

PRISONER VOTING RIGHTS AND WĀHINE MĀORI

An exploration of the relationship between wāhine Māori and the state

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Abstract

In 2010, the passing of the Electoral (Disqualification of Sentenced Prisoners) Amendment Act removed voting rights for all prisoners, regardless of sentence length. A decade later, prisoners serving sentences of less than three years were re-enfranchised. Research and public discourse have highlighted the disproportionate effects of prisoner disenfranchisement for Māori, given persistent overrepresentation of Māori in prison. However, less attention has focused on the specific effects of disenfranchisement for wāhine Māori in prison. This article adopts Māori-centred and Mana Wahine lenses to analyse (1) the content of semi-structured interviews with two key informants and (2) parliamentary readings of the 2010 Electoral (Disqualification of Sentenced Prisoners) Amendment Bill and 2020 Electoral (Registration of Sentenced Prisoners) Amendment Bill. It explores how 21st-century prisoner disenfranchisement has uniquely impacted wāhine Māori and reflects broader patterns regarding marginalisation of wāhine by the state. Ultimately, disenfranchisement of wāhine contributes further to their marginalisation and has widespread effects on whānau Māori, and policy has failed to consider the experiences of wāhine Māori.

Keywords

Mana Wahine, Māori, prisoner disenfranchisement, wāhine Māori

Introduction

Over time, colonisation has had ongoing effects for wāhine Māori. Wāhine Māori have experienced a drastic change in social position due to the effects of sexism, racism, and the imposition of Pākehā social values, underpinned by the dynamics of several intersecting systems such as colonisation, patriarchy, white supremacy, Christianity, and the dominance of Eurocentric political and legal

systems in Aotearoa New Zealand. Wāhine Māori are now severely overrepresented in the Aotearoa women's prison population. Despite Māori constituting only 17.1% of the general population, Māori make up 52.6% of all prisoners (Department of Corrections, 2025; Stats NZ, 2024). In the women's prison population, this figure is over 60%, highlighting an alarming inequity (Office of the Inspectorate, 2021). While a persistent

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overrepresentation of wāhine Māori exists, an intersectional analysis is largely absent from state understandings (Quince, 2010). This absence is reflected across justice policy, where the specific cultural and gender-related needs of wāhine Māori are not met (Office of the Inspectorate, 2021).

A similar invisibility of wāhine Māori is observed regarding prisoner voting rights policies. Policies of prisoner disenfranchisement in Aotearoa can be linked back to the English concept of “civil death”, in which offending is considered punishable by deprivation of voting rights (Pereira, 2008). Disenfranchisement of prisoners through laws barring them from registering to vote has long been the status quo in Aotearoa (Gavey, 2014). However, 2010 saw the first major legislative change to prisoner voting rights since 1993 (Geddis, 2011). The passing of the 2010 Electoral (Disqualification of Sentenced Prisoners) Amendment Act saw a shift from disenfranchisement of prisoners serving prison sentences of three years or longer to blanket disenfranchisement of all prisoners (Geddis, 2011). A decade later, however, the 2020 Electoral (Registration of Sentenced Prisoners) Amendment Act re-enfranchised prisoners serving sentences less than three years (New Zealand Law Society, 2020). In the same year, a Waitangi Tribunal (2020) report on Māori prisoners’ voting rights drew attention to the disproportionate impact that voting disqualification has on Māori.

Compared with non-Māori, Māori were 11.4 times more likely to be removed from the electoral roll in 2018 (Waitangi Tribunal, 2020). However, how this has distinctly affected wāhine Māori remains largely unexplored. State discourses fail to recognise the unique experiences of wāhine Māori, and how they are affected by policy in different ways to tāne Māori and Pākehā women. Additionally, there is an absence of research and public attention in this area. Given that men constitute a large majority of prisoners in Aotearoa and globally, policies that address those in prison are often constructed around colonial, patriarchal, and heteronormative norms (Adelberg & Currie, 1987; Department of Corrections, 2021).

