



The impacts of extra-territorial voting: Swings, interregnums and feedback effects in New Zealand elections from 1914 to 2011



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ABSTRACT

How are elections affected by the votes of people living abroad? The majority of states now allow extra-territorial voting in some form, but the research literature on this topic remains underdeveloped. Moreover, even though extra-territorial voting raises issues about the relationship between territory and political obligation that are relevant to political geographers, political geography has been under-represented in discussions on the topic. Against this background, this research examines a century of overseas voting impacts in New Zealand, a country with an unusually long recorded history of such activity. The study identifies three types of extra-territorial voting impact over the period 1914–2011, referred to as swings, interregnums and feedback effects.

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Introduction

How are elections affected by the votes of people living abroad? Overseas voting captures headlines frequently, perhaps because it disrupts popular expectations about who ‘the people’ are in an electoral democracy (Braithwaite, 2007; Cheung, 2009; Croatia Protests, 2008; Esparza, 2006; Kurtzman, 2005; Vallis, 2006). This is a growing topic of scholarly research, especially now that most states allow voting from abroad in some form (Boccagni, 2011; Collyer, 2013; Escobar, 2014; Fitzgerald, 2006; Lafleur, 2011a, 2011b, 2013; Lafleur & Chelius, 2011; Martiniello & Lafleur, 2008). However, the best-known literature on the topic is mainly normative-theoretical and empirical accounts remain rare (see Bauböck, 2005, 2007; López-Guerra, 2005; Rubio-Marin, 2006; Spiro, 2006).

This imbalance needs correcting not least because normative theory objects to the potentially disproportionate impacts of extra-territorial votes even though the actual impacts are not well studied (eg see Marcelli & Cornelius, 2005). Political geographers are well placed to address the empirical research gap on extra-territorial voting because they tend to avoid methodologically nationalistic “modern geopolitical” assumptions found in traditional liberal political theory, such as the idea that nation-states are territorially discrete (Agnew, 1994, 2003; Wimmer and Glick-Schiller, 2002, 2003). But political geographers are nonetheless

under-represented in the existing literature on extra-territorial voting (Collyer, 2013).

Responding to these issues, this paper empirically explores the impacts of extraterritorial voting on homeland elections. It focuses on New Zealand from 1914 to 2011 – a useful longitudinal case study because of the country’s openness to overseas voting and its well-recorded history of the phenomenon. The paper identifies three kinds of impact: ‘swings’ in which extra-territorial votes change election-night results; ‘interregnums’ in which the wait for the extra-territorial votes distorts coalition negotiations; and ‘feedback effects’ where the perceived importance of the extra-territorial votes drives political parties to engage increasing numbers of overseas voters.

Normative theory vs. empirical evidence on the impacts of overseas votes

Although the literature on extra-territorial voting remains primarily normative-theoretical, empirical research has begun to explain how and why states allow voting from abroad. For example, Lafleur (2011b: 1) explains emigrant enfranchisement in Latin America as an effect of “emigrant lobbying, home states’ desires to stimulate emigrant loyalty for economic purposes and, most importantly, the evolution of domestic politics” (also see Escobar, 2014; Itzigsohn & Villacrés, 2008; Lafleur, 2011a; Lafleur, 2013; Lafleur & Chelius, 2011; Martiniello & Lafleur, 2008; Smith, 2008; Tintori, 2011). Focussing on the Middle East and North Africa, Brand (2010, 2014) links external voting provisions with

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authoritarian attempts to extract emigrant resources or monitor them as security threats. By contrast, [Bach \(2011: 6\)](#) links the same trend to democratization, as “a restorative exercise for citizens who were seen as disenfranchised” (also see [Bauböck, 2005: 684](#); [Délano & Gamlen, 2014: 45–46](#); [Gamlen, Cummings, Vaaler, & Rossouw, 2013: 9](#)). A number of studies suggest in passing that states are increasingly allowing external voting in the hope of wooing contributions to economic development from ‘engaged diasporas’ (for discussion see [Gamlen, 2008](#); [Gamlen, 2010, 2014](#)). These studies build on work by, for example, [Østergaard-Nielsen \(2003\)](#), which places extra-territorial voting within a wider analysis of migrants’ transnational political practices, highlighting the multilevel opportunity structures that migrants negotiate in their political activities.

However, extra-territorial voting is still seldom researched – partly because it is still seen as abnormal, as are many forms of organized state–diaspora relations ([Délano & Gamlen, 2014](#); [Gamlen, 2008](#)). Until recently, prominent writers claimed that just a few states enfranchised their emigrants ([Barry, 2006: 51](#); [Rubio-Marin, 2006: 126–127](#); [Tager, 2006: 35](#); [Waldrach, 2003: 126](#)). In actual fact the majority of states now allow extra-territorial voting in some form, with at least 70 states opening up since 1980, almost half of these during the 1990s following the breakup of the Soviet Union ([Ellis, Navarro, Morales, Gratschew, & Braun, 2007](#)). Extra-territorial voters even enjoy dedicated legislative representation in 13 states ([Collyer, 2014](#)). [Collyer \(2013\)](#) presents a global survey of external voting practices and policies, noting that extra-territorial voting is on the rise but has been “almost totally neglected in geographical approaches” to citizenship (p68). Notwithstanding at least one study published in the mid-1990s ([Pattie, Dorling, Johnston, & Rossiter, 1996](#)), Collyer’s assessment is accurate despite that, as he rightly puts it, the phenomenon “has consequences for the way in which state territoriality is understood” (p14).

