in power	Target MP	Party affiliation	Electorate represented	Frequency of UPL
20 <sup>th</sup> 1920-1922	Reform	Jones, D.	Reform	Kaipoi	6
		McCombs, J.	Labour	Lyttelton	4
		Lang, Hon. Sir F. (S)	Reform	Manukau	3
		Lee, Hon. E. (M)	Reform	Oamaru	3
21 <sup>st</sup> 1923-1925	Reform	Isitt, L.	Liberal	Christchurch North	6
		Massey, Rt. Hon. W. (P)	Reform	Franklin	5
		Atmore, H.	Liberal	Nelson	4
22 <sup>nd</sup> 1926-1928	Reform	Fraser, P.	Labour	Wellington Central	5
		Jones, D.	Reform	Ellesmere	5
		Coates, Rt Hon J. (P)	Reform	Kaipara	4
		Parry, W.	Labour	Auckland Central	3
		Nosworthy, Hon. W. (M)	Reform	Ashburton	3
		McCombs, J.	Labour	Lyttelton	3
23 <sup>rd</sup> 1928-1931	United, United – Reform Coalition	Forbes, Rt. Hon. G. (M) (P)	United	Hurunui	17
		Jones, D. (M)	Reform	Mid-Canterbury	8
		Smith, Hon. S. (M)	United	New Plymouth	8
		Lynster, W.	Independent Reform	Gisborne	7
		Polson, W.	Independent	Stratford	7

Parliament and date	Party in power	Target MP	Party affiliation	Electorate represented	Frequency of UPL
24 <sup>th</sup> 1932-1935	United Reform Coalition	Smith, Hon. S. (CC) (M)	Coalition United	New Plymouth	29
		Forbes, Rt. Hon G. (P)	Coalition United	Hurunui	27
		Coates, Rt. Hon. J. (M)	Coalition United	Kaipara	22
25 <sup>th</sup> 1936-1938	Labour	Polson, W.	National	Stratford	17
		Coates, Rt. Hon. J.	National	Kaipara	13
		Nash, Hon. Walter (M)	Labour	Hutt	11
26 <sup>th</sup> 1939-1943	Labour	Doidge, F.	National	Tauranga	20
		Holland, S. (LO)	National	Christchurch North	15
		Polson, W.	National	Stratford	7
		Bodkin, W.	National	Central Otago	7
27 <sup>th</sup> 1944-1946	Labour	Holland, S. (LO)	National	Christchurch North	14
		Doidge, F.	National	Tauranga	8
		Mackley, G.	National	Masterton	8
		Polson, W.	National	Stratford	7
		Algie, R.	National	Remuera	7
28 <sup>th</sup> 1947-1949	Labour	Nash, Rt, Hon. W. (M)	Labour	Hutt	22
		Algie, R	National	Remuera	14
		Sheat, W.	National	Patea	13
		Fraser, P. Hon, (P)	Labour	Brooklyn	13

In the 18 parliaments the current Premier or Prime Minister was the most targeted nine times, or was in the top two or three on four occasions. In their role as the leader of the government this result is not surprising. From 1891 to 1905 the minister, and later Premier, Seddon was the most targeted with a total of 60, five from members of his own party. Those examples: **insult** (Steward, 1895), **cowardly** (Hogg, 1896b), **swindle** (Hutcheson, 1897), **untrue** (Russell, 1900) and **unmanly** (Hawkins, 1905) are all ‘core concepts’. Their use in a public space of the chamber shows a level of dissatisfaction within the Liberal Party about their leader. Much of the UPL directed at Seddon referred to his behaviour in the legislative chamber. For example, the Premier “**turned around and in a savage and unjustifiable manner attacked members on this side of the House, so that more than one member while he was speaking cried out “Shame, Shame!” – and his speech was shameful**” (Watson, 1897), “Mr Seddon was actually “**laughing and making faces**” (McGuire, 1898) and “the Premier lost his temper in, I might fairly term, a most **scandalous manner**” (Hardy, 1901). One third of the UPL targeted at Seddon was used in 1905, a year before his death, when a Liberal splinter group emerged in the House (see 7.3.1) and an accusation of corruption was levelled at Seddon by Independent MP Francis Fisher.<sup>148</sup> The charges proved to be incorrect but they dominated the parliamentary session and fuelled attacks on the Premier from his opponents.

From 1891 to 1935 the most ‘frequent targets’ of UPL were members of the party in government, apart from maverick or single issue MPs such as Payne or Taylor or the occasional opposition member. The position of William Massey, Leader of the Opposition, changed from the third most targeted in the 15<sup>th</sup> Parliament, to second in the 17<sup>th</sup> Parliament and the most targeted when he became Prime Minister in 1912. This result is not unexpected. In the lead up to a change of government a potential leader might be targeted by an incumbent party. In this regard, the UPL targeted at the Labour members James McCombs and Peter Fraser could be interpreted as pointing towards future leadership. The premature death of McCombs ended his parliamentary career but Fraser went on to become Prime Minister in 1940. From 1936 to 1949 most of the ‘frequent targets’ of UPL were members of the opposition which is a reversal of the 1890 to 1935 trend. In this time period only one Labour MP, Walter Nash (1882-1968), was a ‘frequent target’. Nash entered parliament in

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<sup>148</sup> The ‘voucher’ incident was an accusation that Seddon’s son had received an unauthorised payment. It was described by Fisher as “**absolute criminal public dishonesty**” (1905). The accusation proved to be a case of mistaken identity (Martin, 2004, p. 135).

1929 and represented the Hutt electorate continuously until 1968. He was the Minister of Finance in the 1935 Labour Government. In 1951 he became Leader of the Opposition: when the Labour Party won the 1957 election he became Prime Minister. This again highlights the relationship between MPs who are highly targeted by UPL and their later assumption of a position of power.

The analysis of MPs who were ‘frequent targets’ of UPL shows there were groups more likely to be targeted: Premiers or Prime Ministers, high ranking ministers, Leaders of the Opposition, potential leaders, the ‘principal users’ of UPL and MPs outside the mainstream parties. Some ‘principal users’ were likely to be targeted in a form of ‘give as good as you get’<sup>149</sup> where their use of UPL gave permission to others to use it towards them. Because of their political views or personal traits, some MPs were more likely to be targets: independent MPs or the sole representative of a party can be in this category. A comparison of the ‘principal users’ and the ‘frequent targets’, revealed several trends. There was a group of 18 MPs who were both ‘principal users’ and ‘frequent targets’ meaning they appear in both Table 6.1 and Table 6.4. For many, the number of times they used UPL was very similar to the number of times they were targets. For example, Frederick Doidge who was in parliament from 1938 to 1951, used UPL 33 times and was a target 32 times. However, not all ‘principal users’ were ‘frequent targets’. In the present study, the Labour MPs Frank Langstone and Robert (Bob) Semple used UPL 118 and 144 times but were targets only 14 and 22 times respectively. Based on the rest of the data, this was an unexpected result. The discussion on the ‘frequent targets’ of UPL has shown the complex dynamics that exist within the CofP of the chamber and could be an area of further research.

**6.4.2 Parties.** Because individual MPs mostly belonged to parties a chronological analysis of the trends relating to party affiliation and frequency of targets provides results similar to the discussion in the previous section. In the early part of the present study the government MPs in power were the most ‘frequent targets’ of UPL and in the latter part this was reversed. For the UPL examples where there was an identifiable target Table 6.5 gives the frequency of UPL by party affiliation.

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<sup>149</sup> ‘Give as good as you get’ is an idiom meaning to “respond with equal force or vehemence when attacked” (Ayto, 2012).

Table 6.5: Targets of UPL by political affiliation, HR, 1891 to 1949<sup>150</sup>

Parliament and date	Party in power	Frequency of UPL with identifiable target	Affiliation of MPs who were targets of UPL	Frequency of UPL
11 <sup>th</sup> 1891-1893	Liberal	40	Conservative	4
			Independent	2
			Liberal	34
12 <sup>th</sup> 1894-1896	Liberal	31	Conservative	5
			Independent	1
			Liberal	25
13 <sup>th</sup> 1897-1899	Liberal	79	Conservative	20
			Independent	1
			Independent Prohibition	9
			Liberal	49
14 <sup>th</sup> 1900-1902	Liberal	42	Conservative	7
			Independent	1
			Liberal	34
15 <sup>th</sup> 1903-1905	Liberal	58	Conservative	10
			Independent	2
			Independent Conservative	1
			Independent Prohibition	6
			Liberal	39
16 <sup>th</sup> 1906-1908	Liberal	19	Conservative	3
			Independent	1
			Liberal	15

<sup>150</sup> Party affiliation is taken from the Roll of Members House of Representatives (J. O. Wilson, 1985, pp. 179-247).

Parliament and date	Party in power	Frequency of UPL with identifiable target	Affiliation of MPs who were targets of UPL	Frequency of UPL
17 <sup>th</sup> 1909-1911	Liberal	47	Independent	4
			Liberal	20
			Reform	23
18 <sup>th</sup> 1912-1914	Liberal (NC), Reform	93	Independent	1
			Independent Liberal	8
			Liberal	18
			Reform	60
			Social Democrat	1
			Socialist	5
19 <sup>th</sup> 1915-1919	Reform, National Cabinet	65	Independent Liberal	5
			Liberal	15
			Reform	41
			Social Democrat	4
20 <sup>th</sup> 1920-1922	Reform	40	Labour	7
			Liberal	6
			Reform	27
21 <sup>st</sup> 1923-1925	Reform	28	Labour	3
			Liberal	12
			Liberal Labour	1
			National (1925 Liberals)	1
			Reform	11
22 <sup>nd</sup> 1926-1928	Reform	40	Labour	17
			National (1925 Liberals)	3
			Reform	20

Parliament and date	Party in power	Frequency of UPL with identifiable target	Affiliation of MPs who were targets of UPL	Frequency of UPL
23 <sup>rd</sup> 1928-1931	Reform (NC), United, United – Reform Coalition	109	Coalition	1
			Coalition Reform	1
			Coalition United	1
			Independent	12
			Independent Reform	7
			Labour	8
			Reform	32
			United	47
24 <sup>th</sup> 1932-1935	United Reform Coalition	190	Coalition	3
			Coalition Reform	47
			Coalition United	93
			Country Party	1
			Independent	5
			Independent Reform	7
			Labour	34
25 <sup>th</sup> 1936-1938	Labour	133	Independent	5
			Independent Country Party	1
			Labour	44
			National	83
26 <sup>th</sup> 1939-1943	Labour	135	Independent	5
			Labour	52
			National	78
27 <sup>th</sup> 1944-1946	Labour	160	Labour	61
			National	99
28 <sup>th</sup> 1947-1949	Labour	232	Labour	117
			National	115



Three trends emerge from the information in Table 6.5. From the 11<sup>th</sup> to the 16<sup>th</sup> Parliaments, 1891 to 1908, the numbers of the UPL targeted at the opposition Conservatives by the Liberal Party were relatively low. It is important to note the term ‘Conservative’ was used by the Liberals to describe their opponents (Atkinson, 2003, p. 251). They were not a party in the same sense as the Liberals until 1909 when they came together under the leadership of William Massey and were renamed the Reform Party. This had the effect of reinvigorating a flagging opposition and meant “the House divided on stronger ‘party’ lines than it had done for a long time as a renewed spirit of bitterness entered politics” (Martin, 2004, p. 139). In 1912 the Reform Party became the government following a vote of no-confidence in the Liberal Party (see 5.2.2). In the preceding 17<sup>th</sup> Parliament the numbers of UPL examples targeted at the Reform Party were, for the first time, higher than the Liberal Party. With a renewed presence that posed a threat to the long standing Liberal government, many of the unparliamentary expressions reflect on the credibility or character of the Reform Party MPs for example: “**bounders**” (Jennings, 1909), “**boots he is not worthy to blacken**” (Laurenson, 1910a) and “**not man enough**” (T. Taylor, 1910).

As noted in 5.3.1 and 6.2.3 there was a significant increase in the use of UPL in the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments, 1928 to 1935. The data in Table 6.5 shows that in the 23<sup>rd</sup> Parliament the most targeted MPs were members of the United Party with 11 examples from Reform Party MPs and 34 from Labour Party MPs. In the final months of the 23<sup>rd</sup> Parliament the United and Reform Parties formed a coalition and were returned to office in the 1931 election. In Table 6.5, the numbers of UPL targeted at the individual coalition party MPs shows the United MPs were targeted more than the Reform MPs. Of the United MPs the Prime Minister Forbes was targeted 27 times and the Chairman of Committees Sydney Smith targeted 29 times.

While the UPL that targets an individual MP can give an indication of the dynamics of the chamber, the UPL that targets a government as a whole provides additional information. To determine this, in the database developed for the present study, all the UPL used in the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments were identified. For UPL used by the Labour Party MPs (a total of 539) a text filter was applied in the field containing the UPL in context with other terms. The following Table 6.6 is a sample of the 99 examples of UPL that included the term ‘government’ and targeted at the United and United-Reform Governments.

Table 6.6: Selected UPL by Labour Party MPs with the term government, 1930 to 1935

Phrase including 'government'			<i>Hansard</i> reference
the	Government	is so <b>dense</b>	224, 1930, p. 276.
the	Government	is so <b>weak</b>	226, 1930, p. 1201.
<b>sheep</b> sitting on the	Government	benches	228, 1931, p. 154.
the	Government	is <b>frightened</b>	228, 1931, p. 274.
the present	Government	has not <b>backbone</b> enough	229, 1931, p. 574.
the	Government	has the 'wind up' and it is <b>afraid</b>	232, 1932, p. 513.
<b>wicked</b> on the part of the	Government		236, 1933, p. 722.
the	Government	has been <b>two-faced</b>	237, 1933, p. 854.
cursed by a <b>rotten</b>	Government		242, 1935, p. 685.
a <b>dunderhead</b>	Government	in office	242, 1935, p. 690.

The examples in Table 6.6 illustrate the language targeted at the government contained the 'core concepts', a lack of courage or respect, as well as intelligence and 'animal reflections'. Before the 23<sup>rd</sup> Parliament the numbers of UPL used with the term 'government' were less than ten in most parliaments. The above examples show the Labour MPs had little respect for the government in power and provides an illustration of the strategic use of adversarial language that had an ongoing influence on the use of UPL because the practice was adopted by the National Party, as discussed below.

The third point of interest is the trajectory in the numbers of UPL targeted at the Labour Party in government from the 25<sup>th</sup> to the 28<sup>th</sup> Parliament, 1935 to 1949. The numbers targeting Labour Party MPs increased in each successive parliament respectively, 44, 52, 61 and 117 (see Table 6.5) while the numbers of UPL targeting the National Party MPs (i.e. those used by the Labour Party) remained fairly constant. By the 28<sup>th</sup> Parliament the numbers were even but the National Party had built up a momentum that was reflected in the change of government at the next election. The terms **ignorant, lie, not game and not true** were targeted at Labour Party MPs on multiple occasions along with personal attacks such as, "the honourable member for North Shore is able to exhibit **certain gyrations that resemble the activities of a worm on a pin**" (Algie, 1947) and "**you dirty little squib**" (Harker, 1949).

By focusing on the political affiliation of the targets of UPL the results have revealed trends that have not previously been identified. They mainly relate to governments that have been in power for several terms. The first was an increase in the UPL from the incumbent party towards an opposition, seen in the increase of UPL targeted at the Reform Party by the Liberals. The second was the sustained, and largely unanswered, UPL targeting the United and United-Reform Coalition governments by the Labour Party MPs. The third was the upward trajectory in the numbers of UPL used by an opposition towards a government over time. This is seen in the latter part of the present study where the National Party increased their targeting of the Labour Government in the parliament before they won the 1949 election. These trends, if they are replicated in other parliaments or in different time periods, have a wider implication as a form of political barometer to a potential change of government.

**6.4.3. Speakers and Chairmen.** This section discusses the UPL targeted at MPs in their capacity as Speaker, Chairman of Committees or Deputy Speaker.<sup>151</sup> The examples of UPL targeted at Speakers are more comprehensive than for Chairmen because much of the committee stages of a debate were not included in *Hansard* during this time (McGee, 2005, p. 62).<sup>152</sup> These examples from the core category of ‘lack of respect’ were relatively uncommon, with only two examples occurring in the Council and 22 in the House. All of the Speakers of the House, except for William Steward, had at least one UPL expression directed towards them during their tenure, but no more than four. Most of the UPL reflected on the Speakers’ management of the House; for example, suggesting that they “**did not hear**” (Bell, 1895) inappropriate language from members, or “**interjections are overlooked**” (Poole, 1910). Saying that a Speaker was biased towards one party would be ruled as UPL; for example, “**the Speaker is defending the Government and not doing his duty to the members of the House**” (J. McCombs, 1920). And so would accusations of not being fair to individual members, “**one rule for one person, and one for another**” (Polson, 1945). The few recorded examples involving a Chairman have similar themes: **not getting justice** from the Chairman (McKenzie, 1895) and “**the Chairman of Committees says he did not hear me, but he**

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<sup>151</sup> Before 1992 a Chairman of Committees was appointed at the beginning of each parliament to chair the committee of the whole House. In the Speakers absence they could chair the proceedings of the House and for that time they were known as the Deputy Speaker (McGee, 2005, p. 55).

<sup>152</sup> There were a number of instances when the House was in Committee and the Chairman ruled language to be unparliamentary, but the member refused to withdraw. (See Chapter 7 and Appendix 5.)

**both heard me and spoke to me**” (Wood, 1906). Many expressions were made in response to a sense of frustration that the Speaker or Chair had not intervened during a debate, or a belief they were not acting in an unbiased manner. Reflections on the Speaker are a ‘core concept’ of UPL and, as seen in the above examples, are different in character from those generally used by MPs.

The role of Chairman of Committees was usually uncontroversial but the appointment of Sydney Smith (1879-1943) in 1931 was highlighted by the increased targeting of UPL towards him. Smith represented the Taranaki and New Plymouth electorates from 1918 to 1938 as an Independent, Liberal, United and finally National Party candidate. He was Chairman of Committees for a period of time from 1928 to 1930 and then became a minister in the United Government. Following the formation of the United-Reform Coalition<sup>153</sup> in October 1931, William Bodkin, the Chairman of Committees, resigned the role and Prime Minister Forbes moved a motion for the appointment of Smith. The Labour MPs suggested that Bodkin had been pressured to resign because Smith had missed out on a portfolio and **“to oust a person from the position merely for the extra emolument attached to a new office does not show any loyalty or comradeship”** (Langstone, 1931c). The incident continued to colour Smith’s Chairmanship with the accusations such as, **“you are the most inefficient member that has ever sat in the chair of this Committee”** (P. Fraser, 1932b) and he **“pushed Bodkin out of the position of Chairman of Committees”** (Langstone, 1934b).

## 6.5 Conclusion

This chapter has shown that not all MPs used UPL and, of those who did, there was an identifiable group of ‘principal users’ within the CofP. This aligns to the findings of Salisbury’s study on unparliamentary language in Australian parliaments (2011) and Zima et al (2010) on ‘interruptive comments’, that a small group is responsible for these discourse events. Chapter 8 discusses further the use of UPL within the CsofP framework, particularly highlighting Wenger’s concept of ‘identity’ to explain this differentiation between users and non-users of UPL. The use of UPL by MPs when they were ministers or the Prime Minister shows that MPs did not change their use of UPL as they progressed from backbencher to higher positions within a party. The chronological analysis of UPL by party revealed a

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<sup>153</sup> “The United Cabinet had 13 ministers; the new Coalition Government was to have only ten, five from each side. This meant that for the ‘greater good’ at least eight United Cabinet Ministers had to be fired” (Bassett, 1982, p. 57).

number of distinct time periods. A comparison of the UPL used by the two main parties showed, possibly for the first time, how the fluctuations in the numbers used can reveal information about political dynamics. The use of UPL by Māori and women MPs was flagged as an area for further study because of the low numbers of examples during this time period.

The present study is unique because, along with the users of UPL, the targets are also discussed. The results revealed a group of ‘frequent targets’ who were often leaders or MPs on a ‘trajectory’<sup>154</sup> to leadership. The analysis of the frequency of the targeting of one party by another highlighted the increase in UPL by Labour Party MPs directed towards the United and United-Reform Government during the 23rd and 24th Parliaments. Reflections on the Speaker or Chairman of Committees were rare but a number of examples were targeted at Sydney Smith whose appointment was controversial. The analysis has also revealed a subgroup of MPs were both ‘principal users’ and ‘frequent targets’. Two MPs were identified as high ‘principal users’ but they were not equally targeted. This unexpected result was highlighted as an area for further research. This chapter has shown the numerical trends in the use and targeting of UPL can be a source of information that has received little attention but has the potential to add new insight to the dynamics of the legislative chamber.

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<sup>154</sup> Trajectory is a term used by Wenger in the CsofP framework and means a path of “continuous motion – one that has a momentum of its own in addition to a field of influences” (Wenger, 1998, p. 154).



## **Chapter 7: The Speaker and Unparliamentary Language**

Good temper and moderation are the characteristics of parliamentary language.

Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate. (C. Gordon, 1983, p. 432)

This chapter focuses on the pivotal person in a ruling of UPL, the Speaker of the Legislative Council or the House of Representatives.<sup>155</sup> It begins by discussing the role of the Speaker in maintaining order in the legislative chamber and the forms of rebuke that Chairs<sup>156</sup> have applied during the time of the present study. There is a focus on periods of time when there was an increase in the use of UPL. The first section begins with a discussion of the Speakers of the Council. This is followed by a chronological survey of the Speakers of the House and their rulings on UPL. The management of ‘refusals to withdraw’ UPL is discussed and examples identified in the present study are listed in Appendix 5. The final section reviews a selection of language that was not deemed unparliamentary; it was either ruled by a Speaker to be parliamentary or did not attract a rebuke. Throughout the chapter a number of quotations from Speakers on the language used in parliament have been included to illustrate changes in attitude over time. The earlier quotes refer to modelling exemplary standards of behaviour. In contrast, later comments are a mix of chastisements coupled with an acknowledgement of the adversarial nature of debate.

### **7.1. The Maintenance of Order in the Chamber**

It is the duty of members to uphold the dignity of the House, and to assist the Speaker in vindicating its authority... (O’Rorke, 1899a)

Following the historical practices of the British Parliament, the New Zealand Speaker is elected from the members of a chamber who are present when a new parliament is convened. To use the framework applied in this study, the Speaker is therefore a member of the CofP but takes on the authority of the role to maintain its ‘joint enterprise’ and enforce

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<sup>155</sup> See Appendix 4 for a list of Speakers of the Legislative Council and House of Representatives during the time of the present study.

<sup>156</sup> For an explanation of the difference in the roles of Speaker, Deputy Speaker and Chairman of Committees see footnote 151.

“the communal regime of mutual accountability” (Wenger, 1998, p. 81).<sup>157</sup> In parliament, the term ‘order’ is used in ways that are unique to the institution. In his article on the history of parliamentary concepts Palonen states that, in 16<sup>th</sup> century Britain, ‘parliamentary order’ was a “distinctly parliamentary form of order ... based on the alternation between *pro* and *contra* speeches” (2012, p. 129). In the 19<sup>th</sup> century, it also related to the procedural rules of parliamentary debate, the *Standing Orders* that replaced a former reliance on precedents (Palonen, 2012, p. 130). The term ‘order’ is also used in *Order Paper*, a form of agenda, which lists business before parliament and MPs can make a ‘point of order’, by asking the Speaker a question about a matter of procedure. The way ‘order’ is most commonly understood is in reference to ‘keeping order’ in the chamber which is a key element in the role of the Speaker.<sup>158</sup>

As discussed in section 1.2.2, UPL can be defined as an element of parliamentary discourse where specific words or phrases are ruled or signalled by the Speaker to be to be out of order or likely to cause disorder. The relationship between UPL and ‘linguistic impoliteness’, discussed in 3.3.2, emphasised the significance of the following definition that is repeated here because of its relevance to this discussion.

Impoliteness can be considered as any type of linguistic behaviour which is assessed as intending to threaten the hearer’s face or social identity, or as transgressing the hypothesized Community of Practice’s norms of appropriacy. (S. Mills, 2005, p. 268)

The emphasis on a process of ‘assessment’ being applied to language, before it is considered impolite, is basic to UPL discourse where the Speaker mainly fulfils that function. The UPL that might threaten the ‘hearer’s face’ or ‘social identity’, was categorised in 5.2 as ‘personal reflections’ and language related to the ‘political environment’. The ‘hypothesized norms of appropriacy’, are aligned to the ‘core UPL concepts’, described in 5.1. Some of the language that has been subject to changes in interpretation between Speakers and over time is discussed in 7.4.

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<sup>157</sup> The dimensions of a CofP, as they relate to the institution of parliament, are discussed in 3.1.2 and 3.1.3.

<sup>158</sup> “The chief duty of the Speaker is to chair the House, presiding over its deliberations, keeping order and determining points of procedure” (McGee, 2005, p. 53).



