**The Enfranchisement of Citizens Abroad: Variations and Explanations**

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**Abstract:** Today, a large majority of states allow at least some of their emigrants to take part in home country elections from abroad. This article first looks at the diffusion of external voting laws and shows that over the past 25 years they have become widely-adopted and are no longer limited to specific professional categories of citizens. Second, the article explains the international diffusion of external voting by discussing the ‘norm-internationalization hypothesis’ and the ‘electoral-competition hypothesis.’ Third, the article attempts to demonstrate that these hypotheses cannot explain why, in a democratic context, states continue to implement a series of hurdles that deter emigrants from using their newly gained rights. Looking at recent developments in Latin America and the Middle East and North Africa, it concludes that the diffusion and variations of external voting laws result from transnational negotiation processes in a context of democratic transformation among various actors whose interests are strongly affected by the inclusion or exclusion of these new voters.

**Keywords:** External voting; franchise; expatriates; migrants; diaspora; citizenship; transnational politics

**Introduction**

The right to vote of emigrants in home country elections — external voting — is a research topic that has traditionally attracted little scholarly attention. Only following the substantial increase in the number of countries allowing external voting in the past two decades, have several political scientists pointed to the role of democratization in the diffusion of this norm[[1]](#endnote-1). These works, however, have paid little attention to the content and actual implementation of these laws and the way citizens abroad respond to them. Too frequently, limited participation of emigrants in home country elections from abroad is simply interpreted as a sign of lack of interest. Migration scholars, on the other hand, have historically been interested in studying immigrants’ political participation and, with the diffusion of external voting, different works have looked at how specific immigrant communities have responded to their enfranchisement in home country elections[[2]](#endnote-2). Their focus on single-case studies has however made it difficult to identify similarities between phenomena of franchise extension to expatriates in different parts of the world.

This article proposes to combine these two bodies of literature and examine jointly the processes of democratization that have led to the international diffusion of external voting rights and the processes that have triggered or hampered expatriate participation in home country elections. More precisely, the article focuses on the reasons why the international diffusion of external voting is usually not accompanied by large-scale participation of emigrants in home country elections.

The article starts by defining the concept of external voting. Then, the article examines how political scientists have looked at external voting as a side-effect of global democratization waves to understand its international diffusion. While democratization is a strong predictor of the adoption of external voting, this process fails to explain why legal, economic and logistical contingencies continue to hamper the effective enfranchisement of citizens residing abroad. The third section thus complements the democratization perspective with diaspora and migration studies’ literature on external voting to determine whether external voting is merely a symbolic policy that recognizes the expatriates’ membership in the polity.

To support this discussion, the article focuses on the experience of two regions in which states have been most active in adopting and implementing external voting legislation in recent years: Latin America and Middle East and North Africa (MENA). In Latin America, 15 out of 20 sovereign states have implemented external voting laws but 9 of them have only done so in the last 15 years. Similarly, 4 of the 5 countries where external voting is currently permitted in the MENA Region have implemented their legislation less than 10 years ago[[3]](#endnote-3). Looking at these cases, it can be concluded that external voters’ low turnout cannot be explained exclusively by a lack of interest or lack of familiarity with democratic processes but also by the very processes of adoption of external voting laws that are guided by both the protection of the integrity of the electoral system as a whole and by the protection of specific home country actors’ interests.

**Origins and Definition of External Voting**

*Early Definition and Evolution*

The practice of casting votes from outside the national territory is not new and has been given many names over time — such as external voting, emigrant voting, expatriate voting, diaspora voting, absentee voting, out-of-country voting, extraterritorial voting, transnational voting, distance voting, and remote voting — which do not necessarily cover the same practice. As rightly underlined by Ellis,[[4]](#endnote-4) from the turn of the 20th century to World War II, external voting legislation was implemented in different parts of the world. They all shared the characteristic of restricting the possibility to vote from abroad to specific professional categories of citizens. New Zealand (1890) and Australia (1902), for instance, restricted external voting rights to seafarers in the first pieces of legislation they adopted. Most of the restrictions, however, limited the exercise of this right to citizens serving the home country from abroad. Military and diplomatic personnel stationed abroad were traditionally the citizens who were most often allowed to vote from outside the national territory.

Such limitations reflected attitudes towards emigrants in their home countries at the time. Except for a few instances when emigrants were considered as political or economic resources during the 19th century,[[5]](#endnote-5) sending states usually considered emigrants as poor citizens who were leaving permanently and therefore lacked an interest in trying to maintain links with their emigrants. Most importantly, national sovereignty was a main concern for these countries in the early 20th century. Allowing citizens abroad, who may have developed allegiances to other nations, to vote in home-country elections was perceived as dangerous. This rationale obviously did not apply to citizens serving the nation-state from abroad, such as soldiers and diplomats. Furthermore, the electoral participation of these categories of citizens was usually numerically limited, politically less contentious, and logistically less complex to organize.[[6]](#endnote-6) For these reasons, countries like Canada allowed military personnel abroad to take part in elections by mail in 1915, with the United States following in 1942 and India in 1950. Similarly, France adopted specific legislation for administrators stationed in the occupied Rhineland in 1924, while the United Kingdom invited citizens who were working abroad in matters of critical national importance to vote in 1945.