Extra-territorial voting is also seen as abnormal in a normative sense. Political scientists still tend to assume “disinterest as the default position” of states towards emigrant communities ([Bauböck, 2003: 709](#)). Proactive interest, including the extension of voting rights, has been scrutinized closely from a normative-theoretical perspective ([Blais, Massicotte, & Yoshinaka, 2001](#); [López-Guerra, 2005](#); [Rubio-Marin, 2006](#); [Spiro, 2003, 2006](#)). Some argue that certain migrants continue to hold a legitimate stake in the politics of their ‘homeland’, not least because technologies now allow genuine forms of connection to a political community other than residence within its claimed territory ([Barry, 2006: 52–53](#); [Bauböck, 2007](#); [Mercurio & Williams, 2004](#); [Spiro, 2003, 2006](#)). Meanwhile, others counter that extra-territorial voting gives decision-making power to people who do not have to bear the consequences of their decisions, violating Aristotle’s democratic dictum that ‘the governors must also be the governed’ ([Fitzgerald, 2006](#); [López-Guerra, 2005](#); [Rubio-Marin, 2006](#)).

Many normative objections to extra-territorial voting hinge on impacts that are potentially disproportionate but actually unknown. For example, [Bauböck \(2007: 2444\)](#) writes: “A reasonable expectation that expatriate voters may outnumber domestic ones provides a strong argument against enfranchising the former and for restricting the franchise to temporary absentees.” However, he also notes (p2397), “there have been hardly any attempts to systematically test hypotheses about the ... consequences of introducing external voting rights” (also see [Waldrach, 2003: 127](#). An exception is [Bocagni, 2011](#)). Given that new technologies make it ever easier for emigrants to participate in homeland politics and the majority of states allow them to vote from abroad, we need more empirical research on how external votes influence homeland elections and whether or not facts bear out fears of a

disproportionate impact. With this puzzle in mind, the study below explores the impacts of extra-territorial votes in New Zealand elections from 1914 to 2011.

New Zealand's overseas votes

The people of Aotearoa-New Zealand, beginning with Māori, have always been migratory and transnationalism has been important at least since British colonization ([Belich, 1996, 2001](#); [Henare, 2001–2002](#)). Today some 4.5 million people live in New Zealand while between 500,000 and a million New Zealanders live abroad ([Gamlen, 2007](#)), spread mainly across the “Angloworld” ([Belich, 2009](#)), concentrated in Australia, USA, Canada and the UK.

Owing partly to its migratory past, New Zealand has a remarkably long record of extra-territorial voting activity. Overseas votes have been recorded continuously since the 1950s ([AJHR, 1957, H33](#)) and for specific elections and referendums going back to 1914. Although New Zealanders living abroad were not allowed to vote in New Zealand elections prior to 1956, special legislation was passed in both world wars to enfranchise New Zealand soldiers based abroad ([Atkinson, 2003: 294 ff39](#); [Elections New Zealand, Undated](#)). In 1956, the voting rights of overseas civilians were equalized with those of military personnel (see [Atkinson, 2003: 166–67](#)), and from 1975, permanent residents were also given the right to vote, including from overseas ([Auckland City Libraries, 2009](#)).

In 1996 New Zealand switched from a majoritarian electoral system (First Past the Post), to a Proportional Representation-based system (Mixed Member Proportional), which accords greater influence to small parties. Enrolled voters get two votes each: one for a political party, and one for a candidate in their electorate. A political party qualifies to enter parliament either by winning the majority of votes in at least one electorate, or by winning at least 5% of the party vote. Once passing either threshold, the party is allocated parliamentary seats in proportion to its share of the party vote.

New Zealand also has an electoral system that is particularly open to an internationally widespread mode of extra-territorial voting. Of the five types of extra-territorial voting system identified by [Collyer \(2013\)](#), New Zealand uses the most prevalent, under which expatriates are allowed to vote in the territorial electorate where they last lived. A person may enrol and vote in New Zealand General Elections from abroad as if they are resident in the New Zealand territorial electorate where they last lived for at least one month, so long as they have been to New Zealand in the past three years (for New Zealand Citizens) or one year (for New Zealand Permanent Residents) ([Elections New Zealand, 2013](#)). Eligible voters can now enrol online (previously this could be done by post and, in recent years, by fax), and once enrolled, they can either vote in person at an overseas embassy booth, or by posting or faxing their voting papers, which can be requested from the Electoral Commission or downloaded online.

These features make New Zealand a particularly worthwhile longitudinal case study of extra-territorial voting impacts. However, with a few notable exceptions ([Atkinson, 2003:129, 131, 154–55, 166–67](#); [Hamer, 2008](#)) there is very little research on New Zealand’s overseas votes. This paper asks: what impacts have overseas votes had in New Zealand elections between 1914 and 2011? The question is addressed through voting data back to 1914 from the *Appendices to Journal of the House of Representatives of New Zealand (AJHR)*, media archives accessed through the LexisNexis Academic Database, interviews with candidates and expatriate organization leaders in-person and by telephone, and secondary sources cited in text.

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