This article uses Māori-centred and Mana Wahine lenses to argue that wāhine Māori are impacted by prisoner disenfranchisement in ways that cannot be explained by the current literature on prisoner voting rights. State framing has marginalised the voices and experiences of wāhine Māori, and this theme is reflected in policy. The roles of wāhine Māori as central pillars of whānau and intergenerational knowledge bearers are left unacknowledged by the state in prisoner voting

rights policies. This works to reinforce the ongoing invisibility of wāhine Māori.

The marginalisation of wāhine Māori

Gender relations within te ao Māori can be generally characterised by balance and complementarity (Cadigan, 2012). All people form important parts of the collective group, taking on responsibilities that allow communities to function and thrive (Cadigan, 2012). Wāhine Māori and tāne Māori have traditionally been considered complementary to each other, and the roles of both are respected as important parts of the collective whole (Jahnke, 2019; Mikaere, 1994).

The inherent value of wāhine within Māori ways of thinking and being can be seen within spiritual narratives, where wāhine represent powerful figures with large influence over the world. Atua wāhine are often present in multiple forms of Māori storytelling, demonstrating the centrality of women (Yates-Smith, 2003). Whenua is referred to as Papatūānuku, the Earth Mother, who is a central figure in Māori spirituality (Royal, 2007). The word “whenua” can also refer to the placenta, reflecting the belief that all life comes from the womb of Papatūānuku (Royal, 2007). Ultimately, these representations echo the importance of wāhine Māori within Māori knowledge systems.

Crown actions over time have resulted in the marginalisation and subordination of wāhine Māori. Though various definitions of marginalisation exist, it can broadly be understood as a process where the privileging of a dominant group in society occurs, and other groups are socially excluded and pushed to the margins (Hall, 1999; Hall et al., 1994). The marginalised group is constructed as the socially subordinate “other” to the dominant group, and as non-conforming to the dominant group’s norms (Foucault, 1961/1964). The position of wāhine Māori pre-colonisation differed drastically from British assumptions about women’s roles; wāhine Māori assumed significant positions of power, holding complementary roles to those of men (Mikaere, 1994). Wāhine served as spiritual leaders, military strategists, and central political figures (Mikaere, 1994). The introduction of British values underpinned by systems of colonialism, patriarchy, white supremacy, and Christianity undermined the position of wāhine Māori, and dispossession from land and processes of urbanisation were destructive to the whānau unit, shifting power into the hands of men (Mikaere, 1994). Over time, various state practices created barriers to wāhine Māori representation within institutions of power. Despite this, wāhine Māori

have continually worked to make their voice heard throughout history and have been at the forefront of various social movements (Mikaere, 1994; Waitere & Johnston, 2009).

Methodologies and methods

Kaupapa Māori research

This research employs elements of a Kaupapa Māori research methodology. Kaupapa Māori research is predicated on Māori values and knowledge, and is concerned with “the struggle for autonomy over our own cultural well-being” (G. H. Smith, 1992, p. 3). It is research that is “by Māori, for Māori and with Māori”, in which Māori control the design of research (L. T. Smith, 2015, p. 47). This present study was conducted by a Māori student and supervised by a Māori supervisor, with Māori participants serving as sources of knowledge. However, these factors are not enough to categorise this research as Kaupapa Māori research. Rather, this study is more accurately labelled “Māori-centred” because it aims to produce “research that is primarily of benefit to the Māori community and for which the researcher is primarily accountable to that community” and incorporates elements of Kaupapa Māori research (Cram, 1997).