Because of the restrictive nature of the early legislation on external voting, it could originally be defined relatively simply as a three-step process consisting of the registration of qualified citizens abroad, the casting of ballots from outside the national territory and the allocation and counting of ballots cast abroad. From a purely technical viewpoint, this definition still describes the process of external voting as it happens today: First, voter registration abroad refers to the operation by which qualified non-resident citizens, as identified in the electoral legislation, are added to the electoral roll. Registration may either be passive (citizens abroad are automatically added to the voter registries) or active (they must request registration). Passive registration implies that all citizens abroad identified by home-country authorities as qualified external voters are added to the voter registries of an election without having to express the will to participate. Second, votes can be cast from abroad through several different modalities: voting in person in consulates, embassies or polling stations abroad; voting by mail; voting by proxy; or voting electronically through information and communications technology. Third, votes cast abroad are opened and counted either by electoral officers abroad or in the home country and these votes are either allocated to a home country constituency with which the emigrant can justify some link, an extra-territorial constituency or a pre-determined home country constituency (e.g., the capital city) in which external votes are mixed with resident votes (see Hutcheson and Arrighi in this volume).

After World War II, more countries passed external voting legislation, in particular in the former French and British colonies. Indonesia’s (1953) and Colombia’s (1961) legislation, however, marked a turning point in the evolution of external voting because they were both drafted with the intent of widely enfranchising citizens abroad. Members of the armed forces and diplomats were thus no longer the only nationals residing abroad who could take part in elections. The progressive disappearance of occupational-related provisions in external voting legislation marks the difference between external voting as a set of electoral procedures and external voting as a right acknowledging that residence abroad is not a valid ground for exclusion from the polity.

The strong acceleration in the international diffusion of external voting since the 1990s is visible in the fact that over 100 countries have adopted such legislation today[[7]](#endnote-7). This does not, however, hide the fact that there still exist large differences between the different pieces of external voting legislation worldwide, and that some states have failed to adopt additional legislation that would render external voting effective in fully enfranchising all nationals living abroad (e.g., Greece).

*Redefining External Voting*

Because of the quantitative and qualitative transformations of the past two decades, external voting has now become a right by which citizens abroad are recognized as having formal membership in the polity independently of their desire to ever return and their ties with the homeland. For this reason, it can no longer just be considered as a set of merely administrative and technical procedures regulating the registration, voting modality, and count of votes cast abroad. Instead, external voting rights should now be defined as such: the active and passive voting rights of qualified individuals, independently of their professional status, to take part from outside the national territory in referenda or in supra-national, national, or sub-national elections held in a country of which they hold citizenship but where they permanently or temporarily do not reside. This definition insists on four essential characteristics.

First, external voting implies that nationals of a country are capable of casting their vote from outside the territory of the country where the election is held. As underscored by Nohlen and Grotz,[[8]](#endnote-8) external voting must therefore be distinguished from the right of foreigners to participate in host-country elections and from cases where emigrants are allowed to participate in home-country elections under the condition that they return to the national territory to cast their votes on election day. Holding the nationality of the country where one intends to vote but no longer resides is thus a central characteristic of external voting.[[9]](#endnote-9)

Second, external voting is a right that citizens abroad can only enjoy if they respect specific qualification criteria set in the legislation in addition to general criteria that apply to all voters. Different countries mention the right to vote from abroad in their constitutions but have failed to pass appropriate legislation regulating the exercise of this right. In such cases, while constitutional principles seem to secure this right, there are no external voting provisions for nationals abroad. Other countries may have passed appropriate legislation but legal, technical, operational, or administrative barriers may *de facto* restrict the ability of citizens to exercise their rights to vote from abroad, even when the legislation is not limited to specific professional categories of citizens abroad. In Mexico, for example, the obligation to hold a voter identity-card that can only be issued on the national territory has excluded a large share of the emigrant population from being able to register to vote from abroad.

Aside from the lack of proper implementation and the existence of different administrative barriers, the right to vote from abroad may be subjected to a series of qualification criteria. Obviously, the traditional restrictions that apply to voters residing within the national territory, such as being below the voting age or being deprived of civic rights (for example, because of a criminal conviction), also apply to voters abroad. In addition, external voting legislation may contain special restrictions for citizens abroad. Qualification criteria related to the duration of residence abroad, the place of residence abroad, and the size of the emigrant community are indeed frequently used in different parts of the world. The last section in this article examines in more detail why home-country authorities adopt specific qualification criteria in order to stimulate or hinder the political participation of certain sectors of the emigrant community.

Third, the right to vote in home-country elections concerns different types of elections: legislative elections, presidential elections, sub-national elections, and referenda (both national and sub-national). Even though 13 countries allow citizens abroad to vote only in presidential elections, most countries allowing external voting apply it to legislative elections along with one or several other types of elections.[[10]](#endnote-10) In a similar way to the adoption of qualification criteria, deciding which elections emigrants are allowed to participate in may be guided by logistical, financial, or political reasons. However, with the increasing desire of sending countries to stay closely connected with their citizens abroad, this decision may also be guided by a willingness to give emigrants a voice in the elections they consider as the most relevant for their interests. Depending on the political regime, the most relevant election for emigrants may be presidential or legislative elections. Participating in referenda from abroad, such as those on a constitutional reform, is also a way for emigrants to have a long-term impact on home country politics. Similarly, emigrants may be particularly interested in voting in regional elections as they maybe more familiar with candidates and issues debated at this level.

