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Courting the Nation Abroad: Diaspora Political Incorporation Policies After Communism

by

Sarah Elizabeth Garding

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requirements for the degree of

Doctor of Philosophy

in

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of the

University of California, Berkeley

Committee in charge:

Professor Jason Wittenberg, Chair

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## Abstract

### Courting the Nation Abroad: Diaspora Political Incorporation Policies After Communism

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This dissertation investigates policies implemented by governments in emigration states to incorporate their diasporas into the homeland political community. While some governments enact expansive policies that enable their diasporas to easily acquire citizenship, vote overseas, and access the policymaking process, others try to insulate homeland politics from diaspora influence. I refer to these three interlocking policies as diaspora political incorporation policies because they define the diaspora's relationship to the homeland political community. To explain variation in diaspora political incorporation policies, I pair data on global trends in citizenship, external voting rights, and diaspora representation with analysis of policy variation in Armenia, Croatia, and Serbia. These three countries have among the world's largest emigrant populations relative to domestic population. Moreover, they grappled with devastating wars and steep economic decline in the 1990s. Nevertheless, diaspora political incorporation policies sharply varied across these three cases as well as within each case over time.

While most scholars emphasize the homeland government's need for economic aid or foreign policy support from the diaspora, I argue that diaspora political incorporation policies are firmly anchored in electoral competition. Homeland politicians support expansive diaspora incorporation policies when said policies increase their parties' electoral resources, and reject them when their opponents benefit. The challenge for policymakers, who have limited knowledge of the diaspora's political contours, is to gauge the political impact of an expanded electorate and citizenry prior to enacting reforms. Lacking reliable data on diaspora political orientations, Armenian, Croatian, and Serbian politicians' perceptions of the diaspora as a political force were instead shaped by the manner of diaspora involvement in homeland affairs during communism's collapse. Two factors were particularly important: 1) whether the diaspora supported the anticommunist opposition in the homeland or competed independently, and 2) whether the diaspora's support was concentrated in one homeland party or was diffuse.

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## Chapter 1: Diaspora Political Incorporation After Communism

Emigration is a fact of life – indeed, almost a *way* of life – for countries like Armenia, Croatia, and Serbia. Historical and contemporary migrations from these small states have left an indelible mark on their politics, economies, and societies. Whether strolling through a capital city like Belgrade, Serbia, a regional city like Gyumri, Armenia, or a small village like Vorkapić Selo, Croatia, one is hard-pressed to encounter anyone who *doesn't* have at least one relative abroad. The exit impulse is hardly unique to Armenia, Croatia, and Serbia. As of 2010, the number of sovereign states whose stock of emigrants was equivalent to 10% or more of the domestic population was 70 – more than a third of the membership of the United Nations.<sup>1</sup>

This dispersion of the nation beyond state borders has profound implications for domestic politics. Indeed, for countries that experience mass emigration, one of the most pressing public policy challenges is to codify the diaspora's relationship to the homeland political community. Ruling elites in emigration states (or “sending states”) use citizenship legislation, electoral codes, and special representation mechanisms to define the diaspora's standing in domestic political life. I term these sending state measures *diaspora political incorporation policies* because they shape and constrain the diaspora's integration into the homeland political community.

Although many scholars have argued that there is growing global convergence in numerous policy domains (Dolowitz and Marsh 2000; Drezner 2005; Stone 1999), in fact there is surprisingly strong cross-national variation in sending states' policies on the political incorporation of their diasporas, as well as variation in individual countries' policies over time. Governments in some sending states facilitate the incorporation of their diaspora populations into the homeland political community by making it relatively easy for external kin to acquire citizenship, vote in elections abroad, and have their say in policymaking through institutionalized access points. By contrast, ruling elites in other emigration states work to keep the gates of the homeland political community firmly closed to overseas kin. Why do we see these strikingly different policies towards diaspora political incorporation?

Nowhere did the diaspora conundrum appear as abruptly and near-uniformly as it did in Eastern Europe and Eurasia after 1989. Centuries of migration and frequently redrawn state borders meant that most states could claim to be the ethnic homeland of overseas diaspora populations, as well as to pockets of ethnic kin scattered in adjacent states. Postcommunist states also shared the legacy of decades of hostile state-diaspora relations. With few exceptions, relations between communist governments in Eastern Europe and their diasporas living west of the Iron Curtain were marked by mutual suspicion and hostility, and occasionally by violence. Agents from communist intelligence agencies were deployed to spy on and even assassinate émigrés whose activities were deemed to be a threat. In a similar vein, the communist bloc states used their consulates and embassies to build networks of informants to be the state's eyes and ears among emigrants in the West (Andrew 1999; Bagley 2007; Lopušina 1996; Tafra 2000; Vukušić 2002). The terrorist tactics of a handful of radical anti-communist émigré circles only fueled the communist propaganda maligning Western diasporas as extremists.

As communism crumbled in the late 1980s, the dynamic between homeland and diaspora rapidly changed when many homeland dissidents and opposition leaders, struggling to mobilize resources and build a support base on the home front, dispatched party representatives abroad to

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<sup>1</sup> Tallied by author based on IOM 2011. The figure excludes unincorporated territories, e.g. Bermuda (U.K.) and Guam (U.S.).

solicit support in diaspora communities. Opposition movements in the Soviet Baltic republics sent envoys to North America early on to court Lithuanian, Latvian, and Estonian émigrés (Ruutsoo 2004; Zake 2010). By 1989, dozens of organizations had formed in Europe and North America to support Poland's Solidarity movement and its candidates in that year's crucial election (Erdmans 1998). Parties like the Croatian Democratic Union established over 200 party branches outside of Croatia by 1992, and the Serbian Renewal Movement built nearly 100 overseas chapters during the early 1990s and in the late 1990s. In other cases, such as Armenia, exile parties and diaspora elites relocated to the homeland to directly compete for power.

After communism's collapse, the region's new political elites had powerful incentives to court diaspora support as they grappled with the enormous challenges of simultaneous economic and political reform, rebuilding state structures, and reaffirming territorial borders (Offe 1991). However, despite broadly similar incentives, political elites across postcommunist Europe and Eurasia crafted markedly diverging policies on diaspora political incorporation. While governing elites in some postcommunist states made it relatively easy for emigrants and ethnic kin to gain citizenship, vote from afar in homeland elections, and have their interests represented in policymaking, in other cases these same policies were designed to contain diaspora influence.

This study assesses variation in diaspora political incorporation policies by comparing three postcommunist countries whose policy variation is not readily explained by existing theories. In terms of their economic and geopolitical incentives, ruling elites in post-communist Armenia, Croatia, and Serbia<sup>2</sup> should have had particularly strong incentive to court their sizable and wealthy diasporas in the West. Not only were these states grappling with the same pains of transition that other postcommunist countries faced, but they were also embroiled in devastating wars that exacerbated these challenges and brought acute hardship to their populations. Even among these three cases, however, there is sharp variation in diaspora political incorporation policies. Policies on citizenship, voting rights, and diaspora representation vary across the three cases, and they vary substantially within each case over time.

Most scholars contend that sending states enact expansive diaspora political incorporation 1) when it is in the state's material interest, 2) when the diaspora is sufficiently cohesive and organized to demand them, or 3) because of convergence in policies on citizenship and external voting. By contrast, I argue that diaspora incorporation policies are firmly anchored in domestic party competition. Parties have incentives to turn to the diaspora when faced with material or electoral uncertainties. Subsequently, political parties support policies that further diaspora political incorporation when they expect to reap an electoral windfall that outweighs the biggest "cost" of incorporation; namely, the unwelcome addition of new competitors for plum positions in the party, the government, the state apparatus, and the economy.

The challenge for parties, however, is to gauge the political consequences of diaspora incorporation given that they cannot truly know the impact of a transnationalized political community *until the policies are actually introduced*. This is due to the simple fact that diasporas are highly unspecified populations. The measures that states implement to make their domestic populations "legible" (Scott 1998) cannot be reduplicated overseas with external kin. Countries of emigration, no matter how high state capacity is, simply cannot record every departure, track emigrants' subsequent movement and life events, or know the size of the community of descendants of emigrants. Even if they did have this data, homeland elites would still be at a loss

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<sup>2</sup> For the sake of simplicity, I use "Serbia" to refer to the Federal Republic of Yugoslavia (1992-2003), the State Union of Serbia and Montenegro (2003-2006), and the Republic of Serbia (2006-present).

in trying to sample or poll external kin on their political attitudes, or accurately predict how many émigrés and their descendants would take advantage of the opportunity to acquire citizenship, vote abroad, and lobby homeland policymakers through institutionalized access points.

As homeland parties cannot use more objective data when making decisions on whether to support or reject expansive citizenship, permissive overseas voting frameworks, and institutionalized access points, they instead base their decisions on their more subjective perceptions of the diaspora, which stem either from party organizers' direct interactions with the diaspora or, far less reliably, from rudimentary stereotypes of the diaspora. The party linkage-based perceptions crystallize during moments of turmoil in the homeland, when homeland political actors have new incentive to solicit material or electoral aid from the diaspora, and the diaspora is sufficiently mobilized by homeland events to be receptive to overtures from homeland political actors. Even after the diaspora demobilizes and homeland affairs stabilize, these perceptions tend to persist over time.

In East-Central Europe and Eurasia, the political volatility of communism's collapse was a watershed period that shaped subsequent policies on citizenship, overseas voting rights, and diaspora representation. The domestic constraints to party building in the communist bloc pushed many new opposition elites to transnationalize their political campaigns by sending dignitaries abroad to collect donations or creating party branches in diaspora communities. The new ties between homeland anticommunist opposition and diaspora actors profoundly shaped homeland politicians' perceptions of the diaspora as a political actor, and thus constituted the stock of "knowledge" that informed their subsequent decisions on whether to incorporate the diaspora into the homeland political community. Those parties that were the most successful in organizing abroad during this brief window of time were deemed by other homeland parties to be the "winners" of diaspora support, a virtuous circle of sorts for the lucky party or parties because it deterred other parties that did not fare as well from wasting time and resources organizing abroad. When new citizenship laws, electoral codes, and state statutes were hammered out in the early 1990s, the most successful to organize in the diaspora were the strongest advocates of expansive diaspora incorporation policies. They pursued expansive policies when the party faced electoral uncertainties, despite the fact that the party might incur new costs by inviting new competition for plum positions in the government, the party, the economy, and state apparatus. When diaspora political incorporation policies were revisited and amended on numerous occasions in the 1990s and 2000s, these perceptions rooted in 1989-1992 continued to supplement "knowledge" of the diaspora gleaned from the 1990s.

This introductory chapter first reviews the empirical and theoretical underpinnings of the question that motivates this study: why do some sending states incorporate their diasporas into the homeland political community while others do not? After discussing the mutually reinforcing trends of migrant political transnationalism and sending state activism, I develop the dependent variable; that is, the three interlocking policies that constitute *diaspora political incorporation policies*. I then outline alternative explanations and provide a brief summary of the policies pursued in Armenia, Croatia, and Serbia. Next, I lay out the full argument, which links diaspora policies to the political alliances forged between diaspora and homeland actors in the late 1980s and early 1990s. I then discuss the methodology used to address the research question and draw a roadmap of the study.

## MIGRANT TRANSNATIONALISM AND SENDING STATE ACTIVISM

In recent decades, scholars have paid increasing attention to the phenomenon of emigration countries (“sending states”) actively courting their diasporas, and of migrants’ transnational economic, social, political, and cultural practices. Prior to the 1990s, this focus would have gone against the grain of the dominant approaches in migration research, which overwhelmingly focused on immigrant incorporation in host states (or “receiving” states) like the United States and Canada. The melting pot and assimilationist models long held sway in the literature on migration as well as in public policy debates (Glazer and Moynihan 1969). They were underpinned by the assumption that ties to and identification with the country of origin would wither over time and across generations (Castles and Miller 2009).

By the 1990s, however, the lingering ties between homeland and diaspora were becoming more readily apparent. “Diaspora,” a term traditionally reserved for a handful of classical cases, was increasingly adopted by emigrant activists and homeland actors as a discursive frame and as an identity. The analytical lens of migrant transnationalism was embraced in the social sciences, and it centered on the proposition that the ties binding migrants and actors and institutions in their home countries were denser than ever. What had changed?

First, the *complexion of global migration* has changed considerably in scale and composition over the last several decades. In terms of sheer numbers, since World War II the stock of international migrants has increased at a faster rate than global population growth. In 1990, there were an estimated 150 million individuals residing outside of their countries of birth. By 2010, that figure was estimated to be 214 million, making international migrants collectively more populous than Brazil, the world’s fifth largest state (IOM 2011).

The sources, destinations, and corridors of migration have also changed. Since World War II, European countries like Sweden, France, Germany, and the Netherlands have received unprecedented immigration flows from the Middle East, Asia, and Africa, which ushered in profound societal changes (Brubaker 2001; Joppke 1999; Martin 1994; Messina 2007). More recently, Italy, Spain, Ireland, and Portugal, which continued to be major countries of *emigration* well into the postwar period, became major destinations for *immigrants* (Calavita 1994; Colombo and Sciortino 2004; Corkill 2001; Fanning and Mutwarasibo 2007; Peixoto 2002), and South-South migration has surged (Ratha and Shaw 2007).<sup>3</sup> With the collapse of communism, Eastern Europe and Eurasia also emerged as major hubs and corridors of regional and interregional migration. Seven of the world’s top ten sending states are in the postcommunist region.<sup>4</sup> Russia receives the highest volume of immigrants in the world after the United States (IOM 2011).<sup>5</sup> The European Union’s eastern expansion in the 2000s selectively opened up member states’ labor markets to workers from the new member states, weaving pockets of Eastern European migrant communities into Western European societies. Furthermore, the phenomenon of international *circular migration*, whereby migrants move back and forth between home and host states, perhaps even retaining residences for part-year employment in both states, is an increasingly important subtype of migration, and it is particularly conducive to migrants’

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<sup>3</sup>Throughout this study, I refer to countries of immigration as receiving states, immigration states, or host states, and to countries of emigration as homelands, home states, sending states, or emigration states.

<sup>4</sup> In terms of emigrant stock in relation to homeland population (IOM 2011).

