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# Māori in Australia: Voting Rights and Behaviour

This article examines the participation of Australian-resident Māori in voting, first in their New Zealand homeland and, secondly, in Australia. It concludes with comments about the extent of their political disenfranchisement and lack of electoral participation, which I argue places Māori in an almost unique position amongst Australia's 'ethnic' immigrant groups.

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## **Voting in New Zealand**

### *The right to vote of Māori overseas and the potential number of such voters*

The requirement for Māori New Zealanders living overseas – as well, of course, as other New Zealand citizens abroad – to vote in New Zealand elections is, first, to maintain their enrolment, and then, simply, to return to New Zealand, no matter how briefly, once during the three years preceding an election. For permanent New Zealand residents, the requirement is to have returned within the previous 12 months. For those New Zealand citizens born and raised overseas (who gained their citizenship through their parents), they must also have lived continuously for at least a year in New Zealand at some point in their lives.

The great majority of the Māori diaspora lives in Australia. The 2006 Australian census revealed there to be 92,912 Māori across the Tasman, but for a range of reasons, relating mainly to census practice and participation, there are likely to in fact be at least 110,000 Māori in Australia today.<sup>1</sup> Roughly two-thirds of these people will have been born in New Zealand, and around 85% of this expatriate group would be of voting age. There may, therefore, be at least as many as 60,000 Māori in Australia potentially eligible to exercise the franchise in New Zealand, if they meet the two basic requirements.<sup>2</sup> It is likely that a fair proportion of them would satisfy the need to have spent time in New Zealand at some point in the previous three years: of the 1205 Te Puni Kōkiri survey respondents across Australia in 2006, over 60% reported that they had visited New Zealand within the last year.

There are today around 385,000 Māori electors enrolled in New Zealand, with 57% of them registered on the Māori roll.<sup>3</sup> While a small number of these electors are already in Australia,<sup>4</sup> one can see that the overall number of Māori electors would swell considerably if a large number of those potentially eligible overseas endeavoured to enrol. Of course, much the same could be said for other New Zealanders: there were 2.8 million enrolled to vote at the 2005 election (including 208,000 on the Māori roll) but only 43,535 of these people lived overseas. This is despite a New Zealand diaspora of at least half a million people.<sup>5</sup>

It must be added that the number of Māori voters would also swell if Māori voter turnout was improved in New Zealand itself. The average Māori seat turnout at the last six general elections has been just 68%, as opposed to 84% of voters overall.

### Māori overseas voting trends, 1996–2002

The best indication of the extent to which expatriate Māori (which largely means those in Australia) are voting in New Zealand is the extent of overseas voting in the Māori electorates. The numbers revealed are very low indeed, as illustrated in table 1 below.

In 1996, at the first MMP election, only 207 valid overseas party votes were cast in the (then) five Māori seats. This represented just 1.6% of all overseas votes. The electorates that received the largest number of overseas votes were clearly the wealthiest. They included Epsom, with 585 votes, and North Shore with 572. Wellington Central received by far the highest number of overseas votes (1473), which reflects the voting by New Zealand diplomatic staff around the world.<sup>6</sup> By contrast, in the Māori seats there were returns of between 21 (Te Tai Rāwhiti) and 69 (Te Tai Tokerau). Of course, a proportion of all overseas votes will have been cast by New Zealanders temporarily out of the country, rather than those actually registered with an overseas address (whose vote is cast in the electorate they last lived in for a month or more). The Electoral Enrolment Centre advises that no record is kept of each of these kinds of votes. Moreover, since many New Zealand voters overseas maintain, through their families, a New Zealand mailing address, the overseas enrolments are a subset only of the total number of enrolled overseas voters.

In 1999 there was a near 50% jump in the number of overseas voters in the (now six) Māori seats, although, at 303 party votes, the number remained very small. This result did contrast, however, with a 10% decline in the overall overseas vote. The first major leap in the total overseas vote came in the 2002 election. In June of that year, the chief electoral officer announced that overseas voters would be able to download their papers from the internet and fax them back to New Zealand to record their vote. The result was that the number of New Zealanders enrolled overseas jumped from 18,000 to over 30,000 and the number of overseas votes cast rose 47% to nearly 17,000.