During the data collection for the present study each example of UPL was assigned one or more outcomes of the discourse exchange. For the majority of examples there was only one outcome, the MP withdrew the language. However, a small number of incidents, where an MP ‘refused to withdraw’ UPL, developed into a more serious situation. This section discusses the forms of rebuke used by Speakers and the consequences of ‘refusing to withdraw’ UPL. The forms of rebuke are listed in Table 7.1 and discussed below.

Table 7.1: Forms of rebuke for using, or refusing to withdraw, UPL

Form of rebuke <sup>159</sup>	Description	Example
Interrupted	A brief interruption of the MP’s discourse that signals a disapproval of the language being used.	Mr SPEAKER. – Order. Mr SPEAKER. – Order, order.
Reprimand	An interruption of the MP’s discourse where the Speaker notes UPL has been used or explains why it is unparliamentary. A withdrawal is not asked for or given.	“Mr SPEAKER. – The honourable gentleman must not impute want of courage” (Barnard, 1936b).
Request to withdraw	An interruption of the MP’s discourse where the Speaker notes UPL has been used and asks for, or is given, a withdrawal.	“Mr SPEAKER. – The honourable member must withdraw that expression” (Lang, 1921).
Request to withdraw and apologise	An interruption of the MP’s discourse where the Speaker notes UPL has been used and requests a withdrawal of the language and an apology to the chamber.	“Mr SPEAKER. – I must call on the honourable member to withdraw and apologize to the House” (McKeen, 1949a).

<sup>159</sup> The categories ‘interrupted’ and ‘reprimanded’ are used in this study to differentiate between two forms of rebuke and outcome. The other categories listed are recognised parts of parliamentary procedure.

Form of rebuke	Description	Example
Words taken down	An MP requests the expression is ‘taken down’, and if the House agrees, the Speaker instructs the Clerk to take them down. Further penalties may ensue.	“Mr SPEAKER. – Is it the general desire of the House that the words made use of by the honourable member and which I have ruled on be taken down?” (Guinness, 1905c).
Named	A member is ‘named’ by the Speaker or Chairman for disorderly conduct. Further penalties may ensue.	“Mr SPEAKER. - ... Now I shall name Mr John Payne for disorderly conduct and disputing the order of the Chair” (Lang, 1913a).
Resolution of the chamber	After a period of deliberation a motion is agreed and a resolution is communicated to the user. It is recorded in <i>Hansard</i> and/or the <i>Journals</i> . <sup>160</sup>	“That this House expresses its regret that the honourable member for Hawke’s Bay has not thought proper to withdraw words that have been taken down and reported to the House by the Chairman of Committees” (Guinness, 1897).
Suspension from the chamber	In the form of a resolution, the member is suspended from the service of the chamber for a specified period of time.	“That, the honourable gentleman having refused to withdraw the words used by him in debate when asked to do so by the Speaker, the said member be censured and suspended for the sitting” (Miller, 1901).

The rebukes in Table 7.1 should be interpreted as showing a progressive increase in seriousness from the ‘interruption’ to ‘suspension’. The ‘interruption’ rebuke was not found to be used in the early part of the present study but was favoured by Speaker Statham from the 1930s and followed by other Speakers. Of all the rebukes, a request for withdrawal of UPL was the most common with approximately 60% of examples having this outcome. A request to ‘withdraw and apologise’ was not common but came into favour in the late 1940s under Speaker McKeen and is discussed in 7.3.3. The following Figures 7.1 and 7.2 show the

<sup>160</sup> *The Journals of the House or Council* are the official record of the daily proceedings of the chamber. They do not contain the speeches of members which are recorded in *Hansard*.

numbers of rebukes in the Council and the House. The database design enabled several different ‘results’ to be recorded following the use of UPL. However, to generate Figures 7.1 and 7.2, each example of UPL was categorised once to reflect the immediate response by the Speaker or user after being ruled. The data shows the ‘reprimand’ was used most often in the Council and a ‘request to withdraw’ the most in the House.

Figure 7.1: Rebukes for using UPL and ‘refusals to withdraw’, Council 1891 to 1949 (n=38)<sup>161</sup>

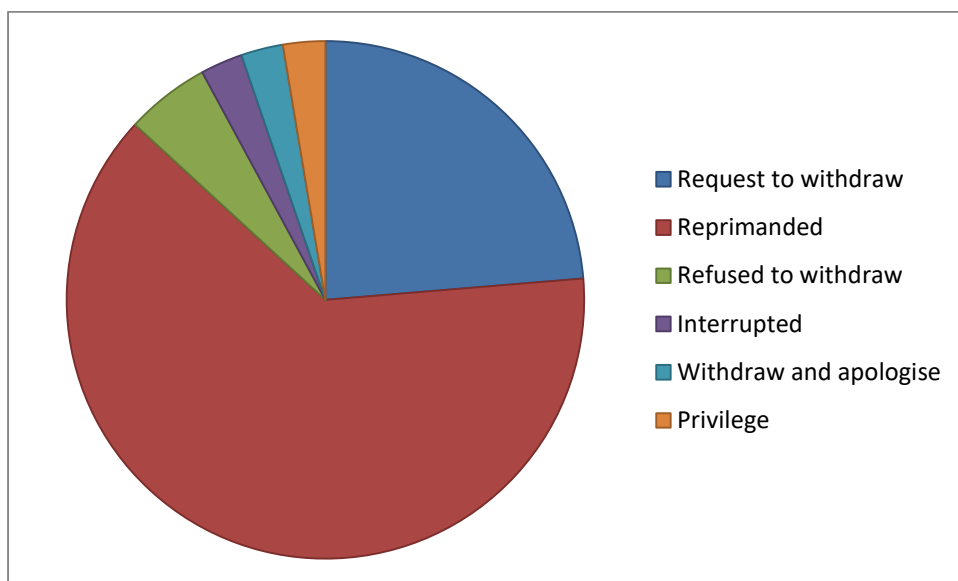
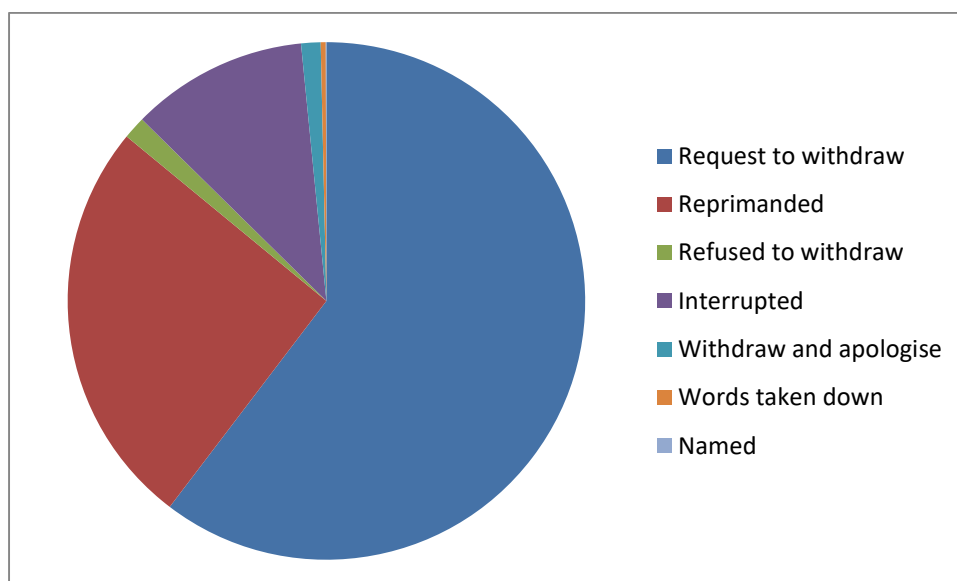


Figure 7.2: Rebukes for using UPL and ‘refusals to withdraw’, HR, 1891 to 1949 (n=2550)



<sup>161</sup> The one instance of privilege is discussed in 7.2.1.

A request by the Speaker to withdraw UPL would usually be followed by an institutionally formulated apology such as, “I withdraw Mr Speaker”, ‘I withdraw’ or ‘I withdraw and apologise’. These “procedures of control” (Foucault, 1981, p. 72), the language of ‘rebuke and repair’, are a unique element of parliamentary discourse. If a member disputed a request to withdraw, or did not comply, the attention shifted from the language used to disrespect for the authority of the Chair. This disobedience is a form of contempt<sup>162</sup> and is a feature of the practice associated with UPL. In a paradoxical situation, an unequivocal statement of withdrawal will repair the damage to the discourse, no matter what had been said. A ‘refusal to withdraw’ could, however, initiate a series of punitive events, even if the language was relatively mild.

Following a ‘refusal to withdraw’ UPL the *Standing Orders* outlined the process to be followed. However, there were many variations, as illustrated in Appendix 5, and situations where no censure was given.<sup>163</sup> Where the words were ‘taken down’ or a member was ‘named’ further penalties were usually imposed.<sup>164</sup> Half of the ‘refusals to withdraw’ UPL began when the Chairman of Committees was officiating. In these situations, the process would be for the Chair to report the refusal to the Speaker who would ask the user for an explanation. The offending MP would be asked to leave the chamber while a course of action was debated and agreed. On occasions, the testimony from MPs about the circumstances occupied many pages of *Hansard*. A motion would then be forwarded by the Leader of the House,<sup>165</sup> debated and agreed by the members of the chamber, occasionally by a formal vote. The offender would then return to the chamber and be informed of the decision. The censure was usually in the form of a resolution expressing displeasure at the behaviour of the MP and sometimes imposing a suspension from the chamber. Throughout the process the offending MP was encouraged, often on multiple occasions, to withdraw the UPL and express regret. From 1890 to 1932 the consequences of ‘refusing to withdraw’ UPL usually resulted in a resolution and suspension. After this time, there was a distinct softening in the consequences for ‘refusing to withdraw’.

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<sup>162</sup> “Contempt ... is a term which may embrace all breaches of privilege as well as a great many other types of conduct that the House considers to be worthy of censure” (McGee, 2005, p. 644).

<sup>163</sup> In Appendix 5 see: Seddon, 1892, Herdman, 1914, Lee 1932 and Macdonald, 1944.

<sup>164</sup> In the corpus of UPL only 1.8% of examples were: a ‘refusal to withdraw’, ‘words taken down’ or a member was ‘named’.

<sup>165</sup> The Premier or Prime Minister.

## 7.2 Speakers of the Legislative Council

In the present study, a difference between the two chambers was illustrated by the low number of examples of UPL in the Council and the courteous manner that business was generally conducted. Between 1891 and 1949 there were 11 Speakers and Acting Speakers of the Council. Only five were required to make a ruling of UPL. The most common form of rebuke was a gentle reprimand sometimes followed by a withdrawal. The Speaker who made the largest number of rulings of UPL was Sir Walter Carncross, who was Chairman of Committees from 1910 to 1918 and Speaker from 1918 until 1939. In his almost 30 years as Chairman and Speaker he made 19 rulings of UPL. The following sections discuss two features of UPL in the Council, the increase in UPL between 1901 and 1905 and the rulings of Speaker Carncross.

**7.2.1 Increase in unparliamentary language, 1901 to 1905.** One third of all the UPL used in the Council between 1891 and 1949 occurred in the years 1901 to 1905.<sup>166</sup> During this time there was an unusually high number of Speakers. The reason for the turnover was the deaths of William Walker (1837-1904) and Sir Alfred Cadman (1847-1905) who both held office for less than a year. Following their deaths, the Chairman of Committees, John Rigg, then Richard Reeves, served as Acting Speaker for several months. From 1901 to 1905 a small number of Councillors with ‘labour’ affiliations and those with an interest in a single issue were responsible for an increase in the use of UPL.

A contentious issue of the time was prohibition and the measures promoted to curb the consumption of alcohol. In 1902 the MLC John Rigg<sup>167</sup> introduced the Tied Houses Bill in an attempt to prevent the manufacturers of alcohol also owning licenced premises. A committee was formed to investigate the matter. During the course of the debate on the committee findings UPL was used three times but, on each occasion, Speaker Henry Miller (1830-1918) ruled only after a MLC raised the matter first. For example, in the following exchange:

The Hon. Mr. JONES. ... The whole thing was a **farce** from the beginning to end, and there was **never the slightest intention of eliciting the truth**.

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<sup>166</sup> An increase of use of UPL in the House in 1905 is discussed in 7.3.1 but the reasons for the increase are different.

<sup>167</sup> In 1892 John Rigg was one of “four moderate union leaders appointed to the Legislative Council” (Thomas, 2014).

The Hon. Mr. JENNINGS. – I would ask, Sir, whether the honourable gentleman is in order in making such a reflection.

The Hon. the SPEAKER.- I think the honourable member is going a little too far.

The Hon. Mr. JONES.- I have said it, and it is now reported; but I will withdraw it if you think it is too “hot”. (G. Jones, 1902)

The rebukes used by Miller show his preference for beginning his ruling with the words ‘I think’, as illustrated above. In this hands-off style he preferred to rebuke only when the use of UPL was raised by Councillors.

In William Walker’s brief Speakership he made a ruling of UPL on five occasions and three of those were to rebuke the Hon. Jeremiah Twomey during the same debate. Twomey moved a motion that a return should be submitted outlining the daily cost of parliament “with the view of letting the country see what ‘stonewalls’ cost, and what fancy legislation cost” (Twomey, 1903). The motion was not agreed by the Council and Twomey used a number of UPL expressions in short succession. The following quotes illustrate the escalation of the rebuke language used by the Speaker after each occasion he transgressed.

The Hon. the Speaker.- The honourable gentleman is not in order in using such a term.

The Hon. the Speaker.- The honourable gentleman should not reflect upon brother Councillors.

The Hon. the Speaker.- It is not consistent with the dignity of the Council to talk about **gagging**, or words of that kind. (Walker, 1903)

Some examples of UPL in Chapters 5 and 6 showed that members did not always accept a Speakers’ ruling and attempted to challenge it or have their views of the injustice entered into *Hansard* at a later date. In the Council these events were rare but one notable example involved two Speakers over a period of two years. In 1904 Speaker Cadman had not allowed a MLC to use the term “**slavery**” (Rigg, 1904) in a notice of motion published on the *Order*

*Paper*. Following a private meeting the term was substituted by ‘indentured labour’.<sup>168</sup> These events became public only when the MLC Rigg bought a question of privilege to the Council and asked the Speaker to “lay on the table your reasons for your decision, so that I may take an opportunity, if I see fit, to challenge your decision in regard to the notice of motion” (Rigg, 1904). In response, Speaker Cadman told the Council his ruling was based on Rule 61 of the *Standing Orders* that a notice of “unbecoming character will not be received” (Cadman, 1904). The insinuation about British Government policy, would, in the opinion of the Speaker, infringe the dignity of the Council.

A year later, during the debate on the Australian and New Zealand Naval Defence Bill, Rigg referred to the British Government as, “a discredited Government, and one of the most **disreputable Governments** that has sat in the British Parliament for a century” (Rigg, 1905a).<sup>169</sup> When asked to rule on the language Speaker Bowen concluded “I should decidedly be inclined to consider disrespectful allusions to the Imperial Parliament out of order” (Bowen, 1905). Rigg said he would challenge the ruling by tabling a notice of motion.<sup>170</sup> In speaking to the motion his opening remarks were critical of the Speaker’s ruling by suggesting his months of work in preparing the speech had been ruined. To support his argument he used anecdotes, quoted dictionary entries, suggested the Speaker was not impartial and a novice in the role (Rigg, 1905b). Other Councillors supported Rigg’s right to express his opinion, but not his choice of language. A former Speaker, Miller, reminded the Council “in cases of this kind there must be one authority to decide, and that authority must be the Hon. the Speaker” (Miller, 1905). He added that he would have ruled in the same way. Rigg’s motion was defeated by a vote of 18 to three.

**7.2.2 Rulings of Speaker Carncross, 1918 to 1939.** Sir Walter Carncross (1855-1940) spent 50 years in the New Zealand Parliament. Biographical information about Carncross is scant but he was born in Victoria, Australia and came to New Zealand as a child.

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<sup>168</sup> The original motion was, “that, while the introduction of **slavery** into South Africa may not be inconsistent with the policy of the British Government, their sanction to the convention is a menace to the welfare of the self-governing colonies and against the best interests of the Empire” (Rigg, 1904).

<sup>169</sup> Rigg argued the Bill gave the government the power to extend the time period of a defence agreement without further recourse to parliament. By way of example, he referred to the ‘Japanese Treaty’, known as the Anglo-Japanese Alliance that was renewed in 1905.

<sup>170</sup> The motion was, “that the ruling of the Hon. the Speaker, ‘That the Hon. Mr Rigg could not refer to the present Imperial Government as a **disreputable Government**, when he (Mr Rigg) was discussing the Australian and New Zealand Naval Defence Bill’ is an infringement of the privileges of a member of the Council” (Rigg, 1905b).

In his professional life he was a newspaper proprietor. He was first elected to the House of Representatives as a Liberal MP and represented the Taieri electorate from 1890 to 1902. He opposed women's suffrage and is remembered for introducing an amendment to the 1891 Female Suffrage Bill that would have given women the right to sit in the House. The amendment was deliberately inserted to ensure the bill would be rejected in the Council<sup>171</sup> ('House of Representatives.', 1891, 'Walter Carncross', 2014). In 1903 he was appointed to the Council and reappointed five consecutive times until his death in 1940. His rulings on UPL during his long career as both Chairman and Speaker of the Council provide a unique chronological record.

In the eight years Carncross was the Chairman of Committees it is reported he ruled on two instances of UPL. In his role as Speaker he ruled language to be unparliamentary 17 times. Two aspects of his style will be discussed: the effect of failing to act when UPL was used; and changes to his rebuke language over time. The first point relates to the Hon. William Earnshaw, identified in 6.1.1 as one of the 'principal users' of UPL in the Council. In 1922 Earnshaw was a member of the Labour Bills Committee that considered the Workers' Compensation Bill. When the report was tabled in the Council he made a series of accusations about the conduct of the committee and his belief that evidence had not been equally solicited from employers and employees, or the "man in the street" (Earnshaw, 1922a). The other members of the committee were universally in support of the version presented by the Minister, Sir William Fraser, and suggested Earnshaw's hearing had been defective. This last point was taken further by Hon. Richard Moore in the statement, "The Hon. Mr Barr said that the Hon. Mr Earnshaw was defective in hearing. I must say that the Hon. Mr Earnshaw is defective in other directions as well, although I do not want to say anything to hurt the honourable gentleman's feelings" (Moore, 1922). Speaker Carncross did not rebuke Moore, but when Earnshaw made a reference to the "**insulting remarks**" (Earnshaw, 1922b), the Speaker called him to order and asked him to withdraw. While there is a complex set of circumstances behind this example the non-intervention of Speaker Carncross, following Moore's initial remarks, led to retaliatory comments that were ruled UPL. This highlights the importance of Speakers to be even-handed in their rulings as a lack

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<sup>171</sup> During the debate on the bill in the House Carncross is reported as saying "my opinion is that it is not women of refined feeling and fine intellect who will wish to take part in our elections. It is the women of coarser fibre who will push themselves to the front and take part in elections" ('The female suffrage bill', 1891). The bill was defeated in the Council by 17 votes to 15.



of a rebuke, when UPL has been used, can lead to more UPL in retaliation or give the impression a certain form of language was parliamentary.<sup>172</sup>

An analysis of the rebukes used by Carncross showed he had a subtle hierarchy of rebuke language. Most rebuke expressions used by Speakers included the phrase ‘honourable gentleman’ to refer to the user. The use of formal address language was an institutional convention and part of the ‘shared repertoire’.<sup>173</sup> The mildest form of rebuke employed by Carncross began with phrases such as, ‘I do not think’, ‘I think’, ‘I do not wish to interrupt’ and ‘I suppose’. The inclusion of the term ‘must’ such as, “the honourable gentleman must withdraw” (Carncross, 1926) adds a stronger directive. The term ‘order’, when used at the beginning or within the expression, had a slightly different imperative. For example, Table 7.2 lists his rebuke expressions that contained the term ‘order’.

Table 7.2: Rulings of Speaker Carncross using the term Order, 1919 to 1938

	Rebuke expression	<i>Hansard</i> reference
1	The honourable gentleman is not in order in attributing motives ...	184, 1919, p. 188.
2	Order. The honourable gentleman is not entitled to make insulting ...	198, 1922, p. 473.
3	Order. Those words are not parliamentary.	210, 1926, p. 149.
4	I do not think the honourable gentleman is in order in making ...	222, 1929, p. 540.
5	Order.	226, 1930, p. 57.
6	Order. The honourable member must not reflect ...	228, 1931, p. 769.
7	I must rule the honourable gentleman out of order.	239, 1934, p. 376.
8	Order. The honourable gentleman is becoming personal.	251, 1938, p. 335.

The term ‘order’ is used in two different ways. Firstly, at the beginning of a phrase to interrupt the discourse (examples numbered 2, 3, 5, 6 and 8). The second way is to state that a

<sup>172</sup> In the House, an example of a Speaker not intervening is Frank Buckland’s use of UPL in relation to the Oyster Fisheries Bill, discussed in 6.1.2. The non-intervention of the Speaker, where terms had previously been ruled UPL, is discussed in 7.4.

<sup>173</sup> See Ilie (2010d) for a discussion on observing and infringing parliamentary forms of address in the British and Swedish Parliaments.

MLC is not ‘in order’ (examples numbered 1, 4 and 7). The term ‘not in order’ substitutes for unparliamentary – a term that Carncross never used in a rebuke. Although the difference is subtle, the early rebuke expressions are respectful reminders but the later expressions are more direct through the use of the term ‘must’. This change shows the reduction of an overly deferential style of language to a more straightforward approach. This later time also coincides with Speaker Statham’s increased use of the ‘order’ interruption rebuke in the House (see 7.3.2).

### 7.3 Speakers of the House of Representatives

Every individual member ought to be aware that anything derogatory to the dignity of the House which is committed within its walls is unworthy of the elect of the people. It should be our constant endeavour to set an example to the public bodies of the colony of temperate language, orderly conduct, and respectful demeanour. (O’Rorke, 1899b)

In the 60 years of the present study there were eight Speakers of the House of Representatives and 18 Chairmen of Committees. Three of the Chairmen, Arthur Guinness, Frederic Lang and Robert McKeen, also served as Speaker. Most of the Speakers discussed in this section were members of the party in government at the time, apart from the Independent Charles Statham, and William (Bill) Barnard, who changed his allegiance from the Labour Party to the Democratic Labour Party part way through his Speakership.<sup>174</sup> Because the committee stages of a bill, where the Chairman would be presiding, were not fully reported in *Hansard* the data about UPL used in committee is less reliable.<sup>175</sup> However, if there was a dispute about a ruling made by a Chairman or a ‘refusal to withdraw’ UPL, the Speaker would be recalled to the chamber. In these situations, the UPL used in the committee would be reported in *Hansard*. This section discusses the Speakers in three chronological time periods: 1891 to 1922, a period of relatively low use of UPL; 1923 to 1935, which encompasses the Speakership of Charles Statham who ruled on the most examples of UPL by any Speaker in the present study; and 1935 to 1949 when the Labour Party was in Government and the use of UPL was more commonplace.

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<sup>174</sup> The Democratic Labour Party was established in 1940 by John A. Lee after he was expelled from the Labour Party. From 1940 to 1943 Lee and Barnard were the representatives in parliament. No candidates were successful in subsequent elections.

<sup>175</sup> See 4.1.2 for a discussion on the accuracy and completeness of *Hansard*.

### 7.3.1 Steward to Lang, 1891 to 1922.

Parliament is an assemblage of gentlemen. The first characteristic of a gentleman is courtesy. Whatsoever then is discourteous is ungentlemanly, and therefore unparliamentary. (Steward, 1904, p. 103)

The years 1891 to 1922 were characterised by the relatively low use of UPL, increases around contentious issues and a number of serious incidents. There were four Speakers, Steward, O'Rorke, Guinness and Lang, and nine Chairmen, of whom only Guinness made a substantial number of rulings of UPL. The elevation to the role of Speaker of William Steward (1841-1912) was unexpected. His predecessor, Sir Maurice O'Rorke, Speaker from 1879 to 1890, lost his seat in the 1890 election and would probably have retained the role if he had been returned to parliament. Steward was Speaker for just one parliament after which O'Rorke resumed the role having been re-elected in 1894. The relative inexperience<sup>176</sup> of Steward may have contributed to the opinion he had "trouble controlling the House" (Martin, 2004, p. 110). His brief tenure was coloured by the most serious incident related to the use of UPL in the present study.

There are many examples of MPs becoming upset following a request to withdraw UPL, but only one, Hon. John Bryce, the Leader of the Opposition, resigned from parliament as a result. The events are complex but began with the following accusation made by the Minister of Lands, Hon. John McKenzie, about the former Minister the Hon. George Richardson. At the time the language was used in the chamber it was withdrawn.

