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An Interpretive Case Study of Chinese New Zealanders' Participation in Non-elected Representation

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Abstract

This paper adopts Michael Saward's representative claims theory to analyze Chinese New Zealanders' participation in non-elected representation. It explores how they made representative claims and examines the democratic legitimacy of their claims. Based on an interpretive analysis of in-depth interviews with 38 Chinese New Zealanders, I found age-based and educational-level-based patterns of how they participate in non-elected representation. Individuals and Chinese associations made representative claims based on various grounds. However, the democratic legitimacy of individual-made claims and association-made claims varied. When interviewees made representative claims, they cherished the claims' instrumental goals and intrinsic values. These findings expand our knowledge of Chinese New Zealanders' political participation and representation. This paper also analyzes the difference between making representative claims and political advocacy. It deepens our understanding of non-elected representation.

Keywords

Non-elected Representation; Representative Claims; Chinese New Zealanders; Political Participation, Political Advocacy

Introduction

Representation is a crucial constituent of democracy. Conventionally, representatives are elected through democratic elections by territorially defined constituencies and held accountable by speaking and acting for the interests of their constituencies ([Näsström 2011](#)). However, an increasing number of individuals and groups have participated in politics as non-elected representatives worldwide ([Celis et al. 2014](#); [de Wilde, Koopmans, & Zürn 2014](#); [Heinisch & Werner 2019](#); [Meardi, Simms, & Adam 2021](#)). Although scholars have actively analyzed how non-elected representation contributes to democracy theoretically ([Disch 2015](#); [Saward 2006](#); [Urbinati & Warren 2008](#); [Young 2002](#)), few studies have investigated how this form of representation is practiced empirically ([Bovenkamp & Vollaard 2018](#); [de Wilde 2020](#); [de Wilde, Koopmans, & Zürn 2014](#)). Consequently, we know little about how ethnic minorities in New Zealand participate in politics as non-elected representatives ([Cook 2013](#)). Chinese New Zealanders account for five percent of New Zealand's population ([StatsNZ 2019b](#)). This paper contributes to the literature by analyzing how Chinese New Zealanders participate in New Zealand's politics through non-elected representation.

Non-elected representation is not a new form of political participation. People whose interests are influenced by policies but excluded or marginalized from electoral institutions can use this strategy to defend and advance their interests ([Hirst 2013](#)). Scholars have diverse interpretations of how non-elected representatives contribute to democracy by making representative claims ([Rehfeld 2006](#); [Saward 2006](#); [Street 2004](#)). Among these theories, [Michael Saward's \(2009\)](#) theory of representative claims is the most influential framework for analyzing and evaluating non-elected representation. He interprets representation as 'processes of claim-making and consequent acceptance or rejection by audience or parts of the audience' ([Saward 2006](#), p. 306). By acknowledging that claim-making is the heart of representation, [Saward \(2006\)](#) expands democratic representation beyond elections and the activities of elected representatives. Instead, representation becomes a dynamic process of making, recognizing, accepting, or rejecting representative claims. Therefore, ethnic minorities who face institutional marginalization are empowered to raise their particular concerns and protect their interests by making representative claims ([Dovi 2018](#)). Following his line of arguments, I use representative claim theory to analyze Chinese New Zealanders' performance as non-elected representatives.

Non-elected representation is vital for Chinese New Zealanders' political participation for two reasons. First, Chinese New Zealanders are underrepresented in New Zealand Parliament. Before 1996, New Zealand adopted the first-past-the-post (FPP) electoral system, and there were no Members of Parliament (MPs) of Chinese descent under the FPP system¹. The statistics show that ethnic minorities were marginalized and excluded under the FPP system ([Miller 2015](#)). Chinese New Zealanders were no exception. Replacing the FPP system with a mixed-member proportional (MMP) system in 1996 helped address the problem. In the MMP system, citizens elect their representatives with two votes – one for candidates from constituents' electoral districts and the other for candidates from ranked party lists. Chinese New Zealanders have achieved more descriptive representation from the MMP system. Five Chinese MPs have entered Parliament since the implementation of the MMP system. They are Pansy Wong (1996–2011), Kenneth Wang (2004–2005), Jian Yang (2011–2020), Raymond Huo (2008–2014, 2017–2020), and Naisi Chen (2020–2023). Despite the progress, Chinese New Zealanders have remained underrepresented in Parliament. In the 51st (2014–2017) and 52nd (2017–2020) Parliaments, the number of Chinese MPs was the largest, with two, respectively. The current 53rd (2020–2023) Parliament only has one Chinese MP, Naisi Chen, among 120 MPs. Compared with the proportion of Chinese New Zealanders among the whole population (nearly five%), Chinese MP accounts for 0.83% of the number of MPs in the current Parliament. The number disparity suggests that Chinese New Zealanders are marginalized in formal representative

¹ For convenience, I used Chinese MPs in this paper to refer to MPs of Chinese descent.

institutions. In fact, my conversations with interviewees corroborated my assumption. Nearly 84% (34/38) of interviewees felt that Chinese New Zealanders were excluded from New Zealand's institutionalized political arena.