<sup>5</sup> The vast majority of immigrants to Russia come from post-Soviet states like Armenia, Georgia, Tajikistan, Moldova, etc.

retention of dense linkages with individuals and institutions in the home country (Bauböck 2011; Hugo 2009; Vertovec 2007).

Second, the *economic environment* in which migration is embedded has changed remarkably over the past several decades, creating conditions that are conducive to migrant transnationalism and sending state activism. Digital technology advancements and the trend towards higher capital mobility in the global economy have lowered the transaction costs of investing and doing business in the homeland economy, as well as sending remittances, aid, and other funds to the homeland (Andrews 1994; Padoa-Schioppa 2001). Remittances constitute an enormous portion of formal and informal transnational financial transactions. The \$325 billion in formally recorded remittances sent to developing countries in 2010 was nearly three times as high as the amount of official aid received, and almost matched the average inflows of foreign direct investment (IOM 2011).

Third, changes in *international norms* have profoundly affected the ways in which sending states engage external kin and the willingness of host states to tolerate this engagement. Until recent decades, dual nationality was shunned in diplomatic circles, famously likened to polygamy by the American diplomat George Bancroft, who found the notion of divided political loyalty repellant (Spiro 2008). It was also rejected in the League of Nations' 1930 Hague Convention. The rationale wasn't simply ideological; it was also seen as a security threat that undermined state sovereignty. In the postwar era, too, dual citizenship initially continued to be treated as something to be avoided. The Council of Europe's 1963 Convention on the Reduction of Cases of Multiple Nationality laid out procedures for avoiding and resolving multiple citizenship cases. Despite these kinds of international covenants, the number of countries permitting dual citizenship in principle or tolerating it in practice has grown rapidly over the last several decades. In part, these changes reflect the decreasing security risks of multiple nationality in the post-WWII and post-Cold War international order, wherein international organizations play a far greater role in conflict mediation, securitization, and upholding the sanctity of state borders (Abbott and Snidal 1998; Herbst 2000; Kratochwil and Ruggie 1986). Similarly, the practice of consular outreach, sending state advocacy, and other practices that involve sending states making claims on perceived kin outside of their territorial jurisdiction, has become more widespread, also making it less taboo in diplomatic circles.

Fourth, *technological advances* have also helped strengthen the bonds between migrants and their countries of origin (Glick-Schiller et al 1992; Levitt and de la Dehesa 2003). Digital technology allows diasporans to communicate regularly and cheaply with family and friends halfway around the world, and stream homeland media content at any time with the click of a mouse. This is a far cry from the days when costly international calls to the home country were made sparingly and homeland news trickled down by word of mouth or through diaspora media that operated on a time-delay and broadcast events in the homeland in a manner that might have been clouded by these outlets' own interpretation of their significance. The internet allows individuals scattered across the globe who identify as members of a diaspora to connect, discuss issues, share information and experiences, organize campaigns, and coordinate efforts through online discussion forums, blogs, social networking websites, and diaspora-centric websites (Brinkerhoff 2009; Østergaard-Nielsen 2003a).

Changes in the cost and efficiency of international travel make it easier for diasporans to visit their home state more frequently. Thanks to the Schengen zone, high-speed trains now blaze across Europe without the hassle of customs and border control. Low-cost carriers develop route networks that shadow migration routes and cater to labor migrants, such as the budget airlines

that serve numerous provincial cities in Poland, allowing the post-EU accession generation of Polish laborers in Western Europe to visit Poland more frequently than their predecessors.<sup>6</sup>

In sum, these changes in migration patterns, the global economy, the international context, technology, and transportation have converged to revolutionize the ways in which diasporans sustain transnational links. In an early formulation of the transnational perspective, Glick Schiller and colleagues (1992) described the emergence of “a new kind of migrating population...composed of those whose networks, activities and patterns of life encompass both their host and home societies. Their lives cut across national boundaries and bring two societies into a single social field.” This interdisciplinary literature was tied to research on transnational processes in other contexts, such as global advocacy networks and social movements, and it dovetailed with the broader lens of globalization (Keck and Sikkink 1998; Tarrow 2005). In its more extreme forms, the globalization perspective saw the nation-state as being gradually supplanted by these transnational processes (Strange 1996). Likewise, early theoretical works treated migrant transnationalism as evidence of the deterritorialization of the nation-state. Migrants and migrant organizations were seen as the architects and custodians of the transnational “fields” that bridge societies and undermine traditional conceptions of territorial borders and sovereignty (Glick-Schiller et al 1992). The research agenda of this bottom-up perspective, which privileged the agency of micro-level actors, focused on the origins and characteristics of migrants’ transnational practices (Guarnizo and Smith 1998; Itzigsohn et al 1999; Guarnizo et al 2003; Portes 2001).

Critics have rightly argued that the early research on migrant transnationalism tended to overstate the novelty of the phenomenon (Morawska 2001; Smith 2003). There is nothing empirically “new” about emigrants and their descendants retaining affective ties to their home country after their departure. Emigrants remained concerned about and interested in the affairs of their country or region of origin, not least of all because they often continued to have family and friends there. For many immigrants and their descendants, World Wars I and II aroused sympathies for the homeland at the same time that they identified as patriotic Canadians, Australians, and Americans. In some cases, emigrants and their descendants became politically active from afar. To list just two examples, Chicago’s Irish immigrant population formed American branches of Irish revolutionary movements as early as the 1840s (Funchion 1995). Similarly, the Polish Falcons, a U.S. fraternal organization, embraced independence for then-partitioned Poland in the early 20<sup>th</sup> century (Pula 1995).

Nor is there anything new to governments in emigration states pursuing “diaspora policies” to keep emigrants bound to the homeland. Beginning in the late 19<sup>th</sup> century, not long after Italy’s regions had been cobbled together under the banner of a unified Italian state, the political elite noted the potential of the vast, far-flung Italian émigré population (Choate 2008). The Italian state sponsored émigré organizations, formed an overseas network of Chamber of Commerce offices to manage trade and business relations with Italians overseas, facilitated the transfer of remittances through the Banco di Napoli, and even debated the merits of dual citizenship. Consulates kept registries of male emigrants so that they could be called upon to serve the Italian army in time of war (Choate 2008). While Italy is an extreme case for 19<sup>th</sup> and early 20<sup>th</sup> century, we also see contemporaneous sending states as dissimilar as Germany,

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<sup>6</sup> See, for instance, Stefan Wagstyl and Robert Anderson, “Budget Flights Give a Boost to East Europe’s Gentle Dentists,” *The Financial Times*, December 9, 2005, <http://www.ft.com/>; Fionnuala Bourke, “Poles Apart: Two Very Different Lives of Polish Immigrants,” *Sunday Mercury* (Birmingham, England), April 29, 2007, <http://sunday-mercury.vlex.co.uk/>.

Poland, Portugal, Greece, Yugoslavia and Mexico pursuing policies to court or repress their overseas populations (Feldman-Bianco 1992; Fitzgerald 2009; Jonjić and Laušić 1998; Vogli 2009). Transnationalism on the part of migrants and migrant-sending states, then, is not a new phenomenon, yet it is undeniably occurring on a broader scale than ever before due to changes in the economic environment in which migration is embedded, the international environment, and technology just discussed.

The literature on migrant transnationalism was a key break from earlier approaches to immigration studies, yet, as some scholars have noted, it overlooked the continuing relevance of the state and other entities acting “from above” in creating and shaping these transnational exchanges (Smith 2003; Levitt and Jaworsky 2007). The literature on migrant transnationalism also paid greater attention to migrants’ social, economic, and cultural practices than to transnational political practices like voting, joining local chapters of homeland parties, and lobbying homeland government actors. In response, some scholars have tried to redress the balance by looking at migrants’ transnational political practices and reconceptualizing the role of states in shaping these practices (Brand 2006; Hollifield 2004; Levitt and de la Dehesa 2003; Østergaard-Nielsen 2003b; Smith 2003). Questions in this research agenda address when, why, and how states try to engage their diasporas, and the consequences of these initiatives.

These studies on sending state policies have helped correct the earlier literature’s bottom-up bias and neglect of political transnationalism. Yet, as I discuss below, in many state-centric accounts the state is nevertheless treated as an autonomous, monolithic actor or a black box. The interests that drive sending state policies are assessed at the level of the state, typically in terms of collective economic or geopolitical interests. However, states are a collection of actors and institutions with distinctive and often conflicting interests and agendas. Policymaking is an inherently politicized process, and it is important to look at the competitive context in which policies are crafted. A second problem concerns the way that *diaspora policies* are conceptualized. Scholars tend to focus either on individual policy initiatives, such as the creation of a diaspora ministry or building scientific diaspora networks, or to group together and treat as a coherent set of policies disparate social, cultural, economic, scientific, and political policies whose common thread is that they target the diaspora in some form.<sup>7</sup> I disaggregate the state into its institutional, organizational, and human parts, ultimately arguing that the crucial site of action for diaspora political incorporation policymaking lies at the intersection of party competition and governance. I address the second shortcoming by taking a targeted approach to conceptualizing sending state policies, identifying a specific set of policies that regulate the ways in which external kin can partake in the home country’s political life. The next section discusses the dependent variable: diaspora political incorporation policies.

## DIASPORA POLITICAL INCORPORATION POLICIES

How do governments bring their diasporas into the political fold of the state or, conversely, keep the diaspora out of homeland political life? I contend that the policies used to shape these processes are best understood as political incorporation policies. Political incorporation is the process through which previously marginalized individuals and groups enter, engage, and are engaged by a political community. The concept has been used in different

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<sup>7</sup> For an excellent discussion of this problem, see Gamlen (2006).

contexts, including the historical integration of previously excluded socioeconomic groups (Dahl 1961; Shefter 1986) and the political empowerment of racial and ethnic minorities in electoral politics (Browning et al 1984; Erie 1990).

Political incorporation is used by contemporary scholars of immigration as a metric of the extent to which immigrants become full-fledged members and participants in their host state political community (Minnite 2009). Scholars conceptualize and operationalize political incorporation in different ways, but the most common indicators are citizenship acquisition and electoral participation (Minnite 2009; Schmidt et al 2009). Much of the research focuses on the demographic, social, and economic factors that shape immigrants' naturalization and political participation rates (Bueker 2005; Portes and Rumbaut 2006; Ramakrishnan 2005). A smaller set of scholars has looked at the ways in which host state policies, institutional structure, and national identity can shape incorporation (Bloemraad 2006; Brubaker 1992; Soysal 1994).

As noted in the previous section, a burgeoning body of research looks at sending state policies on citizenship (Jones-Correa 2009), voting (Itzigsohn and Villacres 2008; Marcelli and Cornelius 2005), and interest-aggregating institutions (Arcioni 2006). However, in the literature on sending states, these policies are seldom treated as interlocking pieces of a broader phenomenon. The advantage of applying the political incorporation lens to sending state policies is that it highlights the ways in which these policies, when bundled together, reinforce or undermine one another, an aspect that is important to understanding the effects of individual policies. This in turn helps us to better interpret the intentions of policy crafters, as well as to better understand what these policies actually do on the ground. For example, if we only used allowance of dual citizenship as an indicator of sending states' political engagement of the diaspora, we would classify Armenia's 2007 changes to its citizenship legislation, which introduced dual citizenship after more than a decade of debate, as an effort to facilitate the Armenian diaspora's integration into the homeland political community. However, on the heels of this ostensibly liberalizing initiative, the government revised its electoral code to bar external voting and limit dual citizens' participation rights. Hence, the framework for membership was broadened, but the core participation platform was dismantled. Similarly, external voting rights alone do little to further the diaspora's inclusion in the political community if citizenship policies are restrictive, since participation rights are almost always predicated on membership status.<sup>8</sup> And even when external citizens enjoy membership and participatory rights, the diaspora's political clout might be clipped if there are not representation mechanisms in place to integrate diaspora concerns into political debates and policymaking processes.<sup>9</sup>

I define diaspora political incorporation as the process through which external kin are integrated into the homeland political community. This process rests on three interlocking dimensions: membership, participation, and representation. Membership denotes formal and symbolic status within a political community. Participation is predicated on this status, and is the means through which external kin engage the homeland political system. This, in turn, facilitates representation, which is the relationship between those who are governed and those who make decisions on their behalf. I use the term *diaspora political incorporation policies* to refer to the bundle of formal measures used by sending state governments to facilitate or hinder the diaspora's membership, participation, and representation in the homeland political community.

Based on this conceptualization of diaspora political incorporation framework, I focus on

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<sup>8</sup> The exception to this, of course, is the handful of countries that allow noncitizens to vote in subnational elections.

<sup>9</sup> Notable exceptions include Bloemraad (2006) and Schmidt et al (2009).

four major policies that capture these three dimensions and, bundled together, redefine the status of emigrants and their progeny vis-à-vis the homeland political community: citizenship laws, external voting frameworks, direct diaspora representation institutions, and the creation of state agencies devoted to diaspora affairs.

### Dimension 1: Membership

Membership, a critical aspect of political incorporation, denotes an individual's inclusion in a community. It also forms the basis for political rights and obligations. I use citizenship to capture the membership dimension of diaspora political incorporation policies. Citizenship is the formal link between the individual and the political community. Among contemporary theorists, citizenship is typically conceptualized as a status comprising rights and obligations (Joppke 2010). In principle, those who have membership status in a polity are equal before the law, and enjoy certain rights, social benefits, and protections that are not necessarily available to aliens residing in the state. Included among these rights are the political rights that undergird liberal democracies -- the rights to vote and run for office. At the same time, citizenship may impose attendant obligations, such as jury duty, military service, and taxation.

One way to assess citizenship legislation is in terms of its inclusiveness and exclusiveness. The more inclusive citizenship legislation is, the greater the number of people who qualify for citizenship. A single state can have a citizenship law that is inclusive of emigrants, their descendants, and other perceived members of the ethnonational or cultural community who live outside of the state's borders ("external inclusiveness"), but be exclusive towards immigrants and refugees residing within a territory who do not bear cultural affinity with the dominant group ("internal exclusiveness") (Brubaker 1992). This was the case in Germany until the late 20<sup>th</sup> century. Its citizenship law made it relatively easy for many categories of ethnic Germans who did not reside in Germany to get German citizenship,<sup>10</sup> yet was very restrictive in extending citizenship to the millions of Turks and other immigrants in Germany, as well as to their German-born children. The U.S. and other countries that grant citizenship on the basis of birth on the territory (*ius soli*) as well as by origin (*ius sanguinis*) are examples of internally *and* externally inclusive citizenship regimes.