In addition to presidential, legislative, sub-national elections and referenda, a limited number of countries also allow citizens abroad to participate in supra-national elections. Perhaps the most interesting case of emigrant participation in supra-national elections is that of the European parliamentary elections. Even though the treaties allow mobile EU citizens the opportunity to vote for European Parliament (EP) candidates in their country of residence,[[11]](#endnote-11) several EU Member States also allow emigrants to vote from abroad for MEP candidates in their country of origin. The second example of the right to vote in a supra-national body’s election is the Andean Parliament. Several of its member states, such as Ecuador and Colombia, have indeed taken steps to allow citizens residing abroad (whether they reside in another Andean Community Member State or not) to participate in these elections as well.

Fourth, external voting laws may include the right to be elected from abroad. Only 13 countries that have legislation permitting external voting also have provisions on the passive electoral rights of emigrants (Algeria, Angola, Cape Verde, Colombia, Croatia, Ecuador, France, Italy, Mozambique, Panama, Portugal, Romania and Tunisia). Such provisions allow citizens abroad to stand as candidates in home-country elections. Even more than active electoral rights, these rights are an acknowledgment by the home country that emigrants have specific claims towards their home country that need to be voiced directly in parliament. With reserved seats for emigrant parliamentarians, the distinction between external voting legislation of the early 20th century and contemporary legislation becomes clearer. Old legislation on external voting limited enfranchisement to certain categories of citizens who, for the most part, were serving the national interests from abroad. The enfranchisement of these citizens was thus an exception to a principle that reserved ballots to citizens residing in the national territory. Contemporary legislation on external voting (and particularly those that include passive electoral rights) recognizes, on the contrary, that residence abroad is not a cause for exclusion from the political community but rather a new ground upon which political rights are granted.

**Democratization and the International Diffusion of External Voting**

In spite of the quantitative and qualitative changes through which external voting legislation has gone globally, political scientists have paid little attention to the phenomenon. Political theory scholars anticipated the potential challenges of external voting: citizens residing abroad are largely unaffected by the consequences of their vote and the integrity of electoral processes is more difficult to guarantee when voters are scattered in different parts of the world.[[12]](#endnote-12) Only recently, a few scholars have taken an interest in the reasons for its international diffusion over the last 25 years and have tested various hypotheses based on democratization theories. These hypotheses, though they vary in name and include sub-hypotheses, are basically two: the norm internationalization hypothesis and the electoral competition hypothesis. They both attempt to demonstrate how the diffusion of external voting has been caused by waves of democratization that generalized certain democratic norms across borders since the 1990s.[[13]](#endnote-13)

*The Norm-internationalization Hypothesis*

Following this hypothesis, the global effort to include emigrants in home country electoral processes is the result of the emergence of a new international normative standard.[[14]](#endnote-14) Scholars have identified two ways through which external voting could have possibly become an international standard. First, Grace and Lafleur[[15]](#endnote-15) have considered the possibility that the international diffusion of external voting resulted from a top-down process. Looking at international treaties and conventions, however, they could not find any binding recommendation for states to adopt such norm. Indeed, even in the case of refugees’ participation in post-conflict elections, which is often considered as an indispensable step towards reconciliation,[[16]](#endnote-16) no international norm explicitly binds states to enfranchise citizens abroad.

Second, scholars have envisaged the norm-internationalization hypothesis as a process of peer pressure by which, as pioneering states are adopting external voting legislation, more states are encouraged to do so. Rhodes and Harutyunyan[[17]](#endnote-17) showed through a quantitative analysis of the timing of adoption of external voting laws that such adoption usually follows within two decades after democratization. Their qualitative analysis of four cases studies (Armenia, Mexico, Spain and US) could only partially confirm that the widespread adoption of external voting legislation internationally was a factor that was taken into consideration in some states’ domestic debates on the issue. Turcu and Urbatsch[[18]](#endnote-18), on the other hand, pushed the norm-internationalization hypothesis further and suggested that neighbourly emulation was the driving force behind the international diffusion of external voting. His statistical analysis of over 100 countries that implemented such legislation between 1960 and 2010 revealed that as a neighbouring state adopts external voting, the chances of a single country to do the same almost doubles. This mechanism had been studied previously in works showing how geographic, cultural and linguistic proximity increases the likelihood of states to adopt similar policies.[[19]](#endnote-19) In the case of geographic proximity, neighbours are also more susceptible to copy each other as the flow of information between these states tends to be higher.[[20]](#endnote-20)

*The Electoral Competition Hypothesis*

A second hypothesis to explain the adoption of external voting provisions builds on the literature showing that democratization leads to expansion of citizenship rights.[[21]](#endnote-21) It starts from the assumption that, independently of their absence from the national territory, emigrants — similarly to racial minorities and women who were historically excluded from franchise — benefit from democratization.[[22]](#endnote-22) Building on this literature, Rhodes and Harutyunyan[[23]](#endnote-23) hypothesize that electoral competition increases the odds of states to adopt external voting laws because it allows a greater diversity of actors to influence the policy-making process. Emigrants’ demand for franchise are more likely to be heard in the domestic political arena and political parties, eager to extend their electoral basis, are more likely to support this request. Looking at the relationship between international indicators of competitive democracy and the list of states that have implemented external voting confirmed the relevance of democratization and led them to posit that “competitive political regimes lead countries to take more and greater steps toward implementing its various components, whether through an elite-driven process or in response to grassroots activism.”[[24]](#endnote-24) These scholars also examined more precisely whether periods of democratic transitions constituted a privileged moment for the adoption of external voting legislation. Even though they did not find much quantitative support for this sub-hypothesis, they maintained that such key moments of transition to competitive regimes are “a unique window of opportunity in which countries are especially likely to pay attention to at least some aspects of membership and rights.”[[25]](#endnote-25)