Second, Chinese New Zealanders are probably not active participants in electoral activities. The MMP system allows New Zealand citizens and permanent residents to vote in General Elections. However, [Park \(2006\)](#) found that Chinese New Zealanders had lower turnouts than Korean New Zealanders primarily because they were unfamiliar with New Zealand's political system. [Barker and McMillan \(2017\)](#) also found that Chinese New Zealanders had the lowest turnouts among Asian New Zealanders due to the language barrier². Similarly, [Huang's \(2023\)](#) study revealed a low turnout of Chinese New Zealanders in the 2020 General Election primarily because of their political habits. [Du's \(2023\)](#) study also found that Chinese New Zealanders preferred to engage in political activities in Chinese associations and online to address political concerns because of their pre-migration political participation experiences. The opportunities for Chinese people to engage in politics through formal institutions were limited. Therefore, they were not used to seeking politicians or Chinese MPs for help. These studies explain why Chinese New Zealanders are underrepresented in formal institutions and inactively participate in electoral activities. They reveal Chinese New Zealanders' participation in elected representation. As [Saward \(2009\)](#) emphasizes, political representation includes elected and non-elected representation. However, we have limited knowledge of Chinese New Zealanders' participation in non-elected representation. This paper fills the gap by adopting non-elected representative claims as a framework to investigate their engagement in non-elected representation.

The paper explores Chinese New Zealanders' participation in non-elected representation from two aspects: the grounds on which people make representative claims and how they justify their representative claims. To achieve the research's objectives, I structure the paper as follows. The following (second) section explains [Saward's \(2006\)](#) theory of representative claims and [Bovenkamp and Vollaard's \(2018\)](#) mechanism to assess the democratic legitimacy of representative claims. The third section explains the process of data collection and analysis. The fourth, discussion, section consists of three parts. I begin by presenting various channels through which Chinese New Zealanders made representative claims. Next, I analyze how and on what grounds non-elected Chinese New Zealanders' made these claims. Last, I evaluate the legitimacy of their representative claims. The conclusion explores the implications for future studies.

The Theory of Representative Claims

A SHIFT FROM ELECTED TO NON-ELECTED REPRESENTATION

Political theorists understand democratic representation differently. A standard account interprets this concept as 'acting in the interests of the represented, in a manner responsive to them' ([Pitkin 1967](#), p. 209). This interpretation assumes that there are objectively pre-existing constituencies with fixed and manifest needs and interests waiting for representatives to represent ([Huntington 1993](#); [Rehfeld 2006](#); [Schumpeter 2013](#)). In democracies, people can reward representatives who act in their interests and punish those who

2 There is no official statistic showing Chinese New Zealanders' turnouts in past General Elections. The Electoral Commission published reports after every General Election. The reports show that Asian New Zealanders had the lowest turnout in the 2008 and 2014 General Elections ([Electoral Commission, 2018](#)). However, it remains unclear why the Commission did not offer detailed statistics on each ethnic group's turnout, such as Chinese New Zealanders, Indian New Zealanders, and British New Zealanders before 2017. Additionally, in the most recent 2017 and 2020 General Elections, the Electoral Commission changed its criteria to analyze the levels of voter turnout. It abandoned the old criteria based on broad ethnicities (such as Asian New Zealanders, Pākehā New Zealanders, and Latin American New Zealanders) and adopted the current criteria based on the binary distinction between Māori and non-Māori descent ([Electoral Commission, 2018, 2021](#)). Therefore, there were no detailed statistics on Asian New Zealanders' turnouts compared with other ethnic groups in the 2017 and 2020 General Elections.

fail to defend their interests by participating in periodic elections ([Esaïasson & Wlezien 2017](#)). Within this framework, scholars focus on whether representatives enact policies to meet people's demands and whether people can hold representatives accountable via institutional mechanisms ([Kriesi & Trechsel 2008](#); [Lord & Pollak 2013](#); [Severs 2012](#)).

There are several problems with the standard account of political representation. First, the standard account treats the represented as a pre-existing unity or its parts with stable interests ([Pitkin 1967](#)). Therefore, the core task of representation is to make the object of representation visible. However, empirical studies have found that constituencies within defined territories do not always have fixed interests when participating in politics ([Barker & Coffé 2018](#); [Chaney 2015](#); [Saalfeld & Bischof 2013](#)). Additionally, 'the represented' as a community constantly changes because citizens sometimes leave their previous constituencies or the states purposefully enact redistricting laws ([Christensen 2004](#); [Forest 2012](#); [Hirsch 2003](#)). In other words, 'the represented' and 'the interests of the represented' constantly change in reality. Third, the standard account binds democratic representation to a static principal-agent relationship. It believes officials elected from formal elections are the sole representatives to represent citizens ([Dovi 2018](#)). However, empirical studies have found that in modern liberal democracies, elected and non-elected representatives play significant roles in public decision-making ([Heinisch & Werner 2019](#); [Kriesi & Trechsel 2008](#); [Kuyper 2016](#)).

