

The Marshall Islands: a high proportion of external voters

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In the Republic of the Marshall Islands, the majority of the population vote from somewhere other than their place of residence. Not only those who are resident or working temporarily overseas, but also inter-island migrants and displaced people from the atolls that are affected by US nuclear tests are entitled to vote in their electoral district on their home island. Absentees can therefore determine the outcome of elections, and party agents travel widely overseas to attract voter support, campaigning in Hawaii, in California, and among Marshallese employed at the Tyson Foods chicken factory in Arkansas.

The Marshall Islands comprise two parallel chains of islands, the Ratak ('sunrise') and Ralik ('sunset') groups, spread across 2 million square kilometres (km) of the Pacific Ocean. Towards the north, the peoples of the Bikini, Rongelap, Enewetak and Utrik atolls were displaced by 67 US nuclear tests conducted between 1946 and 1958. Further south, Kwajalein Atoll is the site of a sizeable US military base and missile testing facility. It has the world's largest lagoon, which is used as a target for missiles fired from California under the Star Wars II programme. Nearly half of the domestic population of 50,850 (46.6 per cent) lives on Majuro, where the capital is located, and another 21.4 per cent live on Kwajalein, most of them on the islet of Ebeye near the US base (Office of Planning and Statistics 1999: 16, table 3.2).

Over 20 per cent of the population is resident outside the country. Owing to the country's Compact of Free Association with the USA, Marshallese are able to enter the USA without visas to reside or work, but they are not automatically eligible for US citizenship. Around 14,000 currently live on the US mainland, in Hawaii or in the nearby US territories of Guam and the Commonwealth of the Northern Marianas.

The 1979 constitution provides for a unicameral parliament (the Nitijela) with 33 members, including at least one member for each of the 24 inhabited atolls and coral islands, with members elected on a First Past The Post (or plurality) basis (article IV, section 2(1) of the constitution). The more populous islands have multi-member electoral districts with members elected by means of the Block Vote system. Five members are elected from Majuro, three from Kwajalein and two each from Arno, Ailinglaplap and

Jaluit. All other inhabited atolls and coral islands have a single representative. Although the population of the country increased by 65 per cent between 1980 and 1999, there were no changes in the distribution of Nitijela seats. Substantial inter-island migration to Majuro and Kwajalein has left the outer islands sparsely populated. Had electoral registration had been based on residence, the result would have been significant inequities: the 1979 constitution (article 4, section 2[4]) specifies that ‘every member of the Nitijela should represent approximately the same number of voters; but account shall also be taken of geographical features, community interests, the boundaries of existing administrative and recognized traditional areas, means of communication and density and mobility of population’. However, potential under-representation of the more urbanized atolls which receive migrants was avoided (a) by allowing electors to continue to register on their ancestral islands in the outer islands and (b) by a curious spontaneous redistricting process.

The 1979 constitution entitles electors to register either where they reside or where they hold land rights. Every person otherwise qualified to vote shall have the right to vote in one and only one electoral district, being an electoral district in which he either resides or has land rights, but a person who has a choice of electoral districts pursuant to this paragraph shall exercise that choice in any manner prescribed by law (1979 constitution, article 4, section 3[3]). Most Marshall Islanders have land rights on several atolls or islands, and hence multiple potential constituencies where they can register as electors. Marshallese society is based on a system of exogamous matrilineal clans. Clans are usually spread across several atolls, and intermarriage between peoples from different atolls is frequent. However, matrilineal inheritance does not exhaust the range of lineages and associated lands in which an individual has rights. Particularly towards the south of the group of islands, bilateral inheritance is common, and even in the more firmly matrilineal systems children may claim patrilineal land-use rights back at least five generations. Many of those who move to the urbanized centres of Majuro and Kwajalein remain on the electoral register on their island of origin. Many also shift regularly between electoral districts, either to accompany favoured candidates or to avoid ‘wasting’ votes on unlikely victors or to vote in smaller constituencies where votes count more. Strategic re-registration of urban electors to outer island electorates evens out the inequities arising from the maldistribution of seats across the country.

One study of the 1999 electoral data found that 57.1 per cent of electors registered on the outer islands (the outer islands are all the islands in the group other than Majuro and Kwajalein) were in fact resident on Mauro and Kwajalein. Absentee voters living on Majuro and Kwajalein accounted for 43.6 and 13.5 per cent of the outer island vote, respectively, with an additional 4.4 per cent coming from overseas and 6.7 per cent casting absentee ballots from one outer island to another. In the outer islands electoral districts the proportion of votes cast by people actually living there (the on-island vote) was on average less than one-third of the total, although with considerable variation between the different atolls. For nuclear-affected Rongelap, the 14.9 per cent of the voters shown as ‘on-island’ were in fact people resettled on Mejjatto Island, in the northern part of Kwajalein atoll. Similarly, on-island voters shown in the Bikini constituency were people now living on the island of Kili, where the population relocated after Operation Bravo and other nuclear tests.

For most of the outer islands, the offshore vote is larger than the on-island vote and therefore sufficient to determine electoral outcomes. When the reformist Kessai Note administration came into office in 1999, many of its crucial victories in remote constituencies occurred thanks to the addition of the votes of people living on Majuro.

According to the 1979 constitution, all Marshall Islands citizens over 18 years of age, except those who are imprisoned or certified insane, are eligible to vote. Provisions for absentee voting are contained in the 1993 Electoral Act. To qualify for registration by land rights, citizens require a supporting affidavit from customary chiefs or, in the case of qualification by residence, from local government officials. In practice, most requests for registration are granted without affidavits being submitted. In theory, registration rights can be challenged before the High Court, but this seldom occurs. The procedure for registration of overseas electors is exactly the same as the that for registration in the home electoral district. Applications for postal ballots require 'an affidavit sworn before a notary public in the country of residence' (Elections and Referenda Regulations, 1993, section 118(6)).

There are no geographical restrictions on the countries from which the voters can cast an external vote.

External voting is done exclusively by post. There is no provision for voting stations outside the republic. Those who are temporarily or permanently outside the republic vote by means of a postal ballot paper (Elections and Referenda Regulations, 1993, section 118 (1)(b)). Historically, ballot papers have been mailed in to the electoral office and, provided they meet the various requirements, are accepted no matter where they are from.

In the 2003 election, the government sent election teams to distribute ballot papers to registered voters living in the USA, which resulted in a much higher turnout on the postal absentee front.

In the wake of the 1999 election, the Marshallese Government restricted the scope for re-registration of voters between constituencies. Citizens were required to lodge applications at least a year before the 2003 polls. Yet, owing to intensification of political competition accompanying the advent of a political party-based system, a large number of voters continued to shift registration to their preferred electoral district.

