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Irina Ciornei

Universitat Autònoma de Barcelona

irina.ciornei@gmail.com

Political parties and transnational communities.
A contextual analysis of British and Romanian residents in Spain ^{*1}

Studying the political participation of migrants in a transnational perspective is not a new phenomenon in the literature related to migration and citizenship. Most of the studies show a reconfiguration of the conceptions on membership in a political community and the rights attached to it. At the level of practice, we already witness a multiplicity of forms in which the individuals can integrate in their residence places and at the same time maintain ties with their country of origin. As Bauböck (2003) argues, political transnationalism is a transient phase in the life of migrants, affecting especially the first generation. But through the policies and actions of the sending states that aim to maintain cultural and political ties with their citizens living abroad, it becomes a structural phenomenon of our societies. The pioneers of transnational studies were centred especially in the “transnationalism from below”; in other words, in the way migrants relate to their country of origin in economic, cultural and political terms (Guarnizo and Smith 1998; Portes 1999; Guarnizo, Portes et al. 2003). Other stream of literature talks about “transnationalism from above” and external citizenship, i.e., the way in which the countries of origin take measures in order to channel the transnational activities of migrants (Guarnizo 1998; Mahler 1998; Østergaard-Nielsen 2003d; Smith 2007; Smith 2008; Itzigsohn 2000; Rubio-Marin 2006).

Although the core institutional actors in immigrant political transnationalism are the sending state governments, the political parties from the country of origin and the migrant associations (Itzigsohn 2000: 1147), most of the studies are centred on the first element of this triad: how states maintain political ties with its citizens abroad beyond the national territory. Several authors have signalled the normative and practical flaws of the right of political participation of non-resident nationals (Lopez-Guerra 2005; Østergaard-Nielsen 2003b; Bauböck 2007). However, voting from abroad is rather the rule than the exception. More than 115 countries allow for some form of electoral participation of their citizens living in other countries (IDEA 2006). Given the amplitude of the phenomenon, the main topic of this paper is to describe and understand the dynamics related to the political participation and representation of non-resident citizens and the spill-overs of these phenomena in the receiving communities. The theoretical debates will be complemented by an analysis of the policies related to external citizenship in Romania and the UK and the way they are translated into political practices in their communities residing in Spain.

Most of the studies that are centred on external citizenship and voting from abroad refer to third countries and to south-north migratory processes. However, there are millions of Europeans residing in another EU country, maintaining political ties with their country of origin and, in some cases as Italy and Romania, determining the outcome of the elections. The EU citizenship adds another layer of complexity of the phenomenon, as the country of origin and the country of residence make part of a larger political community with myriads of horizontal and vertical connections. The EU parliament is one of the example in which the parties from all over Europe are grouped and communicate in an institutional manner, fact which suggests that the ties between the parties in the countries of origin and settlement are already established at supranational level. Moreover, the EU citizenship allows citizens to contact and make claims to their representatives at supranational level in immigrant related issues, be they from the country of origin and settlement. Janoschka's study of how the British residents in Costa Blanca use their rights of participation and representation in local conflicts is relevant in this case and suggest how representation in the country of origin and at the supranational level is involved in claims related to the context of residence (idem 2008).

Having this into account, the paper is structured around two objectives:

1. To present the main ideas related to the external citizenship and voting from abroad in Romania and UK. It is worth mentioning that the two countries are contrasting cases from this point of view, as the Romanians have no residence abroad time limit, while the Britons who have lived for more than 15 years in another country lose their political rights. Moreover, the Romanians abroad have their own representatives in the Parliament, while the non-resident Britons are not considered a separate circumscription.

2. To reveal through a contextual analysis how the emigrant communities relate to their representatives in the country of origin and how they activate their MPs or MEPs in issues related to their places of residence or their homeland. The interviews with the Romanian and British association representatives and politicians have been realized in various rounds between 2007 and 2010. The fieldwork related to the Romanians has been set up in Castellon and Madrid metropolitan area, while the interviews with the Britons have been made in the Marina Alta region, Alicante province.