Sensing the potential for overseas votes, the political parties scrambled to entice them. ACT leader Richard

Prebble speculated that there were as many as 250,000 potential expatriate New Zealand voters around the world, while Labour Party president Mike Williams suggested that there were ‘hundreds of thousands’ of potential voters in Australia alone. Prebble went so far as to predict that the new laws could lead to a ten-fold increase in the overseas vote. He announced that ACT would send its MPs to campaign in Australia, Hong Kong and the United Kingdom and that it planned to contact 100,000 New Zealanders abroad via email (ACT New Zealand press release, 13 June 2002). The Green Party based candidates in London and Sydney, and Labour placed advertisements in overseas magazines, launched a website, and made use of its London branch and its links with the Australian Labor Party. National also targeted overseas voters via a website and permission-based emailing lists, although its campaign director was sceptical of the value of sending MPs overseas to campaign. The other notable exception to this excitement was New Zealand First, which preferred to put all its efforts into securing local votes (*Press*, 19 June 2002, p.10 and 28 June 2002, p.7; *New Zealand Herald*, 19 June 2002).

The emailing and website campaign, as well as the downloadable voting papers, made the 2002 poll New Zealand’s first real ‘e-lection’, as political commentators put it. The impact of the internet is clear in the large decline in the numbers turning up to vote at overseas polling booths in person: London went from 4,171 such votes in 1999 to 2,881, Sydney from 1445 to 790, Melbourne from 1,058 to 395, and Brisbane from 946 to 384.<sup>7</sup>

Absent from all this seems to have been any real attempt in 2002 to target Māori voters overseas. The perception of the overseas voter as well educated, young, middle-class and Pākehā is reinforced by the significantly higher returns of overseas votes obtained by ACT in 1999 (12.8%) and the Greens in 2002 (nearly 15%) than their overall shares of the vote. Essentially, Māori did not figure much in the scramble. In saying this I am making the assumption (based generally on my research about Māori in Australia) that those few Māori overseas who remain politically engaged in New Zealand affairs gravitate principally towards the Māori roll as an act of emphasising their Māori identity, and are likewise motivated to vote on traditional Māori lines. While the limitations of the data mean that other assumptions can be drawn – such as numbers of expatriate Māori being hidden within the Green and ACT tallies in general seats, for example – in my view they are much less convincing.

Table 1

Election	Total valid overseas votes – all seats				Total valid overseas votes – Māori seats			
	party vote		candidate vote		party vote		candidate vote	
	no	% rise	no	% rise	no	% rise	no	% rise
2005	27,482	62.8	27,303	63.0	612	65.4	602	70.5
2002	16,879	47.0	16,748	47.1	370	22.1	353	16.5
1999	11,482	-9.8	11,387	-9.9	303	46.4	303	47.8
1996	12,728	na	12,639	na	207	na	205	na
1996-2005	na	115.9	na	116.0	na	195.7	na	193.7

Perhaps unsurprisingly, then, the increase in votes in the Māori seats in 2002 was much lower than the overall trend, with a total of only 370 valid party votes in the (by now) seven Māori electorates. This was also reflective of the generally poor turn-out in the Māori seats overall, at 57.6%. As commentator Adam Gifford has pointed out (2005b), this will partly have stemmed from voters feeling there was little choice on offer in 2002, with Labour's domination complete, but it still shows that eligible Māori voters overseas lagged far behind their compatriots in terms of electoral motivation. In all but Te Tai Tonga of the Māori seats there were fewer than 100 valid overseas party votes cast, and in Ikaroa-Rāwhiti and Tainui there were even fewer than 30. No general seats received fewer than 100 overseas party votes except Manurewa, which had 91.

