

# OUTSIDERS IN

## EQUITY EXPERIENCES OF MIGRANT AND RAINBOW COMMUNITIES

Vincent Wijeyesingha

Perspective

**TE TAPEKE**  
FAIR FUTURES  
IN AOTEAROA

ROYAL  
SOCIETY  
TE APĀRANGI

## TE TAPEKE FAIR FUTURES

Royal Society Te Apārangi has convened a multidisciplinary panel of leading experts\* to examine issues of equality, equity, and fairness in Aotearoa.

The panel's name, **Te Tapeke**, comes from 'ka tapeke katoa te iwi'<sup>†</sup> and conveys valuing and including all people. This perspective expresses the view of the author.

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\* [royalsociety.org.nz/fair-futures](https://royalsociety.org.nz/fair-futures)

<sup>†</sup> Joshua 4:11–13. 'Including all people, without exception'.

# OUTSIDERS IN: EQUITY EXPERIENCES OF MIGRANT AND RAINBOW COMMUNITIES

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Vincent Wijeyasingha

We often categorise people in terms of ‘us’ and ‘them’, leading to in-groups and out-groups. This is a way by which the human brain makes sense of the world.<sup>1</sup> But such thinking can lead to stereotyping, discrimination, and prejudice, which impact heavily on wellbeing. In this perspective, I explore some of the equity experiences of new immigrants and rainbow people in Aotearoa New Zealand.<sup>2</sup> Being a gay, black immigrant has allowed me to be alert to some of the underlying problems of integration experienced by new immigrants and rainbow people, despite Aotearoa’s generally good record of manaakitanga.

## What is equity?

Equity is really all about having access to resources that give us fulfilling and meaningful lives. In the good old days, we thought in terms of goods and services – the idea was that, so long as these were available to all, there would be equity.<sup>3</sup> But, in recent times, we are broadening the conversation: yes, equity is about tangible resources but it’s also about non-physical things like relationships and the feeling of belonging.

In-group preferences often result in perceived outsiders being treated with suspicion or distrust. After all, xenophobia really implies a fear of the unknown rather than of foreigners. Such attitudes may lessen the opportunity for good social relationships and community integration, which today are accepted as essential features of wellbeing. So, thinking about discrimination experienced by new migrant and rainbow people could be a useful way of measuring fairness and equity. These groups have not, until recently, been widely addressed in policy thinking.<sup>4</sup>

The Christchurch massacre in 2019 prompted a much wider public discussion on racism. Anjum Rahman of the Islamic Women's Council contradicted the Prime Minister's response that 'this is not us'. She recalled that her Council's warning to government agencies of the growth of far-right, white supremacism was ignored for five years.<sup>5</sup> Professor Dame Anne Salmond wondered whether, in trying to distance ourselves from the actions of the Christchurch perpetrator, we were avoiding some uncomfortable questions about ourselves.<sup>6</sup> The racism against new immigrant Member of Parliament Ricardo Menendez March suggests Professor Salmond may be right.<sup>7</sup> The *New Zealand Asian Mental Health and Wellbeing Report 2020*<sup>8</sup> and Race Relations Commissioner, Meng Foon, said that racist attitudes had grown during the Covid-19 period.<sup>9</sup> As for homophobia, the public debate following a rugby player's comments about gay people in 2019 implies that prejudice against rainbow people may still be around,<sup>10</sup> despite impressive improvements of the last few decades.

### Why does equity matter?

We all desire a good life. What a 'good' life means varies from person to person but we share a broad feeling of what it looks like. The Greek thinker Aristotle said happiness or, more accurately, flourishing, is a useful way of thinking about it.<sup>11</sup> The rich Māori concept of *ora* as flourishing,

health, satisfaction, and life chances seems similar: the *Māori Health Action Plan 2020–2025*<sup>12</sup> and Professor Sir Mason Durie<sup>13</sup> say that wellbeing and flourishing (as opposed to *rawakore*, which is deprivation and impoverishment) are what the good life is all about.