Mana Wahine

This research examines an issue of importance for Māori, and investigates the relationship between wāhine Māori and the state. Therefore, this research is important for wāhine Māori and incorporates elements of Mana Wahine. Mana Wahine “explicitly examines the intersection of being Māori and female” (Simmonds, 2011, p. 11) and differs from intersectionality as it represents “an extension of Kaupapa Māori theory” (p. 11) that validates both Māori knowledges and the knowledges of wāhine Māori. Mana Wahine seeks to centre the experiences of wāhine Māori and define the position of wāhine Māori in their own words (Pihama, 2001; Simmonds, 2011).

A Mana Wāhine lens is utilised within this research to deconstruct the relationship between wāhine Māori and the state, and to examine how wāhine Māori are affected by prisoner voting rights policies. In order to understand the implications of the removal of voting rights for wāhine Māori in prison, ideally wāhine Māori with experiences of incarceration and disenfranchisement would be interviewed. This would align with a Mana Wahine approach; the narratives and experiences of wāhine Māori should be central in Mana Wahine research (Pihama, 2001; Simmonds, 2011).

However, because this project was conducted as part of a master’s thesis, it was determined the logistical and ethical matters associated with either interviewing women in prison or finding women with experiences of prison would be too large. Wāhine Māori with specialised expertise on the incarceration of wāhine Māori were therefore included in this research as interview participants, serving as sources of knowledge.

Interviews with key informants

Originally, five semi-structured interviews with key informants who had experience and knowledge in the areas of wāhine Māori in prison and/or Māori women’s political participation were planned for August–September 2021. In August 2021, the country entered a nationwide lockdown due to the COVID-19 pandemic, and Auckland ultimately ended up in various stages of lockdown for over three months. Interviews were originally intended to be held *kanohi ki te kanohi*; however, due to the lockdown interviews were held online via Zoom. Interviews were chosen as a data collection method due to the paucity of existing research on this topic.

Over 25 potential participants were invited to participate in the project; however, only two interviews, which lasted between 45 and 50 minutes, were ultimately conducted. It is likely that this can be attributed to challenges related to the COVID-19 pandemic and its flow-on effects, meaning that many potential participants may not have had the available time to commit to an interview.

The two interview participants were Professor Tracey McIntosh (Ngāi Tūhoe), MNZM, who has expertise regarding the incarceration of Māori, Indigenous peoples, and Māori women and girls; and Professor Khylee Quince (Ngāpuhi, Te Roroa, Ngāti Porou, Ngāti Kahungunu), who has expertise in criminal law and Māori legal issues. The research project received ethical approval by the University of Auckland Human Participants Ethics Committee on 28 July 2021 (reference UAHPEC23047).

Analysis of parliamentary bill readings

Parliamentary readings of the 2010 Electoral (Disqualification of Sentenced Prisoners) Amendment Bill and the 2020 Electoral (Registration of Sentenced Prisoners) Amendment Bill were obtained from the New Zealand Parliament website. These were included in the data to be analysed as they reflect the views of parliamentarians, as actors of the state, on issues of prisoner voting rights.

Thematic analysis of the data

Braun and Clarke's (2013) reflexive thematic analysis was used in order to analyse the readings of both the 2010 and 2020 bills and key informant interviews. This approach involves coding the data, grouping of codes into themes, and then developing themes and subthemes.

Findings

Implications of disenfranchisement on whānau and knowledge transmission

One key impact of prisoner disenfranchisement for Māori is the effect on the intergenerational transfer of knowledge. Wāhine have long been central to the transferral of knowledge between generations. George et al. (2019) state that wāhine Māori can be seen as pou tokomanawa of their whānau, role models, teachers, and nurturers. Similarly, Ruwhiu (2009) emphasises the important role of wāhine Māori as “whare tangata (procreators) and as whare mātauranga (repositories of knowledge)” within iwi, hapū, and whānau, stating that over time wāhine Māori have passed knowledge down through generations in a multitude of ways as primary carers of children (p. 2). Interview participant Tracey McIntosh, in speaking about the role that wāhine Māori play in their whānau and communities, noted:

We look at the intergenerational transfer of knowledge, of wealth in the broader sense of understanding wealth, we see how significant women are ... Women play an important role in terms of that intergenerational transfer, both of things that are very positive and of things that are very negative.