More scholars have taken an interest in the window-of-opportunity sub-hypothesis in their studies of external voting diffusion in specific regions. Escobar and Brand[[26]](#endnote-26) for instance, also consider that the absence or weakness of democratic institutions is a strong obstacle to the adoption of external voting laws. They observed, respectively for Latin America and MENA, a surge in domestic debates about external voting as states in those regions occurred in parallel to processes of democratization. To them, the introduction of competitive elections was a strong predictor of the adoption of external voting in these two regions as they create a unique opportunity for authorities, civil society actors and migrant organizations to discuss the inclusion of citizens abroad in future electoral processes. In Latin America, the clearest example of this dynamic is Mexico. As elections were considered untrustworthy processes aiming at legitimizing the regime in power, both Mexican immigrants and opposition parties expressed little interest in external voting for most of the 20th century. It was only after the fraudulent 1988 election that forced the regime to engage in a series of reforms when both immigrants and opposition parties started their intensive lobbying in favour of external voting. In the MENA, the adoption of external voting in Egypt, Tunisia, Libya and Iraq in recent years is closely connected to the processes of regime transitions initiated in those countries, which, here again, enabled both the diaspora and political parties to voice their support for such reform. The case of Tunisia is particularly interesting because it shows that processes of democratic transition can also be an opportunity to reform existing external voting laws. Whereas Tunisia implemented external voting as early as 1989, distrust towards the regime that was overthrown in 2011 meant that few Tunisians abroad paid attention to this right. The early introduction of external voting in the case of Tunisia shows that the enfranchisement of emigrants can also occur outside of a context of democratization. However, the Jasmine Revolution offered emigrant organizations and Tunisian civil society actors a window of opportunity to coalesce into a powerful lobby that demanded the reform of the external voting legislation. In November 2011, Tunisia thus enfranchised its emigrants for the first time under a democratic regime and, in addition, offered them to elect their own parliamentarians who occupied reserved seats in Parliament as representatives of the diaspora.[[27]](#endnote-27)

**The Exercise of External Voting Rights and the Limits of the Democratization Hypotheses**

As demonstrated in the previous section, political scientists managed to confirm with robust quantitative data, the validity of the democratization hypothesis that different migration scholars had hinted to in several qualitative case studies.[[28]](#endnote-28) Surprisingly however, political scientists have not yet looked at the actual implementation of external voting laws. This lack of interest for what happens once legislation is passed might be related to the fact that emigrants’ participation in home country elections from abroad is usually very limited. Obviously, external voting legislation and its implementation by home country authorities are not the only factors that explain low response of emigrants to their enfranchisement. Decades of research on electoral behaviour have indeed isolated numerous other factors. However, from the democratization perspective it may appear surprising — if not contradictory — that the international diffusion of external voting is not accompanied by measures that ensure the effective enfranchisement of formerly excluded expatriates.

*The Challenge of Measuring Emigrants’ Response to their Enfranchisement*

Different indicators allow for assessing emigrants’ involvement in home country elections but they all present some difficulties. Looking at the registration rate abroad, for example, is one way of assessment. The registration rate can be defined in two ways. First, it can be defined broadly as the ratio between the emigrant population over 18 years old and the number of registered voters abroad. Such an indicator may be particularly unreliable to measure emigrants’ responses to their enfranchisement because it does not take into consideration qualification criteria (for example, some states only allow expatriates living in a limited number of destination countries to register as voters from abroad). Alternatively, the registration rate can be defined as the ratio between the emigrant population entitled to vote according to the qualification criteria set in the legislation and the number of citizens abroad who actually register.

Both ratios are hard to calculate as few countries know precisely how many of their citizens live abroad, as emigrants often do not declare when they leave their country of origin and/or fail to register with their consulates abroad once they move. Furthermore, while both ratios evaluate the responses of emigrants to the adoption of external voting laws in their home country, they do not reveal anything about the actual use of voting rights of emigrants on election day. Another indicator to assess emigrants’ involvement in home-country elections is thus voter turnout, which can be defined as the ratio between the number of registered voters abroad and those who do actually cast a ballot. Referring to one of those three indicators and not others allows us to draw radically different interpretations from the same electoral process.

The difference in Egypt and Mexico’s experiences is very telling in this respect. Egypt has implemented a passive registration system whereby all citizens abroad who possess an Egyptian identity card or passport are added to the electoral roll. Such a system has automatically enfranchised 680,000 Egyptians expatriates among its two millions of citizens abroad. Of these registered voters, 313,835 did cast a ballot abroad, which could lead to conclude that turnout was relatively low (see Table 1). In Mexico, on the contrary, registration is active and only those emigrants that possess voter identity cards (which until 2012 were not delivered abroad) could register as external voters in the 2006 and 2012 elections. On both occasions, only around 50,000 emigrants registered, but almost all of them did manage to cast a ballot once registered. These two examples show that, depending on the content of external voting laws, both voter turnout and registration rates can be misleading if used as a proxy for the level of emigrants’ response to these legislations.