Besides these practical problems, the key normative limitation of the standard account is that it fails to address a critical principle of democracy, the principle of all affected interests ([Montanaro 2012](#)). This principle maintains that 'anybody whose interests are (potentially) affected by a political decision should have opportunities to influence that decision' ([Goodin 2007](#), p. 51). However, the standard election-based representation is insufficient to respond to large groups of the (potentially) affected when it comes to regional and global issues. For example, when dealing with climate change, people in developing countries affected by policies often have limited capacities to influence those policies. Such a concern drives scholars in development studies to explore how people in the Global South understand climate change, respond to it, and view the treaties and programs launched by Western countries to combat this issue ([Hunter, North, & Slotow 2021](#)).

The standard account of representation is also ineffective in responding to the underrepresentation and misrepresentation of disadvantaged communities ([Saward 2006](#); [Young 2002](#)). Empirical studies have demonstrated that ethnic and gender minorities are often neglected or marginalized in electoral representation, and therefore, these communities ask for more descriptive representation ([Clayton, O'Brien, & Piscopo 2019](#); [Hayes & Hibbing 2017](#)). However, some studies also showed that increasing descriptive representation in formal institutions failed to improve minorities' underrepresentation and misrepresentation ([Saalfeld 2014](#); [Sobolewska, McKee, & Campbell 2018](#)).

[Saward \(2006\)](#) proposes a theory of representative claims to address the above limitations. His theory expands the scope of democratic representation beyond elections. He understands political representation as an ongoing dialogue among claim-makers (representatives), the claimed represented groups, and the audience who are the targets of representative claims. Therefore, political representation means 'a claim-maker of representation puts forward a subject which stands for an object that is related to a referent and is offered to an audience' ([Saward 2006](#), p. 302).

However, scholars often challenge the grounds on which non-elected representatives make representatives ([Frith 2020](#); [Heinisch & Werner 2019](#); [Nuske 2022](#)). Saward offers some suggestions on this aspect. He points out that non-elected actors can make representative claims, implicitly or explicitly, on several grounds. First, actors can claim representation based on the group's identity or attachments, such as

Chinese associations making representative claims for Chinese New Zealanders ([Sedgwick 1982](#); [Du 2023](#)). Second, the justification of representative claims could derive from hypothetical consent or professional knowledge. Additionally, stakeholders of a process or a decision are also eligible to make representative claims. For example, if the voices of (potentially) affected groups were not heard in public decision-making, others could make representative claims for those unvoiced groups. Street demonstrations and petitions are of this kind of non-elected representation. Furthermore, descriptive similarities between subjects and objects enable the former to speak or stand for the latter. Last, individuals are eligible for self-representation because an open democracy allows them to speak for and defend their interests ([Saward 2009](#), pp. 10-15).

JUSTIFYING NON-ELECTED REPRESENTATION

Knowing on what grounds non-elected representatives can make claims is not enough to determine whether these claims reflect democratic representation. We also need to explore how non-elected representatives justify their representation. Saward does not offer a clear set of criteria to assess the legitimacy of non-elected representative claims. However, other scholars have proposed different solutions to this problem ([Bovenkamp & Vollaard 2018](#); [Montanaro 2012](#)). Among various sets of criteria to examine the legitimacy of representative claims, I choose [Bovenkamp and Vollaard's \(2018\)](#) framework. They developed their mechanism based on the theoretical reflections of [Saward \(2009\)](#) and [Montanaro \(2012\)](#) and their empirical studies on the Netherlands' decentralized social and healthcare policies ([Bovenkamp & Vollaard 2018](#)). Since this mechanism integrates theoretical and empirical considerations, it is a favorable framework for evaluating the legitimacy of representative claims.

[Bovenkamp and Vollaard \(2018, p. 102\)](#) argue that legitimate representative claims should meet three criteria. First, representative claims must be made in public debates. This criterion enables constituents claimed to be represented to judge and decide whether to accept or reject these claims, which echoes [Saward's \(2006\)](#) definition of representation. They further notice that mere acceptance of representative claims cannot guarantee that these claims are democratic. For example, representatives from dictatorships might be accepted by the United Nations as their countries' representatives. They are not democratic representatives ([Rehfeld 2006](#)). To ensure representative claims are democratic, non-elected representatives need to be responsive to their constituents ([Montanaro 2012](#); [Severs 2010](#)). [Bovenkamp and Vollaard \(2018, p. 102\)](#) develop their second and third criteria to examine representatives' responsiveness from authorization and accountability aspects. The second criterion focuses on authorization. It investigates how representatives are selected. They argue that representatives can be selected democratically through elections, public deliberations, signing petitions, or being members of associations. The third criterion focuses on accountability to examine representatives' sense of obligation to explain and justify their conduct to their constituents. Constituents can examine representatives' accountability through elections, public debates, regular meetings, and public reports. In other words, representatives and the represented need to establish contacts through which authorization and accountability can happen ([Bovenkamp & Vollaard 2018](#)).