So, how do we relate the good life to the problem of inequity? If we accept that a good life, however individuals define it, is a flourishing life, then a society with more flourishing people rather than fewer is a fairer society. The Nobel Prize-winning psychologist/economist Daniel Kahneman and others produced a book in 1999 arguing that happiness should mean not just health and housing but also how we as individuals decide our own sense of wellbeing.<sup>14</sup> This so-called 'subjective wellbeing' gave rise to a lot of research over the next two decades, showing that happiness comes from things that make life comfortable (housing, good health, education, clean air, public infrastructure) as well as less concrete items like joy and pleasure or meaning and purpose which, together, give us life satisfaction.<sup>15</sup>

In 2011–2012, the United Nations General Assembly declared 20 March *International Day of Happiness*. It said that 'happiness is a fundamental human goal' and should be a public policy objective.<sup>16</sup> World leaders had come to the conclusion that, in addition to providing public welfare, governments should consider happiness

to be a worthwhile goal. Since then, the UN has produced an annual *World Happiness Report*,<sup>17</sup> which confirms what the scholars have been saying. The reports list a number of factors that contribute to ‘happiness’, including:

- high community and government trust
- strong social fabric
- social generosity
- public safety
- dependable friendships
- autonomy in life decisions
- limited discrimination
- celebration of diversity and difference
- equality of access to public goods and services, and, significantly
- equity of wellbeing outcomes across social groups and the perception of equality of access to public goods and services.

It seems reasonable to conclude that a society that achieves such outcomes is a flourishing society and, therefore, a more equitable one. Such a society *enables* individuals, whānau, and communities to flourish. If a society struggles to achieve these outcomes, or isn’t committed to them, or if individuals only get them depending on who we are, how rich we are, or something personal like that, then that society is a less equitable society. So, we can say that ‘the good life’ emerges from a range of resources that

meet our physical, relational, cultural, aesthetic, spiritual, and aspirational needs. And we can further say that having resources in all these areas should be a priority for our government as a way to achieve wellbeing for everybody.

### **Homophobia and racism in Aotearoa New Zealand’s history**

Homophobia basically means treating people badly due to their sexual or gender identity.<sup>18</sup> It has often been expressed in legalised discrimination against non-heterosexual or non-cisgendered people.<sup>19</sup> This is a worldwide phenomenon and rainbow people continue to experience low to severe discrimination in various parts of the world. For example, several of the countries formerly in the British Empire, such as Singapore, Malaysia, Brunei, Fiji, and Uganda have legal provisions that discriminate against rainbow people (for example, prohibition against marriage, absence of labour protections, or the absence of hate crime legislation). In Uganda, homosexuality was made a crime punishable by death in the last decade.

We can remember proudly that New Zealand has been at the forefront of law reform relating to legal discrimination against rainbow people. It decriminalised male same-sex sexual activity in 1986 (female same-sex sexual activity was never illegal). Discrimination in housing and employment was outlawed under the Human

Rights Act 1993.<sup>20</sup> In 2004, the Civil Union Act<sup>21</sup> enabled gay and lesbian couples to formalise their relationships and, in 2013, same sex couples were allowed to marry with the passage of the Marriage (Definition of Marriage) Amendment Act.<sup>22</sup>

Before the 2020 general elections, the Labour Party announced it would ban the controversial practice of 'gay conversion therapy' if re-elected<sup>23</sup> (the Green Party already has such a policy).<sup>24</sup> As a nation, we seem to have come full circle on sexual discrimination. For example, during the campaign to decriminalise male same-sex sexual activity in 1984, the Salvation Army was among the most active opponents. Last September it announced that it is now formally opposed to gay conversion therapy because it 'cause[s] serious harm to those involved, including poor mental health and suicidality'.<sup>25</sup>

We turn next to racism. Like all other nations colonised by European powers since the 16th century, New Zealand had a belief in the superiority of the European race over what the poet, Rudyard Kipling, called 'new-caught sullen peoples/Half devil and half child'. In the first claim made against a Treaty of Waitangi breach in 1877, Chief Justice Prendergast declared Te Tiriti o Waitangi to be 'a simple nullity' because it had been entered into by savages who had no power to make treaties nor an intellect capable of doing so.<sup>26</sup> This attitude became the basis of public policy well into the 20th century. It

devastated Māori tino rangatiratanga and Māori health and wellbeing for generations to come.