The poor return of overseas votes in the Māori electorates was also in spite of the efforts of a Sydney-based group called Māori Roll Poihākēna, which campaigned at the time of the Māori electoral option in 2001 to increase Australian-based enrolments on the Māori roll. The group claimed in April 2001 that it was in the process of sending 300 additions to the Māori electoral roll from Australia (*Dominion*, 3 April 2001, p.2).<sup>8</sup>

### **The advent of the Māori Party and the 2005 election**

The rise of the Māori Party in 2004 created the prospect of a genuine contest in the Māori seats at the 2005 general election, and it did not take long for the fledgling party to look across the Tasman for votes. Party leader Tariana Turia travelled to Australia in mid-2004 and held talks with people interested in setting up a support base for the party. Then, in 2005, co-leaders Turia and Pita Sharples made trips in the lead-up to the election to Sydney, Melbourne and Brisbane. Sharples reflected on the 70,000 or more Māori living in Australia and concluded, 'That's a lot of votes' (*New Zealand Herald*, 11 April 2005). Adam Gifford (2005a) commented that it would be 'interesting to see if the airfare was justified' given the total of only 370 overseas votes in the Māori seats in 2002. When the results were announced and just 612 valid overseas party votes were cast in the seven Māori electorates, Gifford (2005b) proclaimed: 'We can say conclusively that the Maori Party's hunt for votes in Australia and elsewhere was a waste of plane tickets. ... Pita Sharples, who went doorknocking across the ditch, only got 41 overseas [candidate] votes to [Labour Party rival] John Tamihere's 63.'

Tables 2 and 3 set out the fortunes of Labour and the

**Table 2**

Electorate	Overseas candidate votes					Total candidate votes				
	Māori Party		Labour		Total	Māori Party		Labour		Total
	no	%	no	%		no	%	no	%	
<b>Ikaroa Rāwhiti</b>	22	55.0	18	45.0	40	7570	42.8	9502	53.7	17,686
<b>Tainui</b>	22	36.1	32	52.5	61	7609	42.3	9469	52.7	17,975
<b>Tāmaki Makaurau</b>	41	35.3	63	54.3	116	10,024	52.4	7897	41.2	19,147
<b>Te Tai Hauāuru</b>	64	72.7	23	26.1	88	10,922	63.0	5809	33.5	17,343
<b>Te Tai Tokerau</b>	40	41.7	37	38.5	96	9965	52.4	6352	33.4	19,012
<b>Te Tai Tonga</b>	51	33.6	75	49.3	152	6512	34.1	9015	47.2	19,087
<b>Waiariki</b>	26	53.1	19	38.8	49	10,392	54.6	7521	39.5	19,039
<b>Total</b>	266	44.2	267	44.4	602	62,994	48.7	55,565	43.0	129,289

**Table 3**

Electorate	Overseas party votes					Total party votes				
	Māori Party		Labour		Total	Māori Party		Labour		Total
	no	%	no	%		no	%	no	%	
<b>Ikaroa Rāwhiti</b>	16	40.0	15	37.5	40	5122	27.7	10,639	57.5	18,495
<b>Tainui</b>	12	19.4	31	50.0	62	5184	27.2	10,421	54.7	19,059
<b>Tāmaki Makaurau</b>	21	17.9	62	53.0	117	5457	27.2	10,951	54.6	20,058
<b>Te Tai Hauāuru</b>	36	40.0	37	41.1	90	5739	31.3	9619	52.4	18,347
<b>Te Tai Tokerau</b>	23	23.2	44	44.4	99	6151	30.6	9788	48.8	20,076
<b>Te Tai Tonga</b>	34	22.2	82	53.6	153	3481	17.4	11,485	57.3	20,027
<b>Waiariki</b>	19	37.3	22	43.1	51	6104	30.3	10,530	52.3	20,149
<b>Total</b>	161	26.3	293	47.9	612	37,238	27.3	73,433	53.9	136,211

Māori Party across the seven Māori seats amongst overseas voters in 2005. As can be seen, overseas candidate votes were evenly divided between the two parties. However, expatriate voters were as strategic with their party votes as Māori in New Zealand, with a clear majority giving their votes to Labour.