Bringing the Diaspora back in. UK and Romania^{*2}

Most of the world states have set up measures and policies related to the rights and benefits of their citizens living abroad, independently of their number or the character of their emigration. Some of the core instruments through which states maintain ties with their non-resident nationals refer to cultural policies and the recognition of rights. Several of the cultural policies for the recognition of the Diaspora as an integral part of the nation acknowledge that the external citizens will not return in spite of their ties with the motherland. Other sets of policies build up a discourse in which the non-resident nationals are seen as temporary absentees (Østergaard-Nielsen 2003b). In any case, these official discourses should be seen as having a strategic value rather than a predictive purpose about the length of stay and the character of the community residing abroad.

The recognition of diasporic rights is determined by the possibility to retain citizenship, in spite of the residence status. The main categories of rights that the non-resident nationals may retain refer to civic, social and political rights, although many times the transmission of socio-economic benefits depends on bilateral agreements and other institutional arrangements (Gamlen 2008). Of these categories, the legitimacy of

political rights of the citizens living abroad is one of the most debated issues in the literature. However, these normative debates have been widely absent in the formulation of laws and policies that enact them. Normative theorists as Bauböck (2007) and Lopez-Guerra (2005) consider that the non-resident nationals, especially the second and third generation are not subject to the laws of their home country, and therefore have no stake in its politics. Regarding the first generation of migrants, even though many of them perceive themselves as having strong ties with their states of origin or plan to return, it is actually difficult to determine what would be the outcome of their migratory project. For that reason Bauböck considers that external voting rights should be discussed in detail from case to case, as there is no general normative principle to which they correspond (idem 2007).

Various scholars have argued that the main reason for the recognition of rights across borders has to do with states' interest to channel remittances, other economic benefits and lobby potential of their external communities (Levitt and Dehesa 2003; Bauböck 2007). However, a brief analysis shows that most of the world states, independently of their economic level, have special policies for their citizens living abroad or recognize some form of their civic and political participation. Rather than a strategy, these policies should be seen as an integral part of states' geopolitical imagination whose interests and power cannot be limited to territorial borders (Gamlen 2008). The next sections will make a brief presentation of the external citizenship policies of our case-studies, Romania and the UK.

1.1 External citizenship in Romania

The restoration of citizenship for the Romanians living abroad has been recognized in the 1991 constitution. As in many post-communist states, the Romania Diaspora was perceived as one of the freedom bastions, so the recognition of their rights was more a question of moral duty. Since the nineties, all governments have refined and reformulated the Law of the Romanians abroad, although the core subjects of this law were the kin minorities living in the neighbouring countries. The legal differentiation between “emigration communities” and “kin minorities” has come only after 2007, when the estimated number of Romanian labour migrants in Europe was around 2 million. There is also a Department of the Romanians living abroad, making part of the Ministry of Foreign Affairs, whose responsibilities are to put in practice all sort of

measures and programmes through which the Romanians abroad maintain ties with their home country. Two programmes seem to be central: the support given to Orthodox churches and to the teaching of Romanian language classes in the Diaspora communities.

The electoral law from 2008 brought significant changes related to the political rights of the Romanians abroad: the recognition of an external constituency, represented by four deputies and two senators. Prior to 2008 the Romanians were allowed to vote from abroad at special polls inside embassies and consulates, their votes being counted in the Bucharest constituency. As the new law changed the electoral system from party list to uninominal vote, the initiators of the law argued that the most correct system of representation would be a separate constituency for the non-resident nationals. There have not been too many public debates related to how the Romanians abroad would be represented. The six special seats in the parliament are considered to represent the world regions, one for each continent, and not the number of potential or real voters. The same rationale is followed by other states, as Italy for example, fact which suggests that the participation and representation of non-resident nationals is rather a symbolic issue, following different rules than those applied to resident nationals.