It also impacted on official attitudes to non-European migrants. As the number of Chinese immigrants (coming to work the Otago mines) began to increase from the early 1860s, numerous anti-Chinese organisations emerged, particularly as job availability began to shrink. Chinese immigration was called a Yellow Peril. In 1881, the government imposed an entry tax and capped landing numbers to restrict Chinese immigration. These laws were only repealed in 1944. Other measures included stiff requirements to apply for permanent residency. (However, permanent residence was abolished for Chinese residents from 1926.) Elderly Chinese were not entitled to the old age pension from 1898 to 1936.<sup>27</sup>

Apart from the Chinese, people came here from India and Lebanon towards the end of the 19th century. They went into small business and petty trading. These, together with the earlier Chinese, Slav, and Italian people (as well as Jewish refugees from Germany), became subject to the Immigration Restriction Amendment Act of 1920,<sup>28</sup> which gave the government power to prevent non-Anglo-Saxon white persons from obtaining permanent residence. At the same time, the United Kingdom was subsidising white Britons to emigrate to New Zealand.<sup>29</sup>

After World War II (1939–45), however, things shifted. The booming post-war economy generated higher demand for employment and increased standards of living and quality of life. Non-white immigration – including of students – became less problematic from legal and social points of view.<sup>30</sup>

### **Migrant and rainbow experiences of equity today**

This set of historical events, together with people’s beliefs, value systems, and cultural assumptions produced a New Zealand that assumed the ‘normalness’ of white, heterosexual, cisgendered people. However, the booming global economy after World War II, the Universal Declaration of Human Rights, and the growth of human rights movements all over the world generated new discussions on equity. The Māori community, deeply and profoundly frustrated over generations of discrimination, produced influential voices calling for change.

Today, New Zealand’s global reputation on rights and freedoms is acknowledged but, as some of the history above shows, in the spaces and cracks of social and cultural life, new immigrants and rainbow people continue to experience discrimination. I want to stress that, in looking at these communities, I don’t in any way discount the discrimination that Māori, Pacific peoples, and other groups experience. I acknowledge the strong leadership of Māori in the rights arena.

The perspectives I share in this discussion simply offer another viewpoint on equity. I hope they will also help us to appreciate that discrimination against one group can be a result of an underlying cultural attitude that then goes on to cause discrimination against other groups. K Emma Ng in her book *Old Asian, New Asian* says:

Perhaps there is a subconscious tendency to view the experiences of Asian minorities as trivial because they display a lesser degree of dispossession and harm relative to that of a group such as Māori in New Zealand or African Americans in the United States. But this assumption ignores the fact that racism is often systematic. A historical desire to shape New Zealand as a ‘better Britain’ saw the implementation of policies that centralised whiteness through the disempowerment and exclusion of Māori and Chinese. To condone prejudice against one group on the basis of ethnicity, gender, religion or sexuality opens the door to the ongoing marginalisation of another.<sup>31</sup>

New Zealand’s population today is very diverse. More than a quarter of its people were not born here. Of the total population, roughly 15% are Asian (mostly Chinese, Indian, and Filipino), one fifth of whom were born here. In addition, 1.5% are of Middle Eastern, Latin American, or African ancestry.<sup>32</sup>

In terms of sexual orientation and gender identity, the 2018 *General Social Survey* reported about 3.5% of the population identifying as asexual, bisexual, gay, lesbian, pansexual, or takatāpui, translated as a close intimate friend of the same gender.<sup>33</sup> Given that it is difficult, often frightening or downright dangerous, to self-identify as non-heterosexual, these figures may be underestimated. A submission to the Mental Health and Addictions Inquiry, presented by a collective of 'diverse organisations, groups, researchers and individuals who work to support the wellbeing and mental health of rainbow people and communities in New Zealand' suggested a closer figure may be between 6 and 15% of the total population.<sup>34</sup>