Despite Gifford's quip about the plane fares, it does seem that the 2005 election was a substantial advance in terms of overseas Māori electoral participation in New Zealand. The percentage rise in Māori seat voting overseas even outstripped the significant rise in the total overseas vote, which leapt some 63% over the 2002 return.<sup>9</sup> It also meant that the rise in the overseas vote in the Māori seats across the first four MMP elections was nearly 196%, as opposed to 116% in the total overseas vote. While overseas votes in the Māori seats remained only 2.2% of the expatriate total, therefore, the rise in these votes since 1996 shows that, if the motivation of overseas-based Māori can be captured, they could become an increasing influence on the results in the Māori seats. This potential will doubtless be sufficient to entice the political parties to target the Māori vote across the Tasman again in 2008.<sup>10</sup>

It should be noted that the increase in Māori voting overseas in 2005 did not just occur because of the facility of the internet or the rise of Māori Party. It is important also to note the role played by Sydney Māori trade unionists who campaigned actively for the Labour Party and who may, when one considers the one-vote overall advantage Labour candidates gained over their Māori Party rivals overseas (as well as the clear victory in the overseas Māori seat party vote), have made a difference. The unionists were recruited for the task by Labour's Māori MPs after they attended the Labour election congress in Wellington in April 2005, and received a letter of thanks after the election from party president Mike Williams. I am told they will campaign strongly for Labour again at the forthcoming election.<sup>11</sup>

#### Survey response

The 2006 Te Puni Kōkiri survey of Māori in Australia asked respondents whether they voted in the 2005 New Zealand election from Australia, while in New Zealand, or not at all. Of the New Zealand-born respondents who arrived in Australia in 2004 or prior (and who thus definitely did not arrive after the September 2005 poll), and who answered the question, 138 said they voted from Australia, 17 said they voted while (presumably temporarily) in New Zealand, 51 answered 'don't know/not applicable', and 830 said they did not vote. A further 19 of the other respondents (who included 15 who arrived in 2005, three who did not answer the year of arrival question, and one born in a country other than New Zealand or Australia) also said they voted from Australia.

We can assume that a number of these 157 Australian-based voters in the survey (out of a total of 1205 respondents) voted in general electorates rather than Māori ones. In any event, a profile of these 157 persons is informative. Compared

to all survey respondents they were:

- older, with 49.7% aged 45 and over (compared to 32.9% of all respondents);
- well spread across responses to the question about year of arrival in Australia, with if anything a slightly higher tendency to have arrived in the previous few years and a much higher rate amongst those who arrived in the 1970s (which matches the older age profile);
- much more likely to live in Sydney (40.4% instead of 31.6% overall) but still to be found in some of the more remote parts of Australia (such as Pipalyatjara, Karratha and Cloncurry);
- much more likely to speak Māori (56.8% as opposed to 35.6% overall);
- more likely to emphasise their Māori identity, with higher proportions saying they would answer the Australian census ancestry question as 'Māori' (90.4% as opposed to

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85.3% overall) or provide a sole 'Māori' ancestry response (59.9% instead of 51.8%); and

- much more inclined to return to New Zealand to live (50.0% answering that they 'definitely' would, as opposed to 36.0% overall).

Again, these responses seem to indicate that continuing to vote in New Zealand is an important element of both maintaining one's connection to New Zealand and expressing one's Māori identity.

Despite these motivations, however, research for the *Māori in Australia* report (Hamer, 2007) shows that there is certainly a degree of political apathy amongst Māori in Australia. I return to this below with respect to the Australian political context. Many expatriate Māori are also relieved to step away from New Zealand politics and the constant media focus on Māori issues, and feel a degree of liberation as a result. The Te Puni Kōkiri survey thus asked respondents whether they had remained involved in New Zealand political issues after leaving New Zealand. Of the New Zealand-born component of the survey respondents (1144 people), 34.5% said they had left New Zealand political issues behind them upon leaving for Australia, 21.1% said they had stayed involved in New Zealand political issues, and 44.4% answered 'not applicable/not interested in politics/no opinion'. Of those who felt they had left New Zealand political issues behind them, 39.0% said this had made them feel 'more free'.

Some expressed cynicism about political parties seeking their votes. A man in Sydney wrote in his survey comments that Māori in Australia 'have been effectively ignored for so

long by the various Governments and iwi organisations in New Zealand except when they want our votes'. Likewise, another man in Sydney wrote that he 'would like more commitment from Govts in NZ, yes they want our votes but whats in it for us here. ... constantly told just think of [o]ur whanaus back home'. In keeping with this theme of focusing on 'the government' rather than the political parties themselves, survey respondents were asked to agree or disagree with the statement that 'The NZ Government forgets about Māori in Australia except at election time'. While nearly 40% of those who answered this question chose 'don't know' or 'neither agree nor disagree', nearly 60% either agreed or strongly agreed. Only a handful of respondents disagreed.