To conclude, non-elected representation mitigates ethnic minorities' underrepresentation and misrepresentation in formal representative institutions. It enables them to articulate demands and protect interests on their behalf. However, we need to cautiously examine the grounds on which non-elected representatives make their claims and how they justify the democratic legitimacy of their claims. [Saward \(2006\)](#) offers a framework to examine the grounds of representative claims. [Bovenkamp and Vollaard's \(2018\)](#) framework helps investigate the legitimacy of representative claims. Based on these two frameworks, I explore how Chinese New Zealanders participate in non-elected representation and whether or not their representative claims are democratic.

Research Methods

DATA COLLECTION AND ANALYSIS

This research explores how Chinese New Zealanders participate in non-elected representation from two aspects: the grounds on which they make representative claims and how they justify their claims. To achieve this objective, I used semi-structured, in-depth interviews with 38 Chinese New Zealanders in Auckland to collect data from 2020 to 2021³. Although interpretive case studies have limited validity and weak generalizability (Yin 2003), they are good at revealing detailed information and nuances of interviewees' experiences of acting as non-elected representatives. Therefore, a qualitative case study was appropriate for this research.

I recruited participants according to four criteria. They were 1) immigrants who identify as ethnic Chinese; 2) currently living in New Zealand; 3) citizens or permanent residents of New Zealand for over one year; 4) aged 18-year-old and above. First-generation Chinese New Zealanders are diverse according to their age, socioeconomic status, and length of residence in New Zealand (StatsNZ 2020). I adopted a purposive sampling strategy (Tongco 2007) to achieve information richness. The primary ways to approach potential participants were sending invitation emails to Chinese association members, posting recruitment advertisements on social media, and asking respondents to invite their friends and families to join the research.

New Zealand is a country of migrants. Chinese New Zealanders comprise five% of its population (StatsNZ 2019a). However, 'Chinese New Zealander' is an umbrella concept. People whose countries of origin are mainland China, Malaysia, Singapore, and other places may all identify themselves as ethnic Chinese. The 2018 Census shows about 73% of Chinese New Zealanders were born overseas. Meanwhile, mainland China, Taiwan, and Hong Kong are the top three sources of first-generation Chinese immigrants' intake (StatsNZ 2020). Therefore, I narrowed the target group to first-generation Chinese New Zealanders from mainland China, Taiwan, and Hong Kong.

All interviewees were informed about the content of the study and agreed to be recorded. In the end, 38 interviewees participated in the study, 17 women and 21 men. The mean age among participants was 46, within an age range of 28 to 86. The interviewees came from all walks of life and had various socioeconomic statuses. Detailed information on 38 interviewees is provided in *Appendix I*. Most interviews (37/38) were in Mandarin. I transcribed and translated these interviews into English. The average length of interviews was 76 minutes. I asked interviewees whether they attempted to make representative claims in the past, whom they claimed to represent, the grounds on which they made these claims, and how they justified claims to people they claimed to represent. All interviews were recorded after the participants' approval. When interviewees' descriptions suggested repeated themes regarding types of non-elected representation, grounds of their representative claims, and types of responsiveness mechanisms, I stopped interviewing new participants. I made this decision following Charmaz's (2014) idea of data saturation.

Data collection and analysis were conducted simultaneously. I used thematic analysis (Braun & Clarke 2012) to process the data collected. Interview transcripts were coded into the following six categories: 1) agents making representative claims; 2) constituents claimed to be represented; 3) the basis of

³ I restricted the target group to Chinese New Zealanders living in Auckland for two reasons. First, the 2018 Census shows that most Chinese New Zealanders (69%) work and live in Auckland (StatsNZ 2020). Meanwhile, the fieldwork was conducted during the pandemic of COVID-19. The government announced travel restrictions several times during 2020 - 2021. I lived in Auckland during this period. Due to these two reasons, all interviews were conducted in Auckland in person. At first, I planned to conduct online and phone interviews, which would allow me to interview participants outside Auckland. However, after three online interviews, I found participants were more willing to share their participatory experiences face-to-face rather than online. It was probably because interviewees would have a deeper sense of trust in me when communicating with me in person.

representative claims; 4) acceptance of the claims (either from decision-makers or from constituents); 5) ways to demonstrate authorization and experiences with them; 6) ways to demonstrate accountability and experiences with them. The analysis shows that individuals and Chinese associations were two agents that made representative claims for groups including but beyond Chinese New Zealanders. They made representative claims based on different grounds and demonstrated responsiveness to their constituents through various mechanisms. The following section analyzes these findings in detail.