**"If secrets were unveiled on the floor of this House in connection with the mistake about Runs 28 and 28A, and Runs 228 and 228A, they would not be found to the credit of the honourable member,"** and further; **"that the late Honourable Robert Campbell stated that he had squared the then Minister of Lands, the Honourable G. F. Richardson".** (*Journals of the House of Representatives of New Zealand*, 1891, p. 222)

The following day, there was a motion by Richardson to have the claim made by McKenzie examined by a committee. The Speaker, supported by Liberal Party members, ruled the

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<sup>176</sup> Unlike many Speakers he did not serve for a period of time as Chairman of Committees.

words had been withdrawn and the matter was closed, whereas Bryce argued the accusations had not been addressed. In the following discourse his use of UPL was compounded by the actions of Premier Ballance who requested the words be withdrawn and a sequence of procedural events ensued.<sup>177</sup>

Mr BALLANCE.- I rise to a point of order. The honourable gentleman is disputing your ruling, Sir.

Mr BRYCE.- The Hon. Premier **ought to be ashamed of himself** –

Mr BALLANCE.- I shall ask the honourable gentleman to withdraw those words. He has no right to use those words in the House.

Mr BRYCE.- I shall not withdraw them; and I shall take the consequences. (Bryce, 1891)

In an unusual move the Speaker cleared the galleries of the chamber of onlookers and a resolution of the House was passed.<sup>178</sup> In response, Bryce protested the decision and vowed to ‘consider his position’. The next sitting day the House was dominated by a motion from his supporters that Bryce would withdraw the UPL if the proceedings were expunged from the record. Following a lengthy debate the motion was not agreed and Bryce resigned.<sup>179</sup> A year later, a petition was presented to parliament asking that the censure of Bryce, and that of other former MPs, be expunged from the *Journals of the House of Representatives*. The entire circumstances were debated again and although the resolution was agreed the practicalities of expunging the entries was not addressed.<sup>180</sup> One of the lessons from the incident was that subsequent Speakers gave MPs numerous opportunities to withdraw UPL and avoid the consequences of further censure.

The return of Sir Maurice O’Rorke (1830-1916) as Speaker in 1894 provides an insight into how he may have controlled the House at an earlier period than the present study. Speaker O’Rorke was born in Ireland where he obtained an MA in Classics. His involvement with

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<sup>177</sup> A lengthy explanation by Speaker Steward of the events can be found in *Hansard*. He states the words used were unparliamentary. The Premier requested them ‘taken down’ under S.O. 133 and, as no objection was made, this was interpreted as the unanimous support of the House (Steward, 1891a).

<sup>178</sup> “That this House regrets that the words taken down were used by the honourable member for Waikato, although qualified as they were by the subsequent words used by the honourable member” (Steward, 1891b).

<sup>179</sup> Bryce’s biography reveals his public life was peppered with resignations from organisations on a matter of principle (Riseborough, 2013).

<sup>180</sup> The resolution appears in the *Journals of the House of Representatives* (1892), p. 108.

procedural aspects of government began as Clerk of the Auckland Provincial Council. He stood for election to the Provincial Council and was later its Speaker. He entered the House of Representatives in 1861 as an Independent member for Onehunga and became the Chairman of Committees 10 years later. During that time he was admitted to the bar. He was the longest serving Speaker of the House and many of his rulings are still listed in *Speakers' Rulings* (Rogers, 2012). His personal failing was bouts of excessive drinking and frequent absences. As a result, the Chairman of Committees, Arthur Guinness, deputised for the Speaker on numerous occasions. Between 1894 and 1902 O'Rorke intervened in a debate to rule on the use of UPL 113 times and Guinness intervened for the same reason 66 times. All the serious examples of 'refusals to withdraw' UPL occurred when Guinness was Chairman or Deputy Speaker, although O'Rorke would be recalled to the House to make a ruling.<sup>181</sup> A comparison of the rebukes given by O'Rorke and Guinness, shows that O'Rorke used a reprimand more than Guinness, who preferred a request for withdrawal.<sup>182</sup> Guinness continued this preference during his 10 years as Speaker. The following examples show the difference in the style of rebuke used by the two men.

Mr SPEAKER.- I think that is a disrespectful term. The honorary member should use courteous language in referring to other branch of the Legislature (O'Rorke, 1897).<sup>183</sup>

Mr DEPUTY SPEAKER. – I do not think you should charge an honourable member with **sharp practice**. That remark is not parliamentary (Guinness, 1898).

The rebuke by O'Rorke was delivered as a 'gentle reprimand' with additional guidance for the benefit of the MP and others. The reprimand of Guinness is more directed at the user and less respectful in the use of 'not' and 'you'.

The career path of Sir Arthur Guinness (1846-1913) was similar to that of O'Rorke with a legal background and experience in provincial government. He was born in India and attended Christ's College in Christchurch. He went into the law and was admitted to the bar

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<sup>181</sup> The 1894 *Standing Order* relating to the power of suspension (S.O. 170) states that if the offence occurs in the Committee of the Whole House it is reported to the Speaker (*Standing orders and forms of proceedings of the House of Representatives relating to public business, 20th July 1894, and to private bills, 1894, p. 33*).

<sup>182</sup> O'Rorke gave 37 reprimands and 71 requests for withdrawal. Guinness gave eight reprimands and 51 requests for withdrawal.

<sup>183</sup> This rebuke was in response to John Wason, a Conservative MP representing the Selwyn electorate, referring to Legislative Councillors as **creatures**.

in 1867 before practicing in Greymouth. He served on the Westland Provincial Council and Grey County Council with nine as the chairman. He was elected to parliament in 1884 representing Greymouth (later Grey) until his death in 1913 ('Arthur Guinness (New Zealand politician)', 2014). In his 10 years as Speaker the numbers of UPL remained relatively low but with a discernible increase in 1905. Between June and October 1905 a concerted attack was mounted on Premier Seddon by a splinter group, the New Liberal Party, which included a number of sitting MPs.<sup>184</sup> In total, 19 expressions targeting Seddon were ruled UPL during the session. A first-time MP, Harry Bedford, stood up to Seddon stating, "it is time the Premier realised that the House should rule and not him" (Bedford, 1905b).<sup>185</sup> When comparing the Premier with Mr Feeble-mind from *The Pilgrims Progress* Bedford said, "that he may keep office he lies down to be kicked, and takes his whipping just like a **cur** -" (Bedford, 1905a). The Premier moved that the words be 'taken down' and although Bedford withdrew the word **cur** and apologised he was censured by a resolution of the House. In his support Thomas Taylor defended Bedford as a new member who had been 'pounced upon' by Seddon. Undeterred by the censure Bedford continued his speech in a similarly strident fashion stating the Liberals were "clinging to office like ivy to a rotten wall" and the Premier's "burly form is right across the path of the country's advance, and you must shove him on one side before you can get ahead" (Bedford, 1905c); none of which was ruled unparliamentary by Speaker Guinness.

In the final days of the 15<sup>th</sup> Parliament in 1905 Seddon attempted to exert his authority over the House to progress legislation. His procedural side-steps were checked by the Speaker and opposition members deliberately slowed the progress of debate. In this disorderly environment Seddon used UPL to target another first-time member, Edward Moss. During an earlier debate Moss had made a number of charges about the actions of a Judge, Colonel Gudgeon, in relation to land in the Cook Islands in which Moss had a pecuniary interest.<sup>186</sup> He used the unparliamentary expression, "**dragged in the name of my relatives in a cowardly and miserable manner**" (*Journals of the House of Representatives of New Zealand*, 1905, p. 248). Later, when irregularities in the recording of a vote emerged, and

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<sup>184</sup> Some of the MPs in the New Liberal Party were Harry Bedford, George Fisher and Thomas Taylor.

<sup>185</sup> Although from humble beginnings, Bedford pursued a university education gaining an MA with Honours. He represented the City of Dunedin electorate with an unprecedented 10,000 vote majority. He lost the seat in 1905 and became a lawyer and an academic. In 1918, at the age of 40, he died in a drowning accident (Gill, 2013).

<sup>186</sup> For the accusation in the chamber see Moss (1905b). This situation relates to his father Frederick Moss who was also an MHR and British Resident in the Cook Islands from 1890 to 1898 (Macdonald, 2012).

there was an accusation of misrepresentation, Seddon took an opportunity to deflect the attention. During the debate Moss interjected “**Rats!**” (Moss, 1905a). In response, Seddon replied, “**the honourable knight of cocoanuts is talking about rats**” (Seddon, 1905c), an obvious reference to the connection Moss had with the Cook Islands. The Speaker issued a reprimand:

Mr SPEAKER.- I must say that such language is to be highly deprecated. I do hope that members will not be continually interjecting, because that is what causes heated replies. Members are sometimes apt to make these replies on the spur of the moment and without due reflection. I am sure the Right Hon. the Premier will accept that statement and withdraw the expression he used. (Guinness, 1905d)

This focus on the time period of 1905 illustrates the strategic use of UPL by a group of MPs who were attempting to oppose the Liberal Government and establish their own party. They used UPL targeted at the Premier and his domination of the House. Whether that domination extended to the Speaker it is difficult to say. Guinness would rule on the language used by Seddon but often after it was questioned by another MP. In the example above William Massey, Leader of the Opposition, raised a point of order about the language used before Guinness ruled. The ruling itself is highly deferential with the use of the phrases ‘I must say’, ‘I do hope’ and ‘I am sure’. It also provides some insight into the way Seddon dominated the House. Using his mastery of parliamentary procedure he out-manoeuvred the opposition and used UPL to target the lone or disaffected MP to discredit them and serve as a warning to others. In 1905 the increased criticism by young men, such as Bedford, who were prepared to challenge the Premier and put him under increased pressure and signalled that his ‘rule’ could not last forever. In the 1905 election the Liberal Party retained office with an increased number of MPs but Seddon died suddenly in June 1906 before the new parliament began. The crescendo of UPL immediately dissipated with the numbers barely reaching double figures in a single volume during the remainder of the Speakership of Guinness that ended with his sudden death in 1913.

The Chairman of Committees from 1912 to 1913, Frederic Lang (1852-1937), succeeded Guinness as Speaker. He was born in England and emigrated to New Zealand as a young man and farmed in the Waikato area. He was elected to a local Road Board and County Council where he became the Chairman. He entered parliament in 1893 representing the Waipa,

Waikato and Manukau electorates as a Conservative and later Reform MP (Scholefield, 1940, p. 485). An analysis of the UPL used during his time as Speaker shows an early period of disorder that coincided with the outbreak of WW1 and a small number of vocal ‘Socialist’ MPs in the House. For example, John Payne was suspended on three occasions (see Appendix 5) but after 1916 only one MP ‘refused to withdraw’ UPL and its use was at very low levels. Lang’s obituary stated “he was noted for his general kindness to members rather than for his strictness of control” (‘Obituary, Sir Frederic Lang’, 1937). The following table 7.3 lists the rebukes Lang gave to the use of UPL in the domain of ‘courage’<sup>187</sup> before and during WW1.

Table 7.3: Rulings of Speaker Lang in the domain of courage, 1913 to 1917

Unparliamentary language	Ruling	<i>Hansard</i> reference
<b>cowardly</b> attack	The honourable member is not in order in accusing any honourable member of <b>cowardice</b> . He must withdraw the expression.	162, 1913, p. 507.
<b>cowardly</b> in the extreme	The honourable member must not accuse honourable members of the House of <b>cowardice</b> . The honourable member must at once withdraw that expression.	166, 1913, p. 594.
had not the <b>courage</b>	The honourable member must not accuse another member of <b>want of courage</b> .	168, 1914, p. 757.
has not the <b>courage</b>	The honourable member must not accuse another member of <b>want of courage</b> .	170, 1914, p. 775.
has not the <b>pluck</b>	The honourable gentleman must not accuse another honourable member of <b>lack of courage</b> .	171, 1914, p. 331.
not got the <b>pluck</b>	It is not in order for an honourable member to accuse another honourable member of <b>want of pluck or courage</b> . He must withdraw that statement.	172, 1915, p. 207.
<b>cowardly</b>	The honourable member must not refer to another member in that way.	175, 1916, p. 473.

<sup>187</sup> The assignment of domains to examples of UPL is discussed in 4.3.2.



Unparliamentary language	Ruling	<i>Hansard</i> reference
<b>cowardly</b> in its methods	The honourable gentleman must not use that word.	178, 1917, p. 951.
not <b>courageous</b> in its methods	The honourable member must not make a statement like that, which is rather worse than the former one.	178, 1917, p. 951.
Has that gentleman any <b>courage</b> at all?	The honourable member must not accuse another honourable gentleman of <b>want of courage</b> .	179, 1917, p. 917.
<b>pluck</b> enough	The honourable gentleman must not make those reflections. They are highly disorderly.	180, 1917, p. 490.
interject if he had the <b>courage</b>	Order, Order.	180, 1917, p. 511.
not the <b>courage</b>	The honourable member must not accuse another member with <b>lack of courage</b>	180, 1917, p. 780.

The rebukes have a standard formulaic beginning, “The honourable gentleman must not ...” followed by a verb and a restatement of the UPL. Before 1914 Lang’s reprimand extended to a request for a withdrawal but over time he favoured the lesser rebuke. Lang is not known as a ‘notable’ Speaker but in the latter part of his tenure the data suggests a period of order in the House that continued beyond his occupation of the Chair.

### 7.3.2 Speaker Statham, 1923 to 1935.

There are times when the presiding officer senses trouble and has to nip it in the bud, and he may come down perhaps rather harshly on some member, but he realizes that it is his duty to anticipate and prevent disorder arising, otherwise he will probably have difficulty in restoring order again. (Statham, 1935b)

Sir Charles Statham (1875-1946) was the first New Zealand born Speaker of the House and is regarded as one of its finest (Hamer, 2014b). He was a lawyer and served on the Dunedin City Council. He entered parliament in 1911 representing the electorate of Dunedin Central for the Reform Party. He represented that electorate continuously until 1935 but disassociated himself from party affiliation and stood as an Independent from 1919. In the corpus of UPL developed for the present study Statham ruled on more examples than any other Speaker,

with a total of 827.<sup>188</sup> His Speakership is important because he saw a transition from UPL being used infrequently to it becoming an established element of the ‘shared repertoire’ of the House. This change is discussed below and can be traced to a series of political and economic events that are represented in a single volume of *Hansard* and reflects a turning point in the use of UPL.

The examples of UPL in the early part of Statham’s Speakership, from 1923 to 1928, were low with 122 over five years. This changed following the 1928 election and the use of UPL exceeded anything that had previously been experienced in the New Zealand Parliament. The ‘three-party system’ (see 6.1.3) delivered an election result where the Reform Party (the previous government) won 28 seats, the United Party won 27, the Labour Party won 19 and four of the successful independents supported United (Martin, 2004, p. 191). The new parliament convened in late 1928 with the Reform Party taking the government benches. However, this changed because the Labour Party chose to support the United Party in a vote of no-confidence. This ensured the defeat of the Reform Government and resulted in the United Party, led by Sir Joseph Ward, taking office.<sup>189</sup>

In 1930 the aging Prime Minister Ward died and the relationship between the United Government and the Labour Party began to break down. The government resorted to the frequent use of parliamentary urgency<sup>190</sup> to progress legislation and sought to introduce the closure motion<sup>191</sup> to bring an end to a debate. The delay of the Industrial Conciliation and Arbitration Amendment Bill (see 6.3.3) preceded Labour’s decision to withdraw their support of the United Party. Then, in early 1931, the Reform Party agreed to support the government (Martin, 2004, p. 193) and this gave the United Government sufficient votes to continue to govern. This political upheaval was set against the deteriorating economic situation of the 1930s: depression, high unemployment and a serious earthquake in Napier. As a consequence, an emergency session of Parliament was called in March 1931. The 4<sup>th</sup> session of the 23<sup>rd</sup> Parliament began on the 11<sup>th</sup> of March 1931 and went into recess on the 28<sup>th</sup> of

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<sup>188</sup> Statham’s rebukes include 75 interruptions, 244 reprimands, 497 requests to withdraw, 2 requests to withdraw and apologise and there were 9 refusals to withdraw.

<sup>189</sup> This was the second time a government was defeated by a vote of no-confidence. In 1912 the Liberal Government was defeated by the Reform Party (see 5.2.2).

<sup>190</sup> Urgency is a “mechanism that gives the Government extra time in the House to progress matters that need to be urgently addressed (New Zealand Parliament, 2014).

<sup>191</sup> “A closure motion is a motion which, if carried, brings the debate then in progress to an immediate conclusion even though there are still members who wish to speak in it” (McGee, 2005, p. 199).

April. The *Hansard* report of the session is contained in volume 227. With a total of 82 unparliamentary expressions, it has the highest number of any single volume in the present study.<sup>192</sup> The Labour Party MPs, freed from propping up the United Party, unleashed an attack on the government that led Speaker Statham to confide to the House at the end of the session:

I can assure honourable members that there have been times when I have felt the need of a kind word or two during the strenuous times of the session. ... But I can assure honourable members that however stern the rebuke there is always a lot of affection for the recalcitrant member in the heart of the Speaker. ... On occasions I have even heard unparliamentary language, of which, however, I have not taken notice.  
(Statham, 1931a)<sup>193</sup>

An analysis of the UPL in *Hansard* volume 227 shows that 66 of the 81 examples in the House were used by Labour MPs. Three contentions debates attracted the use of UPL: the Address in Reply: Want of Confidence, that affirmed the confidence of the majority of the House in the United Government; the Finance Bill, that proposed to cut public sector wages by 10%; and Standing Orders: Closure, the introduction of the closure motion to end a debate. Labour's week long stonewall of the Committee stages of the Finance Bill led to the proposal to introduce the closure motion which "generated a ferocious debate which lasted from Saturday until the early hours of the following Tuesday" (Martin, 2004, p. 193). The new Standing Order was adopted and the government finally passed the Finance Bill.

An examination of Speaker Statham's rulings during this time shows a number of interesting features. One of these could be related to his intention to compile a compendium of unparliamentary words.<sup>194</sup>

I propose to compile at an early date a compendium of unparliamentary words for the use of some honourable members. It seems to me that some honourable members have difficulty in discriminating between words that are parliamentary and words that

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<sup>192</sup> Volume 227 contains 1308 pages. *Hansard* volumes with over 1000 pages were not uncommon. In comparison to other volumes the number of UPL examples is higher than the norm.

<sup>193</sup> This statement was made during the final adjournment debate of the session. When the vote was taken to adjourn it was negatived (i.e. lost). The Speaker left the chair suggesting the "honourable members settle the question" (Statham, 1931b).

<sup>194</sup> This was probably the list referred to in 4.2.2.

are not, and possibly the little work I have in view might be acceptable to members.  
(Statham, 1930a)

In his rebukes, Statham made a point of restating the UPL possibly with the view they would form part of a compendium or to ensure the *Hansard* reporter transcribed the expression for inclusion in the index.<sup>195</sup> These rulings are reported enclosed in quotation marks as illustrated in some of the rebukes in Table 7.4. Along with the ‘I think’ and ‘I must’ phrases typical of previous Speakers, Statham frequently used the term ‘Order’. From 1930 on this was a feature of his rulings. He used it in a number of ways: as a minor rebuke to an MP that UPL had been used; to bring a halt to debate to reprimand an MP; and as the more severe ‘Order, order’ to express his displeasure at language that had been used. Table 7.4 illustrates a selection of rebukes used by Statham from *Hansard* volume 227 made in response to UPL used by Labour Party MPs.

Table 7.4: Selected rulings of Speaker Statham, *Hansard*, volume 227, 1931

Unparliamentary language	Rulings	<i>Hansard</i> reference
<b>loading the dice</b>	The honourable gentleman is not in order in using the phrase " <b>loading the dice</b> " against the workers.	227, 1931, p. 32.
<b>slavish</b>	Order. The honourable member must not use the word " <b>slavish</b> ".	227, 1931. P. 126.
<b>humbugging</b>	Order. The honourable member must withdraw that word " <b>humbugging</b> ".	227, 1931, p. 264.
<b>puffs up his neck like a pouter pigeon</b>	Order, order. The honourable gentleman is not in order in using that phrase.	227, 1931, p. 373.
<b>crude and beastly</b>	Order.	227, 1931, p. 609.
<b>dirty work</b>	I think the honourable member should withdraw that expression.	227, 1931, p. 1151.

<sup>195</sup> The listing of UPL in the *Hansard* index resumed from volume 233, 1932. It had previously been indexed for a short period of time from 1905.

In late 1931 the United and Reform parties officially joined and formed a coalition government in advance of the general election. They won the election which meant the next parliament saw a continuation of the robust opposition from the Labour Party MPs (see 6.1.3 and 6.2.3).

In the 24<sup>th</sup> Parliament, from 1932 to 1935, there was a spate of ‘refusals to withdraw’ UPL when asked to do so. The last ‘refusal’ prior to this time had been in 1921, a gap of 11 years. The first occasion was a ‘refusal to withdraw’ the term **humbug** (see also 7.4.1). This was followed by disorder in the committee during the debate on the Industrial Conciliation and Arbitration Amendment Bill where two prominent Labour MPs, Peter Fraser and John A. Lee, refused to withdraw the expressions “**contemptible**” (P. Fraser, 1932a) and “**the Parliament was a Parliament of curs**” (Lee, 1932). The censure imposed by the House was suspension for the remainder of the sitting day. Following the decision, “ill feeling mounted. Lee led Labour members in the lobby in singing ‘We’ll hang George Forbes on a sour apple tree’, and Labour prophesised revolution and insurrection” (Martin, 2004, p. 196).

Two months after the suspensions of Fraser and Lee, as the depression continued, a group of 4000 striking relief workers gathered outside Parliament to protest the government’s response to the unemployment situation and called for its resignation (‘How it started’, 1932). After several hours a small group of men broke away from the demonstration and ran through the main retail area of Wellington smashing hundreds of plate glass windows (‘Wanton action’, 1932). Between 1932 and 1935 there were eight more examples of Labour MPs ‘refusing to withdraw’ UPL but the censures given were relatively mild and there were no further suspensions. There are two points of note in relation to these events. The suspension of prominent Labour MPs, in the context of the time, could have been a catalyst to fuel anti-government sentiment, as demonstrated in the 1932 riot, and may have been a factor in the softening of subsequent censures. The second point is the introduction of the closure motion reduced the ability of the opposition to ‘stonewall’ and delay government bills. A ‘refusal to withdraw’ UPL, especially in the committee stages, was a strategy that had the potential to disrupt the business of the House although most situations were dealt with swiftly.

### 7.3.3 Barnard to McKeen, 1936 to 1949.

I receive many letters from people who criticize the conduct of members of Parliament in the House, and I had one from an old lady who said that the members sat there talking and arguing like a lot of boys. I pointed out that that was quite right and that that was a proper thing to do. After all, Parliament is a talking place. The derivation of the term “Parliament” is from a French word for talking, and it is meant as a place to argue the point. I said I thought that this was a well-behaved Parliament. (Schramm, 1946)

Three MPs, Barnard, Schramm and McKeen, held the role of Speaker when the Labour Party was in Government. Bill Barnard (1886-1958) was a lawyer and served in WW1. He joined the Labour Party in 1923 and represented the Napier electorate from 1928 to 1943. Following Labour’s win in the 1935 election he was considered for appointment as Minister of Justice but was instead elected as Speaker. He was an authority on Buddhism (Atkinson, 2013) and, on the occasion of his election as Speaker, he shared with the House a stanza from a Tibetan writing *The Precious Treasury of Elegant Sayings*. He explained that, in his new role as Speaker, he would be silenced from making speeches but his mind would be free.

Much talking is a source of danger;  
Silence is the means of avoiding misfortune:  
The talkative parrot is shut up in a cage;  
Other birds, which cannot talk, fly about freely. (Barnard, 1936a)

Barnard is remembered for having a more relaxed style than his predecessors (Atkinson, 2013). This difference is reflected in Barnard’s high use of the interruption rebuke. His rulings were a mixture of expressions beginning with “Order”, “I think” and “The honourable gentleman”. Barnard also continued the practice of repeating the UPL in his ruling. During his tenure as Speaker, from 1936 to 1943, he rebuked the Labour MPs for using UPL on 223 occasions and National MPs 146 times. He was not required to rule on any ‘refusals to withdraw’ UPL during a period of relative order in the House.

In the 1943 election Barnard lost his seat and Frederick Schramm (1886-1962) was elected as Speaker. Described as an “elderly and ineffective lawyer” (Martin, 2004, p. 214) he held the

office for just one parliament before he was defeated in the 1946 election. In his rebukes for using UPL he favoured the reprimand and a request for withdrawal rather than the interruption. On several occasions he appears to have lost his patience with the House. In 1944 he issued a general warning over the word **hooley**: “remarks such as ‘**hooley**’, which I heard used tonight, are absolutely unparliamentary, and will not be permitted. In future, I shall have to name the honourable member who makes such statements in the House” (Schramm, 1944a). In late night sittings at the end of sessions, sometimes referred to as “legislation by exhaustion” (Goosman, 1945), tempers were often frayed. When the House was sitting at 2.30 am, Schramm rushed through the usual procedures and ‘named’ a Labour MP. However, the Prime Minister accepted a withdrawal and apology rather than pursue a more serious censure.<sup>196</sup> The Speaker took the opportunity to address the House about disobeying requests from the Chair.