Wāhine Māori have always held an important role as mothers, nurturers, and creators (Yates-Smith, 2003). This role can be traced back to Papatūānuku, from which all life originates (Yates-Smith, 2003). Interview participant Khylee Quince highlighted some of the roles of wāhine Māori in te ao Māori as being “te whare tangata, the protectors of whakapapa, the protectors of tamariki and rangatahi Māori, protectors of mātauranga Māori”, reinforcing the centrality of wāhine Māori to whānau.

The Waitangi Tribunal's (2020) investigation into Māori prisoner voting rights found that prisoner disqualification likely had ripple effects for an individual's whānau and communities. For imprisoned wāhine Māori, this effect may be amplified. Voting behaviour research has identified that turnout is heavily influenced by family, and that voting or non-voting often occurs

across family groups (Akee et al., 2018; Glaser, 1959). Voting is also considered a habit-forming behaviour, and participation in voting, especially at a young age, is likely to predict future participation (Cutts et al., 2009; Dinas, 2012; Gerber et al., 2003). International literature also finds that disenfranchisement can feed further non-voting in a disenfranchised person's family and social networks (McLeod et al., 2003; Verba et al., 1995; White, 2019). Given the effect of all these factors on voting behaviour, and the centrality of wāhine Māori in the whānau, it is likely that disenfranchisement of wāhine Māori has effects on voting beyond the incarcerated woman herself. As McIntosh alluded to above, wāhine Māori play a central role in the transmission of both positive and negative elements. The removal of the vote is yet another marker of wider exclusion from mainstream society that wāhine Māori face in prison, a pattern which has the potential to be transferred to others within a woman's whānau and community. However, wāhine Māori have significant impacts on those around them, which presents a potential to use enfranchisement as means of increasing voter turnout, not only for incarcerated wāhine, but also for whānau Māori.

Further marginalisation through disenfranchisement

When assessing the impact of disenfranchisement for wāhine in prison, it is important to note that wāhine Māori in prison often come from experiences of extreme disadvantage and marginalisation. The interview participants both highlighted that enrolling on the electoral roll and voting are not likely to be priorities for wāhine Māori in prison due to disconnection and marginalisation. By removing voting rights from those already marginalised, this serves to deepen this disconnection, producing further marginalisation.

In Aotearoa, disenfranchisement has traditionally been premised on a social contractarian argument—that offending is essentially a violation of the social contract and that disenfranchisement is a consequence of this. However, if an imprisoned woman is already experiencing disadvantage or marginalisation, it may be questioned whether the removal of voting rights has any relevance as a consequence. McIntosh stated:

When you disenfranchise it usually is just an indicator, or even a symbolic marker, of far greater levels of disenfranchisement. The vast majority of women that I work with would not be on the electoral roll. And so that would be when they're

on the outside. The loss of connection, the loss of the sense that this would make any difference in your life at all.

McIntosh suggested that actions of civic engagement such as voting are likely absent from the lives of wāhine Māori in prison due to coming “under much higher levels of surveillance and securitization than other people”:

They don't want to be on anything. All of their interactions with the state have shown them that when the state knows about them, things go badly for them ... I think it speaks to when you're under that level of scrutiny and surveillance by the state, the electoral roll, you'd rather be off every roll.

Galicki (2018) similarly found that the costs of voting for individuals from lower socioeconomic groups, young voters, and migrants in Aotearoa were more often intangible and psychological costs. These concerns were often shaped by negative experiences of the state (Galicki, 2018). Wāhine Māori have been severely impacted by state actions, which have included disruption to Māori social organisation and the whānau unit, over-policing and surveillance of their communities, the disproportionate uplift of tamariki Māori by the state, and abuse in state care (Mayron, 2021; Mikaere, 1994; Savage et al., 2021; Te Whaiti & Roguski, 1998). These experiences may feed into mistrust of the state, subsequently causing enrolment and voting to be perceived negatively.