In general, New Zealand tends to do well in terms of ethnic relations and attitudes to rainbow people. There are reports of good engagement across communities, particularly if an individual knows a minority ethnic or rainbow person. However, racist or homophobic attitudes still persist.<sup>35</sup> These seem to arise, or be a reaction to, specific events. When Sir Anand Satyanand (a Fijian Indian) was appointed Governor-General, a broadcaster called for someone who sounded and looked more like a Kiwi to replace him.<sup>36</sup> In the early days of Covid-19, there was an increase in East Asian-related racism.<sup>37</sup> The same was true after the Christchurch mosque massacre. And who can forget the church leader who blamed the

Christchurch and Kaikōura earthquakes on gays?<sup>38</sup> The impact of such negative reaction seems to emphasise (or remind of) the outsider status of rainbow or immigrant groups. This effectively excludes or 'others' us.<sup>39</sup>

Given our knowledge of the importance to wellbeing of a good self-image and good relationships, the impact of these experiences on equality is clear. Some of the public policy problems reported around the experience of out-groups deal with self-esteem and its effects, such as poor mental health, self-destructive behaviour, or substance abuse. Furthermore, there are public safety implications: about a fifth of crimes committed in New Zealand, according to the *New Zealand Crime and Victims Survey 2018*,<sup>40</sup> could be classed as hate crimes (motivated in part by the perpetrator's attitude to the victim's ethnicity, gender, sexuality, and so on). The survey found that gay, lesbian, and bisexual people are more likely to be victims of crime than heterosexuals and less likely to report it.

The report *Growing up takatāpui: Whānau journeys*, published in 2017, outlined other forms of discrimination experienced by rainbow people, including isolation, denial, or rejection of their identity, being made to feel invisible in their family networks, not having a trusted family member to confide in, feelings of having let down their parents, and being thrown out of their home. Interviewees stated that, in some



cases, their mental health suffered from the effects of these experiences.<sup>41</sup> Mental health problems were also noted by a Ministry of Youth Development policy paper in 2015, suggesting that inclusion, visibility, positive learning environments, and appropriate and supportive healthcare and social services are essential for the wellbeing of young rainbow people.<sup>42</sup>

The necessity for similar services, together with better safeguarding of legal rights, was noted in a 2007 Human Rights Commission report into discriminations experienced by transgender people.<sup>43</sup> These findings were updated in a 2019 report produced by the Transgender Health Research Lab of Waikato University.<sup>44</sup> Among its findings were high psychological distress in the teen years, with more than half contemplating suicide and a third attempting suicide in the previous 12 months. Furthermore, 21% had been bullied at school, there was much higher use of cannabis than in the general population, and an extremely high proportion had experienced discrimination of one kind or another in the previous 12 months. In the healthcare system, there is a lack of gender-affirming healthcare (including healthcare interventions around gender transitioning) and limited knowledge on the part of healthcare providers about the health needs of transgender persons, often resulting in people avoiding seeing the doctor.

In June of last year, the Human Rights Commission produced its most extensive report on the human rights of rainbow people.<sup>45</sup> It found that:

- discrimination (in both ‘overt and subtle forms’) against rainbow people is widespread
- public authorities do not collect adequate or systematic information on rainbow people, which would be useful for the planning of services
- poor access to physical and mental health services and poor knowledge among healthcare providers results in lower health outcomes
- gender-affirming health services are few and far between
- young rainbow people are 4.5 times more likely to be bullied
- access by young rainbow people to affirming and positive information is not standardised
- discrimination in the workplace continues to exist, including self-censorship in the recruitment and employment stages.

As I noted, New Zealand tends to exhibit some good outcomes for minorities. For example, the *General Social Survey* showed positive results for indicators like life satisfaction and friendships.<sup>46</sup> These positive findings are repeated in recent studies of new immigrants.

However, we are also seeing examples of prejudice and discrimination from time to time in social interactions, often associated with specific circumstances or events. These can take the form of casual and everyday racism and homo- or trans-phobia. The information coming out of these reports also suggests examples of formal or institutional discrimination. Discrimination also seems to arise from unsuitable public services, which cause poor health outcomes.

These outcomes seem to map closely to the wellbeing indicators I outlined above, producing negative outcomes of what we might call 'identity inequality', that is, inequality that comes from social or formal attitudes to individuals based on characteristics like ethnicity or sexuality. I wonder if the extent to which prejudice and discrimination produce identity inequality can be explained by one social group possessing superior or dominant cultural beliefs (and the power to enforce them) and another group having less? If so, this can produce a set of accepted beliefs that influence the social environment and one's ability to thrive and flourish in it.