I focus on the provisions for obtaining or retaining homeland (C1) citizenship that are formally codified in citizenship legislation, and the relevant, formal provisions for administering the process.<sup>11</sup> These criteria are discussed in greater detail in Chapter 3, which focuses on the membership dimension of diaspora political incorporation.

### Dimension 2: Participation

Participation is a core component to theories of democracy and political incorporation. Verba and Nie (1987, 2) define political participation as "activities by private citizens that are more or less directly aimed at influencing the selection of government personnel and/or the actions they take." There are numerous ways in which citizens partake in political life, including joining political parties and organizations, signing petitions, and participating in get-out-the-vote drives. However, few would dispute the claim that voting is the quintessential form of political

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<sup>10</sup> Germany essentially purchased the exit rights of ethnic Germans in Romania, paying Bucharest lump aid sums of \$5,000 for each German Romanian who left. Robert J. McCartney, "Tens of Thousands Flee Soviet Bloc for Better Life; Biggest Migration in 30 years as Emigrants Flock to West," *Washington Post*, April 30, 1989 (NewsBank 04\*30\*619654).

<sup>11</sup> To avoid confusion, I always use C1 to refer to a diasporan's actual or imagined homeland (i.e. the sending state), while C2 is the country of residence, even in cases where a diasporan was born there (i.e. the host state).

participation in modern liberal democracies (Dahl 1961). Historically, the selective extension of voting rights was a form of internal closure, denying subsets of the population access to political power and collective decision-making. Denying the vote to certain social groups while extending it to groups was also a way of reducing electoral uncertainties. The piecemeal extension of the franchise incorporated previously excluded groups within a territory into the political community, on paper if not always in practice. There is an assumption that the extension of voting rights had a unidirectional, ever-expanding logic to it, but this is not entirely true. In the United States, for instance, many states allowed women and noncitizen immigrants to vote in local and state elections in the 19<sup>th</sup> century, only to later revoke these rights when the federal government's role in voting provisions increased. Moreover, some countries have extended overseas voting rights only to subsequently take them away, as Armenia did in 2007.

The extension of voting rights to noncitizen immigrants and to nonresident citizens puts a modern spin on the centuries-old question of who is part of the political community and who is not. External voting rights allow citizens who are not present in the homeland on election day to cast their vote abroad. These rights carry symbolic and practical weight in deepening state-diaspora political relations and incorporating diasporas as more fully-fledged members of the homeland political community.

Just like citizenship, external voting frameworks vary in their inclusiveness. In Chapter 4, I examine in greater detail those provisions that most strongly shape the inclusiveness of overseas voting: the relative number of elections in which citizens can vote overseas, voting procedures, vote allocation, and voter eligibility criteria. I also discuss global trends in overseas voting rights since World War II.

### Dimension 3: Representation

While membership and participation are usually treated as core components of political incorporation in the immigration literature, representation – the third dimension in my conceptualization of diaspora political incorporation – is often excluded. This is particularly problematic in the context of *emigration*, when the linkages that usually bind those who govern to those who are governed are frail by default. This isn't simply because of the physical distance separating elected officials and overseas citizens, but also because external citizens are embedded in the political, social, and economic fields of their host states. Living abroad, they are not affected by homeland laws and governance in the same way or to the same extent as those who reside in the homeland. Most of the primary forms of linkage between citizens and those who govern (political parties and civil society organizations being two major types of linkages) have territorially-bounded domains of activity, making it difficult for them to understand and advocate diaspora interests. Electoral laws are often unclear on how external votes are pooled with those cast in the homeland, and as such do not clearly indicate which legislators these external constituents “belong” to. All of these types of linkages, then, tend to be territorially bounded.

In this study, representation refers to whether or not there are mechanisms or institutionalized access points in place to aggregate and advocate diaspora interests and integrate them into homeland political debates and policies. To capture this aspect of incorporation policies, I use two types of representation mechanisms as indicators: 1) descriptive representation vis-à-vis the right to run for office or institutionalized representation in parliament or government, and 2) substantive representation through high-level government agencies devoted to diaspora affairs. The first type of representation gives the diaspora a direct or semi-direct voice

in policymaking and political debates, while the latter makes diaspora issues an area of governance, with public agencies ostensibly acting on behalf of the diaspora’s interest. The representation dimension is the subject of Chapter 5.

I focus on these particular incorporation policies for several reasons. First, they are formal policies that are usually debated, codified, and implemented in a fairly public manner, and their introduction entails input from multiple stakeholders. This makes it easier to discern the interests and preferences of relevant actors and reconstruct the policy life cycle. Domestic media, NGOs, and international organizations often put these policies under the microscope as well, providing another valuable research resource.

Second, I have selected these policies because they are the initiatives most commonly demanded by diaspora organizations. This is particularly important when testing demand-side arguments that give causal weight to the diaspora’s ability to demand rights and inclusion in the homeland political community.

As discussed above, none of the three components on its own perfectly captures a state’s willingness to engage its diaspora and incorporate it into the homeland political community. To cite just one example, a state might have an externally inclusive citizenship policy, but bar voting abroad and refrain from institutionalizing interest-aggregating institutions. This is true of Ireland, which gives preferential naturalization to several generations’ descendants of Irish emigrants, but only allows state officials to vote abroad. External voting might be allowed and a ministry for the diaspora might exist, but if citizenship policies are restrictive, the base of external citizens eligible to benefit from extraterritorial participation is limited. External voting rights and expansive citizenship provisions might be codified, but without institutionalized access points, overseas citizen-voters’ ability to influence policymaking may be constrained. By casting the net a bit wider and looking at variation on these four policies, we can get a better sense of when and why sending states engage their diasporas. Table 1.1 summarizes the dimensions of diaspora political incorporation and the policy indicators that capture each dimension.

**Table 1.1 Conceptualization of Diaspora Political Incorporation Policies**

<b>Dimension</b>	<b>Policy Indicator</b>	<b>Policy Provisions</b>
<b>Membership</b>	1. Citizenship legislation	<ul style="list-style-type: none"> <li>i. Overseas <i>ius sanguinis</i> at birth</li> <li>ii. Preferential naturalization by origin</li> <li>iii. Dual citizenship allowance</li> <li>iv. Citizenship reacquisition</li> <li>v. Obligations and transaction costs</li> </ul>
<b>Participation</b>	2. External voting framework	<ul style="list-style-type: none"> <li>i. Whether external voting is allowed</li> <li>ii. Type of elections where EV allowed</li> <li>iii. Voting method</li> <li>iv. Eligibility</li> </ul>
<b>Representation</b>	3a. Descriptive representation	<ul style="list-style-type: none"> <li>i. Criteria for candidacy</li> <li>ii. Recruitment process to institution</li> <li>iii. Diaspora access to institution</li> </ul>
	<ul style="list-style-type: none"> <li>1. Right to hold office</li> <li><i>and</i></li> <li>2. Deliberative institution in parliament or government</li> </ul>	
	3b. Substantive representation	<ul style="list-style-type: none"> <li>i. Tasks and policymaking prerogatives</li> <li>ii. Budgetary basis/status vs. other agencies at same level</li> </ul>
	<ul style="list-style-type: none"> <li>1. High-level diaspora affairs agency</li> </ul>	

## Diaspora Political Incorporation Policies in Armenia, Croatia, and Serbia

In the late 1980s and early 1990s, nationalist mobilization in the communist bloc, coupled with heightened mobilization in diaspora communities, created a unique opportunity to move past the hostility that damaged state-diaspora ties under communism. Established diasporas in the West were potential sources of political support, experience, leadership, legitimation, brokerage with their host governments, and economic resources. The situation of Eastern diasporas could be used as a bargaining chip in bilateral relations (King and Melvin 1998). The exodus of skilled and highly educated persons in the 1990s and 2000s added further incentives to keep the diaspora engaged in homeland affairs.

In this study I assess diaspora political incorporation policies in Armenia, Croatia, and Serbia – three countries that, given their dire economic and geopolitical circumstances during the 1990s, should have had among the strongest incentives in the region to court the diaspora. I look at the period from 1990 until 2011. For all three cases, this 20-year period was marked by two watershed events: the founding elections in 1990-1991 and then dramatic elite turnover in each country, which ushered in a new period of policymaking.<sup>12</sup> This allows me to break down analysis of policies in two periods for each country. Comparing diaspora policies across these three cases as well as within each case across two distinctive time periods allows me to leverage two types of variation – cross-sectional and longitudinal.

This section describes variation in the dependent variable – diaspora political incorporation policies – in postcommunist Croatia, Serbia, and Armenia. While policies in Croatia were expansive in the 1990s, they were subsequently scaled back in the 2000s. In Serbia the direction of change was the reverse, from restrictive in the 1990s to moderate in the 2000s. In Armenia, despite dramatic elite turnover in 1998, the policies towards the diaspora’s political incorporation have been restrictive since 1991, even if the formula has changed somewhat.

### **Croatia: From Expansive to Moderate Policies**

During the 1990s – indeed, within two years of independence – Croatia’s election codes, citizenship law, and state structure were reconstructed to amplify the Croatian diaspora’s presence in homeland political affairs. The 1990 constitution obliged the Republic to “ensure suffrage to its citizens who are abroad at the time of the elections, so that they may vote in the countries in which they are.”<sup>13</sup> This was novel, as socialist Yugoslavia had never allowed overseas voting. The 1991 Law on Citizenship made it easy for emigrants, their descendants, and ethnic kin to naturalize by waiving requirements on residency, language proficiency, and renunciation of foreign citizenship that non-Croat aliens had to meet when naturalizing. The right to vote abroad was first implemented in 1992, while changes to the electoral code in 1995 reserved 10% of parliamentary seats for diaspora representatives. A Ministry for Emigration was created in 1991 to funnel diaspora resources to the war effort, while a Ministry for Return and Immigration was established in 1996 to stimulate mass repatriation. Diaspora Croats had the right to hold office, and indeed many of them were recruited by the ruling Croatian Democratic Union (HDZ) to serve in government, the diplomatic corps, and parliament on the party slate.

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<sup>12</sup> For each of the three cases, “dramatic elite turnover” meant far more than a new government. A single party was hegemonic in all 3 for most of the 1990s. Franjo Tudman’s HDZ party was voted out of office in 2000, and Slobodan Milošević and his SPS later that year. In Armenia, the president and leader of the ruling party, Levon Ter-Petrosian, was forced to resign in 1998.

<sup>13</sup> Ustava Republike Hrvatske, 1990, Article 45.

When the HDZ lost power in 2000, however, the new coalition government led by the Social Democratic Party (the reformed League of Communists of Croatia) attempted to scale back the intensity of ties, and was partly successful. Surprisingly, this “disengagement” trend continued when the reformed, EU accession-centric HDZ was in power again from 2003-2011. The Ministry for Return and Immigration was downgraded to an office within the Foreign Ministry in 1999, and the size of the diaspora constituency was gradually pared down from 12 seats to 3. The externally expansive citizenship provisions were moderated in 2011. Thus, diaspora political incorporation policies in Croatia became less expansive over time.

### **Serbia: From Restrictive to Moderate Policies**

Slobodan Milošević and his party, the Socialist Party of Serbia (SPS), happily held out their caps for diaspora money, but kept the gates to the domestic political arena closed to diaspora involvement, despite having had the tentative support of much of the Western diaspora in the late 1980s and early 1990s. In stark contrast to Croatia's warm embrace of its diaspora in the 1990s, state-diaspora relations in Serbia were lukewarm. Expatriate male citizens risked conscription or arrest for draft dodging if they entered Serbia, while the security arm of the state continued to harass diaspora communities as it had under socialist Yugoslavia. A 1992 law expressly forbade dual citizenship, and in 1996 the federal parliament passed a law that imposed stringent residency and military service requirements for naturalization. Even though those who had origins in Serbia and lived overseas were exempt from some of the requirements, in practice the process of acquiring Yugoslav citizenship was onerous and subject to an excessive amount of discretion on the part of bureaucrats. It was particularly difficult for the more than half-million ethnic Serbian refugees from Kosovo, Croatia, and Bosnia-Herzegovina to get citizenship. Voting abroad was barred throughout the Milošević period, and state-diaspora relations reached their nadir by the late 1990s, when several diaspora organizations played a modest role in bringing together the fractious Serbian opposition parties under a joint anti- Milošević coalition.

After Milošević was ousted in 2000, however, relations thawed. A Diaspora Ministry was created in 2004. The same year, a new citizenship law greatly eased naturalization criteria for Serbian kin, and the external franchise was introduced. The 2009 Law on the Diaspora established a new consultative Diaspora Council composed of diaspora delegates, and there has been periodic discussion of introducing diaspora representation in parliament. Nevertheless, the content and implementation of these policies, as chapters 3-5 discuss, reveal Serbian political parties' deep ambivalence about diaspora political incorporation. Thus, diaspora incorporation policies became more expansive in scope only *after* Milošević was ousted and the regime liberalized – the reverse of the Croatian trajectory.

### **Armenia: Restrictive Diaspora Incorporation Policies Despite Rapprochement**

Given the financial clout of the Armenian diaspora and its organizational strength, as well as the victory of the nationalist movement in Armenia's 1990 elections, one might have expected strong ties between homeland and diaspora. But while President Ter-Petrossian appointed several diasporans to high-ranking positions, relations between state actors and the major diaspora organizations were highly strained. In 1994, the government effectively banned the diaspora-backed Dashnak party on the grounds that it was a foreign organization engaged in terrorist activities. Dual citizenship was forbidden in Article 14 of the 1995 constitution, despite strong lobbying efforts on the part of diaspora organizations. After Ter-Petrossian was ousted in a palace coup in 1998, diaspora-state tensions eased in tenor, but not in practice. The Robert

Kocharian administration's initiatives were mostly limited to state-diaspora conferences held in 1999, 2003, and 2006. His successor, President Serzh Sargsian (2008-present) spearheaded the creation of a Ministry for the Diaspora that is mostly seen as a façade. After much foot-dragging on the part of the Armenian government, the laws on citizenship were revised in 2007 to allow dual citizenship—but with caveats that in effect limits instances of dual citizenship. Moreover, the electoral code was almost immediately revised to prohibit extraterritorial voting and restrict dual citizens' voting rights to those with residency in Armenia. The right to run for office was similarly restricted on the basis of residency and holding only Armenian nationality. The policies and indicators are displayed in Appendix A.