Easton (2009) argues that the right to vote is especially important for prisoners in the symbolic and rehabilitative senses. The act of voting reinforces that the voter has a political voice, promotes social inclusion, and acts as an important symbolic marker of citizenship (Easton, 2009). Conversely, exclusion from voting further marginalises prisoners from public consciousness (Easton, 2009). Geddis (2011) showed how the removal of voting rights reflects the assumption that a prisoner is excluded from the social contract while in prison, an assumption that is at odds with rehabilitative purposes of imprisonment. For wāhine Māori in prison, who have likely already experienced marginalisation, disenfranchisement may have significant symbolic meaning. The removal of the right to vote may denote further social exclusion of imprisoned wāhine Māori, reproducing the effects of colonisation for wāhine Māori, such as systemic marginalisation and exclusion.

Barriers to re-enrolment on the electoral roll

Many women in prison are mothers to children. The Office of the Inspectorate (2021), which is part of the Department of Corrections and works to ensure that all prisoners are treated in a way that is fair, safe, secure, and humane, has estimated that approximately 29% of women in Aotearoa prisons in 2013 had a direct parenting role prior to entering prison. However, “this is likely to underestimate the number of children women are concerned with” (p. 15), suggesting a much wider network of maternal and caregiving responsibilities.

A long-term overrepresentation of wāhine Māori in prison persists, with wāhine Māori recently making up more than 60% of the total women's prison population, which currently sits at 849 (Department of Corrections, 2026). Meanwhile, the Ministry of Justice (2026) recently reported that wāhine Māori make up 71% of women sentenced to imprisonment. In her landmark study *Invisible Children*, Gordon (2009) found that 87% of women prisoners had children. Given that the majority of these are wāhine Māori, this figure is particularly concerning for whānau. The Office of the Inspectorate (2021) found that “connections with family and whānau heavily influenced women's lives in prison” (p. 4).

Many women continue to manage households while serving their sentence in prison (Office of the Inspectorate, 2021). This factor is not unique to Aotearoa, with global literature on imprisoned women aligning with this finding (see, e.g., Chamberlen, 2018; Mies, 2014). Additionally, organising childcare upon entry into prison has been identified as a significant cause of stress for imprisoned women (Office of the Inspectorate, 2021). In her interview, Quince emphasised the differences between men and women's experiences of prison, and the management of their outside households:

One of the major distinctions between the way men serve their prison sentences and women serve their prison sentences, is that men serve their prison sentences and the women on the outside maintain their lives for them ... For women, they lose everything. They lose the children, the man pisses off, so they lose their tenancy, they lose their address, the children go off to Oranga Tamariki [New Zealand Ministry for Children] or a whānau placement ... So the impact of imprisonment is more impactful and serious for women than it is for men, no matter what colour they are, because they lose everything. So their priorities, it's going

to be easier for a man, he'll go back [out of prison] and he'll have everything still lined up for him, he will have visits during his term of imprisonment, women do not. So he could have space in that for thinking about things like registering to vote, whereas women, literally the first thing they do is they have to and sort out MSD [Ministry of Social Development] and Oranga Tamariki.

Quince highlights here how women may face unique stressors during their prison sentences and post-release. A study of women in Aotearoa who served sentences in prison and then went on to reoffend similarly found that the unique pressures they face upon release can affect their likelihood of reoffending (Bevan & Wehipeihana, 2015). These include economic pressure; a lack of pro-social support networks and services in the communities that women return to post-release; and relationship pressures that may lead to offending with, or to provide for, partners and whānau (Bevan & Wehipeihana, 2015). Notably, identity played a key role in reoffending; gender identity is heavily tied to their relationships as partners and mothers, and women often prioritise the needs of others regardless of the detrimental personal effects it may have (Bevan & Wehipeihana, 2015).