Because of the shortcomings of these indicators and in order to ensure greater comparability between the cases, Table 1 does not include those indicators but rather presents raw data. First, the table considers voter participation figures, i.e. the absolute number of citizens abroad who did manage to register and successfully cast a ballot. Second, the table gives the total number of citizens abroad. This figure also includes the population that is not of voting age because not all countries keep exact records of their population of voting age, but all countries do have an approximation of how many citizens reside abroad (whether these estimates are generated by home country authorities, host country authorities or international organizations). The comparison of these two data across countries, while not providing precise registration nor turnout rates, are nonetheless interesting indicators of expatriates’ responsiveness to external voting proportionally to the size of the diaspora.

*[Table 1 about here]*

*Democratization and Hurdles to the Exercise of Franchise Abroad*

As Table 1 shows very clearly for Latin America and the MENA, in spite of the global trend for removing occupational criteria from external voting laws, four kinds of barriers to exercising franchise abroad are still very common. It is important to note that these barriers are not necessarily explicitly defined in the legislation but may arise as Electoral and/or Consular Authorities implement it. Further, these barriers can exist at different stages of the electoral process (registration or ballot casting).

First, states continue to limit participation to expatriates residing in a limited number of destination countries. The rationale for restricting external voting to a select number of large destination countries are multiple: limiting the costs, facilitating oversight of the electoral process, preventing political opponents from participating while allowing other expatriates to do so, etc. Second, active registration remains a widely used tool by sending countries to condition access to voting rights. Even though all sending countries possess consular databases that could serve as basis for the creation of electoral rolls abroad, no country in Latin America and the MENA — except Egypt — uses consular databases to automatically register citizens abroad. Similarly, only Ecuador and Bolivia automatically register expatriates; after they have voted once from abroad they are automatically registered to the next election. De facto, in spite of a few experiments with internet and SMS registration, most countries continue to allow emigrants to exclusively register as voters by going in person to consulates or temporary registration desks. A major exception in this regard is the case of Tunisia where Electoral Authorities decided after the end of the registration period that unregistered citizens who would show up in polling stations with a valid passport or ID card on Election Day would be entitled to vote as well[[29]](#endnote-29). This decision, combined with the extraordinary large number (371) of polling stations set up in different parts of the world helps understand why Tunisia has the highest level of participation of all cases presented in table 1.

 This is related to the third limitation that persists: voting modalities. Voting modalities, like registration, are often not adapted to the reality of contemporary emigrants’ lives. Considering the geographic distance that separates many migrants from consulates, having to travel twice to consulates or registration/polling stations has a very strong potential for exclusion. Except in cases where postal registration and voting is permitted (Mexico, El Salvador), voting modalities continue primarily to be selected on the basis of cost and security considerations and not on the basis of their capacity to include as many emigrant voters as possible. Fourth, as shown in the last column of Table 1, states continue to include administrative barriers of different kinds to the effective exercise of external voting rights. Authorities can be very creative in designing such barriers. In Mexico, for instance, the Federal Electoral Institute used to require emigrants to possess a voter identity card to be able to register as an external voter but refused to deliver these cards abroad until 2012. However, as shown in the table, in spite of the common existence of at least one of the above-cited barriers, some countries have also adopted specific — but limited — measures to increase expatriate participation.

The continuing existence of these different types of barriers is hard to explain from the democratization viewpoint. Indeed, if the enfranchisement of formally excluded minorities is a consequence of democratization, why have states included barriers to effective franchise? This is even more difficult to understand when we consider, like Turcu and Urbatsch, that states tend to take inspiration from one another when they pass such legislation. As democratic states do not ignore that such barriers have a negative effect on emigrants’ participation in home country participation, why do they continue to include such restrictions in their legislation?

Because of its focus on large quantitative studies that cannot take into account the very content of legislation as it is adopted across the world, existing political science literature on the diffusion of external voting has not been able to satisfactorily answer this question. On the contrary, different approaches developed by diaspora and migration scholars’ work offer additional insights to the study of external voting. On the one hand, recent work on sending states’ engagement policies with their diaspora have looked at the growing economic and political relevance of diasporas for sending states on migration to explain the diffusion of diaspora policies such as external voting. On the other hand, migration scholars have worked on in-depth case studies to explain jointly the processes of adoption of external voting laws and the emigrants’ response to their newly gained right.

*Diaspora Studies and the Instrumental Value of External Voting*

The idea that states are tempted to secure the political or economic support of diasporas through flattering discourses or the adoption of policies in their favour is not new within this field of study.[[30]](#endnote-30) Indeed, the exponential increase of remittances sent by migrants to their home countries throughout the 1990s and 2000s has supported this argument, according to which remittance-dependent countries (or more generally countries who count on the economic support of their diaspora) would be eager to enfranchise citizens abroad. According to this rather instrumental view of diasporas, external voting has become one of the many policies directed towards citizens living abroad — which Smith has called “diasporic policies”[[31]](#endnote-31) — to stimulate migrant loyalty. Waterbury[[32]](#endnote-32) has rightly pointed out that, while some of these policies are not new, many homeland governments now also draft new discourses on the “global nation,” which extends beyond the traditional borders of the nation-state to encompass the diaspora. When states try to engage with citizens abroad, they accompany policies with a new rhetoric on diasporas being a “valuable resource” or even “national heroes”[[33]](#endnote-33). The diaspora governance approach therefore offers an additional contextual element to the democratization approach on external voting. In many parts of the developing world, democratization and migration-dependence processes occur simultaneously. Accordingly, sending states may be tempted to adopt policies that strengthen emigrants’ feelings of belonging to the home country — such as dual nationality or external voting — because they expect their economic or political support in return. In this instrumental context, sending states may be more concerned with the symbolic inclusion of emigrants in the electorate than with their effective enfranchisement.