## ALTERNATIVE EXPLANATIONS OF SENDING STATE ACTIVISM

Why do governments in some countries of emigration implement measures to politically incorporate the diaspora, while others try to constrain diaspora membership, participation, and representation? Given the enormous potential size of the citizenry and electorate residing outside of state borders, perhaps the puzzle would be better framed as why would political elites *ever* consent to incorporating the diaspora into the homeland political community?

I now turn to alternative explanations for the varying patterns of diaspora incorporation policies. These hypotheses are from research on diaspora politics, comparative citizenship, immigrant incorporation, and historical extensions of the franchise. The prevailing explanations in these literatures generally fall under three categories: economic factors, international factors, and diaspora characteristics. As I discuss in this section, these explanations have difficulty on their own accounting for the varying diaspora political incorporation policies among sending states. They fail to explain variation among Armenia, Croatia, and Serbia and variation over time within each case.

### Economic factors

The first category of explanation of diaspora incorporation policies centers on economic factors. The more dependent a country's well being is on economic resources from its diaspora, the more likely it is to implement strong policies to sustain the flow of these transnational resources. Some scholars highlight the specific varieties of diaspora economic support, such as remittances, aid, bonds, entrepreneurship, and FDI. Other scholars argue that economic underdevelopment in general prompts sending states to court their diasporas. The link between the material interests of sending states and the *economic* policies implemented to reap resource gains from the diaspora is clear. If the diaspora is an important potential or existing source of capital for household economies, state coffers, and the business sector, then it makes sense that sending states would have a strong incentive to develop policies to facilitate these transactions, encourage more of them, and/or channel them through formal, state-controlled institutions.

Scholars extend the argument, however, by imputing these same material motives to diaspora incorporation policies. Extending citizenship, voting rights, and representation, and strengthens the diaspora's identification with the homeland, and gives the diaspora a sense of having a stake in its wellbeing. Closer political ties, then, are seen as reinforcing diasporans' beneficial transnational economic practices (Itzigsohn 2000; Levitt and de la Dehesa 2003). In this sense, political incorporation policies are exchanged for economic aid.

If this explanation were correct, we would expect to find the strongest diaspora incorporation policies in states that could reap the largest economic windfalls from their diaspora relative to other revenue sources, and in lesser-developed sending states more generally. However, there are several weaknesses in this line of reasoning. First, material interests alone cannot account for significant policy variation among states that have similarly high dependence on diaspora resources. For example, of the world's 21 states whose migrant remittances were on average equivalent to 10% or more of GDP between 2000 and 2010, only half of them fully recognize dual citizenship, and only half allow overseas voting.<sup>14</sup>

Moving to the cases in this study, economic interests cannot account for varying diaspora incorporation policies in Armenia, Croatia, and Serbia. First, if material conditions in the homeland are the primary determinant of diaspora incorporation policies, then we would expect citizenship laws, external voting frameworks, and diaspora representation institutions in Armenia and Serbia to be even more expansive than Croatia's during the 1990s. Each country faced steep declines in the standard of living and economic performance during the first half of the 1990s. The already-faltering Yugoslav economy languished under international sanctions and the wars of Yugoslav succession. The country's GDP contracted by roughly 50% between 1989 and 1995, and the country faced one of the worst episodes of hyperinflation in history, peaking at an unfathomable 116 trillion percent in 1994 (EIU 1996a). Indeed, one of the biggest barriers to economic growth by 1996 was "a lack of capital and hard currency to finance investment in industry" (EIU 1996a, 29). Remittances are a crucial source of hard currency for emigration states – yet this was not incentive enough for the government to enact policies to facilitate the Serbian diaspora's political incorporation. Armenia faced de facto isolation because of the blockades to its borders with Azerbaijan and Turkey, and because its northern transport routes were often precarious due to Georgia's civil war in the early 1990s. Armenia's GDP contracted by more than 50% in 1992, while consumer price inflation ranged from 200 to nearly 5,000% in the first half of the 1990s (EIU 1996b). In response to the serious economic deterioration and the sluggish labor market, an estimated 25% or more of Armenia's population left during the 1990s (Chindea et al 2008). Their remittances were a lifeline to impoverished villages across the country, but emigrants lost their Armenian citizenship if they naturalized as citizens of their host states.

Nor do material explanations satisfactorily explain abrupt policy shifts in countries that have long been dependent on external resources and long struggled with development. Serbia's economy and living standards, for example, were far better in 2004, when multiple changes were enacted that strengthened diaspora incorporation policies, than they had been during the pariah state years of the 1990s, when the diaspora was summarily shut out of the homeland political arena. After negative growth during the 1990s, Serbia's GDP recorded its fastest growth in the early 2000s (an average 5.34% per year from 2000-2005, with a peak of 9.3% growth in 2004), when diaspora incorporation policies were strengthened.<sup>15</sup>

More broadly, economic explanations of diaspora political incorporation policies rest on empirically shaky assumptions. Would a migrant worker who is alienated by homeland policies actually "punish" his or her family members back home by reducing remittances? Would a diasporan who is dissatisfied with the homeland government but nevertheless feels a strong sense of homeland patriotism reduce aid? The Armenian case suggests that anger towards homeland

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<sup>14</sup> Remittance data from World Bank 2012, citizenship data from Blatter et al 2009, and voting data from Ellis et al 2007.

<sup>15</sup> Calculated by author based on IMF data on GDP (constant prices) as a percentage.

policies may not even deter direct aid to the homeland. President Ter-Petrosian established the Hayastan All-Armenian Fund in 1992 to collect diaspora aid. The fund continued to collect tens of millions of dollars from the Armenian diaspora throughout the 1990s, even during the peak of state-diaspora acrimony, such as 1994-1996, when dual citizenship was explicitly banned in the constitution and the Armenian government accused the strongest of the formerly diaspora based parties, the Armenian Revolutionary Federation, of drug trafficking and terrorism, and then banned the organization outright.

### International factors

Other authors attribute diaspora policies to international factors: 1) the diffusion of a template for sending state activism, 2) sending states' foreign policy priorities, and 3) the leverage of international institutions and powerful foreign states. In the first image, as early innovator states developed programs to engage their émigrés, they created a template for other states to follow and helped build a norm of acceptance of such extraterritorial activism. For instance, Portugal's Program for Portuguese Abroad, implemented in the 1970s, was used as a model for Mexico's policies of reengaging its diaspora in the late 1980s and early 1990s (Smith 2003). As more states adopt programs and extend political rights and social benefits to diasporans, the idea that sending states *should* protect their emigrants and grant them rights gains currency (Levitt and de la Dehesa 2003). They also change norms on the appropriateness of sending state outreach to diaspora population's vis-à-vis host state sovereignty. Yet diffusion alone is not a satisfying explanation. Armenia, Croatia, and Serbia had exposure to the same norms and models, yet their policies varied sharply across time and space. What are the mechanisms of the model's propagation, and why do we nevertheless continue to see such stark differences in diaspora political incorporation policies? The diffusion of norms and models is at best a facilitating condition rather than a cause in and of itself.

Other scholars argue that states reconfigure relations with their diasporas when faced with geopolitical uncertainties or foreign policy prerogatives that would benefit from stronger diaspora linkages, either by making an issue out of diasporans' status in the host state, or calling upon diasporans to lobby host state political actors on behalf of homeland interests (King and Melvin 1998). We would expect states that are embroiled in conflict to reach out to diasporans for public relations support, resources, and weapons. Nevertheless, geopolitical security alone is not a satisfying explanation. After all, Armenia and Serbia grappled with war during the 1990s yet did not implement significant diaspora incorporation policies until after regional conflicts had ceased.<sup>16</sup>

A third source of potential international pressure comes from international organizations. Some scholars view entities like the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe (CoE), the United Nations High Commissioner for Refugees (UNHCR), and the European Union (EU) as capable of having considerable, and at times even decisive, leverage over the domestic politics of small, peripheral states like Armenia, Croatia, and Serbia (Dimitrova and Pridham 2004; Levitsky and Way 2010; Raik 2004; Timus 2010). Other scholars counter that such leverage is limited or contingent upon other factors like timing, geography, or the policy sector (Haughton 2007; Schimmelfennig et al 2003; Vachudova 2005).

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<sup>16</sup> A general problem with arguments that rest on collective interest is their untested assumption that emigrants' micro-level aid to family and friends, and macro-level aid to the homeland, is conditioned by emigrants' views on the government in power.

International organizations intervened in domestic policy areas affecting the rule of law, democracy, and minority rights protection in all three countries in the late 1990s (in particular after the cessation of active conflict) and in the 2000s. These organizations did not exert direct pressure on diaspora policies themselves, but the diaspora issue intersected with the minority rights issue in citizenship legislation and electoral legislation. Yet this impact was only partial at best and, as I discuss in chapters 3, 4, and 5, was contingent upon the availability of a domestic party to ally with.

### Characteristics of the diaspora

Finally, some scholars, particularly those whose research is on migrant transnationalism, argue that sending state governments implement diaspora incorporation policies when the diaspora is sufficiently mobilized and resourceful to demand them, often the culmination of a long struggle for rights (Levitt and de la Dehesa 2003; Portes 2003; Smith 2008). However, this explanation does not offer a satisfying account of diaspora political incorporation policies in Armenia, Croatia, and Serbia. All three diasporas became mobilized during the course of the war, but in Croatia, the newly elected HDZ government quickly extended voting rights, citizenship, and access points to the diaspora without the latter having to do any lobbying whatsoever. The size and resources of the Armenian diaspora relative to the homeland eclipsed that of Croatia and Serbia, yet it was in Armenia that the policies were the most restrictive. And in Serbia, diaspora incorporation policies became expansive beginning in 2004, four years after the diaspora's demobilization following the burst of activism during the 1999 NATO bombings of Serbia and Milošević's 2000 ouster. As the empirical chapters will show, the impetus to make changes to legislation on citizenship, elections, and state structures did *not* come from the diaspora in these cases.

Similarly, scholars argue that democratization helps usher in extensions of external voting rights and dual citizenship recognition, since the political system is now open to diaspora input and demands (Itzigsohn and Villacres 2008). This argument, particularly when centered on a long struggle for rights, has difficulty explaining the timing of policies. For instance, if Mexicans and Dominicans in the United States were calling for external voting rights for decades, what was special about 2006 and 2004, the years in which external voting was implemented in these countries? Many authoritarian regimes allow overseas voting and dual citizenship (Brand 2010, Brøndsted Sejersen 2008, Ellis et al 2007), and create state institutions for diaspora affairs (Rannveig Agunias and Newland 2012). As I argue in the next section, the partisan and electoral incentives that prompt parties to introduce expansive incorporation policies are not dependent upon the regime type.

## **THE ELECTORAL LOGIC OF DIASPORA POLITICAL INCORPORATION**

To revisit the simplified version of the argument, political elites in sending states will not allow diasporans to become citizens, voters, and stakeholders in the homeland political community until they know (or believe they know) the political consequences of this incorporation. Will diaspora incorporation broaden a party's electoral base? Will incorporation produce a windfall of votes and resources for rival parties? Will the diaspora even take advantage of the right to obtain citizenship, vote overseas, and access policymaking? And then

there are the costs of incorporation shared by *all* domestic parties: Will incorporated diasporans return to the homeland to seek lucrative positions in the government and state apparatus? Will they seek appointments as directors of lucrative public firms, or vie for firms being privatized? Will they capitalize on their outsider status and run for office in the homeland? These questions are of critical importance for countries with large diaspora stocks.

It is problematic for party strategists that until citizenship, voting rights, and representation mechanisms are actually introduced, they cannot answer these questions. Nevertheless, the potential benefits of diaspora political incorporation are alluring for some parties. If the party's strategists believe that the party does have strong support in the diaspora, then it will push for more expansive citizenship and external voting rights. Or, if a party is strapped for resources on the home front (a concern that is more problematic during regime transition or under new democracies), it may invest in an organizational infrastructure abroad in order to solicit donations. Building branches abroad simultaneously carves out a diaspora support base for the party, and an organizational infrastructure the party may capitalize on down the road in order to offset electoral uncertainties at home.

How, then, do political actors in the homeland feel secure enough to take this "leap in the dark" and expand the boundaries of the political community? This section answers that question. First, it discusses the reasons for diaspora mobilization; that is, the factors that led diasporas in postcommunist Europe and Eurasia to become mobilized, and why new opposition movements in the homeland had incentive to solicit diaspora support. It then evaluates different patterns of homeland-diaspora political ties, and shows how these patterns subsequently shaped homeland political actors' positions on diaspora political incorporation policies during the 1990s. I then turn to the explanation for policy change over time, where a combination of electoral circumstances and lessons learned from the 1990s changed parties' incentives to incorporate the diaspora.

### Diaspora Mobilization and Homeland Party Formation

War, economic collapse, snap elections, and other crises in the homeland have the dual effect of making the political arena less certain for homeland parties *and* mobilizing the diaspora. As a result, parties have stronger incentive to court diaspora support, while the "activated" diaspora becomes more receptive to these overtures. Thus, political contacts and networking between homeland parties and the diaspora tend to come in bursts rather than gradually and steadily increasing. During the late 1980s, the political and economic crises in East Central Europe and Eurasia that mobilized domestic opposition had echoes in the diaspora, spurring unprecedented mobilization and activism in diaspora communities across the globe. Severe domestic material constraints to party building in the communist bloc gave new opposition leaders an incentive to seek funding from comparatively wealthy diasporans. The timing was fortuitous, as the barriers to emigration and foreign travel were easing in the Warsaw Pact countries, and even in the Soviet Union itself (Dowty 1987; Marrus 2002; Zolberg 1989).