1.2 External citizenship in UK

The rights of political participation of British nationals do not have a long history. They were introduced in the 80s due to the efforts of the Conservative Party (IDEA 2007). Thus, until 2000 British nationals living abroad for less than 25 years could vote in national elections in their homeland. The Act on Political Parties, Elections and Referendums from 2000 reduced the time qualification period to 15 years. The expats can vote in their hometown constituency by post or by proxy.

“When the Conservative government re-enfranchised expats in the late 1980s they did not imagine a situation where more expats would be disenfranchised than enfranchised. When the Labour government proposed the "15 year rule", Conservatives opposed it, and have continued to do so” (Chairman of Conservative Party, International Office, *The Telegraph*, 30.09.09)

One of the explanations of the fact that the expats started to be included in the national community rather recently is related to the interplay between subjecthood/citizenship/nationality in British legal and political practice. Scholars consider that the British conception on nationality/citizenship is rather a new legal and political construction (Gosewinkel 2001: 26). The central concept of membership during many centuries of the English state is related to that of “subject”, an affective notion of allegiance to the British monarch that kept the British Empire together. Only after the 1948 Nationality Act is the concept of subjecthood replaced by that of citizenship, due to the increasing number of independent countries in the Commonwealth. However, the new conceptualization is introduced without further developments until the 1981 British Nationality Act. Here appears for the first time a differentiation between British citizenship, British Dependent territories citizenship and British overseas citizenship, with different rights, obligations and entitlements for each category. It is thus only after the clear differentiation between British citizens and other categories of citizens related to the Empire when the Britons living abroad begin to be included in the national imaginary of their homeland.

In brief, UK and Romania are two contrasting cases regarding the rights of participation and representation of their communities abroad. The Romanians abroad have no length of stay qualification and since 2009 they are considered a separate constituency from the domestic one. The Britons cannot vote if they resided abroad for more than 15 years and they have no special representatives in the Parliament. The next section will present how the political parties from countries approached the expats communities. Although we might expect that the Romanian parties are more active, due to the fact that they have special seats to fight for, the Britons are quite active in their homeland politics, even those who passes the length of stay abroad requirement.

Electoral campaigns and transnational communities

One of the central roles of the political parties is to represent and aggregate the political interests of its supporters. These interests have usually been related to the diversity of the domestic publics. However, a notable exception is the political Diaspora (as Jews and Armenians for example) who have always tried to influence the politics of their homeland. In this sense, the relationship between non-resident citizens and the political institutions of their country of origin is not such a new phenomenon. What we can

notice instead, is the way in which these ties between the political parties and the voters living abroad have intensified and changed during time. The next sections will present how the Romanian and British political parties built up their discourses in order to approach the emigrant communities.

2.1 The Romanian transnational politics

The ties between the Romanian political parties and the emigrant communities started before the changes in the electoral law from 2008 that introduced special representation for the Diaspora. In 2007, the main political parties had already had an office in the main localities with Romanian migration, Madrid and Castellon. They were either ruled by presidents of associations or priests and maintained regular contacts with the parties in Romania. All of them were helped and supported by their ideological peers in Spain. For example, the Romanian liberal democrats have regular meetings with the Spanish Populares, while the Social-Democrats have found important support by part of the socialists. In Catalonia there is the “Romanian network” inside the Catalan Socialist party and the same network forms the Romanian Social Democrats in Catalonia.

The first who used intensively the ties created with the emigrant communities has been president Basescu. In 2007, prior to the referendum for his destitution, he gathered more than 10,000 Romanians in the central square of Castellon. He asked for help in order to fight the corrupt system in Romania, portraying the emigrants as the sacrificing citizens of the nation. He promised to change the domestic politics so that they may come back in a few years and live like in Spain. Basescu travels back and forth between Spain and Romania quite often. He usually participates in the Congress of Romanians abroad which takes place in Madrid every fall. This Congress is supported by the Madrid Government, so there are multiple occasions in which the president and other Romanian politicians meet the Spanish ones. Before the presidential elections in 2009 the president appeared in a picture with Esperanza Aguirre, who was supporting his candidacy. Previously, Basescu has recommended the Romanians in Spain to vote for the Popular Party at the 2007 local elections.