*Transnational Migration Studies and the Vested Interest Approach to External Voting*

Whereas diaspora studies help understanding that external voting may serve broader objectives than the enfranchisement of formerly excluded minorities, it can be argued that a focus on remittance-dependence can be misleading for two reasons.[[34]](#endnote-34) First, it assumes that only poor sending societies were likely to enfranchise citizens abroad. Second, it tends to present the position of the sending society on the enfranchisement of citizens abroad as monolithically in favour of such legislation.

Scholars using the concept of immigrant transnationalism have been able to demonstrate that the processes of adoption and implementation of external voting laws can be strongly influenced by complex negotiations between emigrants on the one hand and a variety of home and host country actors on the other hand.[[35]](#endnote-35) In trying to understand why barriers may be included or maintained in external voting laws, it is necessary to disaggregate the sending state into a set of actors that include political parties, social partners, electoral authorities, consular authorities, representatives of the judiciary, etc. As the interests or the prerogatives of these actors can be strongly affected by the inclusion of citizens abroad in the electorate, their role in the legislative process leading to the adoption and implementation of external voting needs to be carefully taken into account.

Electoral authorities, for example, are traditionally concerned with the reliability of the electoral process. To them, including voters abroad — where they have no jurisdiction and often little means of providing oversight — is often a source of concern. This is particularly true in periods of democratic transition such as the Arab Spring, when the credibility of the electoral process is fragile in the eyes of voters. Accordingly, when consulted before the adoption of legislation, electoral authorities tend to express support to procedures that increase the reliability of the electoral process as a whole even if it entails stronger hurdles to voter registration abroad. For similar reasons, electoral authorities also often develop restrictive interpretations of external voting laws once legislation has passed and leave hurdles to register and vote that were not envisaged in the legislation. Political parties are other domestic actors with obvious stakes in the processes of adoption and implementation of external voting laws. Similarly to other processes of franchise extension, political parties are primarily concerned with the impact of including new voters on their electoral performance.

As shown above with the democratization approach to external voting, electoral competition is thus key to understanding its diffusion. However, it is necessary to stress that unlike emigrants and political parties who expect electoral gains, there exists a multitude of other actors (other political parties, electoral authorities, diplomatic authorities, host country authorities, etc.) who may be reluctant to see external voting legislation passed or may request safeguards to be included. This complex, transnational negotiation process between a variety of actors who have stakes in the electoral process thus also explains the inclusion of barriers to emigrants’ registration and participation in external voting.

**Conclusion**

This article began by showing that the enfranchisement of citizens abroad is historically reserved to a minority of individuals whose profession was deemed of national interest for the sending state and were accordingly rewarded with the privilege of voting in spite of their absence from the national territory. A wave of adoption of external voting laws, which intensified in the 1990s and 2000s, did not only turn external voting from an exceptional mechanism adopted by a handful of states into a widely adopted norm, it also dramatically expanded the categories of citizens abroad that are potentially affected by these policies.

In reviewing the existing literature, it has been shown that political scientists have successfully linked the international diffusion of external voting with processes of democratic transitions over the past 25 years. They also underlined how electoral competition and diffusion effects between neighbouring countries are strongly correlated with the adoption of external voting legislation. Because literature on the topic remains scarce, no scholars had yet tried to determine why the international diffusion of external voting was not followed by broad participation among emigrants. Most particularly, democratization scholars could not explain why barriers to external voters’ registration and participation were still being included in countries that recently enacted such legislation, such as the Latin American and the MENA presented in Table 1. By connecting the democratization approach with migration and diaspora approach on external voting, however, it is possible to demonstrate that the symbolic value of external voting and its controversial character for many host and home country actors may explain the inclusion of such barriers. In this article it has thus been suggested to envisage the diffusion of external voting as the result of a transnational negotiation process happening in a context of democratic transformation between host and home country institutions, political elites and civil society actors on the one hand, and emigrants and their representative organizations on the other hand.

Combining political science and migration studies approaches to the study of external voting should however be pushed further. Indeed, while administrative barriers to registration may partially account for emigrants’ abstention in home country elections, other factors that were not touched upon in this article also need to analysed in future research. Voting behaviour is a core research subject within political science but, because of their perceived irrelevance or the logistical difficulty to conduct surveys with them, external voters are generally not included in electoral studies. As a consequence, we still do not know if classic factors that are said to determine voting behaviour of resident voters (for example, education, place of residence, income, etc.) also influence the behaviour of voters abroad and/or if there are specific factors that explain their weaker level of mobilization.

The study of external voting could finally also benefit from engaging in a dialogue with studies on resident alien franchise. In this issue, Earnest faces a similar challenge to the one tackled in this article: how can we explain the international diffusion of resident aliens’ franchise while taking into account the specificity of each country that adopts such legislation? His findings suggest that resident alien enfranchisement is related to global human rights and transnational advocacy that create pressures on democracies to enfranchise non-citizens. However, looking at individual case studies, each democratic society, he argues, responds differently to these stimuli because of their different understandings of citizenship, political institutions, and the contestation among societal actors. In other words, also domestic processes of negotiations between competing actors need to be taken in consideration. In this sense, we can argue that external voting legislation and resident aliens franchise also reflect each society’s unique history and circumstances.