Others said they simply did not know when or how to vote. A woman in Wollongong probably summed up the position of many succinctly when she explained that:

Half of us do not vote because we do not fully understand politics, I know our vote is important but sometimes we find ou[t] election times when it is too late to vote. Or because [there] is a timeframe of being able to vote. We do not have enough information about who to vote for, we don't have time to sit down and read about politicians, maybe if we had a TV station on Pay TV. Some have lost trust in certain parties and do not know enough to support any.

By the same token, however, many Māori in Australia also feel that the experience of leaving New Zealand allows them

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to embrace their Māori identity much more than they ever did at home, and with that may come on the part of some a new-found or renewed commitment to Māori cultural and political issues. A contributor to an Australian Māori website forum in July 2006 wrote, 'If anything coming to another country has strengthened our own ties to Papatuanuku. No longer do we take for granted what was once right on our doorstep'. Some of this sentiment will be expressed through support for the Māori Party. It is my understanding that the party has established well-supported branches in Sydney, Brisbane and Melbourne, and in mid-2005 apparently already had 350 Australian-resident members.

#### **An overseas electorate?**

The existence of so many New Zealanders abroad has occasionally given rise to the suggestion that expatriates should be directly represented in the New Zealand Parliament. The late co-leader of the Greens, Rod Donald, implied that the

overseas vote amounted to a de facto constituency with his comment, in 2005, that 'It is the 70th electorate these days' (*Press*, 6 June 2005, p.11).<sup>12</sup> When the findings of the *Māori in Australia* report were released in 2007, including the comment on the sheer size of the Māori population in Australia, one of the Māori Party's first reactions was that there might be some justification in an electorate in the New Zealand Parliament to represent them. Said a media statement:

The Maori Party is rapt today that the eighth Maori electorate seat has been found by Te Puni Kokiri in their report, *Maori in Australia*. 'Tangata whenua have been telling us, "we'll take the eight in 2008"' said Dr Pita Sharples, Co-leader of the Maori Party. 'And with today's report identifying that there are now 92,912 people in Australia who identify as Maori, maybe it's time to create a new electorate, Te Ao Moemoea.' (Māori Party press release, 29 September 2007).

Interestingly, such a suggestion has been made before from what one might describe as the other side of the political spectrum. In his speech to the 'Knowledge Wave' conference in Auckland in 2003, former National Party Cabinet minister Simon Upton suggested it might be time to give expatriate New Zealanders 'the opportunity to play a direct part in the political fabric of their country of birth'. Upton said, in this regard, that it was 'worth reflecting on the fact that there are estimated to be between 600,000 and 1 million kiwis living abroad, over 400,000 of them in Australia alone (including probably enough Maori to justify a whole extra Maori seat)'. Upton suggested that, 'In an age of e-connectedness and virtual everything, I think we should be prepared to be very lateral about the way we define our political community.'

The Māori Party's suggestion was not particularly out of left field, therefore. Indeed, some states have created overseas constituencies for their citizens abroad. Since 2006, for instance, 12 deputies in the Italian

Parliament's 630-member lower house, along with a further six members of the 315-member Italian senate, have been elected in distinct foreign constituencies and have the same standing as any other Italian members of Parliament. There is also a seat in the Colombian Chamber of Representatives elected by expatriate Colombians, and there are other examples besides.

#### **Summary**

In sum, therefore, the major developments in expatriate New Zealand voting in the last 20 years have been the advent of MMP, under which every vote counts equally; the ability to download voting papers over the internet; and – in the case of Māori specifically – the rise of the Māori Party. While Māori overseas voting remains low, there is real potential for it to grow much larger, particularly if the momentum provided by the significant rise in the vote in percentage terms across the Māori seats in 2005 can be maintained.