The rhetoric of parliamentarian candidates is slightly different. They do not portray the Romanian emigrants as temporary residents in Spain, but rather as a permanent

community. Their promises refer to strengthening the relations with the Spanish local politics and society.

“I will try to strengthen the connections with the Spanish politicians and the Romanian institutions. We are interested in creating more work places for the Romanians here, especially during this economic crisis.”
(M. Popescu, Socialist candidate for the Diaspora)

But what is the role of these politicians? What changes do they bring about? We may say that they contributed to the establishment of certain patterns inside the Romanian community and multiplied the connections that exist between the emigrants and the Spanish authorities. For example, all politicians recognise the cohesive role of the Orthodox churches, so they try to maintain good relationships with these. Moreover, during electoral campaign the churches become important places for both Romanian and Spanish candidates. They also act as a lobby against Spanish authorities. Using their connections with the Spanish political parties, they try to obtain various things for the community. W. Branza, the Democrat liberal deputy for the Diaspora started his transnational office in 2005 in Castellon. Since he is in office he proposed that the Romanians abroad who want to make investments in Romania be exempted of taxes. At the same time, he lobbied for the recognition of the Romanian driving licence in Spain and for the opening of a Consulate in Castellon. He has regular contacts with the Spanish authorities, so he is believed to be a sort of representative of the community alongside the associations and the priests.

As we may observe, the Romanian representatives of the Diaspora do not restrict their activity to the relationship between the emigrants and their country of origin. On the contrary, the connections with the residence locality politicians are an important part of their agenda. At the same time, the Spanish political parties play an important role in promoting and supporting these politicians. Although they are supposed to represent the whole Romanian community from a specific region, these parliamentarians are, in practice, closer to certain associations than others. This determines that some associations have better lobby capacity against the Spanish authorities, although their political affiliation is supposed to be neutral.

2.2 British transnational and supranational connections

Although the UK does not have special representation for the expats, both the Conservatives and the Labour Party have branches abroad. Notwithstanding, several press articles and expats consider that the non-resident votes usually goes to the Conservative Party. This fact determined the Tories to have a wider infrastructure and to stay more in contact with those living abroad. For the 2010 elections, the Conservatives have set up a wide campaign among the emigrated communities, called “Don't leave your vote at home”. Through this campaign the party members and supporters tried to attract as many registered expats as possible. And even if the numbers were low in comparison to the potential voters (approx 14,000 out of 2,5 million), the numbers of voters from abroad increased 50% in comparison with the 2005 elections (*The Telegraph*, 16.04.2010).

The discourses of the electoral campaign related to the expats varied from mild indifference towards intense links and contacts. For example, the new Labour leader, Milliband, acknowledged the importance of the expat vote but went no further. Moreover, the labourists had a draft proposal before the elections referring to expat tax system, without offering more political participation instead. However, the Conservatives appeared with several declarations in the press related to the importance of the expat vote.

“...And British citizens living overseas can help us do this. You can be the best advocates for the UK in the world, better than politicians making infrequent trips. In order for you to be positive advocates you need to be full of pride of what you see happening economically and in society.”
(W. Hague, MP, *The telegraph* 16.03.2010)

David Cameron himself visited the British community in Spain and spoke about the importance of the expat vote. However, he did not make too many promises related to the future policies for the expats, but rather commented on the overall economic situation in the UK.

The branches of Conservatives Abroad (CA) describe themselves as “tea parties”, which have a constant connection with the Conservative Party in London, but not too much decisional power or possibilities of actions. The CA gather periodically in order to talk about the British politics, the Spanish politics and the measures they can take regarding

specific issues. They also raise funds that they send to the central office in London or give in special occasions related to their community. They receive visits from MPs and MEPs, depending on the purpose of the reunions or the personal contacts that the members have.