Mr SPEAKER. – The position is this: it is not the Speaker who is defied, but the House itself. The apology, therefore, is not due to me – I am not worried about apologies to myself, but I am very jealous about the procedure in this House; and I am concerned to see that order and decorum are maintained. ... If the Prime Minister is willing that the withdrawal and apology of the honourable member should be accepted as sufficient to meet the case, then I am prepared to be satisfied provided the House is satisfied. (Schramm, 1945b)

From 1939 to 1946 Robert McKeen (1884-1974) was Chairman of Committees and became Speaker after the 1946 election. He was born in Edinburgh, Scotland and emigrated to New Zealand in 1909 and worked in mines and the grocery trade. He represented the Wellington South and Island Bay electorates as a Labour MP from 1922 to 1954 and also served in local government positions (‘Robert McKeen’, 2015). By 1947 the majority held by the Labour Party was just four seats. As the National Party MPs increased the pressure on the incumbent Government, so did their use of UPL (see 5.3.1, 6.1.3, and 6.4.2). After a hiatus of 10 years there were a number of ‘refusals to withdraw’ UPL, all from National Party MPs.

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<sup>196</sup> The UPL expression used by Arthur Richards was “**not as low as you**”. The Speaker ruled, “Order. The honourable gentleman must withdraw the expression and apologize to the House. The honourable gentleman cannot be allowed to trifle with the Chair. The honourable gentleman will please withdraw the expression. The honourable gentleman refuses to withdraw. I name the honourable member for Roskill for disobeying the Chair” (Schramm, 1945a).

In his rebukes Speaker McKeen used the ‘interrupt’ and ‘reprimand’ rebukes in equal measure with the majority resulting in a withdrawal. He also began to request that MPs ‘withdraw and apologise’ on a more regular basis than his predecessors. It is important to note, as reiterated by Speaker Schramm in the above quote, the ‘apology’ was to the members of the chamber and not the Speaker. This rebuke was used prior to 1947, most notably by Speaker Lang in his attempts to restrain MP John Payne, but during his tenure McKeen was responsible for half of the ‘withdraw and apologise’ rebukes in the present study. A request to ‘withdraw and apologise’, as opposed to a withdrawal, was usually made for the use of language considered more offensive than usual or where an MP failed to ‘withdraw unreservedly’ as illustrated in the following discourse. McKenn follows his rebuke by a general warning about the use of UPL to all members.

Mr HARKER.- ... “No, **you dirty little squib**”.

Mr SPEAKER. – It is most unusual for a remark such as that to be made. ... I call on the honourable gentleman to withdraw unreservedly and apologize to the House.

Mr HARKER.- I withdraw, Sir, and I would raise another point of order...

Mr SPEAKER.- I must ask the honourable gentleman to withdraw unreservedly.

Mr HARKER. – I do, Sir.

Mr SPEAKER.- And apologize to the House.

Mr HARKER.- Yes, Sir, I apologize – and I raise a separate point of order.

Mr SPEAKER.- Will the honourable gentleman allow me. I wish to take this opportunity to draw the attention of the members to the fact that letters are still being addressed to myself in which references are made to unparliamentary language that is being used by members on both sides of the House. One of these days I may read extracts from some of those letters. (McKeen, 1949b)

The following Table 7.5 lists the requests to ‘withdraw and apologise’<sup>197</sup> by McKeen. The rulings are a mix of the phrase ‘withdraw and apologise to the House’ and the truncated ‘withdraw and apologise’. Because the present study ends at 1950 no conclusions can be drawn about whether the ‘withdraw and apologise’ rebuke continued to be used in its full or truncated form. However, this could be an area of further research.

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<sup>197</sup> In *Hansard* at the time the term apologise is spelt apologize.



Table: 7.5 Rulings of Speaker McKeen to ‘withdraw and apologise’, 1947 to 1949

Unparliamentary language	Ruling	<i>Hansard</i> reference
<b>rats</b>	The honourable member must withdraw and apologize.	276, 1947, p. 252.
<b>not credit-worthy</b>	It is certainly a personal reflection on another member and I think the honourable member for Waitomo should withdraw it and apologize.	276, 1947, p. 428.
<b>untrue</b>	Then the honourable gentleman must withdraw and apologize.	277, 1947, p. 741.
<b>chattering at me like a monkey</b>	I must ask the honourable member to withdraw and apologize.	278, 1947, p. 43.
<b>Government</b> cannot come out of a debate like this with <b>entirely clean hands</b>	Order. ... I must call upon the honourable member to withdraw and apologize to the House.	279, 1947, p. 240
<b>Government ... receives its orders from outside</b>	I must ask him to withdraw the remark and apologize to the House.	279, 1947, p. 246.
<b>inquisitorial State pimp</b>	Order. Will the honourable gentleman withdraw and apologize to the House.	279, 1947, p. 1026.
I hope the honourable gentleman is <b>fully sober.</b>	Order. I must ask the Minister to withdraw that remark and apologize to the House.	280, 1948, p. 743-744.
<b>nasty enough looking face</b>	I ask the honourable member to withdraw and apologize to the House.	282, 1948, p. 1922.
<b>Government is not game</b>	I ask him now to withdraw the words he used and apologize.	283, 1948, p. 2692-2693.

Unparliamentary language	Ruling	<i>Hansard</i> reference
<b>rotten slur</b>	I must ask the honourable gentleman to withdraw that remark and apologize to the House.	283, 1948, p. 3305.
Did the <b>Prime Minister</b> get that information by <b>stealing a satchel</b> ?	That is a reflection on the Prime Minister's integrity, and I must ask the honourable member to withdraw and apologize to the House.	285, 1949, p. 41.
<b>pack opposite</b>	I want him to withdraw and apologize to the House.	286, 1949, p. 908.
<b>you dirty little squib</b>	I must ask the honourable gentleman to withdraw unreservedly.	286, 1949, p. 1531.
put up your " <b>mud larks</b> " on that side for <b>propaganda purposes</b>	I must call on the honourable member to withdraw and apologize to the House.	287, 1949, p. 1823.

**7.3.4 Changes in rebukes.** A chronological review of the rebuke language used by Speakers shows there was change over time. This can be illustrated by comparing the rulings at the beginning of the time period of this study and those at the end. Speaker Steward was elected to the role for one parliament, from 1891 to 1893, and McKeen was Speaker, also for one parliament, from 1947 to 1949. This provides an opportunity to identify changes over 60 years. Their rebukes and ‘refusals to withdraw’ UPL are illustrated in Figures 7.3 and 7.4. A comparison shows two main differences. Firstly, the number of examples of UPL a Speaker was required to rule on increased over time.<sup>198</sup> The response to this increase is seen in the second trend, a greater variety in the forms of rebuke. Figure 7.3 shows that Speaker Steward only used the ‘reprimand’ and a ‘request to withdraw’. Figure 7.4 shows the rebukes of Speaker McKeen also included the ‘interruption’ and the request to ‘withdraw and

<sup>198</sup> The *Hansard* recorded during the tenure of both Speakers’ covers 13 volumes but there is a difference in the number of pages with 8893 for Steward and 11054 for McKeen. Combining the rulings of Steward and the Deputy Speaker Guinness for the 11<sup>th</sup> Parliament and McKeen and Carr for the 28<sup>th</sup> Parliament, and dividing the number into the number of pages, shows on average UPL was used once every 171 pages in the 11<sup>th</sup> Parliament and once every 28 pages in the 28<sup>th</sup> Parliament.

apologise’. The number of ‘refusals to withdraw’ for each Speaker was similar. This suggests the styles of rebuke language used by different Speakers over time contributed to, and changed the practices associated with, the use of UPL. A continuation of this analysis beyond 1950 could be an area of further research.

Figure 7.3: Rebukes and ‘refusals to withdraw’, Speaker Steward, 1891 to 1893 (n=49)

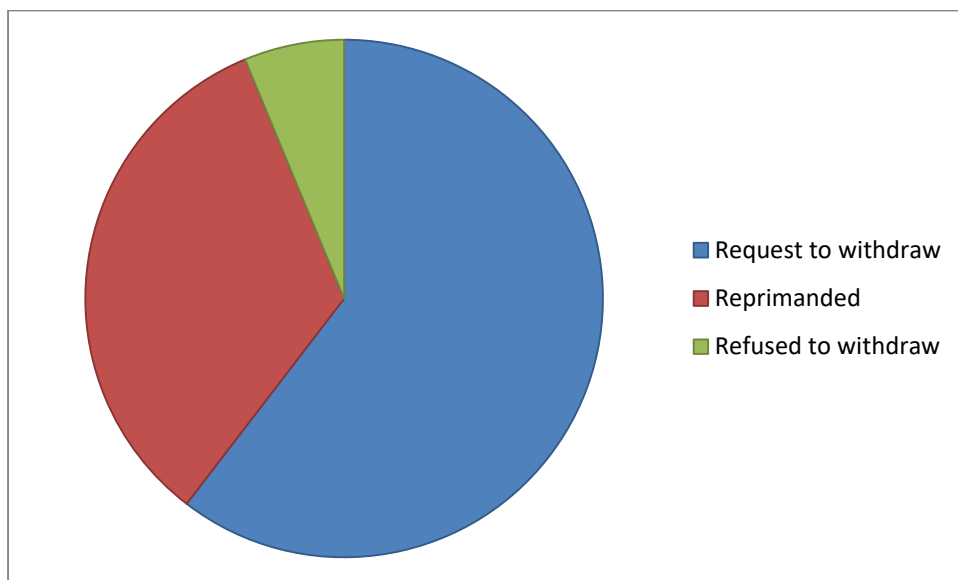
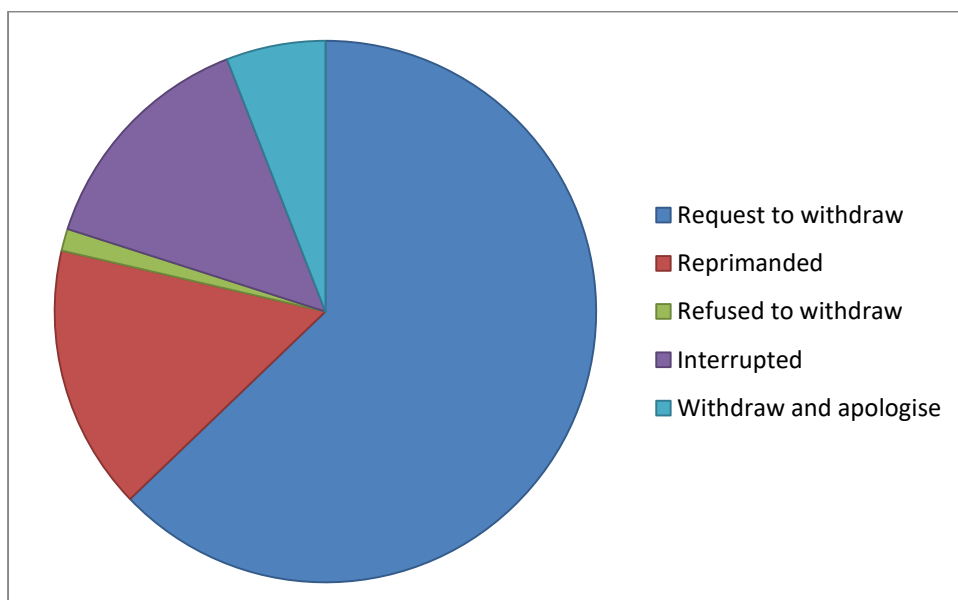


Figure 7.4: Rebukes and ‘refusals to withdraw’, Speaker McKeen, 1947 to 1949 (n=304)



The information presented in Appendix 5 also shows a change in the way ‘refusals to withdraw’, ‘words taken down’ and the ‘naming’ of MPs for using UPL was managed. In the early years, when examples of UPL were low, ‘refusals to withdraw’ were regarded as a

serious matter that consumed the attention of the chamber for lengthy periods of time as members debated the circumstances and agreed on a course of action. A censure was regarded by some MPs as a blot on their political careers while others unrepentantly used the practice to draw attention to themselves or an issue. To return order to the chamber, offenders were actively encouraged by the Speaker and other MPs to withdraw the UPL and repair the discourse. As discussed in 7.3.2, the last suspension in the present study was given in 1932 after which time there were a number of examples where no further action was taken or a ‘withdrawal and apology’ was accepted.

The significant increase in the use of UPL by Labour Party members in the 1930s created a divide between the practices of the past and the practical reality of maintaining order. The proliferation of UPL and its procedural management had the effect of changing the ‘shared repertoire’ of the CoFP. For example, Speaker Statham’s increased use of the ‘interruption’ rebuke allowed a shorthand acknowledgement of the use of UPL without constant disruption to the flow of debate. The initial use of a ‘softer’ rebuke also gave the Speaker the option to impose a stronger one if the MP continued to use UPL or did not sufficiently ‘repair’ the discourse. In the final years of this study an increased use of a request to ‘withdraw and apologise’ provided a way of acknowledging the use of more serious examples of UPL and avoid the extended procedures of the past.

#### **7.4 Language not Deemed Unparliamentary**

Looking back through the speeches of the days that are gone, the one thing that has struck me is that in those days members were ruled out of order for things members would not be ruled out for to-day and on the other hand they used expressions that would certainly shock us to-day. (Statham, 1930b)

This section discusses some of the language that was not deemed unparliamentary. This language falls into two types, language ruled by the Speaker to be ‘parliamentary’ and language, which in the researchers’ opinion, was unparliamentary but not rebuked. The examples discussed in 7.4.2 to 7.4.4 were identified during the physical search of *Hansard* for examples of UPL and therefore used in the context of UPL. Because these examples were not collected in a systematic manner conclusions cannot be made as to why they escaped rebuke from the Speaker or “the official fault-finder” (Statham, 1935c).

**7.4.1 Language ruled parliamentary.** This section discusses a selection of expressions that were ruled to be ‘parliamentary’ by the Speaker following a ‘point of order’ from an MP. The following examples show much of the language questioned by MPs had a history of sometimes being ruled UPL and other times not, depending on the Speaker at the time and the context of its use. The effect of raising a ‘point of order’ was to interrupt the discourse until it was repaired by a ruling. The use of strategic or vexatious ‘points of order’ to disrupt the chamber is not a focus of the present study but the final example in this section suggests this could be an area of further research.

A number of terms have been ruled both parliamentary and unparliamentary over time, for example, ‘quibble’ (see 3.2.3) and ‘stonewall’ (see 5.1.3). The term ‘rubbish’ (used as a substitute for ‘nonsense’)<sup>199</sup> was ruled parliamentary by Speaker Steward in 1893 and used without rebuke until it was ruled UPL five times by Speaker Schramm in the 1940s.<sup>200</sup> It was rare for an expression to be parliamentary when used by one person and not when immediately used by another. However, that situation occurred when Premier Seddon used the expression “tittle of truth” (Seddon, 1901) and when asked for a ruling the Deputy-Speaker did not rule the expression out of order. Frederick Pirani then replied the Premier’s personal explanation<sup>201</sup> was “**untruthful**” and Seddon moved the words be ‘taken down’. Pirani withdraw **untruthful** and substituted “there was not a **tittle of truth** in the Premier’s statement” (Pirani, 1901) which was ruled to be unparliamentary. The difference, according to the Deputy-Speaker, was that Pirani “contradicted a statement of fact which the Premier, and the Premier alone, is cognisant of” (Guinness, 1901).

The term **ashamed**, in the ‘core concept’ of respect, was ruled UPL on 30 occasions during the time of the present study and most controversially in the expression **ought to be ashamed** (see 7.3.1). In 1913 George Anderson used the following expression in Committee, “If in order I would say that the honourable gentleman ought to be ashamed of himself, but as it is not in order I will not say that” (Anderson, 1913). Speaker Lang noted the words qualifying the expression had no bearing on a ruling. He pointed out two Speakers had ruled differently, Steward ruled it UPL and Speaker Guinness the opposite. Speaker Lang had previously ruled

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<sup>199</sup> There are no examples of the term ‘nonsense’ being ruled UPL in the present study.

<sup>200</sup> The use of ‘rubbish’ that did not attract a rebuke was identified 12 times.

<sup>201</sup> The personal explanation relates to an accusation by Pirani that a caucus was held to shield an MP over a question of privilege.

**“you ought to be ashamed of yourself”** (Payne, 1913) to be unparliamentary because it had been used personally and by way of interjection. However, on this occasion, he considered the expression used by Anderson was not UPL (Lang, 1913b).

The term ‘humbug’<sup>202</sup> was also ruled both parliamentary and unparliamentary. In the corpus of UPL there are 12 examples where **humbug**, **humbugs** or **humbugging** were ruled UPL; it was ruled parliamentary on four occasions and not rebuked at least a dozen times. The phrases that included ‘humbug’ tended to have similar language strung together for effect. In 1909 Josiah Hanan said, “a great deal of what they had heard from Opposition members ... amounted simply to cant, humbug and hypocrisy” (1909a). The Leader of the Opposition, William Massey, asked the Speaker if the expression was parliamentary and Speaker Guinness ruled, “I understood the honourable gentleman used the words complained of in a political sense, otherwise he would have violated the Standing Orders” (Guinness, 1909). The MP agreed he used them in the political sense, adding they were **“political humbugs”** (Hanan, 1909b). That phrase was ruled UPL because it characterised members of the House. In 1933, a future Speaker, McKeen, was rebuked for using **“humbug and hypocrisy”** (McKeen, 1933).

A year later, the expression **“cant, humbug hypocrisy and somersaulting”** (Semple, 1934a) was ruled to be UPL. However, “canting, humbug and hypocrisy” (Coleman, 1941), when applied to the Lake County Council, did not attract a rebuke because it referred to an organisation outside parliament. In 1932 John A. Lee used ‘humbug’ three times and refused to withdraw when asked by the Chairman. Speaker Statham was recalled to rule on the matter. He said, “I find on consulting the Oxford Dictionary that there are several meanings of the word, some of which are quite dreadful. However, in these modern times the term is one which is heard almost every day and in its modern acceptance does not carry with it any serious reflection” (Statham, 1932). He stated that he wasn’t in a position to rule the expression out of order but suggested the MP should have respectfully withdrawn and then asked for a ruling.

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<sup>202</sup> Humbug is “a slang or cant word which came into vogue c1750” (‘Humbug’, 2015). It denotes *n.* 1. lying or deception; hypocrisy; nonsense. 2. An imposter, a hypocrite. ... *v.* 1. be or behave like an imposter. 2. deceive; hoax (‘Humbug’, 2006, p. 402).

In 1945 debate in the House was interrupted by discussion about the term ‘snobbery’ when Arthur Armstrong, a Labour Party MP for Napier, used the unconventional term ‘unequitable’ and was made fun of by a National Party MP, “‘Une-quitable’! I never heard such a word” (Algie, 1945).<sup>203</sup> A Labour MP, Arthur Osborne interjected, “What snobbery! The honourable member for Remuera had a university education, but the member for Napier had only a primary-school education” (Osborne, 1945a). The terms ‘snobbery’ and ‘snob’ were directed at Algie several more times until a point of order was raised asking for a ruling from the Deputy-Speaker. The Prime Minister, Peter Fraser, noted he had never heard the word objected to before<sup>204</sup> but, “we have to be careful that we do not make serious inroads into the English language, and to crib, cabin, and confine the House would mean ... we should be getting down to a dull level of platitudinous remarks” (P. Fraser, 1945a). The Speaker’s ruling was the term ‘snobbery’ was parliamentary but not when used in an “insulting manner” (McKeen, 1945). This is an example of the importance of the Speaker checking potentially disorderly language at an early stage because non-intervention can be interpreted as a sanction for its continued use.

A final point is that the practice of raising a ‘point of order’ about borderline language could be used as a strategy to disrupt the discourse and bring a stop to a line of debate. For example, during the debate on the estimates for the Department of Labour and Employment, there were a number of personal insinuations directed towards National Party MP William Sheat. One expression was “the member for Patea had just given another of those delightful exhibitions of rooting about in his natural element, and it was a pity that he was not able to continue wallowing - ” (McLagan, 1948). A point of order was raised by National MP Frederick Doidge<sup>205</sup> about the language and the Chairman ruled that “‘Native element’ and ‘rooting about’ are quite parliamentary” (Carr, 1948).<sup>206</sup> However, by raising a point of order Doidge altered the discourse structure and ended, at least temporarily, the tirade of uncomplimentary language directed at his fellow party member.

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<sup>203</sup> Ronald Algie (1888-1978) was Auckland’s first professor of law. He represented the ‘blue-ribbon’ seat of Remuera from 1943 to 1966 and was regarded as “a brilliantly lucid and outstandingly skilful debater” (Templeton, 2013). He was Speaker of the House from 1960 to 1966.

<sup>204</sup> The expressions “**unmitigated snob**” (Denham, 1939) and “**sneering, supercilious, snobbish**” (Langstone, 1947b) were ruled as UPL.

<sup>205</sup> For information about Sheat and Doidge see 6.1.3, *1935 to 1949, strategic use of unparliamentary language*.

<sup>206</sup> In *Hansard* McLagan is recorded as using the term ‘natural element’ and Carr used ‘native element’.

**7.4.2 Strong language.** There are terms and expressions used by MPs during the time of the present study that did not receive a rebuke but, in the opinion of the researcher, could have been regarded as UPL. They were often a ‘personal reflection’ made by one MP towards another using creative, sometimes amusing, language. Many were interjections, however “interjections are reported [in *Hansard*] only if the member speaking replies to them or remarks on them during the course of his or her speech” (McGee, 2005, p. 62).<sup>207</sup> This convention means that some of the “wittiest and most effective interjections may be lost to posterity” (McGee, 2005, p. 196). The interjections and deliberate repetition that have been recorded in *Hansard* provide insight into this under researched area of parliamentary discourse (see 7.4.4).

Members have described each other as “a wet blanket, calamity-howler, and small, narrow-minded politician” (McKenzie, 1911). The voice of one minister reminded an MP of the sound of “ripping a piece linoleum”<sup>208</sup> (G. Fisher, 1911). Another was “swinging his arms like an inebriated windmill, and screeching like a steam-whistle with a sore throat” (W. Massey, 1912). There have been accusations that the “honourable gentleman wanted a place in the sun, and would sell his political soul for it” (Monteith, 1925). One MP was asked if they had “withdrawn [their] neck from the heel of the Prime Minister?” (Coates, 1931). In the following example the Speaker eventually intervened to bring a halt to the exchange between two MPs.

Mr LANGSTONE. – That is so much blethering.

Mr ALGIE.- If we can do something to suppress the very ancient volcano from Waimarino, we will get on much better.

Mr LANGSTONE. – The honourable member is tilting at the windmill, like an old Don Quixote.

Mr ALGIE.- **Tilting at the “wind”**, all right.

Mr SPEAKER. – Order. (Schramm, 1944b)

The interjection, “try to speak in Maori” (Skinner, 1948) was directed at an MP who made an uncomplimentary comment about the low number of speeches given by a Māori MP. During

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<sup>207</sup> This long standing practice was restated in 1910 by the Speaker for the benefit of new MPs (Guinness, 1910) and is listed in the current *Speakers’ Rulings* (‘Speakers’ rulings 1867 to 2014 inclusive’, 2015, p. 3).

<sup>208</sup> “A kind of floor covering made by pressing a thick coating of powdered cork and linseed oil etc onto a canvas backing (‘Linoleum’, 2006, p. 483).



a late night debate an MP interjected and was not rebuked for saying “has the honourable member stopped beating his wife?” (Goosman, 1948).

One area of unrebuked strong language was when an MP expressed their upset at a personal ‘slight’. For example, a speech made by Langstone reflected his disappointment at missing out on a top overseas appointment.<sup>209</sup> The speech included: “treated shabbily and shoddily like a schoolboy”, “stab[bed] in the back” and a poem that concluded with the words, “For this is the law of the politician, to buy and double and sell. To strive and save to curse and crave for the price of a seat in hell” (Langstone, 1943). On this occasion it appears there was a level of tolerance, if not compassion, for an MP identified in Chapter 6 as a ‘principal user’ of UPL. In another example, the ‘attack’ by the new MP, Bedford, on Seddon, discussed in 7.3.1, may have been tolerated because of his parliamentary inexperience or because the sentiment was tacitly endorsed by the House.

Occasionally, when colourful language was used, but not rebuked, it was directed at people or groups outside parliament and therefore not UPL. For example, when talking about the evidence presented to a commission MP George Fisher described it as “the evidence of pimps, suborners, cranks, grievance-mongers, common informers, defamers, libellers, back-biters, and foul tongued foul-mouthed slanderers” (1898a). Later, in the same debate, another MP said, “who have been the men who have been examined? I will tell you. One of them was a drunken, wretched, worthless creature, whose occupation used to be to walk on his hands around a billiard-table for a pint of beer” (Carncross, 1898).