Migration scholars have had a long-time interest in explaining immigrants’ and second-generation migrants’ electoral behaviour. They underscored the relevance of variables such as involvement in ethnic associations or immigrants’ level of trust in institutions.[[36]](#endnote-36) Their hypothesis and findings are relevant to the study of external voting. Furthermore, the combined diffusion of external voting and resident alien franchise entails that many migrants today are able to vote in multiple polities without having to move. For several decades, some emigrants holding dual citizenship have been able to vote in two countries: they could vote in all elections in the country where they reside and, if external voting was allowed, they could vote in some home country elections. In these cases, however, each of these states treated their citizens as holders of voting rights in a single polity.

With the diffusion of franchise for resident aliens at the international level, this situation has changed dramatically as states have become aware of the fact that their citizens have multiple voting rights. This has opened opportunities for new cross-border interactions between political parties. As demonstrated by Turkish politicians visiting Germany or Bolivian politicians visiting Spain, sending states may be tempted to interfere in other countries’ domestic politics by giving voting instructions to their citizens residing abroad exercising franchise in their country of residence. Conversely, political parties located in different countries — but which share the same electorate — have seen an interest in collaborating and mobilizing voters in favour of sister political parties. For instance, the Democratic Party of Italy (PD) has invited Italians residing in Germany to vote for the German Social Democratic Party in local elections. In return, that same German party contributed to the electoral campaign of PD among Italians living in Germany during the last Italian Parliamentary elections. The interactions between resident alien franchise and external voting have not received enough attention so far in academic literature. Yet these practices raise questions on polity membership or transnational cooperation between parties that may be more pressing in the future as the diffusion of these two types of franchise continues.

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Table 1. The implementation of external voting laws in Latin America and MENA since 2000

Latin America

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Country** | **Year of 1st democratic EV experience** | **Last election** | **N ballots cast abroad1** | **Estimated Population abroad (2013)2**  | **Active Registration only3** | **Geographic limitations3,4** | **Vote in person only3** | **Other barriers and/or means of facilitating EV3** |
| Mexico | 2006 | Presidential2012 | 40,737 | 13,212,220 | Yes | No | No | -Registration and vote by mail-Voter ID card only delivered in Mexico |
| Bolivia | 2009 | Presidential 2014 | 157,727 | 766,627 | Yes | Yes (4 in 2009 and 33 in 2014) | Yes | 30-day window period of registration |
| Dominican Republic | 2004 | Legislative and presidential2012 | 164,538 | 1,194,487 | Yes | Yes (10) | Yes | Reserved seats for parliamentarians elected abroad |
| Ecuador | 2006 | Legislative and presidential2013 | 133,045 | 1,144,496 | Yes | No | Yes | -After 1st registration, voters are automatically registered for future elections-Reserved seats for parliamentarians elected abroad |
| Honduras | 2001 | Presidential 2013 | n.a. (46,331 registered voters) | 659,717 | Yes | Yes (1) | Yes | Valid Honduran ID card indispensible prior to registration |
| El Salvador | 2014 | Presidential2014 | 2,727 | 1,526,513 | Yes | No | No | Registration possible via the internetPostal voting only |
| Costa Rica | 2014 | Presidential2014 | 2,771 | 130,485 | Yes | No | Yes | Registration possible via the internet |

Middle East and North Africa (MENA)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Country** | **Year of 1st democratic EV****Experience** | **Last election** | **N voters who cast a ballot abroad1** | **Estimated Population abroad (2013)2**  | **Active registration only3** | **Geographic limitations3,4** | **Vote in person only3** | **Other barriers and/or means of facilitating EV3** |
| Egypt | 2011 | Presidential2014 | 313,835 | 3,470,627 | No | No | Yes | Passive registration of expatriates who possess ID or passport |
| Tunisia | 2012 | Legislative2012 | 210,461 | 657,088 | No | No | Yes | -Voting allowed for unregistered voters who show up with ID card on Election Day -Reserved seats for parliamentarians elected abroad |
| Libya | 2012 | Legislative2014 | 3,816 | 369,878 | No | Yes (13) | Yes | Electronic registration possible via SMS |
| Iraq | 2005 | Legislative2014 | n.a. | 2,318,662 | Yes | Yes (19) | Yes |  |

1. Data from available official electoral reports as posted on the different electoral authorities’ websites as of 1st September 2014.

2. Source: United Nations (2013) Trends in International Migrant Stock: Migrants by Destination and Origin. POP/DB/MIG/stock/Rev.2013, http://esa.un.org/unmigration/TIMSO2013/data/UN\_MigrantStockByOriginAndDestination\_2013.xls

Estimate for 2013 based on observations made in 2010. Estimates register flows but do not register nationals born abroad who acquired citizenship through *ius sanguinis*.

3. The identification of barriers is based on analysis of both the electoral legislation guiding external voting and its interpretation and implementation by authorities is charge of organizing elections abroad.