#### **Diaspora Mobilization**

Political turbulence in the homeland often reverberates in diaspora communities, leading to a situation in which both diaspora and homeland are simultaneously mobilized. For most individuals who identify as members of a diaspora, the intensity of that facet of their identity, and their participation in diaspora associational life, are not static. Their involvement is

conditioned by life circumstances, as well as by the types of issues that make their diaspora identities more or less salient (Butler 2001; Vertovec 2001). Similarly, the level of diaspora organization waxes and wanes. Many organizations go dormant for years, only to be reactivated by some sort of crisis in the homeland. New organizations emerge in response to events like natural disaster, regime change, economic crisis, political instability, and war, while existing organizations may die off or succumb to infighting by rifting.

When Mikhail Gorbachev introduced the liberalizing policies of *glasnost* in the late 1980s, he unwittingly paved the way for political opposition across the communist bloc. In most Soviet republics, Warsaw Pact countries, and Yugoslavia, nationalism was one of the most powerful mobilizing frames for the new opposition (Beissinger 2002; Suny 1994). Nationalist, anti-communist themes resonated with the Western diasporas of these “captive nations.” Indeed, the politically active core of many Eastern European diasporas either self-identified as political exiles (“victims of communism”) or were actually granted political asylum once in their host states.<sup>17</sup> Even those who emigrated for economic reasons usually held strongly anti-communist views. The long-distance nationalism and virulent anti-communism of the most outspoken diaspora activists often exceeded that of homeland dissidents (Anderson 1992).

In the late 1980s, global media coverage centered on protests and demonstrations behind the Iron Curtain. The excitement over a perceived opening for political change proved to be contagious in the diaspora, where vigils and protests were held in solidarity with homeland opposition. Many in the diaspora saw an opportunity for change, whether it was outright independence, cultural protection, the end of communism, greater national autonomy, a return to expanded “historical” state borders, or simply democratization and Western integration.

The Croatian, Serbian, and Armenian diasporas became highly mobilized in the late 1980s and early 1990s in reaction to changes in their homelands. In addition to diaspora mobilization in response to the space that had opened for political opposition, these three diasporas became mobilized over several specific issues. For the Croatian diaspora, mobilization increased in the late 1980s as the political and economic turmoil in Yugoslavia worsened, and as Slobodan Milošević's efforts to harness Serbian nationalism to further his agenda set off alarm bells in Zagreb. The prospect of independence, and then the war that ensued after independence was declared, breathed new life into the aging Croatian diaspora associations and led to the formation of new organizations and umbrella groups.

While the Serbian diaspora was relatively quiet during the 1970s and early 1980s, in the late 1980s it grew more mobilized in tandem with the currents of Serbian nationalism in Yugoslavia. In addition to existing political organizations, new organizations like the Serbian Unity Congress (SUC) and SerbNet took a leading role in coordinating the diaspora. When the war broke out, the Serbian diaspora organizations in the West launched public relations campaigns to counter what they believed was biased Western media coverage of the war in Yugoslavia, and to try to influence U.S. foreign policy (Hockenos 2003).

In Armenia, diaspora life throughout the Cold War coalesced around three historical political parties that had fled into exile from Soviet Armenia in the 1920s: the Armenian Revolutionary Federation (ARF, or “Dashnaks”), the Social Democratic Hnchakian Party (“Hnchaks”) and the Democratic Liberal Party (ADL, or “Ramkavars”). In the late 1980s, the diaspora was mobilized by the mass demonstrations in Yerevan demanding that Moscow turn

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<sup>17</sup> Hungary's 1956 revolution, for example, prompted an exodus of some 200,000 people, of which nearly 40,000 went to the United States (Soskis 1967). On the particularities of exile identity, see Jacobson 1995 and Shain 1989.

over Azerbaijan's autonomous region of Nagorno-Karabakh to the Armenian Soviet Socialist Republic. Then, in December 1988, a magnitude 7.1 earthquake struck Armenia, killing an estimated 25,000 people and displacing hundreds of thousands.

In short, by the late 1980s, Eastern Europe's Western diasporas – already predisposed to support homeland nationalist oppositions – were mobilized on an unprecedented scale by events in their homelands. This mobilization made them receptive to overtures from homeland parties, to which we now turn.

### **Homeland Political Party Overtures**

As the diaspora grew mobilized, homeland political actors had powerful incentives to woo the diaspora. In East-Central Europe and Eurasia, the period surrounding the founding elections (1989-1992) was highly fluid as a host of new political actors and parties emerged. All political actors scrambled to accomplish three major tasks: mobilize resources, define electoral constituencies, and establish party platforms.<sup>18</sup> These challenges were compounded by the economic and societal legacies of communism, and many parties courted the diaspora for material and political support.

Several constraining legacies of economic statism pushed new parties to seek resources from the diaspora.<sup>19</sup> First, near-universal public employment gave the communist regime leverage over individuals, since an employee could be punished in the workplace for political activities outside of the workplace, such as joining a dissident group (Fish 1995; Greene 2007). This had a dampening effect on party membership, which in turn meant less financial support via domestic party member dues and donations. Second, decades of socialism meant that the availability of private capital, which has been vital to party building and financing opposition movements under other nondemocratic regimes, was limited (Fish 1995).<sup>20</sup> Finally, the state of the economy by the late 1980s meant that even when individuals were freer to donate money to opposition movements, they had little to spare (Lewis 2000). All of these legacies posed serious challenges to resource mobilization. They were compounded by homeland parties' desire to launch modern election campaigns, even hiring expensive Western political consultants and strategists.<sup>21</sup>

A second problematic legacy was societal. Decades of compulsory participation in communist-allied institutions made ordinary citizens skeptical of joining formal political organizations, particularly those bearing the appellation of "party" (Rose and Munro 2009). Although many individuals in the Baltic republics, Yugoslavia, and the Warsaw Pact countries were old enough to have had political socialization prior to communism, decades of social atomism hindered civil society organizations (Howard 2003). Third, wage levelization policies in the communist world, coupled with communist ideology and the weakness of the private sector, meant that there was not a strong middle class or even strong class identity, which made programmatic differentiation harder for new parties (Rose and Munro 2009). This led to a

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<sup>18</sup> In this respect, party building in East Central Europe was similar to the party building scene in post-Franco Spain (Gunther et al 1996; Linz and Montero 1999).

<sup>19</sup> Resource pressures were less acute in the few countries that had public financing for the first election, such as Czechoslovakia (Ondřej and Petr 2007).

<sup>20</sup> Other scholars have noted this problem in Latin America (Greene 2006) and Africa (Arriola 2012).

<sup>21</sup> Karl Vick, "East Bloc Politics with a U.S. Twist: Consultants Hit the Region," *St. Petersburg Times*, January 28, 1990, NewsBank (DAL1106885).

plethora of parties with highly similar programs and similarly generic appeals to democracy and the market (Fish 1995).

In short, these economic and societal legacies affected homeland individuals' willingness to contribute to and participate in new parties, and they made it difficult for parties to mobilize private resources, gain followers, develop coherent collective identities, and thus differentiate themselves from other parties. These challenges created a major incentive for opposition parties to turn to the diaspora for support. For the founding elections, relying on the diaspora as an *electoral* constituency was not feasible, because most communist states did not permit overseas voting.<sup>22</sup> However, for the purposes of mobilizing resources, which was equally important, the diaspora's support had significant potential.

### Forming New Partnerships: Patterns of Diaspora-Homeland Cooperation

Communism's collapse created a perfect storm for what I term "transnational party linkages" – political ties between homeland and diaspora. The legions of newly formed homeland parties were in desperate need of voters, financing, and organizational identities, and the diaspora was sufficiently mobilized and resourceful to be a supplier. After decades of infrequent, tightly controlled exchanges, the interaction between homeland actors and diaspora actors suddenly flourished in the late 1980s.<sup>23</sup> Indeed, in some cases the diaspora's material support dramatically shaped the emerging party scene in the homeland.

Yet the ways in which homeland and diaspora political actors came together during this period of fluidity and political uncertainty were not uniform in the postcommunist region. Two factors in particular were key: (1) whether or not the diaspora was cohesive as a political actor, and (2) whether the diaspora's activist core aided homeland parties or competed against homeland parties by directly seeking power. These differences had important consequences down the road.

First, during the period of communism's collapse, Western diasporas exhibited varying levels of cohesion in terms of *which* homeland parties/elites they supported. In some cases, like Serbia, diaspora support during the late 1980s and early 1990s was fragmented. The Serbian diaspora was divided unto itself, in part due to the diversity in the regions of origin, the reasons for emigration, and ideology, but above all because of the 1963 schism in the Serbian Orthodox Church in the diaspora. Although the Serbian Renewal Movement (SPO) party had the highest number of branches overseas, its popularity was largely limited to the older generation of political émigrés and followers of the breakaway Free Diocese of the Serbian Orthodox Church.<sup>24</sup> The Serbian Radical Party (SRS) had support in the diaspora, too, but so did Slobodan Milošević, particularly in the late 1980s when he first came to power. By contrast, the Croatian diaspora was much more cohesive in its support for homeland political actors. By far the most

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<sup>22</sup> Only a few countries in Eastern Europe, including Macedonia and Poland, allowed overseas voting for the founding election.

<sup>23</sup> Crucially, the exit barriers eased considerably in the 1980s. Governments in Poland and Hungary opened up the border with Germany as an escape valve amid economic stagnation, social unrest, and shortages. Cross-border shopping trips and seasonal employment began before the Iron Curtain even lifted. In late 1988, Poles no longer needed a hard currency bank account or an invitation from a Western country to exit the bloc, and they could keep their passports at home rather than request them from officials each time. While borders remained more strictly controlled in the USSR, Moscow tried to improve its human rights image by allowing Armenians, Germans, and Jews to emigrate more easily. See: Robert J. McCartney, "Tens of Thousands Flee Soviet Bloc for Better Life; Biggest Migration in 30 Years as Emigrants Flock to West," *Washington Post*, April 30, 1989, NewsBank (04\*30\*619654). Yugoslavia, which had opened its borders several decades earlier, was an exception, although political dissidents fared little better than their Warsaw Pact counterparts because their passports were confiscated.

<sup>24</sup> Author interview with former diaspora SPO organizer #4, Hamilton, Ontario, Canada, October 18, 2011.

active party abroad was the Croatian Democratic Union (HDZ), which created over 200 party branches outside of Croatia by the early 1990s. By contrast, the other new parties had at best 10-20 overseas branches. Diaspora Croats raised an estimated \$2–\$8 million for the HDZ's 1990 election campaign. Other new parties had at best \$100,000–\$200,000 to spend on their campaigns in the founding elections.<sup>25</sup> Diaspora media from the late 1980s and first half of the 1990s was strongly pro-HDZ, reinforcing the perception that the HDZ was hegemonic overseas.<sup>26</sup> The party's upper echelons were filled with returnee Croats from around the world, as were parliament and government once the HDZ assumed power. The diaspora thus appeared to homeland political actors to be cohesive. The Armenian diaspora also appeared cohesive to homeland elites because it was ordered around three exile parties, one of which, the Armenian Revolutionary Federation, was the largest and strongest by far.

Second, diaspora mobilization in this period differed in terms of whether it served as an *auxiliary* to homeland parties, or whether it was positioned in *competition* with homeland parties. As divided as the Serbian diaspora was, it could only take on a mildly supportive role rather than directly competing for power in the homeland as a separate diaspora party or coalescing around one party in the homeland. Moreover, its support was diffuse: most diasporans opposed to Milošević supported the opposition as a whole rather than individual opposition parties. There was not much in the way of financial assistance for homeland parties during the late 1980s and early 1990s, and few from the diaspora took on prominent roles in Serbian political parties.<sup>27</sup> The Croatian diaspora, too, was an auxiliary to homeland parties rather than a competitor. In the case of Armenia, the diaspora parties were not supportive of the homeland opposition movement. In fact, in late 1988, the three diaspora parties set aside their differences and issued a joint statement that was completely at odds with the homeland opposition movement (the Karabakh Committee, which would later become the Armenian Pan-National Movement). The diaspora called on Armenians to refrain from strikes and protests that might jeopardize “the good standing of our nation in its relations with the higher Soviet bodies and other Soviet republics” (Libaridian 1991, 129). Then, in 1990-91, the three diaspora political parties reentered the Armenian political arena after more than six decades in exile, and they competed for power *against* domestic parties.

### Perceptions of the Diaspora and Policy Decisions

As the dust settled after the founding elections, parties in East Central Europe struggled to define citizenship, state structures, and electoral codes in an environment of extremely high uncertainty. Parties split, merged, and died off as quickly as new ones were created (Bakke & Sitter 2005; Innes 2002). Voter preferences proved highly unstable, too, leading to great electoral uncertainties for party strategists (Lewis 2000; Rose 1995). Just as parties had strong incentives to turn to the diaspora for *resources* when faced with party-building constraints in the homeland during the late 1980s, now, in the early 1990s, those parties that had built strong relationships with the diaspora saw the latter as a potential electoral reserve to offset domestic electoral uncertainties. For those parties that had built strong ties to diaspora actors during the late 1980s and early 1990s, designing policies that extended citizenship, voting rights, and representation to

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<sup>25</sup> Author interview with former HSLs official, Zagreb, Croatia, June 8, 2010; author interview with former HSLs leader Dražen Budiša, Zagreb, Croatia, June 30, 2010.

<sup>26</sup> E.g. the largest Croatian newspaper in Australia proclaimed the HDZ to be the right party at the right time on the front cover of a December, 1989 issue (“HDZ prava riječ u pravo vrijeme,” *Hrvatski vjesnik/Croatian Herald*, December 8, 1989, pg. 1.

<sup>27</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010; author interview with former SPO member, Stuttgart, Germany, July 15, 2010.

the diaspora was a way to offset the uncertainty of the domestic electorate. Put simply, they could create new electorates.