LIMITATIONS

The research has some limitations. First, as mentioned earlier, all interviewees came from Auckland due to COVID-19-enforced travel restrictions. Although more than half of Chinese New Zealanders live in Auckland, they also live in other cities, such as Wellington (8%) and Canterbury (8%) ([StatsNZ 2019b](#)). I believe non-Aucklanders may have diverse experiences making representative claims not identified in this research. Second, individuals in different places often experience different political socialization processes, further affecting their forms of political participation ([Bilodeau 2014](#)). Chinese New Zealanders from other places might have other experiences of acting as non-elected representatives differently from interviewees from mainland China, Hong Kong, and Taiwan. Future studies could overcome these limitations by interviewing Chinese New Zealanders outside Auckland and beyond the three cohorts. Last, this research investigated how interviewees participated in representation through claim-making from the claim-makers' side. It is half of the story because [Saward \(2010\)](#) believes that representative claims only work if the audience receives the claims. To comprehensively understand and evaluate Chinese New Zealanders' participation in non-elected representation, scholars also need to conduct the study from the audience's side.

Findings and Discussion

MAKING REPRESENTATIVE CLAIMS

Interviewees participated in non-elected representation primarily through four channels: attending public hearings, creating petitions, becoming consultants for local boards, and asking Chinese associations to make representative claims⁴. There was no apparent gender-based and political identity-based (citizens versus permanent residents) difference in terms of the ways they engaged in non-elected representation. However, young and middle-aged interviewees (in their 20s to 50s) preferred to make representative claims individually, while older interviewees (in their 60s to 80s) mainly relied on Chinese associations to articulate demands. The discrepancy results from the language barrier. Most older interviewees did not feel comfortable communicating in English, which impeded them from raising demands at public hearings. Furthermore, most middle-aged interviewees were occupied with their work and households. They did not have spare time to join associational activities as older interviewees did. Although political socialization influences first-generation Chinese New Zealanders' political participation ([Du 2023](#)), there was no apparent difference among mainlanders, Taiwanese, and Hong Kongers regarding their ways of making representative claims. It was probably because the influence of political socialization was mediated by other factors, such as people's length of residence in New Zealand. However, we need large-scale survey-based research to statistically examine this assumption, and future scholars are encouraged to conduct studies in this aspect.

Interviewees made representative claims through numerous channels. However, the efficiency of each channel varied. When making representative claims individually, many interviewees complained that

⁴ The following sub-section, "Individual-based and association-based representative claims", describes how interviewees made representative claims through these four channels.

being consultants for local boards or attending public hearings seldom helped them solve problems. They suspected government officials did not sincerely care about their concerns. Interviewee 17 said, 'I do not think the officials report my demand to their managers. After all, my problem is not widely shared among most New Zealanders.' Most demands raised through petitions were not satisfied, either. For example, interviewees started a petition against pension reform but failed to stop the Parliament from passing this Bill. (I will explain this case in detail in the coming sub-section.)

The efficacy of making representative claims through Chinese associations varied based on the content of representative claims. Chinese community-centered claims (like solving racist attacks targeting the Chinese) often had more positive results than claims that involved other ethnic communities (like stopping the national pension reform). It might be because when claims included other ethnic communities, they required more cooperation and coordination among various government institutions. It increases the difficulties of achieving the goals of these claims.

All interviewees cared about the outcomes of their political participation, but most admitted they hardly achieved their expected goals through making representative claims. Nonetheless, 30 out of 38 interviewees felt it worthwhile participating in non-elected representation, even though they did not achieve their goals eventually. Interviewee 35 explained, 'Most of my requests were not satisfied. However, I feel I am an active and responsible citizen when raising these concerns. We did not have these opportunities back in China [here referring to PRC]'. Others expressed similar feelings. They treasured the intrinsic value of participating in decision-making processes. It shows that interviewees appreciated non-elected representation's intrinsic values, albeit sometimes their political participation failed to achieve instrumental goals.

Interviewees' representative claims primarily addressed their immediate interests. Interviewee 9 explained, 'I spend more time on issues closely related to my everyday life. I also regularly follow big issues like housing prices. However, I make no difference in these big issues. Therefore, I talk about my daily concerns because others, especially government officials, easily ignore them. And second, these issues directly affect my well-being.'

To conclude, interviewees made representative claims via various channels. There were apparent age-based and educational-level-based differences regarding the channels people used to make representative claims. Although sometimes interviewees failed to achieve their expected instrumental goals, they cherished intrinsic values when making representative claims.