**7.4.3 New Zealand animal reflections.** The occurrence of ‘animal reflections’ ruled as UPL was discussed in 5.2.4. Examples of ‘animal reflections’ that did not attract a rebuke continue the themes previously discussed with a preponderance of examples of rodents, dogs and farm-yard animals. However, the examples contain a sub-category of reflections that used te reo Māori or NZE. In 1900 an MP referred to “members of this House, who are very much like that bird the Maoris call ‘hakuwai’” (Hornsby, 1900). The hakuwai was “a Maori legendary bird, heard at night but never seen” (‘Hakuwai’, 1997, p. 330). In a similar ornithological theme, the expression “political tom-tits” (C. Mills, 1905) was not regarded as

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<sup>209</sup> In 1941 Langstone had been asked by Prime Minister Peter Fraser to go to Washington to establish a New Zealand Legation. He believed he would head the legation but the role was offered to another MP, Walter Nash (Verran, 2013).

offensive by Speaker Guinness when used to describe MPs who made constant interjections. In New Zealand, the northern hemisphere term ‘tomtit’ is used to describe a small native bird with a large head, short bill and tail, that lives in forest and scrub (Department of Conservation, 2015).

In 1925 Langstone said he “heard noises coming from the bench occupied by the Minister of Health ... [that] would do justice to a “Captain Cooker” (Langstone, 1925b).<sup>210</sup> A ‘Captain Cooker’ is a “New Zealand wild pig ... of the lean, blue-grey, razor-baked variety descended from domestic pigs reputedly released by Captain Cook” (‘Captain Cooker’, 1997, p. 133) during one of his voyages. During a debate on the Financial Statement an MP used the expression ‘Bulls-eye Budget’ that was followed by the interjection, “Bull’s-wool Budget” (Semple, 1934b). Although the original speaker deftly turned his comments to the price of wool, and Semple was not rebuked, the phrase ‘Bull’s wool’ is a NZE euphemism for bullshit or nonsense (‘Bullswool’, 1997, p. 101). In 1937 the expression ‘bull’s wool’ was used several times by the National Party MP Sid Holland until the Speaker intervened.

Mr SPEAKER. – May I suggest to the honourable gentleman that, while the term he has just used may not strictly be unparliamentary, it is an expression that might well be left out of parliamentary debates? (Barnard, 1937)

Holland replied, he had “picked it up from the Minister” (1937), a reference to Semple, the MP who made the interjection in 1934. The final example of derogatory, but not unparliamentary, use of NZE is the phrase, “he has not the vision of a crayfish or the soul of a whitebait” (Semple, 1946).<sup>211</sup> This ‘put down’<sup>212</sup> refers to two species, a marine crustacean the rock lobster, commonly known as crayfish, and whitebait, a small juvenile fish regarded as a delicacy.<sup>213</sup> The exact meaning behind this phrase is unclear but the use of Māori and NZE as a way of conveying a derogatory expression, without being rebuked, adds another dimension to the discussion about New Zealand parliamentary discourse.

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<sup>210</sup> The Minister of Health was the Hon. Sir Maui Pomare.

<sup>211</sup> This comment was directed at Jack Watts, a first-term National Party MP, who became the Minister of Finance in the 1950s.

<sup>212</sup> “*Colloq.* humiliate by criticising” (‘Put down’, 2006, p. 680).

<sup>213</sup> In New Zealand ‘whitebait’ is the common name of a form of *Galaxias* also known as inanga by Māori (‘Inanga’, 1997, p. 370).

**7.4.4 Unconventional language.** Some language that escaped the Speaker's rebuke was unconventional forms of 'core concepts' (see 5.1). In that section, the contrasting X-phemism model of language expression was discussed with the example of three terms that express lying: **lie**, **incorrect** and **hooey**. This section discusses terms, similar to **hooey**, used to imply **lying**, or **not telling the truth**, that did not attract a ruling of UPL. For example, the terms 'flapdoodle', 'bosh' and 'clap-trap' were identified in *Hansard* around the turn of the 19<sup>th</sup> century.<sup>214</sup> The term 'buncombe' was used in 1902 and at least once in each following decade. The etymology of the term 'buncombe' is from the name of a county in North Carolina that took on a political meaning when a representative rose to speak in the Congress, as the debate was coming to a close, declaring the people of the district expected him to speak 'for buncombe' ('Buncombe', 2015). It was later used to describe a speech made for the benefit of electors or containing nonsense. In the New Zealand Parliament the term 'buncombe' was mainly used as an interjection. For example, "you are talking a lot of buncombe" (Witty, 1917) and "Oh, buncombe" (Broadfoot, 1939b), that was followed by the retort "the honourable gentleman himself is **the best judge** of buncombe in this House" (Osborne, 1939b).<sup>215</sup> Other unconventional terms for **lying** that did not receive rebukes were, 'twaddle' and 'piffle'.<sup>216</sup> The term 'blatherskite'<sup>217</sup> was used in 1917 and 1928. The following exchange illustrates how MPs could influence the language recorded in *Hansard* by responding to an interjection,

Mr SMITH.- The honourable gentleman is a political blatherskite.

Mr OSBORNE. – The honourable member for New Plymouth says that I am a political blatherskite ... (Osborne, 1938)

Although the language ruled parliamentary or not rebuked was not the primary focus of the present study this section has provided additional insight into the difficulties faced by Speakers when presiding over the language used in the chamber. The 'assessment' of the use of UPL (or impoliteness following Mill's definition in 7.1) was often clear-cut and the 'rebuke and apology' structure repaired the discourse. On other occasions, when the language

<sup>214</sup> 'Flapdoodle' was identified in 1894, 1903, 1909, 1910, 'bosh' in 1904 and 1905, 'clap-trap' in 1902 and 1908.

<sup>215</sup> The unparliamentary aspect of this phrase was not the term 'buncombe' but the reflection on the role of the Speaker.

<sup>216</sup> Twaddle was identified in 1925 and 1940. Piffle was identified in 1928, 1945 and 1949.

<sup>217</sup> In NZE 'blatherkite' is an "altered form of Brit. And US dial. *blatherskite*. A boaster, blowhard" ('Blatherskite', 1997, p. 61).

used was on the boundary of parliamentary/UPL or an MP refused to comply with a request to withdraw, the business of the chamber could be overtaken until the matter was resolved. This discussion about the role of the Speaker in UPL has shown the maintenance of order was not just a matter of rebuking the use of certain terms but understanding and gauging the mood of the chamber to enforce rebukes with a light or strong hand as required.

## 7.5 Conclusion

This chapter has focused on the role of Speakers in the UPL exchange with the first observation being they are a member of the CofP of the chamber but, upon their election, assume new responsibilities. In terms of the CsofP framework their role is focussed on supporting the ‘joint enterprise’ and ‘mutual accountability’ of the CofP and maintaining ‘order’. Their rulings, if influential, may be reified in *Speakers’ Rulings* and used for guidance by MPs and other Speakers. This point acknowledges the history of the practices associated with the role of Speaker that were developed over the centuries in Britain and adopted by Westminster-style parliaments. The Speaker upholds, draws upon and is influenced by the practices of the past<sup>218</sup> and contributes to the “shared histories of learning” (Wenger, 1998, p. 86) of the CofP.

A chronological review has shown an increase in the use of UPL in the Council or House in times of ‘tension’ in the CofP. Examples of causes of tension have been: a rapid succession of Speakers, inexperienced Speakers or Chairmen, an overly dominant leader, new or unrepentant MPs, and moments of political and constitutional instability. These are described by Wenger as ‘discontinuities’, a term which is balanced by its dual concept ‘continuities’ (1998, p. 93). They work together to maintain an institutional practice but also enable changes to be made in response to internal and external factors. A ‘discontinuity in practice’ “rarely leads to a breakdown [and] the community does not fall apart” (Wenger, 1998, p. 94). When destabilising events occur, “communities of practice reorganize their histories around them, developing specific responses to them that honor the continuity of their learning” (Wenger, 1998, p. 98).

Two changes to the practice of UPL highlighted in this chapter have been the changes to rebukes and the management of ‘refusals to withdraw’. The historical practice of rebuking language ‘assessed’ by the Speaker to be unparliamentary/impolite continued but as the

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<sup>218</sup> For example the ruling on the term quibble discussed in 3.2.3.

numbers increased the seriousness of the offence diminished (see 7.3.4). Some Speakers, such as Statham and McKeen, were particularly influential in changing the ‘shared repertoire’ by introducing new forms of rebuke with subtle gradations of seriousness. The increased use of the formulaic ‘Order’ signalled the institutional recognition of the use of UPL but a repairing statement of withdrawal was not always required, as in the exchange quoted in 7.4.2. The use of this ‘shorthand’ discourse structure had the effect of maintaining the practice without disrupting the debate. In these changes the role of the Speaker was central as both an agent of stability and change.



## CHAPTER 8: Parliament as a Community of Practice

This chapter brings together the results of the present study, outlined in Chapters 5 to 7. It begins by extending the discussion on the CsofP framework begun in Chapter 3. The first section highlights a number of concepts used in *Communities of Practice: Learning, Meaning and Identity* (Wenger, 1998) and applies them to the present study. It then develops the discussion of Wenger's concepts of 'identity' and 'power' and how they relate to the practice of using UPL. This is followed by a review of the research questions proposed in 2.4 in three sections:

- the language ruled as unparliamentary
- rules, repairs and strategies
- the trends observed in the study

The implications for further research will then be highlighted. The final section of the chapter brings together concluding observations on the use of UPL in the legislative chamber.

A study of the language used in the most powerful institution in a nation must address whether UPL is associated with aspects of power. When considering 'power' in a CofP it should be noted that Wenger's definition has a specific meaning (see 3.2.2) and political power may not be the same. In parliament political power relates to the ability of a government to progress its policies. The power of the opposition is to present alternative views and behave like a government in waiting. A party in government is therefore attempting to retain political power and the opposition is attempting to gain it. The contest of ideas is played out through parliamentary discourse and provides many of the unique structural elements discussed in 1.2 and 3.1.3. It will be shown in 8.1.4 the use of UPL by individual MPs can be aligned to Wenger's definition of 'power' because its use challenges the institutional preference for parliamentary language.

### 8.1 Identity and Unparliamentary Language

In 3.1 the legislative chamber was shown to fulfil the three dimensions required to be regarded a CofP.<sup>219</sup> This view is reinforced by the observation that a number of researchers in the area of parliamentary discourse have found the CsofP framework to be useful (Christie,

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<sup>219</sup> Mutual engagement, joint enterprise and shared repertoire (Wenger, 1998, p. 73).

2002; S. Harris, 2001; Murphy, 2014; Shaw, 2000, 2011). This section explores in more depth Wenger's concept of 'identity', which is a central element of the framework and encompasses Part II of *Communities of Practice: Learning, Meaning and Identity* (1998). In the CsofP framework 'identity' is defined as "a layering of events of participation and reification by which our experience and its social interpretation inform each other" (Wenger, 1998, p. 151). In this definition the terms 'participation' and 'reification' have specific meanings and work together in duality, as many of Wenger's concepts do. 'Participation' means more than just "engagement in certain activities with certain people" (Wenger, 1998, p. 4). There is a strong emphasis on active involvement in the practices of a CofP, even if that participation is confrontational. It continues to exist when the member of the CofP is not directly engaging in practice. For example, MPs are not MPs only when they are in parliament; participation extends beyond the chamber and affects wider social relations.<sup>220</sup> In the CsofP framework 'reification' is a process that brings into existence the products of participation. This concept covers a great variety of possible objects and processes; for example historical records, poems, recipes, texts, procedures and speeches (Wenger, 1998, p. 59). These two concepts, along with others discussed below, contribute to the understanding of the relationship between the individual, the CofP and 'identity'.

**8.1.1 Belonging.** This section begins the discussion about 'identity' by introducing the concept of 'belonging' to, or being a member of a CofP and recognising there are differences to gaining entry depending on whether communities are formal or informal. One criticism of the approach to 'power' in the CsofP framework has been that it does not recognise internal hierarchical structures or the power of gatekeepers to restrict membership (see 3.2.2). The latter point is more an issue in informal groups, whereas the membership of the CofP of a legislative chamber, as discussed in 1.3, is legally defined. A distinction, however, should be made between being a member of the CofP of the chamber and that of a political party which, for most MPs, was a precursor to becoming a candidate in an election. Political groupings are highlighted by Wenger as "communities that define themselves by contrast to others" (Wenger, 1998, p. 168).<sup>221</sup> In these communities the boundaries are strongly defined and membership in one means non-membership in another. For example,

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<sup>220</sup> This is based on Wenger's example, "Claims processors are not claims processors just while they work in the office" (1998, p. 57).

<sup>221</sup> The examples given are, "workers versus managers; collaborating versus rebellious students; or, more broadly, one ethnic, religious or political group versus another" (Wenger, 1998, p. 168).



simultaneously belong to a conservative political party and a socialist party would be contrary to the practice of both CsofP.

According to Wenger, there are three ‘modes of belonging’<sup>222</sup> to a CofP: ‘engagement’, ‘imagination’ and ‘alignment’ (1998, pp. 173–174). Each of these terms has a specific meaning within the framework. To clarify the meaning, Wenger’s definition will be discussed, followed by examples where they are applied to the CsofP of the political party and the legislative chamber. Of the three ‘modes’ ‘engagement’ is the most complex, being the conjunction of three processes: ‘ongoing negotiation of meaning’, ‘formation of trajectories’ and ‘unfolding histories of practice’ (Wenger, 1998, p. 174). The ‘negotiation of meaning’ is a continual dynamic process of human engagement that underscores and reforms meanings. According to Wenger it “may involve language, but is not limited to it” (1998, p. 53). The ‘formation of trajectories’ relates to forms of participation that individuals may take within and across various CsofP. There are a number of types of trajectories described by Wenger as: peripheral, inbound, insider, boundary and outbound (1998, pp. 154–155). The career of an MP could be characterised as a new MP having an inbound trajectory, then becoming an insider and possibly an outbound trajectory as their time in parliament draws to a close. The ‘histories of practice’ are the multi-layered historical practices developed and negotiated by a community over time to produce meaning. The ‘histories of practice’ of the New Zealand legislative chamber are reified in documents such as *Standing Orders* and *Hansard* but were established by following the practices of the much older British Parliament.

In 1998 Wenger saw ‘engagement’ as being bounded by the limits of physical time and space although in more contemporary times the increased use of digital technology may cut through this constraint. ‘Engagement’ is a dimension of ‘power’ because “it affords the power to

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<sup>222</sup> In a later publication Wenger changed the terminology to ‘modes of identification’, stating he now thought that “term is more accurate” (2010, p. 184). For the purpose of this discussion ‘modes of belonging’ has been retained for two reasons. The first is because it is part of the original 1998 CsofP framework this discussion is based on. The second is the term ‘belonging’ reflects an intimate and immediate relationship between an individual and a CofP whereas ‘identification’, as it is often used today, can be a more distant concept where a person may identify with a community but does not necessarily ‘belong’ in the manner described in 8.1.1. This shift by Wenger has the effect of expanding “relationships of identification that can potentially extend across the whole [social learning] system” (Wenger, 2010, p. 184). This is tempered by the statement, “identification involves modulation: one can identify more or less with a community, the need to belong to it, and therefore the need to be accountable to its regime of competence” (Wenger, 2010, p. 181). While this extension may account for relationships outside a CofP it also has the effect of eroding the viability of the three dimensions that define a CofP.

negotiate our enterprises and thus to shape the context in which we construct and experience an identity of competence” (Wenger, 1998, p. 175). However, a negative aspect of ‘engagement’ can be an adherence to narrow, insular viewpoints and a lack of ‘discontinuity’ necessary to move the CofP forwards.

The ‘mode of imagination’, by contrast, “refers to a process of expanding our self by transcending our time and space and creating new images of the world and ourselves” (Wenger, 1998, p. 176). ‘Imagination’ connects a CofP with others that are similar, can generate new ideas and directions for the CofP but imagination can be constrained by stereotypical images. For example, librarians are cardigan wearing, middle-aged women who ‘like books’. And finally, the ‘mode of alignment’ is the connection of “energies, actions and practices” (Wenger, 1998, p. 179).

For instance, governmental institutions, scientific methods, artistic genres, religious faiths, fashions, political and social movements, educational standards, and business enterprises all propose broad systems of styles and discourses through which we can belong by aligning, for certain purposes, our ability to direct our energy and affect the world. (Wenger, 1998, p. 180)

Like ‘engagement’, ‘alignment’ has a dimension of ‘power’ because individuals have the choice of where to direct their energies and a negative aspect of ‘alignment’ is unquestioning allegiance. An important feature of these ‘modes’ is that “a given community can be constituted by all three in various proportions, and the variety of these combinations results in communities with distinct qualities” (Wenger, 1998, pp. 182–183).

In ‘belonging’ to the CofP of a political party ‘engagement’ can involve the formation and ongoing administration of the party, the development of practices and histories. The ‘mode of imagination’ relates to its philosophical foundations and the policies it presents to the public. ‘Alignment’ has the effect of “direct[ing] energies to a common purpose” (Wenger, 1998, p. 186) such as, increasing membership, winning seats in an election and gaining political power. In contrast, the ‘modes of belonging’ to the CofP of the legislative chamber can be defined differently. Examples of the ‘mode of engagement’ are: MPs coming together in the chamber, the accumulated history of the institution and the procedural rules. The ‘power’ in ‘engagement’ is the ability to influence the outcome of a debate or change institutional

practices. The ‘mode of imagination’ could be a belief in the role of parliament in a constitutional democracy. A ‘mode of alignment’ is parliamentary discourse where MPs chose to direct their energy towards articulating their views on particular policies that are recorded in the “sharable artifact” (Wenger, 1998, p. 187) of *Hansard*. An aspect of ‘power’ in ‘alignment’ is the individuals’ ability to present a strong argument, persuade and inspire through their oratory. The ‘mode of alignment’ also has elements of adopting the ‘style’ of a CofP, expressed in dress, through changes in language or following organisational rules. In this context, the use of UPL is important because it is not ‘aligned’ to the rules to use parliamentary language. But, as this study has shown, it was frequently used and is therefore related to ‘power’ because its use challenges the idealised form of the institutional ‘work of engagement’,<sup>223</sup> reified in *Standing Orders*.

**8.1.2 Participation and non-participation.** In relation to MPs using, or not using, UPL, Wenger’s dual concepts of ‘participation’ and ‘non-participation’ provide a useful schema. ‘Participation’ and ‘non-participation’ 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, p. 164). To illustrate the concepts of ‘participation’ and ‘non-participation’, in *Communities of Practice* Wenger referred throughout to a CofP of insurance claims processors. He noted, they “often combine[d] ... [a] subtle mix of participation and non-participation ... they begrudge the strictures and status of their positions, but they mostly subscribe to the political system that placed them there ... the job is to be taken seriously, but it is proper to control carefully how much effort one invests in work ...” (Wenger, 1998, p. 196).

In the CsofP framework Wenger identified four forms of participation: full-participation, full-non-participation, peripherality and marginality (Wenger, 1998, p. 167). Focusing on the last two forms, an example of ‘peripherality’ is the new member of a CofP who will have the opportunity to learn and become a full-participant. ‘Marginality’ is when a person is restricted (or self-restricts) from participating in practice. In parliament, an example of ‘peripherality’ would be a new MP who inadvertently uses UPL and leniency is shown by the Speaker with the expectation he or she will learn from their mistake. This example fits well

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<sup>223</sup> In chapter 8 of *Communities of Practice: Learning, Meaning and Identity* Wenger discusses the three modes of belonging including examples of the ‘work’ of each.

with the overarching premise of the CsofP framework being a social learning theory and a new MP is on a 'trajectory' to full membership. The second situation, 'marginality', can be seen in the independent MPs or those estranged from a party, who use UPL to draw attention to themselves or their views. The discussion in 6.1.2 identified these MPs as 'mavericks' and 'passionate individuals'.

In the example of the claims processors discussed above, Wenger described the 'subtle mix' of 'participation' and 'non-participation' that lies between 'peripherality' and 'marginality'. In this space members of a CofP invest their energy to either fully or partially align with the rules and values. In the present study this is an important concept that assists in understanding the relationship between the various elements of parliamentary discourse. An adherence to the practice of using parliamentary language means an MP was 'participating' in the rules, as established by the CofP. The occasional use of UPL could be regarded as an act of 'non-participation', or a small defiance. Therefore, in this situation, 'non-participation' is not a lack of engagement, but investing energy in an activity contrary to 'normal' practice that, to some degree, is tolerated. The discussion will now consider the concept of 'identity' to attempt to understand why the high use of UPL is concentrated in a minority of MPs.

**8.1.3 Identity.** Many elements of the CsofP framework are characterised by the duality between two concepts and 'identity' is the interrelationship between 'identification' and 'negotiability'. First the concept 'identification' will be discussed followed by 'negotiability' and, in 8.1.4, how they apply to 'power'. The concept of 'identification' is linked to the choices individuals make about 'belonging' as "an investment of the self in relations of association and differentiation" (Wenger, 1998, p. 188). In the case of MPs most, but not all, 'belong' to the CofP of a political party along with other CsofP. An individual could identify as belonging to particular nationality, as representing a specific electorate or point of view, having a profession or coming from a working-class background. In Wenger's framework 'identity' can be "viewed as a nexus of multimembership" (1998, p. 159) where the individual needs to understand the different practices of CsofP in order to successfully move between them. For example, the 'shared repertoire' of one CofP may cause offence in another (Wenger, 1998, p. 160). However, 'identity' is not only a matter of learning how to behave in different communities. It is the 'work of reconciling' the nexus of multimembership so individuals can maintain their 'identity' across multiple CsofP. It could

be a seamless experience or a difficult one when the practices of one CofP conflict with those of another. This source of tension can be partially or fully reconciled by ‘alignment’ with practices or the ‘(re)negotiation of meaning’.

In the CsofP framework ‘negotiability’ “refers to the ability, facility, and legitimacy to contribute to, take responsibility for, and shape the meanings that matter within a social configuration” (Wenger, 1998, p. 197). Because of its deliberative nature the CofP of the legislative chamber provides a good example of the duality of ‘identification’ and ‘negotiation’. Through ‘identification’ an individual directs their energies and invests in the CofP of a political party or a perspective. In parliament, the MP maintains their ‘identification’ but also enters into the institutional practice of ‘negotiation’, namely parliamentary discourse. The ‘work of identification’, the investment in a political perspective, and the ‘work of negotiability’, taking part in a parliamentary debate, come together to form the practices of the legislative chamber. One cannot exist without the other.

There are two sub-parts to ‘negotiability’: ‘economies of meaning’ and ‘ownership of meaning’. ‘Economies of meaning’ means the value that is placed on a practice whereas ‘ownership of meaning’ relates to the degree of control that can be exerted over it. In Wenger’s example of claims processors, as part of their work they were required to use a special form to calculate a sum for insurance purposes.<sup>224</sup> The form had been devised by another CofP in the organisation and its ‘economy of meaning’ resided there. As a result, the claims processors struggled to understand its context to their work. The ‘ownership of meaning’ also belonged to the other CofP and the ‘ownership’ of the claims processors was narrowly focused on executing a mathematical calculation (Wenger, 1998, pp. 198–202).

Translating the practice of using UPL into this formulation there are two perspectives, that of the user and that of the Speaker. For the users of UPL the ‘economy of meaning’ is invested in their ‘identification’ with a political perspective and engaging in discourse that communicates their views or discredits those of others. The ‘ownership of meaning’ lies in their choice of language. For the Speaker, who is required to manage the use of UPL, the ‘economy of meaning’ is invested in an idealised form of parliamentary debate, an orderly

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<sup>224</sup> The coordination of benefits worksheet described by claims processors as “the C, F, and J thing” (Wenger, 1998, p. 35).

deliberation of matters of state. The procedural rules, based on this ideal, are designed to maintain ‘order’. The ‘ownership of meaning’ is invested in individual Speakers as they ‘assess’ the language against their interpretation of the idealised standards and practices of the past. When UPL is used the ‘negotiability of meaning’ by an individual MP is rarely successful because ‘power’ resides in the Speaker’s ‘identification’ with the authority of the role and the maintenance of order. However, the present study has highlighted examples of ‘negotiability in practice’ where a Speaker has changed a practice of rebuke and this has been followed by others.

**8.1.4 ‘Power’ and unparliamentary language.** In the CsofP framework ‘power’ is defined as “the negotiation of meaning and the formation of identities” (Wenger, 1998, p. 189). The duality in this concept is where both ‘identification’ and ‘negotiability’ work together to motivate action. The criticisms of Wenger’s concept of ‘power’ and his responses were discussed in 3.2 but two points need to be emphasised. The first is Wenger sees a CofP as a ‘social learning community’ where the issues of ‘power’ may be different to those in economic or political systems. The second relates to the first: the concept is strongly focused on the interface between the individual and a CofP and “rooted in our identities, power derives from belonging as well as exercising some control of what we belong to” (Wenger, 1998, p. 207). It is a dynamic and directed concept of ‘power’ related to the investment of energy, the ability to effect change and negotiate new meanings.

Focussing on the ‘principal users’ identified in 6.1 a number of factors, both personal and political, were advanced as contributing to the use of UPL. In the early part of the present study the following were influential.