Looking forward, the key to any future rise in expatriate Māori voting is likely to be the popularity of the Māori Party and its ability to mobilise overseas Māori voters, as well as the extent to which a true contest for votes in the Māori seats exists (presumably between the Māori Party and Labour). As the Māori Party prepared to lobby Māori in Australia in mid-2005, a Radio Australia correspondent (Hill, 2005) speculated that Australian-resident Māori might become ‘a significant source of funds and votes for the Māori Party in New Zealand’, and observed that, ‘If the politics of Nukualofa, Apia and Alofi have expanded to take in Otago and Porirua [sic] in New Zealand, it seems the politics of Ruatoria, Kaitiaki and Rotorua are similarly expanding to include Redfern in Sydney.’

### Voting in Australia

Any concluding comment about the participation of Māori in Australia in voting, and what it means for their degree of political enfranchisement, requires a simultaneous consideration of Māori voting in Australian elections.

### The extent of Māori enfranchisement in Australia

Despite the lack of any separate Māori representation in Australia, it is possible – in theory at least – to calculate the approximate rate of Māori participation in the Australian electoral system. That is because voting is compulsory for those enrolled; enrolment is open to Australian citizens only<sup>13</sup> (unless one is a ‘British subject’ who was enrolled to vote in Australia prior to 26 January 1984, which includes any New Zealanders so enrolled)<sup>14</sup>; and the Australian census tells us the rate of take-up of citizenship by ancestry group.

While the figures are now a little out of date, the take-up rate of Australian citizenship for overseas-born Māori in Australia in 2001 was just 22.8%. By contrast, the rate for those of ‘New Zealander’ ancestry was 38.6%, and the rate for all overseas born was 75.6%. This placed Māori below every other ancestry group in Australia except the Niueans and the Japanese, who had even lower rates of take-up. There were, however, only a relatively small number of Niueans in this category, and considerably fewer Japanese than Māori (Khuo and Lucas, 2004, pp.92-94).<sup>15</sup>

In some ways, therefore, this makes Māori the most disenfranchised ‘ethnic’ immigrant group in Australia. Even where they have ‘had the operation’ (as many put it) and become Australian citizens, voting in Australian elections is not necessarily a motivation, or even an outcome, despite Australia’s compulsory enrolment and voting. Perhaps a typical attitude is one expressed to me by a woman in Cairns in 2006, who had become a citizen after many years of living in Australia. When I asked her if she had become a citizen in order to vote, she replied ‘No! Who cares what government they’ve got?’ The widespread political apathy this represents is a frustration to some in the Māori community in Australia. The editor of a Māori community newsletter in

Sydney, the *Poihākena Post*, wrote in 2005 that ‘the political reality is that if Māori (and New Zealanders) who are permanent residents of Australia, don’t become citizens, we make ourselves invisible, politically, and therefore culturally. ... If we are not on the electoral roll, then in the eyes of the politician we do not exist.’

An irony is that the Māori right to vote in Australia is a longstanding one that predates the recognition of Aboriginal citizenship by decades. In keeping with the ‘white Australia’ policy, no ‘aboriginal native’ of Australia, Asia, Africa or the Pacific Islands ‘except New Zealand’ was entitled to vote by the Commonwealth Franchise Act 1902. The reason Māori were specifically enfranchised at that time was to allay New Zealand concerns about joining the Australian Federation.

### The extent of Australian political equality

The free movement of Australians and New Zealanders between each other’s countries is enshrined in the Trans-Tasman Travel Agreement of 1973. While other groups need not become Australian citizens to live in Australia, it is clear that the overwhelming majority are motivated to do so, and indeed most will have had their permanent residence

Australia is thus ‘significantly less inclusive of those who live within its territory ... than is the case with its neighbour, New Zealand’ (where permanent residents are, of course, entitled to enrol and vote for parliamentary and other elections).

approved before they even arrive. For New Zealanders, though, the right to live and work in Australia has not been bound up with such complications – they can simply arrive unannounced, even if their access to social welfare was tightened considerably in 2001. The very openness of New Zealanders’ entry under the 1973 agreement, however, seems sharply at odds with their current exclusion from the franchise unless they become citizens, which was clearly not a step contemplated when the agreement was drawn up.