The main ally of the Conservatives in Spain has been the Popular Party. As the Conservatives Abroad Javea declare, they have been contacted by the Popular Party, months before the British elections, in order to identify the British citizens who have the right to vote and register them. However, the collaboration between the PP and the CA is not so straightforward as in the Romanian case. Some members of the board are not satisfied with the Spanish politics, so for that reason they do not want to see their name associated with the “corrupted Spanish politics”. Other members, who also want to integrate in the local politics regard the union between the CA and the Populars as a very welcome one. When I asked the president of the CA about the benefits of the PP in helping them for the British elections, she stated: “They wanted a photo in the press of Cameron and Rajoy. Not much more.” (CA Javea president, June 2010). This statement reminds of the photos and public appearances of president Basescu and Esperanza Aguirre before the Romanian and Spanish elections.

The Labour party also has a branch in Javea, but at the moment of the fieldwork its leader could not be contacted. The Javea Socialists know well the British labourists and for that reason there is a member of the PSOE who goes regularly at the meetings that the Labour International have in Javea.

How do the expats use their political membership and connections? Their lobby goes in two directions, issues related to their residence in Spain and issues related to their rights in the UK. Most of the expats lobby for the benefits and rights that resident citizens have and that they lose once they move abroad. Another important point on their list is related to the right to vote in UK elections. Several expats have made petitions at the European Parliament claiming that the UK law infringes their democratic rights by imposing the 15 year rule. The Court of Justice has not pronounced the final sentence so far, but may MEPs claim that the electoral laws are the responsibility of the national governments.

The expats also use their contacts in order to make changes in the local politics in Spain . The case of the so called land grab is well documented by Janoschka's (2008) study on the EU citizenship and its uses by the European citizens in Spain. The movement called “Abusos Urbanísticos No” gathered a huge number of non-Spanish residents from the EU, as well as MPs and MEPs that the emigrant communities have connections with. The MPs and MEPs have also been invited to lobby for more “local issues”, like for example the water problem in Javea. “The mayor didn't listen to us, so we wrote our MP in England. They contacted the Madrid government and the government the mayor. Our MPs are the only tool against unfair Spanish politics”, declared the vice-president of the CA in June 2010.

Conclusions

The two case-studies presented have showed how the extension of political rights to non-resident nationals influences the relationship between political parties and voters living abroad. The reconstruction of ties between the political parties and the external voters also determines institutional and translocal spill-overs. One of the most interesting examples of these spill-overs refers to the ties that are created between the Spanish political parties and the Romanian and British ones. The ideological affinity and the contacts created at the level of the European Parliament have opened the pathway to a new type of relation between the European parties. Moreover, these translocal party agreements suggest a new pattern of representation that might take place on the territory of the Union. Thus, the MPs and representatives from the country of origin lobby in the interest of the emigrant communities not only in homeland related issues, but also in the places of residence. And this possibility to lobby is offered by two main actors: migrant associations and organizations and the political parties from the context of residence.

It is worth noticing that the translocal relations between the parties have a “high politics dimension” and a low one. The high politics dimension is revealed by the public appearances of the “big” leaders, as Basescu and Aguirre, or as the proposal of Rajoy to have a picture with Cameron. These appearances are rather symbolic, but quite efficient in electoral terms, as they clearly suggest the emigrant communities whose side to take at the elections. The low dimension refers to the concrete actions that these MPs or

politicians take related to concrete issues, as the driving licence of the Romanians, the water scandal in Javea or the Valencian property laws.

Another observation to make is the role of the European citizenship resources that the migrant communities may use (Janoschka 2008). However, the Britons activate in a much wider measure their supranational opportunities than the Romanians. One obvious explanation for that is the recent date since the Romanians are EU members, as well as the strong ties they have with their homeland. The EU dimension is not absent from the Romanian case, as the translocal party agreements have been initially made at the European Parliament.

Concluding, this paper has showed how the extension of citizenship to non-resident nationals creates new forms of representation and participation in politics beyond the national territory. On the one hand, the citizens living abroad are not just passive rights bearers. Some of them, and the truth is that only a minority, are active citizens contacting various political sites in order to pursue their interests related to homeland political and social issues. On the other hand, the external citizenship provides the emigrants with several membership resources they can activate in their context of residence, as their MPs or MEPs from the country of origin. At the same time, the external citizenship has opened the pathway to new institutional relations between the European political parties that shows once again the complexities and overlaps of the supranational citizenship with other forms of belonging.