INDIVIDUAL-BASED AND ASSOCIATION-BASED REPRESENTATIVE CLAIMS

Numerous channels were available for interviewees to make representative claims, and I categorize them into two types: individual-based and association-based. This section details how interviewees raised concerns through these two types of non-elected representation and analyzes the grounds on which they made these claims.

Individually, interviewees made representative claims to government officials by serving as consultants for local boards or raising concerns at government-organized public hearings. When engaging in this form of non-elected representation, interviewees claimed to represent the particular groups they belonged to. For example, Interviewee 22, a co-founder of a new energy company, believed he represented Chinese entrepreneurs when serving as a consultant for the business committee of his neighborhood local board. The committee organized meetings where consultants could raise their concerns and offered suggestions to officials in charge of economic development. To articulate Chinese entrepreneurs' demands and protect their interests, Interviewee 22 regularly attended meetings organized by Chinese chambers of commerce and met with his entrepreneurial friends to collect people's problems. Although he actively made representative claims during the meetings based on the information collected from his friends, he felt officials from the local board did not take his claims seriously. He complained several times to the committee about local

companies monopolizing the new energy industry. However, the committee never officially discussed his complaints during the meetings or released any reports to address this problem, which weakened Interviewee 22's enthusiasm for continuing to make representative claims for Chinese entrepreneurs. Three sources supported Interviewee 22 to make representative claims, his expert knowledge of business, being a stakeholder in the industry, and the consent from other Chinese entrepreneurs. [Saward \(2009\)](#) recognizes these three sources as reasonable grounds for representative claims.

Interviewees also made representative claims when attending public hearings. Interviewee 17 requested Auckland Transport (AT) to offer information about public transport in Chinese on behalf of older Chinese immigrants when attending AT-organized public hearings. The current public transportation system in Auckland was unfriendly to immigrants who did not understand English. Some older Chinese immigrants understood simple phrases in English. However, most could not read and communicate in English in long sentences. They could not understand English instructions at bus stops and on the AT mobile application. It impeded them from taking public transport alone on long distances. Additionally, many older Chinese immigrants did not know how to drive in New Zealand because driving in New Zealand differs from mainland China and Taiwan. The language barrier and different driving habits severely reduced older Chinese New Zealanders' freedom of mobility. Many of Interviewee 17's friends talked with her about the inconvenience caused by their limited mobility. As an older Chinese who could communicate in English fluently, she felt responsible for publicizing this concern after listening to her friends' stories. She explained, 'You cannot imagine how boring these older people's lives are when trapped in their neighborhoods. I do not think the government fully knows and understands the difficulty these older people face because it seldom comes to the community and listens to older people's demands. But I fully understand their struggles.' Feeling sympathetic to these older people, Interviewee 17 made representative claims for them based on her frequent communication with them.

However, it is noteworthy that not everyone who raised concerns publicly participated in non-elected representation. For example, Interviewee 23 recalled that she once complained that the equipment in the community activity center of her neighborhood was old and unsafe at one local board-organized hearing. Other participants supported her complaints, and the community changed to new equipment after the hearing. [Saward \(2006\)](#) understands non-elected representation as a process of claim-making and consequent acceptance or rejection by the audience. From this aspect, we might recognize that the audience accepted Interviewee 23's claim since others supported her request and the local board changed the equipment under her recommendation. However, I argue that she did not make representative claims at that public hearing. She insisted that she did not represent anyone when raising her demand. She explained, 'I do not think I have the privilege to claim I represent other Chinese people. No one can represent others without their consent.'

Interviewee 23's reflection emphasizes the importance of receiving consent from the represented when making representative claims. As previously discussed, Interviewee 22 and Interviewee 17 received consent from their constituents when making representative claims. Therefore, when individuals made representative claims, the constituents' consent was a solid basis for legitimizing their claims. This observation echoes other empirical findings that the constituents' consent authorizes non-elected people to make representative claims ([Celis et al. 2014](#); [Frith 2020](#)). Accordingly, I argue that the consent of the represented becomes a critical criterion to determine whether non-elected people engage in non-elected representation when they publicly raise concerns.

The existence of a clear constituency is another criterion to determine whether or not people participate in non-elected representation. Many young and middle-aged interviewees reported they made representative claims online. However, I did not consider their actions as participating in non-elected representation. For example, Interviewee 32 claimed she represented women of ethnic minorities in fighting against sexual harassment in workplaces when she posted articles online to support the global MeToo movement.

Similarly, Interviewee 27 claimed to represent future generations when uploading videos on YouTube to ask people to protect the environment. Although these two interviewees claimed to represent particular groups, it was hard to identify precise constituents for their claims. Furthermore, it was challenging to determine whether they obtained consent from their constituents. Therefore, I argue that they did not participate in non-elected representation. They engaged in public discussions and advocated for social changes.