In its investigation into the voting of Māori prisoners, the Waitangi Tribunal (2020) found that the “overwhelming nature of prison release” served as a barrier to re-enrolment on the electoral roll (p. 22). Organising employment, accommodation, and financial support is likely to be prioritised above re-enrolment immediately post-release (Waitangi Tribunal, 2020). Another potential barrier is the lack of a long-term address, as an address needs to be provided in order to re-enrol (Waitangi Tribunal, 2020).

Given that men and women generally have vastly different experiences of imprisonment and release, it is likely that disenfranchisement will have unique consequences for women. Additionally, other obligations that all prisoners must fulfil upon release, such as securing accommodation and employment, organising finances, and reconnecting with whānau, may make the task of re-enrolling less of a priority (Waitangi Tribunal, 2020). This effect may be more pronounced for wāhine Māori, who may be concerned with whānau and tamariki post-release.

Policy construction around male norms

In regard to justice, state policies are often constructed around colonial, patriarchal, and heteronormative norms. Men make up the

overwhelming majority of criminalised people internationally and in Aotearoa (Adelberg & Currie, 1987; Quince, 2010). As a result, women are often considered “too few to count” within justice policy and overlooked (Adelberg & Currie, 1987). The ongoing marginalisation of wāhine Māori by the state has led to wāhine Māori being largely invisible in both justice policy and policies that affect prisoner voting rights.

In her interview, Quince echoed the concept of women offenders being too few to count, and noted that wāhine Māori are a “subset of that subset”. Justice systems around the world are necessarily focused on addressing male offenders and are designed around male norms (Adelberg & Currie, 1987), meaning they fail to fully accommodate the needs of imprisoned women.

In its Women's Strategy 2017–2021, the Department of Corrections (2021) acknowledged that women in prison have unique experiences leading to offending and imprisonment that differ from those of men. It also acknowledged that the specific needs of women, and in particular wāhine Māori, in Aotearoa prisons have not been adequately met. While the Department of Corrections has in recent times worked to develop more culturally specific support for Māori generally in prison, in the past two decades such support has been lacking for wāhine Māori as the provision of Māori Focus Units, for example, has often been limited to men's prisons (Department of Corrections, n.d., 2021).

Additionally, treatment of wāhine in the care of the Department of Corrections has disregarded the inherent mana and tapu of wāhine Māori. Up until a policy change in 2021, in some cases women prisoners were handcuffed while giving birth, ignoring the importance and respect that should be shown to wāhine as te whare tangata in accordance with Māori understandings of gender (Johnsen, 2021).

Analysis of parliamentary readings of the 2010 Electoral (Disqualification of Sentenced Prisoners) Amendment Bill and the 2020 Electoral (Registration of Sentenced Prisoners) Amendment Bill demonstrates how prisoners are often represented as both male and Māori. The occurrence of gendered language when discussing those that would be enfranchised or disenfranchised was high; in many instances male pronouns and descriptors were exclusively used. Such discussion, which was common in the readings of both bills, characterises those affected by prisoner voting rights as solely male, and reflects the male focus in prison-related policy.

The construction of policy around male Māori norms is also reflected further by the use of anecdotal tales of criminal offending by MPs from both the National and the Labour Parties in readings of the 2020 bill. Narratives of criminal offending almost always involved a male Māori perpetrator. While the stories told reflect the lived experience of individuals who have been to prison, and these experiences should not be invalidated, there was an absence of any mention of the experiences of wāhine Māori, or the experiences of women in prison at all, reflecting the male-focused nature of state discourses regarding justice and imprisonment.