- Having a strong affiliation with a single issue
- Being a sole representative or one of a small group
- Having a ‘maverick’ personality
- Having a position of leadership
- Being opposed to the leader

The use of UPL was often the practice of a lone individual where using the ‘shared repertoire’ of another CofP maintained or demonstrated their ‘alignment’ with those outside the chamber who shared their views. A variation was the use of ‘strong language’ or ‘words

of heat’ used to reinforce or demonstrate a point during a debate. This situation has the underlying assumption the MP knows the rule to use parliamentary language but is overtaken because of their ‘passion’ for the topic. Alternately, the use of UPL could illustrate a lack of ‘alignment’ where an MP has been unsuccessful in ‘reconciling’ the nexus (or lexis) of ‘multimembership’.

A notable feature of the present study was the dominating persona of Premier Seddon, discussed in 6.1.2, 6.4.1 and 7.3.1. In each of the first five parliaments in the present study, 1891 to 1905, Seddon was the most targeted MP with a number of examples coming from within his own party. He used UPL as a way to target individuals and discredit them. When required, he withdrew the UPL but the damage was done and served as a warning to others. In this way, and others, such as his command of *Standing Orders*, he exerted his influence over the House to achieve his objectives and neutralise the 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’ within the CofP. This ‘discontinuity’ in the function of the chamber was expressed by the 1905 increase in UPL and its reduction following his death (see 7.3.1).

Subsequently, other factors emerged as being influential in the use of UPL.

- The identification of an MP as an early socialist or a member of the Labour Party
- The existence of a form of ‘discontinuity’ in the CofP
- The strategic use of UPL by ‘loyal lieutenants’ to target individuals or disrupt the discourse structure

An important change in the time period 1906 to 1928 was the election of the early socialist MPs and the formation of the Labour Party. These MPs had a strong identification with CsofP outside the chamber for example, miners and working men. It was noted in the biographical information in Chapter 6 that a number emigrated from Australia and they brought into the chamber a style of language honed through robust union, party and public meetings. This was a part of their ‘identity’ and, from 1911 to 1935, socialist and Labour MPs dominated as ‘principal users’ of UPL (see Table 6.1). As the numbers of Labour Party members in parliament grew, and became established as the opposition, the use of UPL shifted from being the practice of ‘loners and leaders’ to the discourse strategy of a group of

‘loyal lieutenants’.<sup>225</sup> This is particularly evident in the years 1928 to 1935 when the United and United-Reform Coalition Governments came under an unprecedented verbal attack from the Labour Party with minimal retaliation from government MPs (see Tables 5.5, 6.5, and section 6.4.2). This lack of engagement or ‘negotiability’ by the government preceded the electoral defeat they attempted to avoid by forming the United-Reform Coalition in 1931 (see 6.1.3). The high numbers of UPL reflect the ‘discontinuity’ within the chamber, a government of questionable legitimacy, an opposition desperate to occupy the treasury benches set against the background of a serious economic depression. This increase in UPL reflects a change of ‘alignment’ in the ‘identity’ of Labour Party MPs from the opposition to a potential future government. It provides an example that ‘non-participation’ in the linguistic practice of a CofP can be an expression of ‘power’. The ‘discontinuity’ was, to some extent, resolved by the outcome of the 1935 election but, as discussed in 6.1.3, the use of UPL remained higher than pre-1928 levels, with the formation of the New Zealand National Party in 1936 that re-branded the old Reform and United Parties. This reformation enabled them to establish a new ‘identity’, adopt the use of UPL as a linguistic strategy and fully embed it within the practice of the chamber (see 6.2.3 and Table 6.3).

## 8.2 Review of the Research Questions

This section reviews the research questions proposed in 2.4 and draws upon the previous chapters to bring together the discussion on the language, discourse structure and the effect of using UPL. The research questions were:

1. What words and phrases have been ruled as UPL?
- 2a. How can UPL be categorised and analysed to develop a greater understanding of the sub-genre?
- 2b. How is linguistic change in the institution of parliament, and potentially the wider community, reflected in this study?
3. How have NZE and te reo Māori been used in unparliamentary language?
4. What changes have there been in the interpretation of the rules on UPL?
5. To what ends has UPL been used strategically by members of parliament?
6. What trends in the use of UPL can be determined from a diachronic study?

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<sup>225</sup> For example, H. Armstrong, Semple and Langstone, see Table 6.1.



Sections 8.2.1 to 8.2.3 will discuss the research questions that have been grouped into three. The first section discusses the language ruled as UPL and how it can be categorised to reveal new meanings (questions 1, 2a, 2b and 3). This is followed by a discussion of changes to the interpretation of the rules over time and the strategic use of UPL (questions 4 and 5), and the trends revealed in the present study (question 6).

**8.2.1 The language ruled unparliamentary.** The language ruled to be unparliamentary ranged from the single word, for example **liar** or **coward**, to collocations and multi-word units such as, **not game** and **political hypocrites**. The phrases ruled as UPL have included binomials, **mean and contemptible**, idioms, **blush of shame**, and metaphors such as “**devoid of political principals as a frog is of feathers**” (Moohan, 1948). Many of the examples were word strings, for example, “**sabotaged our war effort**” (Hodgens, 1941) and “**not one of them wears a suit of clothes**” (Dickson, 1914), a reference to members representing labour interests. Entire sentences have been ruled UPL for example, “**I wish I had an X-ray apparatus to enable me to see into the head of the Minister, or of the Acting Prime Minister, to ascertain whether there is anything in it**” (D. Sullivan, 1930). Although there was a great variety in the language, the present study has shown it can be categorised in ways to illustrate thematic groupings and gradations of acceptability.

The analysis has shown UPL can be categorised into two main groups, ‘personal reflections’ and the ‘political environment’. Within them are a group of concepts, regardless of the language used, that have always attracted a rebuke for example, the term **coward** and its unconventional forms, a lack of **pluck**. The ‘core concepts’ reflect fundamental ideals: telling the truth, having courage, showing respect and being incorruptible. This focus on UPL has, by way of reverse engineering the language ruled unparliamentary, exposed the values held to be important by the institution. The categorisation also shows the term UPL encompasses a number of distinct sub-categories each of which could be the subject of further research.

The ‘personal reflections’ often ‘played’ on some aspect of the appearance or behaviour of a target. A number compared the MP with an animal that exhibited a characteristic being emphasised. They were some of the most creative ranging from **worms** to **rhinoceros** with **dogs** featuring strongly (see 5.2.4). The discussion on animal reflections that used NZE, but were not ruled UPL, was continued in section 7.4.3. The second major category was the

‘political environment’ that included a previously undocumented category of ‘situation dependent’ UPL. That language would generally be regarded as parliamentary but, because of international events such as a war with **Germany**, there was increased sensitivity about certain terms.

The language that was sometimes ruled unparliamentary, and other times not, tended to be on the boundary of acceptability as ‘assessed’ by individual Speakers. These terms are an element of UPL and over time can reflect changes in attitudes to certain language. A number of the terms in this category such as, **quibble**, **stonewall**, **ashamed** and **humbug** were discussed in 7.4.1. When the Speaker was asked by an MP to rule on language the discussion could become a site of ‘negotiability’ and therefore ‘power’. The discussion on strong language in 7.4.2 and unconventional language in 7.4.4 illustrated that ‘borderline’ language did not always attract a rebuke and, if used as an interjection and not responded to, was not recorded in *Hansard*.

The most significant trend during the present study was the increase in UPL. Aligned to this trend was the linguistic change that introduced new expressions into the ‘shared repertoire’ through the use of UPL. In the main, this can be attributed to the early socialist and later Labour Party MPs. This diachronic study has been able to show the election of these MPs to parliament was a major influence on the increased use of UPL. Their use of language, whether subconscious or strategic, was ‘different’ from what had gone before and reflects a group of people in society who had not previously been represented in parliament. The use of the CsofP framework, focussed on diachronic change within an institution, has made visible the language used in the wider population. This approach reverses the one used by Eckert (2000) who first identified language variation in two specific CsofP and then plotted similar variations in a larger geographical area (see 3.2.1). As discussed in Chapter 6 a number of the ‘principal users’ of UPL were originally from Australia and with close associations to the labour movement. Their use of ‘animal reflections’, colourful turns of phrase and skilful oratory, combined with strong political principles changed the parliamentary discourse. The present research has illustrated linguistic change within the institution of parliament and highlights, as an area for further study, the influence of Australian immigration on language in the wider population.

The present study identified a small number of examples of te reo Māori being ruled as UPL. However, the findings were hampered by the reporting practices of the time as described in 6.3.2. In total, 13 examples of NZE were ruled as UPL with “**half-pie wowser**”<sup>226</sup> (Kyle, 1934), “**duck-shove**”<sup>227</sup> (Goosman, 1947) and “**easy mutton**”<sup>228</sup> (W. Sullivan, 1949) notable examples. The research of Macalister (2003) and Williams (2010) confirms a greater incidence of the recording of te reo Maori and NZE in *Hansard* post-1950. The numbers in the present study were too small to draw any conclusions but may serve as a basis for further research.

**8.2.2 Rules, repairs and strategies.** The results showed there were changes to the way UPL was managed over time. The two main changes, were the introduction of new forms of rebuke, in particular the interruption rebuke ‘Order’, and a softening of the censure for ‘refusals to withdraw’ UPL. The *Standing Orders* did not change<sup>229</sup> but there were subtle interpretations to the practice introduced by one Speaker and carried on by a successor. A number of examples of ‘refusals to withdraw’ UPL were discussed in Chapter 7 and listed in Appendix 5 with the majority resulting in a suspension from the chamber. These situations often occurred when the Chairman of Committees was presiding in the chamber. This suggests that an inexperienced Chair, or a lack of respect by MPs for their decisions was a factor.

It is important to highlight that a ‘refusal to withdraw’ UPL shifted the focus of attention from the language used to a defiance of the authority of the chamber. The use of the word ‘House’, as opposed to ‘Speaker’, in S.O. 184<sup>230</sup> is important because a censure was a collective decision of the chamber. There were often concerted efforts by the Speaker, party

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<sup>226</sup> ‘Half-pie’ meaning “incomplete, mediocre or partly satisfactory” (Bardsley, 2013, p. 173) and ‘wowser’ “a puritan” (Bardsley, 2013, p. 413).

<sup>227</sup> ‘Duck-shove’, “esp[ecially] in public life, to evade responsibility for a decision by claiming that it belongs with another person or office” (Orsman, 1997, p. 233).

<sup>228</sup> This phrase was used to imply gullibility. The MP Charles Chapman made the statement he had been approached by ‘beggars’ for money for food or accommodation. Sullivan interjected, “the honourable member looks such **easy mutton**, that is why”.

<sup>229</sup> In the *Standing Orders* covering the time period 1929 to 1951, when the greatest increase in UPL occurred, the relevant S.O. are 174-184 and 74-80 if the MP was censured for refusing to withdraw (*Standing orders of the House of Representatives (New Zealand) relating to Public Business (Brought into force 7th August, 1929)*, 1930).

<sup>230</sup> Any Member having used objectionable words, and not explaining or retracting the same or offering apologies for the use thereof to the satisfaction of the House, shall be censured, or otherwise dealt with as the House may think fit (*Standing orders of the House of Representatives (New Zealand) relating to Public Business (Brought into force 7th August, 1929)*, 1930, p. 63).

leaders and fellow MPs to bring the offender into ‘alignment’ with ‘practice’ and repair the ‘discontinuity’ in the CofP. Some examples occupied the chamber for extended periods of time as the language and associated circumstances became sites of ‘negotiability’, but ultimately ‘power’ in a ‘refusal to withdraw’ is invested in the institution to prevent disorder. The authority of the Speaker, supported by the will of the chamber, must prevail.

In the early part of the present study, when UPL was used strategically, it was usually by an individual MP. In the latter part there was greater use at the party level where the strategic use of UPL became an established practice of the CofP. In the strategic targeting of an individual or party there were a number of examples where damaging implications were made and then withdrawn, but the accusation lingered. This is a unique feature of UPL, one particularly utilised by Premier Seddon. The intervention of the Speaker neutralised the situation by stopping the discourse from proceeding but it also prevented the target from responding in a similar fashion. If the user of UPL willingly complies with the request to withdraw, the discourse continues on and in terms of parliamentary procedure the language has not been used. In the strategic use of UPL ‘power’ resides with the user, but only if they willingly comply with the discourse repair requested by the Speaker.

One important finding of the present study was the high use of UPL concentrated in a relatively small number of MPs identified as ‘principal users’. This finding is similar to more contemporary research on ‘interruptive comments’ (Zima, Brone, & Feyaerts, 2010) and unparliamentary language (Salisbury, 2011). In general, ‘principal users’ were frequently targeted in equal measure. However, the analysis showed two MPs, Semple and Langstone, were not, (see 6.4.1). The reasons are not clear but point to two possibilities. The first is the sheer volume of UPL used by Semple would have been difficult to counter without attracting public criticism. The second is the enjoyment derived during the long hours of debate from Langstone’s creative and amusing linguistic contributions. The collective, if not strategic, restraint from targeting these users highlights an area for further study.

**8.2.3 Trends in the use of unparliamentary language.** Along with the trends discussed above the statistical analysis in Appendix 6 confirmed the increase in use of UPL over the 60 years of the present study. It also indicated that an increase in the number of

sitting hours<sup>231</sup> during a parliament did not increase the use of UPL. The use of a Generalised Linear Model to predict the use of UPL showed the ‘best’ model included all three independent variables: parliament number as a chronological measure of time, sitting hours and the government in office. A pairwise comparison of the marginal means of the numbers of UPL showed all governments in the years 1890 to 1928 were similar, but the United-Reform Coalition, 1932 to 1935, and the Labour Government, 1936 to 1949, were different. This statistical result confirms many of the trends identified throughout the discussion.

The graph in Appendix 6, Figure 3 presents the numbers of UPL by parliamentary session with the election years indicated. It shows relatively low numbers until the 1930s, when there was a significant increase, reducing during WWII and rising again in the last five years to 1950. The data suggests an emerging trend in the later part of the present study of an increase in UPL in the year preceding an election. This historical data adds to the research of Salisbury (2011) and Loginova (2013) in highlighting the relationship between the use of UPL and the electoral cycle.

The data presented in Table 6.2 showed the frequency of UPL by parliament broken down by party affiliation. The analysis revealed three distinct time periods: 1893 to 1911 when the Liberal government MPs used the most UPL; 1911 to 1935 when the opposition used more than the government; and 1935 to 1946 when the Labour government MPs used more than the opposition. However, a session by session analysis in Table 6.3 showed in greater detail the point where the increase in UPL by National Party MPs began. In Chapter 7 several increases in the use of UPL were associated with destabilising events or ‘discontinuities’ in the CofP. The results indicate the close analysis of numerical trends in the use of UPL can reveal internal dynamics of the chamber and act as a form of political barometer.

### **8.3 Implications for Further Research**

The overarching implication for further research is that the findings of the present study provides information that could be comprehensively or selectively carried beyond the year 1950 to confirm or reveal new trends. It is anticipated a continuation of the analysis

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<sup>231</sup> In the time of the present study the days parliament sat during the year were typically from June to November with an early short session at the beginning of a new parliament. It was commonplace for the House to sit after midnight. Before the introduction of the closure motion debates on contentious issue could continue over several days.

would be richer in describing UPL that used NZE and te reo Māori. After 1950 the parliament contained more women and a greater ethnic diversity of MPs. The use of UPL by these groups could be an area of research that a more contemporary time frame would address.

The categorisation and sub-categorisation of UPL has shown further linguistic analysis could be undertaken in numerous areas. Examples are a specific ‘core concept’ or a ‘personal reflection’ such as ‘animal reflections’. Because the present study has shown UPL was used by some MPs more than others, a detailed analysis of the language of one or a group of MPs over time could be an area of further research. Similarly, individual Speakers have been influential in the ‘negotiability’ of the practice of UPL. The discussion on rebukes and rulings presented in Chapter 7 shows the study of highly structured institutional discourse in the chamber could be developed further.

The numeric trends described in 8.2.3 could be developed by extending the dates or by a comparative analysis with another jurisdiction. Other areas include the association between a ‘discontinuity’ in the CofP and an increase in UPL and the relationship between the use of UPL and the electoral cycle. Finally, the results of the present study show the election of Social Democrat and early Labour Party MPs, between 1910 and 1930, introduced a form of adversarial language, including the high use of UPL, into the New Zealand Parliament. A comparative study of similar Westminster-style parliaments in Australia or Canada could establish if there was a similar trend in those countries.

## **8.4 Conclusion**

The diachronic study of UPL used in the New Zealand Parliament has shown it to be a multi-dimensional element of parliamentary discourse that reveals much about the use of language in a highly regulated institution. The practice of rebuking UPL pre-dates the establishment of the New Zealand Parliament that adopted the procedures of the British Parliament. The rules and procedures were aimed at dissuading MPs from using ‘disorderly’ language and to manage the result if they did. If UPL was used, the Speaker intervened in the discourse and required a verbal act of contrition, a withdrawal, before the debate continued. The language was recorded in *Hansard* and often separately listed in the index. The institutional response has been to give this language a name that, like ‘impoliteness’, reflects

an ‘otherness’. When used, UPL is publically admonished by the Speaker’s rebuke and isolated as ‘different’ in lists and indexes. Through these practices the institution has reinforced the idea of a linguistic boundary that should not be crossed but the present study has shown that boundary to be permeable. For this reason, the language ruled as unparliamentary should not be regarded as an affront to an idealised form of parliamentary discourse but more a unique and established practice.

The choice of the CsofP theoretical framework proved a fruitful way to project new meaning into the dynamics of the legislative chamber. This framework has been used by other researchers studying parliamentary discourse but few have utilised both aspects of ‘practice’ and ‘identity’. In this chapter, Wenger’s concepts of ‘identity’ and ‘power’ were discussed to illustrate the connection between the framework and the findings of the study. It was noted that the users of UPL do not constitute a separate CofP but one ‘test’, the ‘negotiability of repertoire’, was common to ‘principal users’. These users made use of the entire ‘shared repertoire’, both parliamentary and unparliamentary, as part of their ‘identity’. The introduction of linguistic ‘impoliteness’ into the framework made possible a more elaborated contextualisation of the ‘assessment’ of the use of UPL. Although Wenger’s dual concepts of ‘participation’ and ‘non-participation’ have not been widely used in linguistic research the present study shows the potential of exploring the ‘non-participation’ in a preferred linguistic practice as a source of ‘power’. The ‘power’, for MPs who used UPL, was to both extend and challenge the institutional linguistic preference for parliamentary language, but in the knowledge the use of UPL could be repaired. The use of this ‘power’ has associated risks to the user of becoming a target or gaining a negative public reputation. The focus on users and targets suggested the boundary between the effective use of UPL and perceived ‘bad behaviour’ was negotiated best by those MPs whose language was both insightful and amusing.

The role of the Speaker in managing UPL has been highlighted in ways not previously discussed in similar research. The power of parliament lies in the institutional authority to establish rules and enforce procedures that control discourse practices. However, the rules on parliamentary language provided only general guidance. This ambiguity is a feature of UPL. A term or a phrase is unparliamentary because, on that occasion, the Speaker ruled it to be so. This fluidity enabled the Speaker some discretion and ‘future proofed’ the practice for

occasions the language used had not been ruled UPL in the past. The present study has shown that individual Speakers changed the practices related to the management of UPL in response to changes in the CofP. The Speakers who earned the respect of the chamber were unbiased in their decisions and demonstrated an understanding of the mood of the chamber by showing tolerance or imposing their authority as required.

The use of UPL mirrored a maturing of the New Zealand political party system, the early dominance of the Liberal Party, the rise of the Labour Party and the unstable 'three-party system' to the full development of a two party system. This saw UPL change from being used by lone individuals to becoming the established practice of political parties. Influential in this development was the election of the early socialist MPs. In the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments, 1928 to 1935, UPL was used predominately by Labour MPs to target the United and United-Reform Coalition governments. After 1936 there was a change with both the government and opposition MPs using UPL. The transition of the practice, dominated by one party, to one that was adopted by the CofP as a whole, although not necessarily by every MP, is an important finding. It shows a political recognition that elements of 'power' resided in the full use of the 'shared repertoire' of parliamentary discourse.

A significant trend in the present study was the general increase in numbers of UPL used in the House of Representatives and the slow decline of the numbers used in the Legislative Council, with none recorded after 1938. Although the use of parliamentary language was the institutional preference this finding indicates a connection between vigorous debate and constitutional relevance. This point was emphasised by Darr (2011) in his research on Adam Ferguson's principles of civil society. He made the point that robust deliberation, tempered with rules, is a feature of civil society and the rules should not be too restrictive because there is a role for rhetorical (in)civility in debate (Darr, 2011, pp. 615, 620). This is shown in the latter part of the present study where the absence of UPL in the Legislative Chamber reflected its moribund state. At the opposite end of the spectrum, the dramatic increase of the use of UPL in the 23<sup>rd</sup> and 24<sup>th</sup> Parliaments showed a form of political instability or 'discontinuity'. It could be argued, a 'healthy' level of 'rhetorical (in)civility' exists at a point between no use of UPL and the disproportionate and unreciprocated increase by one party over another. The conclusion being, that good law-making requires a little rule-breaking.



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## Appendix 1: Parliaments, Governments and *Hansard*, 1891 to 1949

Parliament	Parliament dates	Government(s)	Premier / Prime Minister <sup>232</sup>	<i>Hansard</i> volumes	Frequency of UPL
11 <sup>th</sup>	23 Jan 1891–6 Oct 1893	Liberal	Ballance (d) / Seddon	70-82	52
12 <sup>th</sup>	21 Jun 1894–17 Oct 1896	Liberal	Seddon	83-96	37
13 <sup>th</sup>	6 Apr 1897–23 Oct 1899	Liberal	Seddon	97-110	93
14 <sup>th</sup>	21 Jun 1900–3 Oct 1902	Liberal	Seddon	111-122	54
15 <sup>th</sup>	29 Jun 1903–30 Oct 1905	Liberal	Seddon (d)	123-135	80
16 <sup>th</sup>	27 Jun 1906–10 Oct 1908	Liberal	Hall-Jones / Ward	136-145	26
17 <sup>th</sup>	10 Jun 1909–28 Oct 1911	Liberal	Ward	146-156	56
18 <sup>th</sup>	15 Feb 1912–5 Nov 1914	Liberal / Reform	Ward / Mackenzie / Massey	157-171	120
19 <sup>th</sup>	24 Jun 1915–5 Nov 1919	Reform / National Coalition / Reform	Massey / Ward	172-185	95
20 <sup>th</sup>	24 Jun 1920–31 Oct 1922	Reform	Massey	186-198	52
21 <sup>st</sup>	7 Feb 1923–1 Oct 1925	Reform	Massey (d) / Coates	199-208	55
22 <sup>nd</sup>	16 Jun 1926–9 Oct 1928	Reform	Coates	209-219	76
23 <sup>rd</sup>	4 Dec 1928–11 Nov 1931	Reform / United / United-Reform Coalition	Coates / Ward (d) / Forbes	220-230	263
24 <sup>th</sup>	23 Feb 1932–26 Oct 1935	United-Reform Coalition	Forbes	231-243	478
25 <sup>th</sup>	25 Mar 1936–16 Sep 1938	Labour	Savage	244-253	195
26 <sup>th</sup>	27 Jun 1939–26 Aug 1943	Labour	Savage (d) / Fraser	254-263	212
27 <sup>th</sup>	22 Feb 1944–17 Oct 1946	Labour	Fraser	264-275	254
28 <sup>th</sup>	24 Jun 1947–21 Oct 1949	Labour	Fraser	276-288	394

<sup>232</sup> (d)=the Premier or Prime Minister died in office.