Since 2002 academics at the Australian National University have been conducting a ‘Democratic Audit of Australia’ to assess Australia’s strengths and weaknesses as a democratic society. Part of the focus of the audit is on the extent of political equality in Australia. One finding, therefore, has been that – despite compulsory enrolment and voting – Australia has a relatively low rate of electoral participation compared to similar democracies because of the existence of around a million permanent residents who are not citizens. This means, for example, that the proportion of those of voting age enrolled in Australia in 1997 was 86.1%, compared to 94.0% in New Zealand and 97.1% in

the United Kingdom. As the Democratic Audit (2002) has put it, Australia is thus 'significantly less inclusive of those who live within its territory (and are expected to pay its taxes and obey its laws) than is the case with its neighbour, New Zealand' (where permanent residents are, of course, entitled to enrol and vote for parliamentary and other elections).

Of the 900,000 'eligible non-citizens' in Australia in 2001, the majority came from just two countries: those from the United Kingdom numbered 346,200 (or 36.9% of the total pool of eligible non-citizens), while those from New Zealand numbered 204,900 (or 21.9% of the total pool) (Department of Immigration and Multicultural Affairs, 2004, p.92). As Australian academic Mariah Evans (1988, p.243) has suggested, 'the shared language, and strongly similar legal, political, and industrial arrangements of Australia and the other Anglo-American countries lead these immigrants to feel less need to make a choice of national identity'. By contrast, those of non-English-speaking backgrounds or from unstable political homelands will presumably feel much greater motivation to 'become Australians'.

Regardless of background or motivation, however (or even the fact that the restriction of the franchise to citizens is so commonplace in democracies that, as New Zealand Electoral Commission chief executive Helena Catt has put it (2000, p.3), 'it is rarely discussed or defended'), there are strong arguments that can be mounted for a franchise that is based primarily on residence and not exclusively on citizenship. Queensland law academic Graeme Orr considered this matter in a paper for the Democratic Audit project in 2004. He argued that the franchise should be extended to permanent residents and that the idea of enticing immigrants to 'nationalise' with the prospect of such a fundamental right as the vote was 'perverse'. As he argued (2004, pp.6-7),

why is the vote restricted to citizens? Citizenship after all is just a legal category: residency is a real world status. In an age when economics has been the dominant language of public discourse, the rallying cry of the US revolution, 'No Taxation Without Representation', seems apt. Should not all permanent residents be enfranchised? They are equally subject to Australian law, and equally part of Australian communities as are citizens.

In sum, said Orr (p.8),

Moving to a residency franchise in Australia can serve the symbolic value of better defining our political community – of Australia as an immigrant nation in a globalising world – as well as the ideal of political equality for all in the Australian community.

Any change to the Australian franchise rules will need to come from political pressure rather than legal action, however. That is because the Australian High Court accepted in 2007 that it was quite up to Parliament whether it extended the franchise to non-citizens, as there was no constitutional requirement for it to do so.<sup>16</sup>

## Conclusion

Māori in Australia are massively disenfranchised. Few continue to vote in New Zealand, and the great majority of New Zealand-born Māori in Australia (who themselves constitute a significant majority of the Australian-resident Māori community) do not vote in Australia either, because they tend not to become Australian citizens. The recent rises in the proportion of Māori voting overseas are unlikely to mean that Māori in Australia have taken to voting in New Zealand elections as a reaction against their large-scale disenfranchisement in Australia. Rather, Māori political disengagement in Australia probably only reflects their pre-existing readiness to step aside from New Zealand politics.

While Māori in Australia are not in a much different position to other expatriate New Zealanders across the Tasman, the evidence shows that those others are much more likely to vote in either country. Pākehā expatriates also arguably enjoy a kind of de facto political representation in Australia, at least on an ethnic and cultural basis, which Māori certainly do not.

In that regard there is probably a tendency amongst some commentators in Australia to see the high degree of non-enfranchisement of those of New Zealand or British origin as of relatively little democratic importance, given the overwhelming dominance of the Australian legislature by those of Anglo-Celtic background. Indeed, studies often focus upon the extent to which Australian parliaments reflect (or, rather, do not reflect) Australia's ethnic diversity (Jupp, 2004; Anthony, 2006). But such analyses invariably exclude Australian-resident Māori from consideration, and compound a situation in which Australian government agencies working to settle 'ethnic' migrants in Australia overlook integration issues facing those arriving on the New Zealand special category visa. It is not clear whether the large-scale denial (or self-denial) of the vote has any impact on the Māori sense of civic or social responsibility in Australia, but it clearly cannot help.