### **Croatia**

In Croatia, the appearance of unflagging support for the HDZ among the majority of the diaspora was clear to other homeland political actors. They only had to look to the party's vast network of overseas branches, the millions of U.S. dollars that the diaspora donated to HDZ party coffers, and the high percentage of diaspora members in the upper strata of the party's hierarchy. Leaders of the HSP, HDS and HSLs parties, which had attempted to organize in the diaspora during early 1990s, took to party gazettes, legislative debates, and the Croatian press to express their frustration with the HDZ's monopoly in the diaspora.<sup>28</sup> HDZ leaders boasted of the party's success in the diaspora in speeches, the party's gazette, and in the media.

After its 1990 electoral victory, the HDZ government defined the Croatian citizenry on an ethnic basis. Citizenship legislation's permissive criteria carved out an eligible pool of external voters, and the franchise was extended to overseas Croats in 1992, just several months before parliamentary elections, and at a time when the HDZ's commanding electoral support in Croatia began to look fragile due to the HDZ government's unpopular decision to give UNPROFOR troops control over Western Slavonia, and the perceived risk of electoral defection from the hundreds of thousands of internally displaced persons to the ultra-right HSP party.<sup>29</sup> The volatility of the rest of the domestic electorate also seemed to presage potential electoral losses for the HDZ. The party, then, created an expansive framework for overseas voting, which provided for temporary election day polling places outside of consulates and embassies. The law was implemented even more permissively, so that in practice overseas Croatian voters did not even need to meet the requirement of citizenship in 1992.

Electoral uncertainties once again drove the HDZ to create a diaspora constituency within the parliament in 1995. Disappointed by the rather low overseas turnout in 1992, and losing support in Croatia proper among women, farmers, and pensioners, the party transformed the electoral formula so that a fixed 12 seats (nearly 10% of all parliamentary seats) were set aside for the diaspora. Thus, rather than the HDZ's relative electoral benefits from diaspora support yielding an uncertain number of seats that was dependent on overseas turnout, the party could now count on those fixed 12 seats, regardless of turnout abroad. Throughout this period, the Social Democratic Party (SDP), which by the end of the 1990s was the primary opposition party, vehemently objected to the expansive policies on citizenship, voting rights, and representation. The SDP's position was shared by the smaller opposition parties (HSLs, HNS, HSS, IDS).

Beginning in 1999, however, the HDZ's relationship with the diaspora changed, and the ability of the SDP to block or shape legislation grew stronger, particularly after the regime liberalized in 2000. These two factors led to the gradual scaling back of state-diaspora relations in the 2000s. In 1999, the HDZ succumbed to pressure from the opposition and international

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<sup>28</sup> The leader of the HDS, reflecting upon his efforts to organize in Australia, lamented that the "HDZ has formed some sort of monopoly on Australian territory, giving the impression that it was the only Croatian party, that it covers all Croatian interests... [Because of] our late arrival, naturally it was very difficult to develop strong contacts in Australia, get support there, and in some way remove the blockade to our party and overcome distrust. A lot of unreliable information, forgeries, and falsifications were circulated [by the HDZ] to disqualify me and other heads of the HDS." Marko Veselica, "Izvještaj sa puta po Australiji i Kanada," *Hrvatska domovina*, October 13, 1990, p 13.

<sup>29</sup> Overseas voting rights were affirmed in the December 1990 Constitution, but left the mechanics to future legislation.

community and changed the electoral formula for diaspora representation. Now, the number of seats would depend on the level of diaspora turnout relative to homeland voter turnout.

More importantly, however, was the transformation within the HDZ itself after the death of Franjo Tuđman in 1999, and the party's stinging electoral losses in parliamentary and presidential elections in 2000.<sup>30</sup> In the post-Tuđman leadership crisis within the party, moderates and radicals fought over the HDZ's image, its ideology, and its future. The moderates won out, and much of the party's right-wing faction (which had been the strongest bastion of support for expansive diaspora incorporation) stepped down or retired. Most of the diaspora returnees withdrew from the party as well. The HDZ's new leader, Ivo Sanader, dramatically changed the party's ideology, trying to fashion it as a modern Christian Democratic party, and pinning the party's reputation and performance to its ability to further European integration. Appeals to the Croatian nation and nationalism, a trademark of Tuđman's HDZ, were replaced with appeals to a Croatia that was part of the European Union.

The HDZ's central focus on EU accession meant that when important legislation concerning EU accession was on the table, the party was vulnerable to the SDP's demands to change overseas voting practices, citizenship acquisition criteria, and representation of the diaspora. The diaspora was no longer the electoral reserve that it once was, and, with the exception of the 2007 elections, the party largely neglected the strong ties that had been built between the party and the diaspora in the 1990s. The result is seen in changes to diaspora representation and external voting rights in 2010, and to the citizenship law in 2011.

### **Serbia**

In Serbia, the diaspora's lack of cohesion, coupled with its tendency to work with homeland parties rather than compete against them, made it seem like an unpredictable political variable in Serbian politics. This was unacceptable for Milošević, who faced vulnerability in his support among nationalist, right-leaning domestic voters. Having stoked nationalism in the late 1980s to outmaneuver his opponents within the Serbian League of Communists, Milošević now faced competition from nationalist and right wing parties, particularly the SRS and the SPO, over votes from an electorate that he had helped radicalize. With the "luxury" of being in the opposition, these parties could get away with moving even further to the right, and making radical claims to territories in Macedonia and Montenegro, on top of the territories in Croatia and Bosnia-Herzegovina where paramilitary Serb forces were being backed by Belgrade. A large slice of diaspora associational life clung to the symbols and ideas of the World War II-era Chetnik movement that had fought *against* Tito's Partisans, and these organizations' members tended to support the SPO or other nationalist parties. All in all, this would have made it risky for Milošević to turn to overseas Serbs to offset his party's deep electoral uncertainties in 1991 and 1992, when an emboldened opposition led mass demonstrations and strikes on a regular basis, and Milošević's SPS's vote share shrank. While the HDZ carved out new diaspora electoral reserves to shore up the party's position in elections, Milošević managed electoral competition and reduced uncertainties in other ways on an ad hoc basis: by aligning with the ultra-right, by election fraud, by working assiduously to foment opposition infighting, by allowing noncitizen refugees to vote in 1992 (but not in subsequent elections, once they were deemed an electoral

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<sup>30</sup> In the legislative elections, a coalition of the SDP, HSLS, and several smaller parties won the largest vote share (38.7%), while an allied coalition of smaller and regional parties won 14.7% of the popular vote. The HDZ received just 26.8% of the vote. The HDZ candidate did not even make it to the runoff.

liability) and, according to one rumor in the mid-1990s, by extending citizenship to tens of thousands of Chinese immigrants in exchange for their votes for the incumbents. Milošević's wariness of the diaspora is evident in the restrictiveness of laws on citizenship, voting rights, and representation.

What, then, changed in the post-Milošević era? In one single year (2004), external voting rights were introduced, a highly expansive citizenship framework was introduced, and a new Ministry for the Diaspora was created. The simultaneous introduction of diaspora incorporation policies may have the appearance of expansiveness in the overall framework, but in practice only the citizenship law was truly expansive. Why did parties introduce these policies to begin with, and why were external voting rights and representation relatively restrictive in practice? With the emigration of hundreds of thousands of Serbs during the 1990s, Milošević's elimination from the political scene, and the aging of the generation of political émigrés who had been supporters of the SPO in the 1990s, there was more uncertainty than ever about what expansive incorporation policies would mean for domestic parties. In particular, there was concern that incorporating the diaspora would lead to competition over plum assignments in the government, state apparatus, and the economy – sources of appointment-based patronage that parties strongly coveted. The result was a policy mix. The citizenship policy became expansive on paper *and* in practice, but participation and representation policies were much more conservative. Overseas voting rights were formally extended, but the requirements for registration and actually voting were so onerous that they deterred the vast majority of overseas Serbs from voting. The Diaspora Ministry was staffed by homeland Serbs. The Diaspora Council, whose creation the Ministry had spearheaded, was under the Ministry's auspices, and it played virtually no practical role in policymaking.

### **Armenia**

In the Armenian case, diaspora cohesion was closer to the Croatian diaspora's than to the Serbian diaspora. Armenia's diaspora was cohesive to the extent that diasporans fell into one of three party camps in the diaspora, and the same party was the nucleus of diasporic social, cultural, religious, and political life. While this may suggest diffuse diaspora support, in fact the Armenian diaspora is best classified as *cohesive* because the ARF was by far the largest and strongest of the diaspora parties, both in the diaspora, and when the three diaspora parties set up organizations in Armenia. For homeland Armenians, the fact that the trio of exile parties reestablished themselves in Armenia and competed against the homeland opposition movement made it clear that its political incorporation was not in the interest of any homeland parties.

The diaspora's first misstep came in 1988, when the three exile parties issued a joint statement calling on the Armenian National Movement (the opposition movement led by Ter-Petrossian) to exercise restraint, and essentially calling on the ANM to refrain from pursuing independence. Then, the ARF spurned the ANM's invitation to join the homeland opposition coalition. ARF leaders insisted that their party was the rightful heir to independent Armenia. Reintroducing the parties in Armenia also positioned the diaspora against the ANM, which in 1990 and 1991 became the ruling party. The ARF subsequently became an extremely vocal critic of Ter-Petrossian's policies. The government retaliated by deporting the ARF's leader (a Greek citizen) from Armenia, accusing the ARF on numerous occasions of violating electoral laws, and then, in 1994 and 1995, accusing the party of terrorism and drug-trafficking, jailing its leaders, and banning the party for a six-month period that conveniently prevented the ARF from competing in the 1995 parliamentary elections (CSCE 1995). The ARF was not only one of the

ANM's most vocal critics; it was also the party whose candidate was selected president in Nagorno-Karabakh in 1992. Thus, for political elites in Armenia, one of the key objectives of citizenship, electoral legislation and administrative codes was to keep the diaspora politically contained. Dual citizenship was strictly barred. Overseas voting was formally allowed, but the citizenship law's extreme restrictiveness defanged any potential voting challenge from the vast majority of the Armenian diaspora, while diasporans who managed to acquire Armenian citizenship had to wait 5-10 years before they could run for office.

The only major policy reversal in the 2000s was the introduction of dual citizenship. The ARF, one of the governing coalition parties at the time, spearheaded this initiative, and relied heavily on the support of President Robert Kocharian, who was not a member of any party and was in his second constitutionally-mandated term. However, the 2007 legislation on citizenship was enacted in tandem with changes to the electoral code that barred overseas voting and made passive voting rights even more restrictive. The ARF acknowledged that these changes had been made in order to get enough support from the largest governing coalition member, the Republican Party, which was extremely wary of allowing dual citizenship. The overarching goal for all parties aside from the ARF was the same as it had been in the 1990s: to contain the diaspora's political influence in Armenia. Only the formula had changed.

## METHODOLOGY AND ORGANIZATION

As many scholars have pointed out, the structural similarities and shared circumstances of the transition from communism make East-Central Europe and Eurasia an ideal setting to compare political outcomes across cases while controlling for a host of factors (Bockman and Eyal 2002; Bunce 1995; Tavits 2005). Indeed, postcommunist Europe and Eurasia provide excellent cases to test a variety of hypotheses on diaspora political incorporation policies while controlling for factors like geography, external pressure, international norms, position in the global economy, and economic health in the 1990s. Moreover, parties in Eastern Europe faced similar constraints to party building, and parties in most states shared incentives to turn to the diaspora for material support. All of the region's states concurrently faced the tasks of defining their citizenries, determining the criteria for membership, designing new electoral codes, and reconstructing the state apparatus at roughly the same time. Nevertheless, we see variation in the types of party-diaspora linkages that formed, and variation in diaspora political incorporation policies cross-nationally *and* within countries over time.

Armenia, Croatia, and Serbia make particularly good cases for comparison because of the similarities in their migration profiles and the circumstances that they faced in the early 1990s. Steep economic decline, blockades, and sanctions made remittances and aid particularly vital to their economic well-being and state survival. They also shared the feature of being among the world's states with the highest emigrant stock relative to homeland population. Emigrant stock is an indicator that estimates a country's total number of emigrants at a given moment in time; in other words, any citizen or former citizen who at some point was a habitual resident of a given country but currently lives abroad (UNDESA 2007). In Armenia, Croatia, and Serbia, the stock was equivalent to 27, 17, and 22 percent of the homeland population, respectively in the late

2000s (World Bank 2011). Their diaspora stocks were even larger.<sup>31</sup> Next, all three states shared the condition of having diasporas which were highly mobilized in response to the collapse of communism and the onset of war, making them particularly receptive to overtures from the homeland. Finally, in addition to the same pains of economic, political, and ideological transition that other postcommunist states faced, these three states descended into war and violence in the 1990s. The conflict between Armenia and Azerbaijan over Azerbaijan's autonomous region of Nagorno-Karabakh (where the majority of the population was ethnic Armenian) began in the late 1980s and led to inter-ethnic violence and pogroms. Yugoslavia's acute political crises turned violent beginning in the early 1990s,

This study provides a comparative analysis of diaspora political incorporation policies in Armenia, Croatia, and Serbia. It leverages two sources of variation: cross-sectional variation among these three cases, and variation in each case's diaspora incorporation policies across two distinctive policymaking time periods. Rigorous analysis of comparative public policy requires nuanced data on the formal and informal aspects of policy, an understanding of the gap between policy on paper and policy in practice, and sensitivity to the political context of policymaking. In order to carefully reconstruct policy debates and outcomes, I draw on a variety of sources and types of data, in English as well as in Russian and Serbo-Croatian. I pair cross-national data on citizenship and overseas voting trends with a wealth of data on diaspora political incorporation policies in Armenia, Croatia, and Serbia. I conducted 15 months of fieldwork in Armenia, Croatia, and Serbia, where I interviewed more than 135 government officials, members of parliament, civil servants, diplomats, party organizers, lawyers, and local experts. To better understand policy in practice and its effects on the diaspora's actual incorporation, I had additional informal interviews with dozens of diasporans who have "repatriated" to Armenia, Croatia, and Serbia. I also conducted short-term fieldwork in Canada, the United States, and Germany, where I interviewed diaspora community activists and consular officials.