## Appendix 2: Database Design

Field no	Field	Data Type	Description / authority control	Option	Indexed
1	Auto No	Auto number	Database feature		No
2	Entered	Date/Time	Date record is created auto	Required	No
3	Parliament	Number	Parliament	Required	No
4	UPL	Text	Expression ruled as appears in the Hansard index or text	Freetext	Yes
5	Context	Text	UPL expression in context of surrounding words	Freetext	Yes
6	Alternative	Text	Alternative expression used by MP	Freetext	Yes
7	Result 1	Number	Sanction for UPL in sequence of occurrence	Look-up – multiple values	No
8	Result 2	Number	As above	Look-up – multiple values	No
9	Result 3	Number	As above	Look-up – multiple values	No
10	Debate	Text	Name of the debate on the top of the page in <i>Hansard</i>	Freetext	Yes
11	Reference	Text	Reference in <i>Hansard</i> format [vol no],[year], [page]	Freetext	No
12	Debate date	Date/Time	Date of debate on <i>Hansard</i> page.	Auto date format	No
13	Chamber	Text	Council, House or CWH where expression used	Drop-down 4 values only	No
14	Government	Number	Government in power at the time the UPL is used	Look-up multiple values	No
15	Speaker	Number	Speaker who ruled on the expression - surname	Look-up multiple values	No
16	Deputy / Chair	Text	Assistant or Deputy Speaker who ruled - surname	Drop-down multiple values	No

Field no	Field	Data Type	Description / authority control	Option	Indexed
17	MP name	Text	Name of MP who used UPL – surname, first name as appears in front of <i>Hansard</i> volume include Hon.	Freetext	Yes
18	MP role	Text	Electorate [by name], Minister, Prime Minister, Leader of the Opposition	Freetext	Yes
19	MP party	Number	Party of MP who used UPL from the <i>New Zealand Parliamentary Record</i> (J. O. Wilson, 1985)	Look-up multiple values	No
20	Insulted name	Text	Name of MP targeted – surname, first name as appears in front of <i>Hansard</i> volume including Hon.	Freetext	Yes
21	Insulted role	Text	Electorate [by name], Minister, Prime Minister etc	Freetext	Yes
22	Insulted party	Number	Party of MP targeted by UPL from the <i>New Zealand Parliamentary Record</i> (J. O. Wilson, 1985)	Look-up multiple values	No
23	Domain1	Text	Assigned subject headings	Look-up multiple values	No
24	Domain 2	Text	As above	Look-up multiple values	No
25	Intent	Text	Intent or purpose of UPL expression as determined by the context	Look-up multiple values	No
26	Word number	Number	The number of words in the lexeme string ruled UPL		No
27	Lexeme string	Text	Lexeme string described as adj+n etc (4 terms)	Freetext	No
28	Lexical 1	Text	Lexico-grammatical elements of the UPL expression	Look-up multiple values	No
29	Lexical 2	Text	As above	Look-up multiple values	No
30	NZE	Number	Yes/No	Check-box	No

Field no	Field	Data Type	Description / authority control	Option	Indexed
31	Lexical notes	Text	Additional comments	Freetext	Yes
32	Historical notes	Text	Additional comments	Freetext	Yes
33	Procedural notes	Text	Speakers' Ruling	Freetext	Yes
34	Link	Hyperlink	Hyperlink		
35	Image	OLEobject	Image		

### Appendix 3: Database Field Values

Field	List of values
Field 7, 8, 9: Result	Apologise, censured, explanation accepted, expressed regret, galleries cleared, named, no sanction, other, privilege, refused to withdraw words, reprimanded, suspended, withdraw, withdraw and apologise, words taken down, interrupted by Speaker
Field 14: Government	Labour, Labour/Alliance Coalition 1999-2002, Labour/Progressive Coalition 2002-5, 2005-08, Liberal, National, National/ACT Coalition 2008-11, National/Mauri Pacific 1998-99, National/NZ First Coalition 1996-97, 1997-98, National/Right of Centre Coalition 1994-95, 1995, National (Reform/Liberal) 1915-19, National/United Coalition 1996, Pre-1890 (no party government), Reform, United, United/Reform 1931-35
Field 15: Speakers  LC=Legislative Council	Algie, Allen, Arthur, Atkinson (LC), Barnard, Bartley (LC), Bishop (acting) (LC), Bishop (LC), Bowen (LC), Burke, Cadman, Carncross, Clifford, Dillon Bell, Fagan (LC), Fitzherbert (LC), Fitzherbert, Grey, Guinness, Guinness (Deputy), Harrison, Hunt, Jack, Johnston (LC), Kidd, Lang, MacFarlane, McKeen, Martin (acting) (LC), Miller (LC), Monro, Oram, O'Rorke, Reeves (acting) (LC), Richardson (LC), Rigg (acting) (LC), Schramm, Smith, Statham, Steward, Swainson (LC), Tapsell, Walker (LC), Wall, Waterhouse (LC), Whitaker (LC), Whitehead, Wilson
Field 16: Deputy/Chairman  LC=Legislative Council	Clark (LC), Colvin, Connolly (LC), George, Graham (Actiung-Chair), Guinness, Hamlin, Hanan (LC), Harker, Harrison, Hockley, Howard, Hunt, Jack, Joyce, Keeling, Lang, Luxton, McKeen, McKenzie, Malcolm, Martin (LC), Marriman, Millar, Nash, O'Rorke, Perceval, Rees, Richmond (LC), Rigg (LC), Reeves (LC), Samuel (LC), Smith (LC), Smith (H), Terris, Thorn (Acting-Speaker), Wilford, Young
Field 19, 22: Parties	ACT, Alliance, Coalition, Country Party, Conservative, Coalition Reform, Coalition United, Green Party, Independent, Independent Coalition Liberal, Independent Conservative, Independent Country Party, Independent Labour, Independent Liberal, Independent Prohibition, Independent Political Labour League, Independent Reform, Independent Ratana, Independent United, Jim Anderton's Progressive, Labour, Liberal, Liberal Labour, Mana Motuhake, Mana Wahine, Maori Party, National, National (1925 Liberals), National Liberal (1905 group), NewLabour, New Zealand First, Progressive, Reform, Ratana, Right of Centre, Social Credit, Socialist, United, United Future NZ

Field	List of values
Field 23, 24: Domain	Alcohol, Animal, Animal – bird, Animal-crustacean, Animal – fish, Animal – indigenous, Animal – mammal, Animal – reptile, Background – personal (things in the past), Behaviour, Business of the House, Character, Cleanliness, Clothing, Corruption, Courage, Credibility, Deception, Disease, Election, Emotion – description, Favouritism, Financial advantage, Food, Foreign power, Gender, Government – current, Government – previous, Human body – characteristic, Human body – function, Human body – part, Illegal activity, Influence, Intelligence, Judiciary, Lying, Maori – general, Morality, Name – electorate, Name – historical, Name – personal, Name – title, Natural feature, Parliament, Party, Plants, Plants – indigenous, Politics, Policy, Private life, Profession, Racism, Religion, Sexism, Truth, War
Field 25: Intent	Accuse, Criticise, Derogatory, Discredit – Council, Discredit – Government, Discredit – House, Discredit – Opposition, Discredit – other, Discredit – Speaker, Disrupt proceedings, Highlight an issue, Personal insult, Refute
Field 28, 29: Lexical	Antithesis, Binomial, Binomial – irreversible, Figurative, Idiom, Idiom – expanded, Idiom- modified, Intensifier, Intensifier-amplifier, Intensifier-downtoner, Jargon, Loan word, Loan word – Maori, Metaphor, Phrase, Simile, Slang, Taboo word, Taboo word – UPL

## Appendix 4: Speakers of the Legislative Council and House of Representatives, 1891 to 1949<sup>233</sup>

### Speakers of the Council, 1891 to 1949

Speaker	Provincial District / Residence	Parliament(s)	Dates of tenure
Atkinson, Sir Harry Albert	New Plymouth	11 <sup>th</sup>	23 Jan 1891-28 Jun 1892 (d)
Miller, Sir Henry John	Otago	11 <sup>th</sup> , 12 <sup>th</sup> , 13 <sup>th</sup> , 14 <sup>th</sup>	8 Jul 1892-6 Oct 1897 6 Oct 1897-9 Jul 1903
Walker, William Campbell	Christchurch	15 <sup>th</sup>	9 Jul 1903-5 Jan 1904 (d)
Rigg, John (acting)	Wellington	15 <sup>th</sup>	5 Jan 1904-7 Jul 1904
Cadman, Sir Alfred Jerome	Auckland	15 <sup>th</sup>	7 Jul 1904-23 Mar 1905 (d)
Reeves, Richard Harman (acting)	Nelson	15 <sup>th</sup>	23 Mar 1905-30 Jun 1905
Bowen, Sir Charles Christopher	Christchurch	15 <sup>th</sup> , 16 <sup>th</sup> , 17 <sup>th</sup> , 18 <sup>th</sup>	30 Jun 1905-4 Jul 1910 4 Jul 1910-4 Jul 1915
Johnston, Sir Charles John	Wellington	19 <sup>th</sup>	7 Jul 1915-13 Jun 1918 (d)
Carncross, Sir Walter Charles	Taranaki, Eltham	19 <sup>th</sup> , 20 <sup>th</sup> , 21 <sup>st</sup> , 22 <sup>nd</sup> , 23 <sup>rd</sup> , 24 <sup>th</sup> , 25 <sup>th</sup>	1 Nov 1918-10 Jul 1924 10 Jul 1924-10 Jul 1929 10 Jul 1929-10 Jul 1934 10 Jul 1934-18 Jul 1939
Fagan, Mark	Wellington	26 <sup>th</sup> , 27 <sup>th</sup> , 28 <sup>th</sup>	18 Jul 1939-2 Aug 1944 2 Aug 1944-31 Dec 1947 (d)
Martin, Barnard	Auckland	28 <sup>th</sup>	29 Jun 1948-8 Mar 1950

<sup>233</sup> The information in the tables is adapted from (J. O. Wilson, 1985).

## Speakers of the House of Representatives, 1891 to 1949

Speaker	Party	Parliament(s)	Dates of tenure
Steward, William	Liberal	11 <sup>th</sup>	23 Jan1891-8 Nov1893
O'Rorke, Sir George Maurice	Liberal	12 <sup>th</sup> , 13 <sup>th</sup> , 14 <sup>th</sup>	21 Jun 1894-14 Nov1896 6 Apr 1897-15 Nov1899 21 Jun1900-5 Nov1902
Guinness, Sir Arthur Robert	Liberal	15 <sup>th</sup> , 16 <sup>th</sup> , 17 <sup>th</sup> , 18 <sup>th</sup>	29 Jun 1903-15 Nov1905 27 Jun1906-29 Oct1908 10 Jun 1909-20 Nov1911 15 Feb 1912-10 Jun 1913 (d)
Lang, Sir Frederic	Reform	18 <sup>th</sup> , 19 <sup>th</sup> , 20 <sup>th</sup>	26 Jun 1913-20 Nov1914 24 Jun 1915-27 Nov 1919 24 Jun 1920-30 Nov 1922
Statham, Sir Charles Ernest	Independent	21 <sup>st</sup> , 22 <sup>nd</sup> , 23 <sup>rd</sup> , 24 <sup>th</sup>	7 Feb 1923-14 Oct1925 16 Jun 1926-18 Oct1928 4 Dec1928-12 Nov1931 23 Feb1932-1 Nov1935
Barnard, William Edward	Labour / Democratic Labour	25 <sup>th</sup> , 26 <sup>th</sup>	25 Mar 1936-20 Sep 1938 27 Jun 1939-30 Aug1943
Schramm, Frederick	Labour	27 <sup>th</sup>	22 Feb 1944-4 Nov1946
McKeen, Robert	Labour	28 <sup>th</sup>	24 Jun 1947-3 Nov1949



## Appendix 5: Refusals to Withdraw, Words Taken Down and MPs Named, 1891 to 1949

User of UPL and party	Chairman <sup>234</sup>	Speaker	Unparliamentary language	<i>Hansard</i> reference <sup>235</sup>	Subsequent events 1 <sup>236</sup>	2	3	4	Censure reference <sup>237</sup>
Bryce, Hon. J. Conservative		Steward	<b>the Premier ought to be ashamed</b> <sup>238</sup>	74, 1891, p. 98.	Requested by Premier to withdraw	Refused to withdraw	Galleries cleared	Resolution of the House	74, 1891, p. 98.
Fish, H. Liberal		Steward	<b>meddlesome interference</b>	76, 1892, p. 641.	Reprimanded by Speaker	Refused to withdraw	Withdrew words		76, 1892, p. 641.
Seddon, Hon. R. Liberal	Rees	Steward	If any Member had used such words to me outside I should have taken such steps as would have prevented him from using them again.	78, 1892, p. 17.	In committee Sir Geo. Grey requested the words are taken down, words taken down	Reported to the Speaker, MP argues he has nothing to apologise for and offers an explanation	Events in the committee debated	Resolution that the explanation be accepted passed by a vote	78, 1892, p. 27.
Mackenzie, T. Conservative		Steward	<b>show a little more decency</b>	80, 1893, p. 189.	Premier moved that the words are taken down	Speaker asked for the words to be withdrawn, words withdrawn	Premier moved that words are taken down, words taken down	Expressed regret and withdrew words	80, 1893, p. 190.
McKenzie, R. Liberal	Joyce	Guinness (Deputy Speaker)	<b>I do not consider that receiving fair-play</b>	91, 1895, p. 860.	Asked to withdraw by Chair, refused to withdraw	Named by Chair, reported to the Speaker	Withdrew and expressed regret	Motion of censure by the House	91, 1895, p. 861.

<sup>234</sup> Where the Chairman is listed the 'refusal to withdraw' the UPL took place in the Committee of the Council or House. The Speaker, named in the next column, ruled on the incident.

<sup>235</sup> Reference to the page the UPL was reported in *Hansard* or the *Journals of the Council or House*.

<sup>236</sup> Events 1 to 4 should be read sequentially left to right, the commas separate individual events. Between the events there was often extensive debate about the incident and the offending MP was required to leave the chamber until recalled.

<sup>237</sup> Reference to where the censure given is recorded in *Hansard*. Some examples listed resulted in no sanction being given.

<sup>238</sup> This example is discussed in 7.3.1. The events relating to the censure of Bryce were debated at length see *NZPD* (1891) 74, 121-145.

User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Russell, Capt. W. Conservative	Guinness	O'Rorke	<b>deliberately said what he knows to be untrue</b>	100, 1897, p. 167.	Ruled out of order and asked to withdraw by the Chair	Refused to withdraw, words taken down	Reported to the Speaker, asked to withdraw, refused to withdraw	Resolution of the House	100, 1987, p. 207.
Taylor, T. Independent Prohibition		Guinness (Deputy Speaker)	<b>miserable coward</b>	103, 1898, p. 209.	A member moved that the words are taken down	Deputy Speaker asked if was the pleasure of the House the words are taken down	Words taken down, MP expressed regret and withdrew words	Resolution of the House <sup>239</sup>	103, 1898, p. 217.
Taylor, T. Independent Prohibition	Guinness	O'Rorke	<b>bigger nuisance this session because he is sober</b> <sup>240</sup>	110, 1899, p. 456.	Words taken down in committee, reported to the Speaker	Motion to withdraw and express regret, motion to give MP another opportunity to withdraw	MP withdrew with qualification, expressed regret with reluctance	Reprimanded by Speaker, expressed regret to the House	110, 1899, pp. 458-459.
Fisher, G. Liberal	Guinness	O'Rorke	<b>you are a monkey</b>	110, 1899, p. 674.	Words taken down in committee, reported to the Speaker	Member denied using the language	Speaker asked for testimonials from members	Motion of censure	110, 1899, p. 679.
Pirani, F. Liberal	Guinness	O'Rorke	<b>repeating a slander</b> <sup>241</sup>	115, 1900, p. 153.	Asked to withdraw by Chair, refused to withdraw twice	Speaker recalled, motion from Premier to give another opportunity to withdraw	Refused to withdraw	Motion passed to suspend member	115, 1900, p. 162.

<sup>239</sup> An additional motion by Premier Seddon to not have the resolution entered in the *Journals* was not agreed (Seddon, 1898).

<sup>240</sup> This example is discussed in 5.2.2.

<sup>241</sup> This example is discussed in 5.2.1.

User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Jones, Hon J. (Council)	Baillie	Miller	<b>detestable</b>	117, 1901, p. 592.	Asked to withdraw by Chair, refused to withdraw	Motion to report incident to the Council agreed	Withdrew the word		117, 1901, p. 593.
Shrimski, Hon. S. (Council)	Baillie	Miller	<b>worst ‘sweater’ in the country</b>	119, 1901, p. 442.	Asked to withdraw by Chair, refused to withdraw	Chair directed by committee to report progress	Speaker ruled words UPL, refused to withdraw	Resolution to suspend member agreed	119, 1901, p. 445.
Mackenzie, T. Independent		Guinness (Deputy Speaker)	<b>absolutely false</b>	119, 1901, p. 1116.	Asked to withdraw by Deputy Speaker, refused to withdraw	Asked to withdraw by Deputy Speaker, made a qualified withdrawal	Asked to withdraw the word ‘false’, withdrew		119, 1901, p. 1116.
McLachlan, J. Liberal		Guinness	<b>#1. I never required anyone to interfere on my behalf ... when I was drunk #2. I never had anyone come pleading for me</b>	127, 1903, p. 244.	Asked to withdraw #1 by Speaker, Asked to withdraw #2 by Speaker	Refused to withdraw, named by Speaker	Motion by Premier of disorderly conduct agreed	Expressed regret and withdrew words	127, 1903, p. 246.
Hall-Jones, Hon. W. Liberal		Guinness	<b>makes his living out of quibbling</b>	134, 1905, p. 109.	Refused to withdraw	Withdrew			134. 1905, p. 109.
Bedford, H. National Liberal (1905)		Guinness	<b>cur</b> <sup>242</sup>	134, 1905, p. 284.	Motion for words to be taken down, agreed	Withdrew and apologised	Resolution of the House		134, 1905, p. 285.
Moss, E. Independent	Millar <sup>243</sup>		<b>cowardly and miserable manner</b>	<i>Journals HR.</i> , 1905, p. 248. <sup>244</sup>	Words taken down on a motion of the Premier	Withdrew and expressed regret			<i>Journals HR.</i> , 1905, p. 248.

<sup>242</sup> This example is discussed in 7.3.1.

<sup>243</sup> It is probable that Speaker Guinness was recalled but it is not clear from the *Journals*.

<sup>244</sup> This UPL is reported in the *Journals of the House of Representatives* for the 25<sup>th</sup> of September 1905 but not in the equivalent volume 135 of *Hansard*.

User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Ward, Rt. Hon. Sir J. Liberal	Hine <sup>245</sup>	Guinness	<b>a downright piece of impertinence</b>	161, 1912, p. 486.	Asked to withdraw, refused to withdraw, words taken down in committee	Reported to the House, report returned to the committee	Refused to withdraw, reported to the House	Refused to withdraw, resolution of the House	161, 1912, p. 591.
Payne, J. Socialist		Lang	<b>Live-stock standing in boxes</b>	167, 1913, p. 319.	Named by the Speaker, Leader of the House asked to 'take steps'	Motion for suspension	Member withdrew the remark	Motion withdrawn	167, 1913, p. 321.
Payne, J. Socialist		Lang	<b>bribery and corruption</b>	168, 1914, p. 329.	Words taken down	UPL reported to the Speaker, dispute over the words used	Words taken down, by resolution, MP given a further opportunity to withdraw <sup>246</sup>	Refused to withdraw, motion to suspend	168, 1914, p. 338.
Herdman, Hon. A. Reform		Lang	In the innermost recesses of the honourable gentleman's heart he would rather see the Germans overrun Europe than that we should occupy the Treasury benches.	170, 1914, p. 119.	Use of language pointed out to Speaker	Motion for 'words taken down' carried by the House	Speaker said he has heard 'equally offensive words' and it is up to the House	Prime Minister moves no further action is taken	170, 1914, p. 120.

<sup>245</sup> Hine was the Chairman of the Public Accounts Committee. The UPL occurred when Ward was being examined as a witness. The example is discussed in 5.2.2.

<sup>246</sup> Payne withdrew from the chamber during the deliberations but when he was recalled the Serjeant-at-Arms could not locate him (Lang, 1914a). The consideration continued the next sitting day with Payne in attendance

User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Payne, J. Socialist		Lang	<b>the Minister of Labour, who connived at the formation of an illegal and bogus union</b>	171, 1914, p. 754.	Asked to withdraw by Speaker, refused to withdraw (twice)	Named by Speaker, refused to withdraw	By resolution given a further opportunity to apologise and express regret	Refused to withdraw, motion for suspension agreed <sup>247</sup>	171, 1914, p. 757.
Webb, P. Social Democrat		Lang	<b>If justice was done, and some man has to be tried for manslaughter, the Prime Minister is the first man who should be called on to stand his trial.</b>	171, 1914, p. 892.	Asked to withdraw by Speaker, refused to withdraw (twice)	Named by Speaker	Speaker asked Leader of the House to 'take action'	Motion for suspension agreed	171, 1914, p. 892.
Wilford, T. Liberal		Lang	<b>dirty answers</b>	174, 1915, p. 262.	Asked to withdraw by Speaker, withdrew and substituted 'typical'	Asked to withdraw 'without comment', refused, named by the Speaker	Motion to suspend, given a further opportunity to withdraw unconditionally, refused	Motion to suspend passed on a vote	174, 1915, p. 266-267.
Thacker, Dr H. Liberal	Malcolm	Lang	<b>Members from Taranaki are fat and greasy citizens</b>	174, 1915, p. 730.	Asked to withdraw by Chairman, withdrew words but refused to express regret	Reported to Speaker, MP argued he did not have to apologise for a 'Shakespearean quote' <sup>248</sup>	Speaker accepted that MP withdrew and apologised	No further action	174, 1915, p. 730.

<sup>247</sup> This was Payne's second suspension in one session. The *Standing Orders* of the time required that a second suspension should be no less than one week (Lang, 1914c).

<sup>248</sup> "Sweep on, you fat and greasy citizens" is from *As you like it*, Act II, Scene I. The Speaker ruled that "quotations should be as free from unparliamentary language as a members' own speech" (Lang, 1915),

User of UPL and party	Chairman	Speaker	Unparliamentary language	Hansard reference	Subsequent events 1	2	3	4	Censure reference
Payne, J. Social Democrat		Lang	<b>biggest traitor to the British people</b>	177, 1916, p. 168.	Asked to withdraw by Speaker (twice), asked to express regret by Sir Joseph Ward	Refused to withdraw, named by the Speaker	Given a further opportunity to withdraw refused to withdraw	Motion to suspended agreed	177, 1916, p. 169.
Parry, W. Labour		Lang	<b>scabs</b>	192, 1921, p. 1013.	Asked to withdraw by Speaker, refused to withdraw	Named by the Speaker, refused to withdraw and express regret	Uncertainty over the way the term was used, MP asked to explain but could not be found	Motion to suspended agreed <sup>249</sup>	192, 1921, 1014.
Lee, J. A. Labour	Smith	Statham	humbug <sup>250</sup>	231, 1932, p. 150.	Refused to withdraw in committee	Speaker recalled, expression ruled not unparliamentary.	MP rebuked for not obeying the Chair		231, 1932, p. 153.
Fraser, P. Labour	Smith	Statham	<b>contemptible</b>	231, 1932, p. 534.	Refused to withdraw in committee (twice)	Speaker recalled, the term was ruled UPL	Given further opportunity to withdraw, refused to withdraw	Motion to suspend passed on a vote, suspended	231, 1932, p. 538.
Lee, J.A. Labour	Smith	Statham	<b>the Parliament was a Parliament of curs</b> <sup>251</sup>	231, 1932, p. 534.	Refused to withdraw in committee (twice)	Speaker recalled, refused to withdraw	Given further opportunity to withdraw, refused to withdraw	Motion to suspend passed on a vote, suspended	231, 1932, p. 538.

<sup>249</sup> When Parry did not return to the chamber there was a motion to adjourn the debate but this was withdrawn and the motion to suspend was passed and conveyed to him by the Serjeant-at-Arms (W. Massey, 1921).

<sup>250</sup> This example is discussed in 7.4.1.

<sup>251</sup> This example and the one above are discussed in 7.3.2.

User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Semple, R. Labour	Bodkin (Acting Chairman)	Statham	<b>gang of political highwaymen</b>	232, 1932, p. 642.	Words ruled as UPL by Chairman, refused to withdraw	Reported to the Speaker, MP withdrew and expressed regret	Prime Minister did not require further action	View of the House that no further action be taken agreed	232, 1932, p. 643.
Parry, W. Labour	Smith	Statham	<b>theft</b> (applied to the government)	235, 1933, p. 236.	Word ruled to be UPL by Chairman, asked to withdraw	Refused to withdraw (twice), reported to Speaker asked to withdraw and express regret	Further explanation requested, Speaker ruled the term UPL, transcript read to the House	Motion of censure agreed	235, 1933, 240.
Fraser, P. Labour	Smith	Statham	<b>You are the most inefficient member that has ever sat in the chair of this Committee.</b>	235, 1933, p. 599.	Asked to withdraw by Chairman, refused to withdraw	Reported to Speaker, explanation given by MP	Member withdrew term and expressed regret	Motion that no further action be taken agreed	235, 1933, p. 605.
Semple, R. Labour		Smith (Deputy Speaker)	<b>It is the work of a gang of political highwaymen.</b>	235, 1933, p. 1138.	Asked to withdraw by Deputy Speaker, refused to withdraw	Asked to withdraw, refused to withdraw	Words ruled UPL, MP revised the language	MP withdrew and substituted words	235, 1933, p. 1139.
O'Brien, J. Labour		Statham	<b>contemptible and most scandalous</b>	237, 1933, p. 622.	Speaker asked MP if words were directed at the government	Reprimanded by Speaker, asked to withdraw	Refused to withdraw, reprimanded by Speaker	MP stated words did not apply to the government	237, 1933, p. 623.
Semple, R. Labour		Statham	<b>He has taken advantage of the position he holds to benefit himself.</b>	238, 1934, p. 54.	Asked to withdraw by the Speaker (twice)	MP stood by his statement	Reprimanded by Speaker <sup>252</sup>	Withdrew	238, 1934, p. 55.

<sup>252</sup> The reprimand was that a charge made by one member against another should be made as a substantive motion and not incidentally in the course of a debate.