Chinese associations were also active participants in non-elected representation. They often made representative claims for older people who had problems yet were uncomfortable or unable to raise their concerns publicly. Interviewee 3, a member of the Chinese Association of Northcote Auckland (CANA), mentioned that older members of his association requested the association to create a petition to object to the pension reform. They circulated the petition in different Chinese associations and online platforms to collect as many signatures as possible. In the past, elderly migrants could claim their pensions after living in New Zealand for ten years. The Superannuation and Retirement Income (Fair Residency) Amendment Bill stipulates that starting in 2024, the residency period before migrants can claim pensions will gradually increase to 20 years by 2042. Many older immigrants, particularly those who had not received pensions, thought this reform was unfair. The CANA made a representative claim directly targeting the government for this group of older Chinese immigrants who have not received pensions. The basis of its representative claim derives from people's consent since older immigrants asked the CANA to create the petition.

The CANA made another representative claim for its members who encountered racial discrimination in the Northcote community. Interviewee 2 recalled it happened in 2012. At that time, elderly Chinese often encountered verbal harassment in the neighborhood. They reported this phenomenon to the CANA, hoping it could solve the problem. Under its members' request, the CANA wrote a letter to the Mayor's office and contacted the *Chinese NZ Herald* and *New Zealand Herald* to report this phenomenon. With the efforts of many parties, the problem was resolved. Since then, the police regularly attended the CANA's monthly meetings to collect the Chinese community's concerns and disseminate important information about community safety during the meetings. In this case, the CANA again made a representative claim for older Chinese under their request.

To conclude, individuals and Chinese associations actively made representative claims. They made representative claims based on various grounds and for different groups. Representative claims might encounter contestation or rejection from constituents. However, [Saward \(2009\)](#) believes it is a normal phenomenon and does not weaken the legitimacy of representative claims. Furthermore, not everyone who publicly articulates demands makes representative claims. The consent of the represented and identification of precise constituents determine whether or not people's actions belong to non-elected representation.

JUSTIFYING REPRESENTATIVE CLAIMS

Non-elected representation often faces challenges concerning its legitimacy ([de Wilde 2020](#); [Severs 2010](#)). The following analysis uses [Bovenkamp and Vollaard's \(2018\)](#) responsiveness framework to examine the legitimacy of individuals' and Chinese associations' representative claims. First, individuals and Chinese associations publicly made representative claims, which meets [Bovenkamp and Vollaard's \(2018\)](#) first criterion. Second, I examine whether individuals and Chinese associations were responsive to their constituents from authorization and accountability aspects, respectively. Authorization investigates how representatives were selected and authorized to make representative claims. Accountability examines how representatives explained and justified their conduct to the represented. The analysis shows that individuals and Chinese associations relied on different means to claim authorization. However, the authorizing power of these means varied. Furthermore, Chinese associations and individuals performed differently regarding accountability. The former emphasized it and put significant efforts into demonstrating their accountability. However, individual interviewees showed limited interest in their accountability efforts.

Individual interviewees believed that expert knowledge, shared experiences, being a stakeholder, regular contact with constituents, and consent from constituents authorized them to make representative claims for themselves or Chinese New Zealanders. For example, Interviewee 22 stated, ‘My professional knowledge in the industry and my regular communication with Chinese entrepreneurs allow me to claim that I represent Chinese businesspeople in the industry.’ Interviewee 17’s representative claim also wins its legitimacy from her frequent communication with other older Chinese immigrants. [Bovenkamp and Vollaard’s \(2018\)](#) framework mentions all these means of authorization; however, they think these means have different levels of power to demonstrate the democratic legitimacy of representative claims. Among these means, constituents’ consent and regular meetings with constituents are more convincing than others in defending representative claims’ legitimacy. Their argument echoes the interviewees’ emphasis on gaining constituents’ consent when making claims.

The represented have various ways to make representatives accountable to them, such as through elections, public debates, publicizing documents, and meeting with constituents ([Bovenkamp & Vollaard 2018](#)). However, individual representatives had a weak sense of accountability. Most of them, except Interviewee 22, never returned to their constituents to explain their actions and claims. Furthermore, no mechanism was established to force these non-elected individual representatives to be accountable to their constituents, further weakening the democratic legitimacy of these non-elected representative claims. As discussed earlier, when individuals made representative claims, they cherished the intrinsic values of their participation in non-elected representation. They did not always prioritize the instrumental purposes of their representative claims. Therefore, they were less motivated to demonstrate accountability to their constituents.