Quince highlighted in her interview how prisoner voting rights policies reflect a reinforcement of the invisibility of wāhine Māori in state responses to offending and incarceration:

The voting right framework, is it a reflection of general Crown responses, and characterization of wāhine Māori generally ... This is a study in intersectionality, that wāhine Māori are characterised, as all minority women are, as not men and not white women ... Crown policy tends to be constructed around male-ness or Pākehā-ness, which means that we are never accounted for. Whether you're talking about welfare policy, education, health housing, you name it, there will be a general policy, and then there will be an add-on for Māori, but there's hardly ever an add-on for women and there's hardly ever an add-on for wāhine Māori. And yet, neither of those big categories account for the position and life experiences of wāhine Māori.

The absence of discussion of wāhine Māori as a group affected by changes to prisoner voting rights, as well as the focus on offenders as Māori and male, once again mirrors the state's framing of wāhine Māori.

State focus on individualism

This research argues that one effect of the disenfranchisement of wāhine Māori in prison may be broader disenfranchisement of whānau Māori. The state frames voting rights as an individual concern, and disenfranchisement as a result of violation of social contract, which further disregards the roles wāhine Māori fulfil. The individualisation of the importance of voting rights fails to recognise the ripple effects that the disenfranchisement of any prisoner, but particularly wāhine Māori prisoners, has for the whānau of the imprisoned person.

In her interview, McIntosh highlighted how in many instances the state now recognises the

impacts of colonisation on wāhine Māori, but responses have not adequately addressed those impacts and have been framed in individualist ways:

One of the real issues, and I think we see that with all state policy, is that you constantly individualise the issues ... I think people recognise the impact, they might not recognise the disproportionate impact. But that largely, is constantly then moved into, how do you support this woman, that woman, rather than thinking about the types of strategies and policies that you need to have in place that will collectively work to restore the mana of women within the broader society.

Essentially, policies that attempt to address issues with an individual focus have failed to address the collective experiences of wāhine Māori. Analysis of readings of the 2010 and 2020 bills shows a focus on imprisonment and disenfranchisement as an individual issue, related to individual rights. In the second reading of the 2010 Electoral (Disqualification of Sentenced Prisoners) Amendment Bill, for example, former National MP Jo Goodhew stated:

This bill makes it clear that our democratic rights as citizens include obligations to obey the law. People who break the law and are sentenced to prison have not met those obligations, and while they are in prison they should lose their right to vote. (New Zealand Parliament, 2010)

Such rhetoric, which was continually present in readings of both bills, links back to the concept of civil death, in which perceived breaches of the social contract through offending are punishable by removal of the voting right (Pereira, 2008). These arguments individualise actions and experiences such as offending, incarceration, and voting. This framing is problematic for a number of reasons. First, it is reminiscent of explanations of criminal behaviour as related to individual pathology. A clear pattern of the individualisation of Māori offending has been observed in the 21st century, with successive governments suggesting that high rates of Māori offending can be explained by the high prevalence of social and environmental "risk factors" in the lives of offenders (Department of Corrections, 2007; Doone, 2000). Such approaches fail to recognise that the overrepresentation of Māori in some social indicators is heavily related to how colonisation has ongoing destructive effects for the whānau unit, including

dispossession of Māori from their whenua and economic base (Mihaere, 2015; Mikaere, 1994; Stanley & Mihaere, 2018). In readings of the 2020 bill that re-enfranchised those sentenced to less than three years in prison, a key argument of those opposing was the need for social investment in the lives of those at risk of offending, rather than enfranchisement of those in prison, reflecting once again an approach that individualises the causes of offending. In one example, National MP Dan Bidois stated his opposition to the 2020 bill thus:

Another aspect of the debate that's raised is around how we can help Māori. Well, how we can help Māori that are in our prison system is to teach them not to offend in the first place ... We've got to keep these Māori in education, training, or employment to give them a sense of a better life, a life without crime, a life without breaking law, and that is the way we will keep these people out of our prison systems. (New Zealand Parliament, 2020b)

Such an approach not only frames the causes and consequences of offending for the offender as an individual concern but also disregards the importance of wāhine Māori in the context of their whānau and communities. This article has highlighted how the effects of incarceration and disenfranchisement are not limited to the individual.