## A concluding reflection

The cultural values and policy drivers that could achieve a fairer Aotearoa are already in our midst. As a nation, we have come to believe strongly in a commitment to growing it. What we should look to is an environment where all individuals experience high levels of community integration, generosity, and trust. We should welcome, indeed, celebrate, the diversity of people's personality and self-concept so that all citizens might enjoy a sense of dignity, autonomy, and self-determination promoted by equal access to public goods and services. And we should build a culture in which all of us genuinely *believe* that we enjoy access to these resources. As I mentioned earlier, the extent to which this environment exists is the extent to which a society is fair.

Vincent Wijesingha

*To read a short Q&A with Vincent Wijesingha on his involvement with the panel, visit <https://www.royalsociety.org.nz/major-issues-and-projects/fair-futures/te-tapeke-fair-futures-panel/dr-vincent-wijesingha/>*

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38. See <https://www.bbc.com/news/world-asia-38011627>.
39. Powell and Menendian define *othering* 'as a set of dynamics, processes, and structures that engender marginality and persistent inequality across any of the full range of human differences based on group identities'. Dimensions of othering include, but are not limited to, religion, sex, race, ethnicity, socioeconomic status (class), disability, sexual orientation, and skin tone. Although the axes of difference that undergird these expressions of othering vary considerably and are deeply contextual, they contain a similar set of underlying dynamics' (p. 17). For a full discussion of the concept of 'other', see their article from which this quote is taken: Powell, JA & Menendian, S (2016). The problem of othering. In *Othering and Belonging, Issue 1*, pp. 14-39. [https://www.otheringandbelonging.org/wp-content/uploads/2016/07/OtheringAndBelonging\\_Issue1.pdf](https://www.otheringandbelonging.org/wp-content/uploads/2016/07/OtheringAndBelonging_Issue1.pdf).

40. Ministry of Justice (2019). *New Zealand Crime and Victims Survey 2018*. <https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-findings-report-2018-fin-for-release.pdf>. Stuff's survey on discrimination is also a useful contribution to the literature: <https://interactives.stuff.co.nz/2019/12/being-kiwi-racism-survey-results/>. Lamentably, this survey noted that Māori continue to experience the most serious and widespread racism.
41. Kerekere, E, Duder, T & Butler, M (2017). *Growing up takatāpui: Whānau journeys*. Rainbow Youth Inc and Tiwhanawhana Trust. <https://takatapui.nz/growing-up-takatapui#moving-forward-together>.
42. Ministry of Youth Development (2015). Supporting LGBTI young people in New Zealand. <https://www.ms.govt.nz/documents/about-msd-and-our-work/newsroom/lgbti-release-ministry-of-youth-development.pdf>. The necessity for similar services, alongside better safeguarding of legal rights, was noted in a 2007 Human Rights Commission report into discriminations experienced by transgender people (see Footnote 43).
43. Human Rights Commission (2007). *To be who I am: Report of the inquiry into discrimination experienced by transgender people*. [https://www.hrc.co.nz/files/5714/2378/7661/15-Jan-2008\\_14-56-48\\_HRC\\_Transgender\\_FINAL.pdf](https://www.hrc.co.nz/files/5714/2378/7661/15-Jan-2008_14-56-48_HRC_Transgender_FINAL.pdf).
44. Veale, J, Byrne, J, Tan, K. K. H., Guy, S, Yee, A, Nopera, T. M. L. & Bentham, R (2019). *Counting ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand*. Transgender Health Research Lab. <https://researchcommons.waikato.ac.nz/handle/10289/12942>.
45. Human Rights Commission (2020). *PRISM: Human rights issues relating to sexual orientation, gender identity and expression, and sex characteristics (SOGIESC) in Aotearoa New Zealand – A report with recommendations*.
46. See Stats NZ figures at <https://www.stats.govt.nz/news/new-sexual-identity-wellbeing-data-reflects-diversity-of-new-zealanders>.

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