Unlike individual representatives, Chinese associations emphasized authorization and accountability when making representative claims for the Chinese community. On the one hand, Chinese associations organized meetings to collect people’s demands and made representative claims based on these demands and requests. Therefore, Chinese associations authorized their representation through regular meetings with their members. People also authorized Chinese associations to represent them by signing petitions. By doing so, people indirectly approved Chinese associations’ representative claims. On the other hand, Chinese associations regularly reported their actions to their constituents by organizing monthly or seasonal meetings. During these meetings, association members could question, even reject, Chinese associations’ claims. Additionally, many Chinese associations elect their leaders and managers every two or three years. Those who fail to be accountable to their members could be voted out of their positions. Therefore, people monitor Chinese associations’ accountability by questioning during associational meetings and electing associations’ managers. Although Chinese associations differed regarding their associational members’ composition, they relied on similar means to guarantee responsiveness to their constituents when making representative claims.

To conclude, individuals and Chinese associations relied on various means to obtain authorization for their non-elected representation. However, individual representatives were often less motivated to be accountable to their constituents. There was also no mature mechanism for constituents to question individual representatives’ accountability. Instead, Chinese associations emphasized the significance of authorization and accountability. They relied on mature mechanisms (regular meetings and elections) to obtain authorization and become accountable to their constituents. [Bovenkamp and Vollaard \(2018\)](#) believe that representative claims are not democratic unless they are responsive to constituents. Since individual representatives often neglected to be accountable to constituents, their claims are less democratically representative than association-made claims.

Conclusion

This paper explores how Chinese New Zealanders made representative claims and examines the legitimacy of these claims. It also emphasizes the differences between making representative claims and political advocacy. The discussions of this paper have several implications for future studies on political participation and democratic representation.

First, Chinese New Zealanders are the largest Asian community in New Zealand (StatsNZ 2019a). They are becoming ever-more politically significant. Understanding their political participation helps better understand New Zealand politics and ethnic minorities' political integration in New Zealand. The existing literature on Chinese New Zealanders' political participation has primarily focused on their participation in electoral activities (Barker & McMillan 2017). This research reveals another aspect of their political participation: performing as non-elected representatives. The existing literature has rarely analyzed this form of political participation. Therefore, this research enriches our knowledge of Chinese New Zealanders' political participation.

Second, non-elected representation is becoming increasingly important in people's political participation (Street 2004). However, when researchers explore how people participate in this form of political participation, they encounter a risk of including all activities of raising concerns as making non-elected representative claims. This research notices this risk and identifies that people sometimes mistakenly interpret their participation in political advocacy as making representative claims. It offers suggestions for differentiating representative claims from political advocacy, which helps researchers conduct their empirical studies on non-elected representation.

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Appendix I: Information of Interviewees

No.	Age	Gender	Place of Origin	Length of Residence	Occupation	Immigrant Identity
1	83	Female	Hong Kong	61	Retired business manager	NZ Citizen
2	72	Male	Taiwan	50	Retired professor	NZ Citizen
3	70	Male	Taiwan	47	Retired civil servant	NZ Citizen
4	76	Male	Hong Kong	51	Retired engineer	NZ Citizen
5	45	Male	Taiwan	30	Self-employed	PR
6	46	Male	PRC	8	Lawyer	PR
7	42	Female	PRC	8	Homemaker	PR
8	45	Male	PRC	11	NGO worker	PR
9	30	Female	PRC	4	Engineer	PR
10	39	Male	PRC	10	Self-employed	PR
11	48	Female	Taiwan	26	Manager	PR
12	36	Female	PRC	18	Homemaker	PR
13	79	Male	PRC	6	Retired worker	PR
14	73	Male	PRC	5	Painter	PR
15	32	Male	Hong Kong	13	Self-employed	PR
16	28	Female	Taiwan	10	White collar	PR
17	67	Female	PRC	5	Retired teacher	PR
18	40	Male	Taiwan	18	Co-founder of a company	PR
19	36	Female	PRC	10	White collar	PR
20	31	Male	PRC	10	Chef	PR
21	34	Male	Taiwan	7	Real estate agent	PR
22	33	Male	PRC	12	Co-founder of a company	PR
23	35	Female	PRC	14	Homemaker	PR
24	39	Female	Hong Kong	8	Manager	PR
25	46	Female	PRC	15	Research fellow	PR
26	37	Female	PRC	7	Homemaker	PR
27	30	Male	PRC	6	Civil servant	PR
28	32	Female	PRC	6	Immigration agent	PR
29	46	Female	Taiwan	19	Homemaker	PR
30	38	Male	Taiwan	8	Businessman	PR
31	38	Female	PRC	6	Homemaker	PR

No.	Age	Gender	Place of Origin	Length of Residence	Occupation	Immigrant Identity
32	32	Female	PRC	7	Self-employed	PR
33	34	Male	PRC	7	Carpenter	PR
34	58	Male	Hong Kong	27	Artist	PR
35	86	Female	PRC	63	Retired engineer	PR
36	39	Male	Hong Kong	13	NGO worker	PR
37	42	Male	PRC	18	NGO worker	PR
38	37	Male	Hong Kong	10	Manager	PR