In addition to interview data, I collected a wealth of archival data from homeland and diaspora newspapers, foreign media, government reports, party records and gazettes, parliamentary publications, and data and reports from international organizations including the Organization for Security and Cooperation in Europe, the Commission on Security and Cooperation in Europe, the Council of Europe's Venice Commission, the United Nations High Commissioner for Refugees, the International Organization for Migration, and the European Union.

The study is organized as follows: Chapter 2 provides background on the Armenian, Croatian, and Serbian diasporas, including their structural characteristics, historical formation, and relations with communist governments until 1991. It then discusses the transnational political linkages formed between homeland opposition politicians and diaspora organizations and elites from 1989 until 1992, highlighting the different patterns of linkages, and their effects on citizenship, external voting, and diaspora representation institutions further down the road. The next three chapters each address one of the three dimensions of diaspora political incorporation -- membership, participation, and representation. These chapters give a theoretical overview of each dimension, and analyze global trends in citizenship legislation (Chapter 3), external voting frameworks (Chapter 4) and diaspora representation institutions (Chapter 5).

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<sup>31</sup> "Emigrant stock" is always a smaller figure than "diaspora stock," since it excludes citizens who have never resided in the country (e.g. the children of emigrants) or communities of kin who have never resided in the country (e.g. autochthonous communities of Serbs in Romania). If these populations were included, the stock would be even higher.

Each chapter shows how policymaking in Armenia, Croatia, and Serbia was tied to domestic parties' electoral incentives, how parties' perceptions of the diaspora as a political actor remained rooted in the mobilization period surrounding the founding elections, and how new electoral uncertainties subsequently engendered revised diaspora incorporation policies. Finally, Chapter 6 gives a summary of the findings, and discusses the second-order effects of diaspora political incorporation policies.

## **Chapter 2: Patterns of State-Diaspora Linkages**

Elites in countries of emigration have a strong incentive to consider the political ramifications of any changes to citizenship, overseas voting rights, and the representation mechanisms of overseas kin. The challenge, however, is to take the political pulse of a population that is poorly specified. No matter how economically developed or high-capacity a state may be, it is impossible to have precise data on everyone who leaves, where they go, their socioeconomic status, and their political outlook. It is even more difficult for countries like Armenia, Croatia, and Serbia, where political transition and state administrative overhaul have compounded the challenge of defining legal and political relations with the diaspora.

Extending legal status, political rights, and representation mechanisms is a gamble for homeland parties and elites because of their limited knowledge of the political consequences. Elites must make decisions on citizenship, overseas voting rights, and representation mechanisms on the basis of their perceptions of the diaspora rather than objective data. These perceptions are shaped by their encounters with the diaspora and impressions during periods when the diaspora is mobilized and homeland-diaspora political linkages multiply. The watershed period of communism's breakdown and subsequent collapse triggered diaspora mobilization in the West. In most postcommunist states, at least some homeland parties or actors reached out to the diaspora and harness the latter's wealth, experience, and political support. Equally important, at least some subset of their diasporas became engaged in (or tried to become engaged in) homeland politics. These exchanges in the period of roughly 1988-1992 came to constitute the stock of knowledge that homeland elites used to make policy choices on diaspora political incorporation in the postcommunist period.

The goals of this chapter are threefold. First, it develops a simple schema to describe the patterns of relationships that form between homeland governments and diasporas during periods of mutual mobilization. Second, it develops profiles of the Armenian, Croatian, and Serbian diasporas by discussing their composition, providing a brief history of the key political actors and issues in the diaspora, and then sketching the state of the diaspora at the time of communism's collapse. Third, using a variety of primary and secondary sources and interviews with diaspora actors, this chapter then reconstructs the new linkages between homeland and diaspora during the late 1980s and early 1990s. The linkages described in this chapter are important because they strongly shaped homeland political elites' perceptions of the diaspora as a political force when diaspora political incorporation policies were crafted in the 1990s

### **PATTERNS OF STATE-DIASPORA POLITICAL LINKAGES**

The first ingredient for the formation of homeland-diaspora linkages is some sort of crisis or rupture that leads to mobilization in the diaspora and political fluidity in the homeland, which, in turn, prompts homeland political actors to reach out to the newly mobilized diaspora. The potential triggers are varied, ranging from systemic upheaval wrought by war, state collapse, regime change, and economic collapse, to more localized sources of political instability, such as party system change, a leadership succession, a particularly contentious election, and the introduction of new political actors. What is important for our purposes is that these shocks render political parties (as well as the party systems and electoral environments they are

embedded in) much more malleable and open to forming new ties to the diaspora, and that the diaspora in turn is mobilized enough to be receptive to these new linkages.

Although it is usually homeland actors who make the initial overture to the diaspora, the pattern of state-diaspora linkages that these overtures yield depends on two diaspora characteristics, one structural (diaspora cohesion) and one agential (whether the diaspora acts as an auxiliary vis-à-vis homeland parties or as a competitor).

### Diaspora Cohesion

Diaspora cohesion simply refers to how cohesive the diaspora's politically active subset is in terms of identity, salient issues, and goals. When cohesive, there is general agreement on what the major issues are, and what the optimal outcomes are. There are no deeply polarizing issues, and no major rifts or fault lines that divide the diaspora into powerful, roughly equal camps. Cohesion does not mean that all organizations have harmonious relations and work together like a well-oiled machine (one is hard-pressed to think of *any* diaspora for which this is the case), but simply that there is general consensus on the issues and goals. In the case of the Croatian diaspora, by the time of communism's collapse, the issues that had strongly divided the Croatian diaspora organizations in the mid- and early 20<sup>th</sup> century had given way to consensus on the goals. The diaspora organizations, while certainly not harmonious in their relations with each other, at least agreed on their preferred outcome of the "Croatian Question" – whether Croatia should be independent or part of Yugoslavia. Cohesion also characterizes the Armenian diaspora in the late 1980s, when the three diaspora parties agreed that Armenia's continued membership in the Soviet Union was preferable to its independence, because the diaspora groups' ultimate goals were to regain the territory of historic Western Armenia and secure genocide recognition from Turkey, and these goals were best served by remaining attached to a "Third Force" protector like Russia. For homeland political elites, it is easier to take the political pulse of a cohesive diaspora. Political elites in Croatia and Armenia felt relatively certain about the political consequences of diaspora political incorporation.

In a fragmented diaspora, on the other hand, there is deep polarization on issues of identity, issues, or goals. There are numerous organizations, and the diaspora is characterized by infighting. Divisions on issues of major importance make it difficult for homeland actors to get an accurate read of the diaspora's political profile because it is difficult to identify any homeland party with which "the diaspora" (as a single actor) is a best fit. Empirically, there is no single homeland party that seems to "win over" the politically active subset of the diaspora. In the late 1980s, Serbia's diaspora was deeply fragmented. Not only was there disagreement on what kind of Serbia was desired (an independent Serb state versus a Yugoslav state), there were divisions over whether Milošević was the best leader to transition to a Serbian state. The deepest source of polarization was the 1963 schism in the Serbian Orthodox Church, which essentially split the diaspora into two polarized camps that were in turn internally divided.

### Auxiliary or Competitor?

The second key variable in patterns of relations is whether the diaspora acts, during the initial period, as an auxiliary by working with a homeland party or parties, or whether actors from the diaspora act as a viable political competitor to homeland parties. Whether or not the diaspora acts as auxiliary or competitor can depend on several factors. For instance, if one diaspora organization is a clear leader among the diaspora, is indisputably the largest and most

important, or has a legitimate claim to speak for the rest of the diaspora, there may be a much stronger basis for a diaspora actor to compete against homeland parties. This was the case in Armenia. Even though the three exile parties had acrimonious relations, one of the parties (the ARF) was so dominant vis-à-vis the other two parties that it effectively could act alone.

Other factors such as resource bases, leadership, the presence of exile parties in the diaspora (which are a more logical platform from which to launch a homeland political campaign) and incongruity between homeland parties' goals and means, on the one hand, and those of the dominant elements of the diaspora, on the other, also shape decisions to act as an auxiliary or as a competitor.

Table 2.1 displays this simple ideal type.

**Table 2.1 Typology of diaspora-homeland ties**

	Auxiliary	Competitor
Cohesive	<i>Croatia</i> - diaspora cohesion in goals/means - diaspora aids homeland party(ies) rather than compete against them	<i>Armenia</i> - diaspora cohesion in goals/means - diaspora competes against homeland party(ies) rather than aid them
Fragmented	<i>Serbia</i> - diaspora fragmentation in goals/means - diaspora aids homeland party(ies) rather than compete against them	<i>(Theoretically unlikely)</i> - diaspora fragmentation in goals/means - diaspora competes against homeland party(ies) rather than aid them

With respect to diaspora incorporation policies, the sources of variation in these two attributes – coherence/fragmentation and auxiliary/competitor – matter less than their consequences, because homeland elites use these types of relationships to gauge the political impact of an incorporated diaspora. In the following sections, I show how these dynamics played out in the Croatian, Serbian, and Armenian diasporas.

## THE POLITICS AND PROFILE OF THE CROATIAN DIASPORA

[It] was almost impossible to arouse [Croatian immigrants'] patriotic sentiment... There existed a general disposition towards organized action, but we needed some kind of explosion or national tragedy to rouse the contented and dormant multitude.

Joseph Kraja  
Financial backer of the 1930s-era Croatian Circle organization<sup>1</sup>

### Diaspora Composition

The Croatian diaspora is the product of more than 150 years of economic and political migration from the Western Balkans. The first wave of mass emigration commenced in the late 19<sup>th</sup> century and continued up to World War I. Another wave of emigration took place in the interwar period, and was followed by political emigration in the immediate aftermath of World War II. Illegal economic and political migrants joined this initial postwar cohort over the

<sup>1</sup> C.f. Kraja 1964-5, 146

subsequent decades of socialist rule. Then, beginning in the 1960s, the Yugoslav government signed guestworker agreements with Western European governments, leading to the legal emigration of hundreds of thousands of Croats to Germany and other European destinations. More recently, since 1990 more than 150,000 Croats have emigrated, many of them educated professionals (Golub 1996, 2002). Finally, although they are not considered diaspora (*iseljenišтво*) per se, there are ethnic Croat communities in adjacent and nearby states. These groups are all considered to fall into the category of Croatia outside of Croatia.

Several economic and political factors converged in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries to stimulate an exodus of hundreds of thousands of Croats from what was then an undeveloped rural backwater of the Austro-Hungarian Monarchy. This earliest wave of emigration was particularly heavy in coastal Dalmatia and its islands.<sup>2</sup> Dalmatia's economy hinged on shipping and wine production, and both sectors were dealt serious blows in the late 19<sup>th</sup> century.<sup>3</sup> In November of 1892, a coastal city newspaper noted that "the regular pace of emigration to America has turned, this year, into an avalanche. There isn't a steamer [departing from our ports] that doesn't carry some of our emigrants" (c.f. Antić 1997, 74).

In all, an estimated 350,000 to 600,000 Croats emigrated between 1880 and World War I.<sup>4</sup> The majority settled in emerging industrial centers like Pittsburgh, Cleveland, and Chicago and joined the American working class (Antić 1997; Čizmić et al 2005).<sup>5</sup> As with other contemporaneous immigrant communities, chain migration led to the transplantation of Croats from the same villages and islands into the same neighborhoods and cities in their host states (Antić 1997). The demographics of Croatia's immigrants were typical of European immigrants at that time: 80% were peasants and fell in the age range of 15-40, and nearly 90% of them were men. Most immigrants continued to support their families back home by sending remittances, which funded domestic consumption and village improvements (Prpic 1971, 141-143).

In the World War I settlement, the Kingdom of Serbs, Croats, and Slovenes was fashioned out of the dismembered South Slav lands of Austria-Hungary. In the interwar period, an estimated 100,000 Croats emigrated overseas from the Kingdom due to combined economic and political motives. Thanks to immigration restrictions in the U.S. as of 1924, most interwar emigrants went to Canada, Australia, and especially to South America. On the eve of World War II, an estimated 130,000 first and second generation Croats lived in Argentina (Antić 1997, 153).

Return migration was surprisingly prevalent. Early 20<sup>th</sup> century U.S. government reports indicate that a third or more of Croatian immigrants returned home (Prpic 1971). With the onset of the Great Depression, a growing number of Croatian immigrants who fell on hard times sought repatriation to what was now a different state from the one they had left – the Kingdom of Yugoslavia. As would be the case at the end of the 20<sup>th</sup> century, many returnees found it difficult to readapt to life in the old country, and wound up re-emigrating.

A wave of Croatian political emigrants fled Yugoslavia during and immediately after World War II. Most of the 200,000 or more who left went to refugee camps in Austria and Italy, and later moved farther afield (Čizmić et al 2005). One of the major events that shaped the post-WWII political émigrés' psyche was the Bleiburg, Austria massacre in May of 1945. As

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<sup>2</sup> What was then "Croatia-Slavonia" was administered by Hungary, while coastal Dalmatia and, until 1867, the military frontier region of Krajina were administered by Vienna (Taylor 1948, 269).

<sup>3</sup> Ship-building and shipping suffered with the steamship's introduction, while an 1891 trade agreement between Italy and the Monarchy greatly reduced tariffs on imported Italian wine, devastating Dalmatia's wine economy (Antić 1997, 73-81).

<sup>4</sup> The more conservative figure comes from Čizmić et al 2005, 21. The larger figure is from Prpic 1971, 143.

<sup>5</sup> A number of early Dalmatian emigrants settled in Louisiana and California, where they engaged in fishing and agriculture.

Croatia's Axis-aligned Independent Croatian State (NDH) regime crumbled and the communist Partisans converged on Zagreb, a large contingent of NDH combatants and civilians fled the country. A column of several hundred thousand soldiers and civilians reached the River Drava at the Slovenian-Austrian border in mid-May, 1945. The would-be refugees were rounded up by British soldiers, packed into train cars, and transported back to Tito's Partisans. When the trains were unloaded in Slovenia, the Partisans killed most of the NDH soldiers on the spot. The number of victims is unknown. A more conservative estimate is 30,000, while some Croatian nationalists have put the figure closer to 200,000 (Tanner 2010, 168-70). Those who survived the massacre fled abroad and carried the trauma with them into emigrant communities, where it became a potent symbol of Titoism for political émigrés (Čizmić et al 2005).