4. Number between brackets indicates the number of countries from which nationals are allowed to vote.

**Notes**

1. Rhodes and Harutyunyan, ‘Extending Citizenship to Emigrants’;

Turcu and Urbatsch, ‘Diffusion of Diaspora Enfranchisement Norms’;

Escobar, ‘Extraterritorial Political Rights and Dual Citizenship in Latin America.’ [↑](#endnote-ref-1)
2. Lafleur, ‘Why Do States Enfranchise Citizens Abroad?’; Boccagni, ‘Reminiscences, Patriotism, Participation’; Tintori, ‘The Transnational Political Practices of “Latin American Italians”.’ [↑](#endnote-ref-2)
3. Own calculation based on Collyer and Vathi, ‘Patterns of Extra-territorial Voting’; Lafleur, *Transnational Politics and The State*. [↑](#endnote-ref-3)
4. Ellis, ‘The History and Politics of External Voting.’ [↑](#endnote-ref-4)
5. Schmitter Heisler, ‘Sending States and Immigrant Minorities- the Case of Italy.’ [↑](#endnote-ref-5)
6. There are, however, cases —such as the Canadian referendum of 1916 or the US presidential election of 2000—where the political participation of soldiers from abroad led to accusations of fraud and manipulation. [↑](#endnote-ref-6)
7. Collyer and Vathi, ‘Patterns of Extra-territorial Voting’; Lafleur, *Transnational Politics and The State*. [↑](#endnote-ref-7)
8. Nohlen and Grotz, ‘External Voting.’ [↑](#endnote-ref-8)
9. New Zealand is the only documented case where foreigners who have acquired long-term residence are invited to participate in this country’s elections from abroad under certain conditions even after they leave. [↑](#endnote-ref-9)
10. Navarro Fierro et. al., ‘External Voting: A Comparative Overview.’ [↑](#endnote-ref-10)
11. Shaw, *The Transformation of Citizenship in the European Union*. [↑](#endnote-ref-11)
12. Bauböck, ‘Stakeholder Citizenship’; López-Guerra, ‘Should Expatriates Vote?’; Rubio-Marín, ‘Transnational Politics and the Democratic Nation-State’; Tager, ‘Expatriates and Elections.’ [↑](#endnote-ref-12)
13. Huntington, ‘Democracy's Third Wave.’ [↑](#endnote-ref-13)
14. Rhodes and Harutyunyan, ‘Extending Citizenship to Emigrants.’ [↑](#endnote-ref-14)
15. Grace, ‘Challenging the Norms and Standards of Election Administration’; Lafleur, *Transnational Politics and The State*. [↑](#endnote-ref-15)
16. Fischer, ‘The Political Rights of Refugees and Displaced Persons’; Gallagher and Schowengerdt, ‘Participation of Refugees in Postconflict Elections.’ [↑](#endnote-ref-16)
17. Rhodes and Harutyunyan, ‘Extending Citizenship to Emigrants.’ [↑](#endnote-ref-17)
18. Turcu and Urbatsch, ‘Diffusion of Diaspora Enfranchisement Norms.’ [↑](#endnote-ref-18)
19. Brooks, ‘When Does Diffusion Matter?’ [↑](#endnote-ref-19)
20. Kopstein and Reilley, ‘Geographic Diffusion and the Transformation of the Postcommunist World.’ [↑](#endnote-ref-20)
21. Ramirez, ‘The Changing Logic of Political Citizenship.’ [↑](#endnote-ref-21)
22. Foweraker and Landman, ‘Individual Rights and Social Movements.’ [↑](#endnote-ref-22)
23. Rhodes and Harutyunyan, ‘Extending Citizenship to Emigrants.’ [↑](#endnote-ref-23)
24. Ibid, p. 487. [↑](#endnote-ref-24)
25. Ibid, p. 488. [↑](#endnote-ref-25)
26. Escobar, ‘Extraterritorial Political Rights and Dual Citizenship in Latin America’; Brand, ‘Arab Uprisings and the Changing Frontiers of Transnational Citizenship.’ [↑](#endnote-ref-26)
27. Brand, ‘Arab Uprisings and the Changing Frontiers of Transnational Citizenship’; Jaulin, ‘Les Territoires du Vote à Distance.’ [↑](#endnote-ref-27)
28. Calderón Chelius, *Votar en la Distancia*; Itzigsohn and Villacrés, ‘Migrant Political Transnationalism and the Practice of Democracy’; Lafleur, ‘Why Do States Enfranchise Citizens Abroad?’. [↑](#endnote-ref-28)
29. Jaulin, ‘Les Territoires du Vote à Distance.’ [↑](#endnote-ref-29)
30. Schmitter Heisler, ‘Sending States and Immigrant Minorities - the Case of Italy.’ [↑](#endnote-ref-30)
31. Smith, ‘Diasporic Memberships in Historical Perspective.’ [↑](#endnote-ref-31)
32. Waterbury, *Bridging the Divide*. [↑](#endnote-ref-32)
33. Gamlen, ‘Diaspora Engagement Policies’; González Gutíerrez, ‘La Diplomacia de México Ante su Diáspora.’ [↑](#endnote-ref-33)
34. Lafleur, *Transnational Politics and the State.* [↑](#endnote-ref-34)
35. Boccagni, ‘Reminiscences, Patriotism, Participation’; Lafleur and Calderón Chelius, ‘Assessing Emigrant Participation in Home Country Elections’; Smith, ‘Contradictions of Diasporic Institutionalization in Mexican Politics’; Tintori, ‘The Transnational Political Practices of “Latin American Italians”.’ [↑](#endnote-ref-35)
36. Bevelander and Pendakur, ‘Social Capital and Voting Participation of Immigrants and Minorities in Canada’; Fennema and Tillie, ‘Political Participation and Political Trust in Amsterdam’; Jacobs et. al., ‘Associational Membership and Political Involvement among Ethnic Minority Groups in Brussels’; Togeby, ‘It Depends...How Organisational Participation Affects Political Participation and Social Trust among Second-generation Immigrants in Denmark.’ [↑](#endnote-ref-36)