Bibliography

Bauböck, R. (2007). "Stakeholder citizenship and transnational political participation: a normative evaluation of external voting." *Fordham Law Review* 75: 2393--2446.

Barry, K. (2006). "Home and away. The construction of citizenship in an emigration context", *New York University Law Review* 81(11)

Brand, L. (2002). *States and Their Expatriates: Explaining the Development of Tunisian and Moroccan Emigration-Related Institutions*. working paper no. 52. San Diego, The Center for Comparative Immigration Studies, University of California.

Gamlen, A. (2008). "The emigration state and the modern geopolitical imagination." *Political Geography* 27: 840--856.

Guarnizo, L. E. (1998). The rise of transnational social formations: Mexican and Dominican state responses to transnational migration. *Political power and social theory*. 12: 45-94.

Guarnizo, L. E. and M. P. Smith (1998). The locations of transnationalism. *Transnationalism from Below*. M. P. Smith and L. E. Guarnizo. New Brunswick, Nj, Transaction Publishers: 3--34.

IDEA (2006). *Voting from Abroad: The International IDEA Handbook*. Stockholm, International Institute for Democracy and Electoral Assistance.

Itzigsohn, J. (2000). "Immigration and the Boundaries of Citizenship." *International Migration Review* 34(4): 1126--54.

Itzigsohn, J., C. D. Cabral, et al. (1999). Mapping Dominican transnationalism: narrow and broad transnational practices. *International Migration Review*. 34: 316--339.

Janoschka M. (2008), "Identity politics as an expression of European citizenship practice. Participation of transnational migrants in local conflicts", in Anghel et al. (eds), *The making of world society. Perspectives from transnational research*, Bielefeld

Levitt, P. (2001). "Transnational migration: taking stock and future directions." *Global Networks* 1(3): 195--216.

Levitt, P. and R. d. I. Dehesa (2003). "Transnational migration and the redefinition of the state: variations and explanations." *Ethnic and Racial Studies* 26(4): 587-611.

Mahler, S. J. (1998). Theoretical and Empirical Contributions toward a Research Agenda for Transnationalism. *Transnationalism From Below*. M. P. Smith and L. E. Guarnizo. New Brunswick, New Jersey, Transaction Publishers: 64-100.

Østergaard-Nielsen, E. (2003a). International migration and sending countries: key issues and themes. *International Migration and Sending Countries: Perceptions, Policies and Transnational Relations*. E. Østergaard-Nielsen. Basingstoke, Palgrave MacMillan.

Østergaard-Nielsen, E., Ed. (2003b). *International Migration and Sending Countries: Perceptions, Policies and Transnational Relations*. Basingstoke, Palgrave MacMillan.

Østergaard-Nielsen, E. (2003c). "The politics of migrants' transnational practices." *International Migration Review* 37(3): 665-690.

Østergaard-Nielsen, E. (2003d). *Transnational Politics: Turks and Kurds in Germany*. London/New York, Routledge.

Portes, A. (1999). "Conclusion: towards a new world - the origins and effects of transnational activities." *Ethnic and Racial Studies* 22(2): 463-77.

Rubio-Marín, R. (2006). "Transnational Politics and the Democratic Nation-State: Normative Challenges of Expatriate Voting and Nationality Retention of Emigrants", 81 *N.Y.U. L. Rev.*: 101-131.

Smith, M. P. (2007). "The two faces of transnational citizenship." *Ethnic and Racial Studies* 30(6): 1096--1116.

Smith, M. P. and M. Bakker (2005). "The transnational politics of the Tomato King: meaning and impact." *Global Networks* 5(2): 129--146.

Smith, R. C. (2008). "Contradictions of diasporic institutionalization in Mexican politics: the 2006 migrant vote and other forms of inclusion and control." *Ethnic and Racial Studies* 31(4): 708--741.