Parliamentary readings of the 2010 and 2020 bills show little consideration of the effects of the removal of prisoner voting rights for the whānau of those in prison, and an absence of any consideration of the important roles that wāhine Māori play. One of the only mentions of potential effects of prisoner voting rights on whānau came from Green Party co-leader Marama Davidson in regard to the 2020 bill:

When we distance and further diminish and further dehumanise people in prisons, we are not just distancing them; we are distancing their whānau who are living in our communities today. We are sending a strong message, not just to that person in prison but to that whole whānau, that their life too is worthy of being dehumanised, is worthy of not having access to engage in democracy. (New Zealand Parliament, 2020a)

Beyond this, effects of disenfranchisement on whānau were absent from readings of the 2010 and 2020 bills. Additionally, no consideration of the significant role that wāhine Māori play as bearers of knowledge was evident. This reflects

a general tendency by the state to disregard the important roles that wāhine Māori take on in their whānau and communities.

Looking to the future

Very limited research exists that focuses specifically on wāhine Māori regarding prisoner voting rights in Aotearoa, and so further research is needed in order to develop a more in-depth understanding of this issue. However, the findings of this article serve as a starting point for further discussion. Overall, the invisibility of wāhine Māori in state discourses surrounding prisoner voting rights highlights a need to ensure that the future effects of policy for wāhine Māori specifically are considered. Future policy and initiatives that target prisoner voting rights need to take into account the broader context of the lives of wāhine Māori before, during, and after their sentence. Wāhine Māori may face considerable barriers to enrolling on the electoral roll and voting in elections, and so more work is needed to understand their needs and experiences. Additionally, it has been well-established by several Māori scholars that Kaupapa Māori approaches can effectively tackle issues that impact Māori, as these approaches are better placed to understand and meet the needs of Māori (Jackson, 1988; L. T. Smith, 2012). Development of prisoner voting rights initiatives, such as civics education within prisons, that are by Māori, for Māori is an area that should be explored further.

Conclusion

Wāhine Māori occupy a unique position that can be better understood through examining how multiple intersecting factors such as colonisation, disruption of Māori social organisation, and the imposition of Pākehā values related to gender have impacted them. The way in which prisoner voting rights policies affect wāhine Māori cannot be understood through male-focused or Pākehā-centric analyses of prisoner disenfranchisement, but these are the analyses that have dominated state discourses relating to all prisoners. This fact reflects the ongoing ignoring of wāhine Māori by the state, which is a hallmark of the relationship between wāhine Māori and the state. In order to meet the needs of wāhine Māori in prison and effectively enable their participation in state politics, an explicit focus on wāhine Māori in relation to the prisoner voting rights issue is necessary, and further research and discussion is needed in this area.

Glossary

Aotearoa	Māori name for New Zealand; lit. “land of the long white cloud”
atua wāhine	female deities
hapū	subtribe
iwi	iwi
kanohi ki te kanohi	face to face
Kaupapa Māori	research and practice grounded in Māori principles and te ao Māori
mana	inherent status and sacred authority
Mana Wahine	extension of Kaupapa Māori theory centring women’s agency and status
Māori	Indigenous peoples of Aotearoa New Zealand
mātauranga Māori	Māori knowledge
Pākehā	New Zealanders of European descent
Papatūānuku	Earth Mother
pou tokomanawa	centre pole supporting the ridge pole of a meeting house
rangatahi	young people, youth
tamariki	children
tāne	men
tapu	inherent sanctity and inviolability (of wāhine)
te ao Māori	the Māori worldview
te whare tangata	the womb; lit. “the house of humanity”
wāhine	women
whakapapa	genealogy; layered relational ordering connecting people, land, and entities
whānau	family; collective group connected through relationships and purpose
whenua	land

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