User of UPL and party	Chairman	Speaker	Unparliamentary language	Hansard reference	Subsequent events 1	2	3	4	Censure reference
Lee, J. A. Labour	Smith		<b>funks</b>	238, 1934, p. 309.	Asked to withdraw by Chairman, refused to withdraw	MP repeated the UPL	Asked to withdraw word as applied to the government, repeated the UPL	Asked to withdraw, withdrew	238, 1934, p. 309.
Langstone, F. Labour	Nash	Statham	<b>lie</b>	241, 1935, p. 345.	Asked by Chairman to withdraw (twice), refused to withdraw	Named by Chairman, reported to the Speaker	Asked to withdraw and express regret, withdrew and expressed regret	Motion for no further action agreed	241, 1935, p. 346.
Macdonald, T. National	McKeen	Schramm	arrant piece of political jobbery	266, 1944, p. 732.	Refused to withdraw in committee	Reported to the House	Speaker ruled the expression parliamentary		266, 1944, p. 739.
Polson, W. National		Schramm	<b>one rule for one person, and one for another</b>	271, 1945, p. 162.	Acknowledged using the term and refused to withdraw	Asked by Speaker to withdraw	MP disputed Speaker's interpretation	No further action taken	271, 1945, p. 162.
Broadfoot, W. National	McKeen	Schramm	<b>You can do what you like. I can leave the chamber.</b>	271, 1945, p. 237, 244.	Chairman ruled line of enquiry out of order, MP objected to being censured	Speaker recalled, MP asked to withdraw (twice)	Prime Minister proposed a motion, MP counselled by Holland <sup>253</sup>	Withdrew and expressed regret	271, 1945, p. 244.
Richards, A. Labour		Schramm	<b>not as low as you</b>	272, 1945, p. 499.	Asked by Speaker to withdraw (twice)	Named by Speaker	Speaker asked Leader of the House to take action	Withdrew and expressed regret	272, 1945, p. 501.

<sup>253</sup> Prime Minister Fraser was reluctant to move a motion and the Leader of the Opposition, Sidney Holland, requested permission to retire from the chamber and speak privately with Broadfoot to encourage him to withdraw (Holland, 1945).



User of UPL and party	Chairman	Speaker	Unparliamentary language	<i>Hansard</i> reference	Subsequent events 1	2	3	4	Censure reference
Mackley, G. National		Carr (Deputy Speaker)	<b>By his ill-advised and illegal action placed a premium on wrongdoing and made the Court and Public Trustee a laughing-stock.</b>	279, 1947, p. 188.	Asked to withdraw and apologise by the Deputy Speaker	MP asked Deputy Speaker to indicate the UPL words	Deputy Speaker asked for Mackley's notes	Withdrew and apologised	279, 1947, p. 189.
Oram, M. National		McKeen	<b>poisonous insinuation</b>	279, 1947, p. 298.	Asked by Speaker to withdraw	MP withdrew "poisonous"	Asked to withdraw unreservedly	Withdrew "poisonous insinuations"	279, 1947, p. 298.
Algie, R. National		Carr (Deputy Speaker)	<b>sadistic</b>	279, 1947, p. 378.	Asked by Deputy Speaker to withdraw, MP said it was a "good English word"	Asked by Deputy Speaker to withdraw, MP asks what is the connotation	Chairman threatens to name MP, withdrew "sadistic" and substituted "cruel"	Chairman ruled "cruel" out of order	279, 1947, p. 379.
Goosman, W. National		Carr (Deputy Speaker)	<b>deliberate lie</b>	283, 1948, p. 2669.	Asked to withdraw by Deputy Speaker, MP stated only if comment by another MP was withdrawn	Asked by Deputy Speaker to withdraw, refused to withdraw	Speaker resumed Chair, discussion ensued, Speaker accepts explanation	Withdrew	283, 1948, p. 2673.
Holyoake, K. National		McKeen	<b>hang their heads in shame</b>	287, 1949, p. 1938.	Reference questioned by the Speaker, MP says he "would not withdraw"	Questioned further by Speaker, MP did not think it was UPL	Withdrew, but did not think it was offensive		287, 1949, p. 1938.



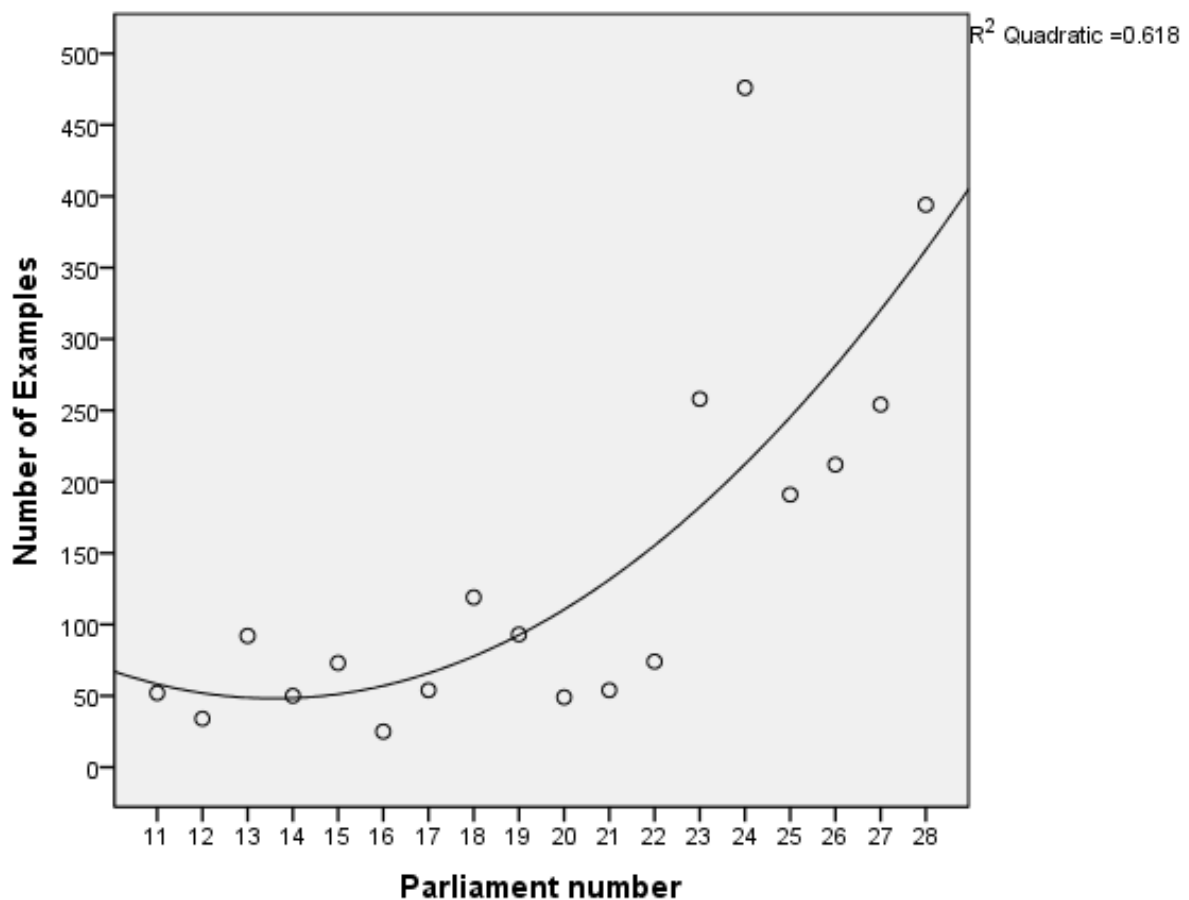
## Appendix 6: Statistical Analysis

During the data collection the number of examples of UPL used in each parliament and session were noted with a view to determine if statistical trends could be established. The analysis was in three parts; trends, predictions and a pairwise comparison. The statistical analysis was undertaken using IBM SPSS Statistics, version 22.

### 1. Trends in the use of Unparliamentary Language

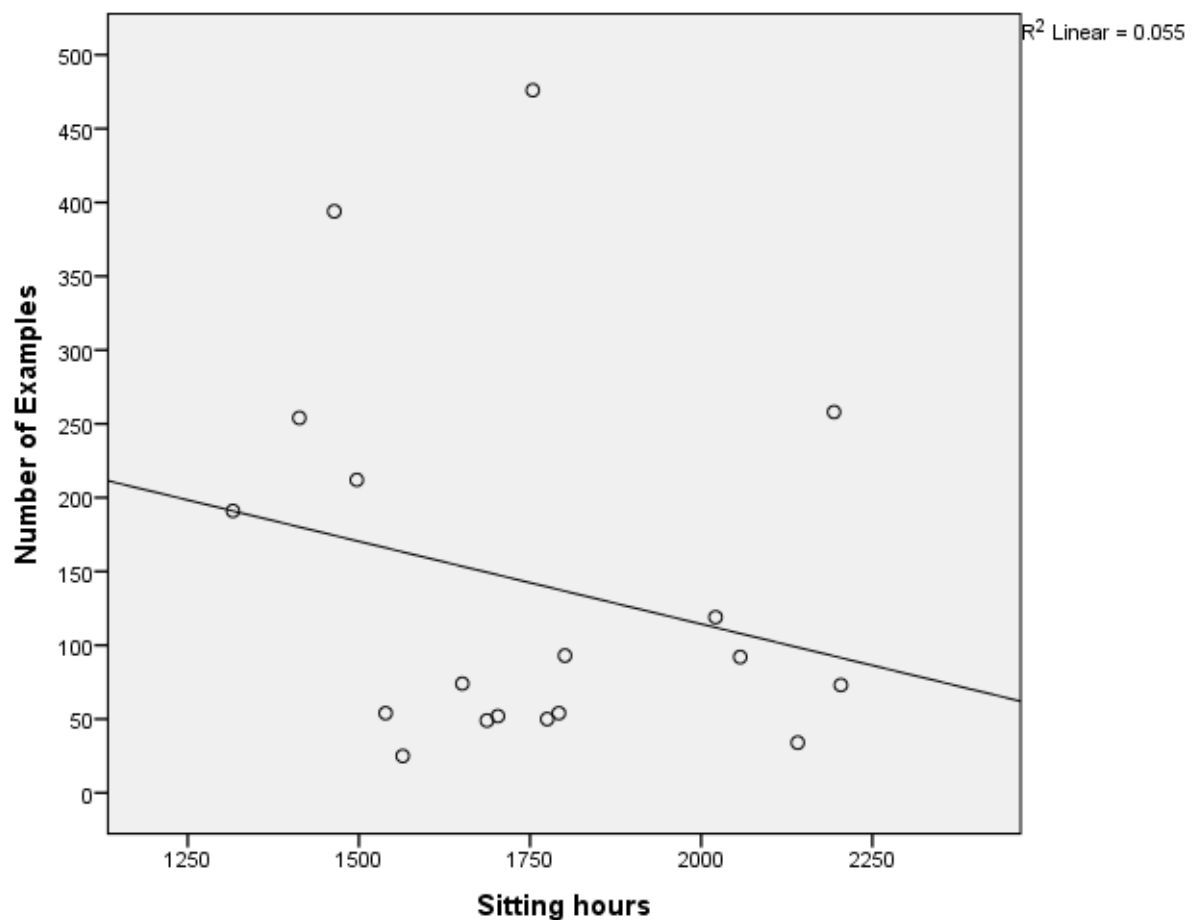
The present study began with the 11<sup>th</sup> Parliament in 1891 and ended with the 28<sup>th</sup> Parliament in 1949. The parliament number is therefore a reflection of time. Using the number of examples of UPL in each parliament (Y axis) and the parliament number (X axis) Figure 1 is a scatter plot with a fitted quadratic regression line showing the number of examples increased over the time of the study.

Appendix 6 Figure 1: Frequency of examples of UPL by parliament



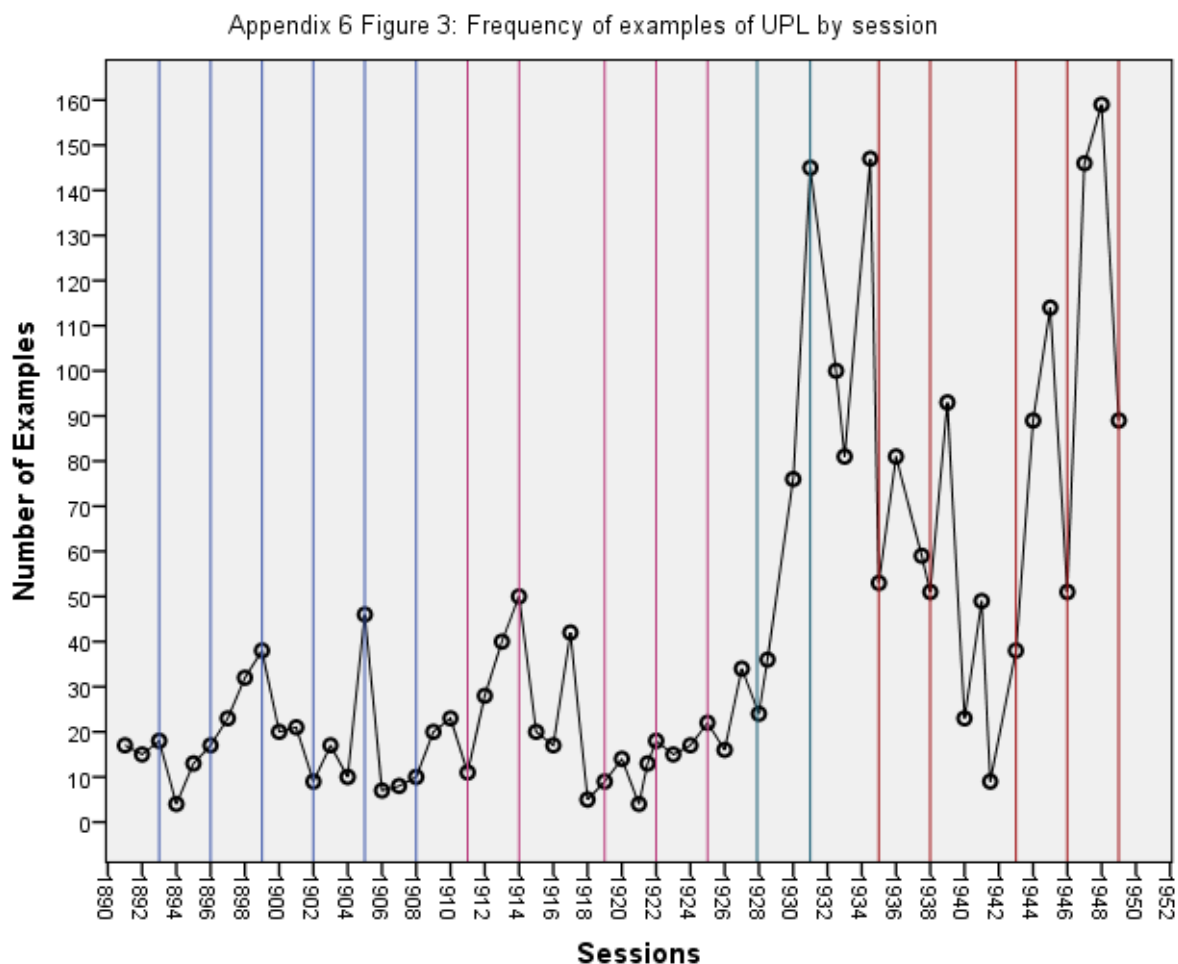
For each parliament the number of sitting hours was calculated using data sourced from a comparative table published as an appendix in *Hansard*<sup>254</sup> giving the session, days occupied, hours sat before and after midnight, and the total number of hours. Figure 2 is a scatter plot graph showing the number of examples in the 18 parliaments (Y axis) and the number of sitting hours (X axis) with a linear regression line. The results show that on average as the number of sitting hours increased the number of examples of UPL decreased.

Appendix 6 Figure 2: Frequency of examples of UPL by sitting hours



<sup>254</sup> For example, 'House of Representatives, comparative table showing number of sitting-days and length of each session, etc. since 1905', (1949), *NZPD*, 288, 3073. The data used was 'Total number of hours sat' the total sitting hours before and after midnight. The data for the 'short' sessions for the years 1891, 1897, 1906, 1909, 1912, 1918, 1923, 1928, 1931 and 1932 were not included in the original table but were compiled by the researcher from the sitting hours in the *Hansard* volume.

Figure 3 is a line graph of data by parliamentary session (n=60) with the number of UPL examples (Y axis) and the sessions (X axis). A session usually occurs within a calendar year however some sessions spanned parts of two years.<sup>255</sup> A scatter plot graph was generated and reference lines added to intersect the X axis at the point of a general election.<sup>256</sup> The colours represent the party that held power for the most of the following parliament.<sup>257</sup> Not all parties that won an election served as a government for the entire parliament. For example, following the 1911 election the Liberal Party formed a government for a matter of weeks before losing a vote of no confidence to the Reform Party. Following the 1928 election the Reform Party lost a vote of no confidence to the United Party soon after taking office. The interpolation line shows the trends in the numbers of UPL over time by session.



<sup>255</sup> The sessions that spanned two years were 22 Sep 1921-11 Feb 1922, 22 Sep 1932-10 March 1933, 28 Jun 1934-5 Apr 1935, 9 Sep 1937-15 Mar 1938, 11 Dec 1941-4 Dec 1942.

<sup>256</sup> The election years were in 1893, 1896, 1899, 1902, 1905, 1908, 1911, 1914, 1919, 1922, 1925, 1928, 1931, 1935, 1938, 1943, 1946 and 1949 (Atkinson, 2003, p. [244]).

<sup>257</sup> From left to right, Blue-Liberal, Mauve-Reform, Green-United and United-Reform, Red-Labour. From Aug 1915-10 Dec 1919 there was a National Coalition of Liberal and Reform ministers over WWI.

The graph shows a rise in the use of UPL in elections years 1899, 1905, 1914 and 1931. The graph also indicates a trend in the latter part of the study, an increase in UPL in the year preceding an election 1927, 1934, 1945 and 1948.

## 2. Predictions of Unparliamentary Language

The inspection of the histogram<sup>258</sup> showed the number of examples of UPL did not have a normal distribution so the decision was made to use a Generalised Linear Model with a Poisson distribution, for analysis. The Poisson distribution is “used to predict a dependent variable that consists of ‘count data’ given one or more independent variables ... you [can] determine which of your independent variables (if any) have a statistically significant effect on your dependent variable” (‘Poisson Regression Analysis using SPSS Statistics’, 2015). The conditions for using a Poisson distribution are:

- (1) Events occur at *random* in continuous space or time.
- (2) Events occur *singly*; and the probability of two events occurring simultaneously is zero.
- (3) Events occur *uniformly*; i.e. the expected number of events in a given interval is proportional to the size of the interval.
- (4) Events occur *independently*, i.e. the probability of an event occurring in any small interval is independent of the probability of the event occurring in any other small interval.
- (5) The variable is the *number of events* that occur in an interval of a given size. (Clarke & Cooke, 1992, pp. 319–320)

The number of examples of UPL is the dependent variable and potential independent variables were identified as, the parliament, the session, sitting hours and the party in power.

The null hypothesis is there is no relationship between the dependent variable Y and the independent variable(s) X, where:

Y = number of examples of UPL used in each parliament

X<sub>1</sub> = parliament number (as a measure of time)

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<sup>258</sup> IBM SPSS Statistics, version 20.

$X_2$  = sitting hours of the parliament

$X_3$  = party in power.

Three Generalised Linear Models were generated to model the use of UPL by adding the X independent variables into the model one at a time starting with  $X_1$  (see Table 1).

Appendix 6 Table 1: AIC results of three Generalised Linear Models by parliament

Parliament model	Dependent variable	Independent variable(s)	Akaike's Information Criterion (AIC)
1	Y = Number of examples	$X_1$ = Parliament number (time)	720.089
2	Y = Number of examples	$X_1$ = Parliament number (time) $X_2$ = Sitting hours of parliament	556.284
3	Y = Number of examples	$X_1$ = Parliament number (time) $X_2$ = Sitting hours of parliament $X_3$ = Government in office	233.266

The best model (based on having the lowest Akaike's Criterion)<sup>259</sup> included all three dependent variables. The results of this analysis were:

Appendix 6 Table 2: Results of Generalised Linear Model analysis, frequency of UPL by parliament

Tests of Model Effects			
Source	Type III		
	Wald Chi-Square	df	Sig.
(Intercept)	.639	1	.424
Parliament_no	23.387	1	.000
Sitting_hours	72.214	1	.000
Government	335.367	5	.000

<sup>259</sup> AIC "is a measure of the relative quality of a statistical model for a given set of data ... the preferred model is the one with the minimum AIC value" ('Akaike information criterion', 2014).

All three X variables significantly ( $p < .0005$ ) predicted the number of UPL examples. The result of the analysis means the rejection of the null hypothesis there is no relationship between the independent variable Y (the number of examples) and the dependent variable(s) X.

### 3. Pairwise Comparison

The marginal mean number of UPL examples for each Government in office is presented in Table 3. In a model with more than one variable, the marginal means for one variable are the means adjusted for all other factors.

Appendix 6 Table 3: Estimated marginal means, governments in office

Government	Mean	Std. Error	95% Wald Confidence Interval	
			Lower	Upper
Liberal	67.11	7.168	54.43	82.73
Reform	71.42	4.217	63.62	80.19
National Cabinet	90.46	9.429	73.74	110.96
United	97.74	12.536	76.01	125.67
Coalition	322.03	29.921	268.42	386.35
Labour	232.84	30.461	180.18	300.90

Table 4 shows the results of a pairwise comparison of the governments in office. The calculation includes the Bonferroni Correction that reduces the chance of false-positive results when multiple pairwise tests are performed (Napierala, 2012). The results show the Liberal (1891 to 1911), Reform Governments (1912 to 1914, 1919 to 1928), National Cabinet (1915 to 1918) and the United Governments were all similar with respect to the mean number of UPL examples: all  $p > .500$ .

The United/Reform Coalition (1932 to 1935) had a significantly higher number of UPL examples compared to all other Governments (including the Labour Government): all  $p < .0005$ .

The Labour Government (1936 to 1949) had a significantly higher mean than the Liberal, Reform, National Cabinet, and the United Governments: all  $p < .0005$ .



Appendix 6 Table 4: Pairwise comparison, governments in office

(I) Government	(J) Government	Mean Difference (I-J)	Std. Error	df	Bonferroni Sig.	95% Wald Confidence Interval for Difference	
						Lower	Upper
Liberal	Reform	-4.32	8.819	1	1.000	-30.21	21.57
	National Cabinet	-23.35	11.383	1	.603	-56.76	10.06
	United	-30.63	16.352	1	.915	-78.63	17.36
	Coalition	-254.92 <sup>a</sup>	35.354	1	.000	-358.70	-151.15
	Labour	-165.73 <sup>a</sup>	36.752	1	.000	-273.61	-57.86
Reform	Liberal	4.32	8.819	1	1.000	-21.57	30.21
	National Cabinet	-19.03	10.374	1	.998	-49.48	11.41
	United	-26.31	12.764	1	.589	-63.78	11.15
	Coalition	-250.60 <sup>a</sup>	29.571	1	.000	-337.40	-163.81
	Labour	-161.42 <sup>a</sup>	30.105	1	.000	-249.78	-73.05
National Cabinet	Liberal	23.35	11.383	1	.603	-10.06	56.76
	Reform	19.03	10.374	1	.998	-11.41	49.48
	United	-7.28	15.659	1	1.000	-53.24	38.68
	Coalition	-231.57 <sup>a</sup>	31.884	1	.000	-325.16	-137.98
	Labour	-142.38 <sup>a</sup>	32.694	1	.000	-238.35	-46.42
United	Liberal	30.63	16.352	1	.915	-17.36	78.63
	Reform	26.31	12.764	1	.589	-11.15	63.78
	National Cabinet	7.28	15.659	1	1.000	-38.68	53.24
	Coalition	-224.29 <sup>a</sup>	25.155	1	.000	-298.12	-150.46
	Labour	-135.10 <sup>a</sup>	29.111	1	.000	-220.55	-49.65
Coalition	Liberal	254.92 <sup>a</sup>	35.354	1	.000	151.15	358.70
	Reform	250.60 <sup>a</sup>	29.571	1	.000	163.81	337.40
	National Cabinet	231.57 <sup>a</sup>	31.884	1	.000	137.98	325.16
	United	224.29 <sup>a</sup>	25.155	1	.000	150.46	298.12
	Labour	89.19 <sup>a</sup>	20.899	1	.000	27.85	150.53
Labour	Liberal	165.73 <sup>a</sup>	36.752	1	.000	57.86	273.61
	Reform	161.42 <sup>a</sup>	30.105	1	.000	73.05	249.78
	National Cabinet	142.38 <sup>a</sup>	32.694	1	.000	46.42	238.35
	United	135.10 <sup>a</sup>	29.111	1	.000	49.65	220.55
	Coalition	-89.19 <sup>a</sup>	20.899	1	.000	-150.53	-27.85

Pairwise comparisons of estimated marginal means based on the original scale of dependent variable Examples

a. The mean difference is significant at the .05 level.