All this seems to create policy issues for governments on both sides of the Tasman. Should the Australian government, for example, continue to tolerate tens of thousands of its residents and taxpayers being neither eligible to vote nor ethnically or culturally represented in the federal or state parliaments? Its response may well be that there is nothing to stop most of those people becoming Australian citizens. Realistically, however, this is not going to happen (and has in any event become less straightforward for those who have moved to Australia since 2001). For various reasons it has clearly been even harder for Māori to contemplate taking up Australian citizenship than for other New Zealanders. Moreover, the need to take out citizenship to live a full civic life on the opposite side of the Tasman was never intended by the Trans-Tasman Travel Agreement, and seems at once at odds with it.

As for New Zealand, one wonders whether the government should create greater awareness amongst Māori overseas of their ongoing rights to cast a ballot in New Zealand, in order

perhaps to redress the current imbalance. After all, publicity aimed specifically at increasing Māori enrolment and voting occurs routinely in New Zealand itself given the relatively low Māori participation in the electoral system. Such a campaign may well be unjustifiable, particularly since expatriate voting is usually seen as something of a legal privilege rather than an inherent right and a key element of the electoral process. But where Māori, like other New Zealanders in Australia, remain ignorant of their democratic rights, an overseas campaign may yet be something that New Zealand's electoral agencies should pursue.

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- 1 Many of the details in this paper about Māori in Australia are drawn from Hamer (2007), to which the reader is referred for further particulars.
- 2 Some Australian-born Māori would undoubtedly also qualify if they have lived in New Zealand for a year at some point.
- 3 Electoral figures cited in this paper were either supplied directly by the Electoral Enrolment Centre or taken from the [www.electionresults.govt.nz](http://www.electionresults.govt.nz) or [www.elections.org.nz](http://www.elections.org.nz) websites.
- 4 At the 2005 election there were 3,871 electors enrolled with an overseas mailing address who indicated they were of Māori descent, of whom 2,933 or 75.8% were in Australia. The proportion enrolled on each of the Māori and general rolls is not known, nor are comparable data available for previous elections.

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- 5 For a brief discussion on the size of the New Zealand diaspora see, for example, Gamlen (2007).
  - 6 Personal communication from Murray Wicks, national manager, Electoral Enrolment Centre, 26 May 2008.
  - 7 At the 2005 election, with its significantly increased overseas voting return, these totals bounced back considerably, in London's case nearly back to the 1999 level.
  - 8 Resorting to stereotypes, One News reported on 20 July 2001 that volunteers spearheading the drive to boost the Māori roll and raise the number of Māori seats were 'scouting the Sydney beaches for Maori signatures'.
  - 9 This included a rise in the number of votes faxed back from overseas from 6,000 in 2002 to 13,000 in 2005.
  - 10 Indeed, by April 2008 even the National Party had begun courting Māori in Australia. A notice from John Key encouraging expatriates to enrol to vote and join his Facebook supporters' group was posted on the main internet site for Māori in Australia, [www.maori-in-oz.com](http://www.maori-in-oz.com).
  - 11 Personal communication from Tipene Keenan of the Construction Forestry Mining Energy Union, 8 May 2008.
  - 12 The Greens once again based candidates in both Sydney and London at the 2005 election, although they were so low on the party list that they had no prospect of entering Parliament.
  - 13 This is the case for all federal and state-level voting. In several states resident non-citizens are eligible to enrol and vote in local body elections.
  - 14 Commonwealth Electoral Act 1918, section 93(1). Given the high net out-migration of Māori (and other New Zealanders) to Australia in the late 1970s and early 1980s, this group may remain substantial in number, although its exact size is a matter of speculation.
  - 15 The figures included only those who arrived in Australia prior to 1997, and had thus had time to become citizens (there were in total 540 Niueans, 12,507 Japanese and 31,241 Māori in this category). The take-up rate of Australian citizenship of the New Zealand-born in 2001 was 36.5%. Both the 'New Zealander' and New Zealand-born rates will, of course, reflect the significant numbers of Māori within each group.
  - 16 Personal communication from Graeme Orr, 14 May 2008. See also Orr (2007).