Roughly 100,000 Croats emigrated in the 1950s and 1960s. Many of them were young people who took the risk of illegally emigrating. Like the immediate postwar émigrés, they often spent time in European refugee camps for a year or so before being permitted to emigrate to a new host state. They tended to be better educated than their peasant predecessors, but settled in existing diaspora communities in Americas, Australia, and Western Europe (Čizmić et al 2005). While politics may not have directly motivated many of the illegal emigrants in the 1950s and 1960s, many of them were forced to leave because of direct or subtle economic and political repression because they came from regions where the NDH had garnered particularly strong support during WWII, or because they had family members who were involved in the NDH.<sup>6</sup>

In October of 1968, the Yugoslav government did something that was unprecedented in the socialist world: it signed an agreement with the West German government to send 500,000 Yugoslav guestworkers to the latter over the course of five years (Woodward 1995, 29). Socialist countries were supposed to have full employment, but economic reforms introduced in Yugoslavia in the 1960s led to increased unemployment of hundreds of thousands of workers (Shonick 2009). In the 1971 Yugoslav census, 255,000 citizens of Croatia were abroad as guestworkers or their family members. Two decades later, the census indicated that there were 285,000 migrants outside of Croatia as guestworkers or family members (Nejašmić 1995, 7).

Since 1991, Croatia has experienced further emigration of many skilled workers and educated professionals.<sup>7</sup> The precise figures are unknown, but demographers estimate that, not including refugees or displaced persons, between 180,000 and 200,000 people left between 1991 and 2001 – the equivalent of nearly 5% of the 2001 population of Croatia (Akrap 2005). Most emigrants ranged in age from 20-40.<sup>8</sup> The largest share of them went to European countries, although large contingents also immigrated to Canada, the United States, and Australia. War, lack of employment or professional development opportunities, a desire to live abroad, and dissatisfaction with the political situation in the country were the key motivators.

## Politics and Organization

### **Pre-World War II**

An ever-evolving population of Croatian organizations arose to provide social, cultural, fraternal, and political activities for immigrants. The earliest Croatian immigrant organizations in the U.S. were fraternal organizations that provided social support to destitute and isolated

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<sup>6</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

<sup>7</sup> Ivan Čizmić, "Suvremeno iseljavanje i povratak iseljenih hrvata u neovisnu Hrvatsku," *Dom i svijet*, No. 392, July 4, 2002, <http://www.hic.hr/dom/392/dom05.htm>.

<sup>8</sup> Marijana Cvrtila, "Hrvatska pojma nema koliko joj se ljudi iseljava," *Slobodna Dalmacija*, March 3, 2012, <http://www.slobodnadalmacija.hr/Spektar/tabid/94/articleType/ArticleView/articleId/166185/Default.aspx>.

immigrants. Pittsburgh, as the site of major industrial and mining sectors that employed tens of thousands of Croats, was the hub of Croatian fraternalism; it was here that the Croatian Heritage Foundation was created in 1894.<sup>9</sup> By 1912, the organization had over 30,000 members, and 55,000 members by 1925. Fraternal organizations provided social benefits, cultural programs, and a support system (Čizmić et al 2005; Prpic 1971).

Croatian parishes were the nucleus of immigrant communities. They were a source of social life, providing a venue for organizational meetings, cultural programs, religious worship, and language classes; churches also helped sustain Croatian identity among the second generation and beyond by providing language instruction and cultural programming. Unlike the constantly shifting population of other diaspora organizations, the church institutions provided stability and continuity.

Beginning around the turn of the 20<sup>th</sup> century, some of the immigrant organizations developed a nationwide presence. For example, Croatian immigrants formed *Sokols* (“Falcon”) organizations, first in Chicago in 1908, and within several years there were nearly 30 more chapters with a combined membership of 1,000 (Prpic 1971, 179-80). The *Sokols* were modeled on the athletic-patriotic organizations that were popular in Germany and the Habsburg lands in the late 19<sup>th</sup> century. However, by the time of World War I, with dismemberment of the Austro-Hungarian Monarchy seeming ever more likely and the Yugoslav Committee agitating in émigré communities to build support for a South Slav state, the *Sokols* nearly went extinct due to an internal split between a faction favoring an independent Croatia and a faction favoring a South Slav state. This organizational vignette of the *Sokols* demonstrates three important themes of diaspora organizational life – themes that would persist in the interwar period, and well into the post-WWII era: 1) the short lifespan of most organizations, 2) the pervasive, continual fighting and factionalism within and between diaspora organizations, and 3) the importance of the “Croatian Question” – whether Croatia should be an independent state or part of a Yugoslav state.

Even prior to World War I, many organizations had an explicitly homeland-oriented focus. In 1903, Croatian immigrants in the U.S. protested the Magyarization policies introduced by Croatia’s Hungarian overlord. Much like they would some 90 years later, Croats who had moved as far and wide as Australia, Chile, Argentina, and the United States organized fundraisers, held protests, and passed resolutions expressing solidarity with homeland Croats (Čizmić et al 2005).

After 1903, political elites in Croatia became more aware of the overseas Croatian population’s potential political uses. The practice of homeland politicians coming to the immigrant colonies to raise funds was relatively common, much like it would be in the late 1980s and early 1990s. As Prpic (1971: 282) notes, “That the practice of raising money for all kinds of funds was too frequent is evident from the numerous complaints published in American Croatian newspapers. Some editors deplored and attacked the old-country politicians, some of whom were no more than political adventurers, all of whom wanted money from the poor immigrants.” Even Stjepan Radić, the founder of the Croatian Peasant Party and one of the most important figures in Croatian politics in the early 20<sup>th</sup> century, made plans to visit.<sup>10</sup>

During World War I, the Croatia Question divided the Croatian emigrants. The more Croatia-oriented political views of immigrants in the U.S. became more Yugoslav-oriented, at least among some immigrants. The Yugoslav Committee (*Jugoslavenski odbor*) was established

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<sup>9</sup> Originally called the “Croatian Association,” the Croatian Fraternal Union was the merger of 4 fraternal organizations in 1926.

<sup>10</sup> While Radić visited diaspora colonies in other European countries, he never went overseas.

in 1915 and headquartered in London to be closer to the ear of the key player in the Entente – Great Britain. The Committee dispatched representatives to mobilize material and political support in émigré communities. In 1915, the Yugoslav Committee organized the first Yugoslav National Congress in Chicago, bringing together 563 Serb, Croat, and Slovene delegates representing an array of diaspora organizations in Canada and the U.S. (Čizmić et al 2005, 319-20). A similar pro-Yugoslavia congress was held in South America later that year. The Yugoslav idea was not wholly embraced by emigrants; many of them agitated for a wholly independent Croatia. The pro- and anti-Yugoslavia fault lines ran through the press and associational life, and fissured many existing institutions, including the aforementioned *Sokols*.<sup>11</sup>

Many early immigrants became active in the U.S. labor movement. They were, after all, concentrated in heavy industry and mining sectors where the organization impulse was strongest. In addition to joining the Socialist Party, they founded their own socialist organizations. In 1910, Slovene, Serb, and Croatian socialist sympathizers met to create a South Slavic Socialist Federation that became affiliated with the American Socialist Party. The strong participation and activism of pre-WWI immigrants in the labor movement and socialist organizations, and the fact that many of these institutions encompassed the South Slav nationalities (primarily Slovenes, Serbs, and Croats, but also Bulgarians and Muslim Bosniaks) made them particularly receptive to Yugoslav identity and a South Slav state.

In the interwar period, Croats remained divided on the Croatian Question. The Kingdom of Serbs, Croats, and Slovenes, created in 1918, encountered growing opposition in the diaspora. Much of this opposition in the diaspora was organized in cooperation with or in solidarity with homeland political parties. Here I briefly discuss three camps within the diaspora during the interwar period: the left, the nationalist center, and the right.

*The Left:* Croats who were active in the U.S. labor movement and American socialist parties provided a fertile recruiting ground for communist organizers from Yugoslavia. When a 1921 law in the Kingdom of Serbs, Croats, and Slovenes banned the operation of any communist organizations on Yugoslav territory, communist leaders fled abroad, including Tito. Some went to Moscow and others to fight in Spain. They drew on support of Croats involved in the labor movement overseas. For instance, the Second Conference of Croatian Communists was held in the U.S. in 1937. Croats were widely involved in communist movements in Australia and Canada as well (Čizmić et al 2004, 335).

After 1941, with the establishment of the fascist NDH in Croatia, left-leaning Croats in the U.S. became vocal critics of the new regime. The American Croatian Congress, held in 1943, endorsed a second attempt at a Yugoslav state, and pilloried the Ustasha (Krišto 2009, 174). Other Croatian organizations also expressed their support for Tito's Partisans and for a renewed attempt to build a Yugoslav state. This support surged after the Tehran Conference, when the Allies shifted their support in Yugoslavia's civil war from the Serbian Chetniks to Tito's Partisans (Krišto 2009, 180-1). A number of Croatian organizations in the U.S. subsequently began fundraising to help Yugoslavia and the Partisans.

*The Nationalist Center:* Under the first Yugoslav state (1918-1941), the largest and most important Croatian party was the Croatian Peasant Party (*Hrvatska seljačka stranka*, HSS). Founded in 1904 by the Croatian brothers Ante and Stjepan Radić, the party quickly became a key actor in Croatian politics. Under the Kingdom of Serbs, Croats, and Slovenes, the HSS

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<sup>11</sup> Of course, many immigrants remained passive, or focused more on the U.S. war effort.

advocated more autonomy for Croatia, and hinted at possible independence.<sup>12</sup> During a 1928 parliamentary session, a Serbian deputy shot and killed Radić and several other HSS deputies. In an audacious bid to break the Croat-Serb gridlock and stymie any further disintegration, King Alexander instituted a royal dictatorship six months later, and ordered a ban on any parties or groups that had an explicitly ethnic or religious affiliation (Benson 2001, 53). Several top leaders from the HSS fled abroad, where they reached out to emigrants. In 1931, with the party ban partially lifted, the HSS became active in politics again under the skilled leadership of Vladko Maček. When Yugoslavia was turned into a federation in 1939, the HSS assumed control of the Croatian Banovina, and its head was the HSS member Ivan Šubašić.

As we saw earlier, the Croats in the U.S. were familiar with Radić's party early on. The Croatian diaspora's support for the party grew stronger after the Kingdom of Serbs, Croats, and Slovenes was established in 1918. In 1919, a large assembly convened in Cleveland with delegates from most U.S. Croatian organizations. The result was the creation of the Croatian League in America (*Hrvatska liga*), whose program and principles essentially reiterated those of Radić's HSS party in Croatia (Čizmić et al 2004, 327; Prpic 1971, 257). At the League's request, in 1922 a delegate from the HSS party went to the diaspora colonies to help establish branches and inform the broader base about events in Croatia. The homeland HSS's main organ, *Dom*, and Stjepan Radić's books were sold in the diaspora. The Croatian Fraternal Union, which had the largest membership of any diaspora organization, endorsed the HSS's political program. Soon, HSS branch organizations could also be found in Australia, New Zealand, and Europe (Čizmić et al 2005, 327).

Another political organization that falls into the *nationalist center* category is the Croatian Circle (*Hrvatsko kolo*), which was created after Radić was shot in parliament in 1928, and Croatia proper seemed to be on the verge of total revolt. (The League by this time was rife with infighting.) The Circle had 41 branches in North America, and they provided material and monetary support for the independence cause.<sup>13</sup>

*The Right:* The fascist Ustasha movement that seized control in Croatia with the backing of the Axis powers in 1941 had strong ties to the émigré scene. Ante Pavelić, leader of the brutal NDH regime, fled Yugoslavia in 1929 as a secretary of the right-wing Croatian Party of Rights (*Hrvatska stranka prava*, HSP). He eventually settled in Mussolini's Italy, where he set up camps to train militants. The Ustasha mouthpiece, *Nezavisna hrvatska država*, was established in Berlin and distributed hundreds of copies to the U.S. (Krišto 2009, 172). Pro-Ustasha branch organizations were established in Europe to recruit Croatian emigrants to attend the training camps in Italy. Many of the new recruits were Croats who had recently fled repression in Yugoslavia. The Ustasha had a particularly strong following in Argentina. In 1931, an associate of Pavelić oversaw the formation of the first pro-Ustasha Croatian Defender (*Hrvatski domobran*) organization in Argentina; soon there were some 40 chapters in the country. Pavelić's associate also went to the United States to organize some 20 Defender branches.<sup>14</sup>

The preceding discussion is not a comprehensive overview of the political divisions and issues in the Croatian émigré scene prior to World War II, but it is an illustrative look at some of the patterns of organization, and the issues that both united and divided immigrants. Much like

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<sup>12</sup> During the Royal Yugoslav period, the HSS was inconsistent on this point, never explicitly advocating outright independence.

<sup>13</sup> At its 1930 Congress, Kolo raised thousands of dollars for anti-Yugoslav organizations in Croatia (Prpic 1971, 269).

<sup>14</sup> After the assassination of King Alexander Karadorjević in 1934, the U.S. government began monitoring the *domobran* main organizer, Branimir Jelic, to see if he was funneling money to Ante Pavelić in Italy. The FBI monitored other ultra-right and pro-communist groups during World War II (Krišto 2009, 169).

the postwar diaspora scene, it was *not* the case that every single Croatian immigrant was active in political organizations – a large subset remained largely passive and focused on their everyday lives and integration into their new countries. It was the political active subset, however, that was able to influence homeland affairs, first in the interwar period and then in a remarkable way in the late 1980s

## **Post-World War II**

An estimated 45,000 Croatian immigrants came to the U.S. from 1939-1968 (Prpic 1971, 407). As the veteran American Croatian commentator Bogdan Raditsa observed (1958, 11), the post-WWII Croatian immigrant to the U.S. “belonged in general to a different type from his predecessors. He was not a peasant or fisherman seeking economic opportunity, but a refugee from Communism with a political and intellectual background...To North America they brought, as their chief stock in trade, their opposition to communism.” The post-war immigrants changed the politics of the Croatian diaspora in major ways. The leftist, class-oriented politics of many of the “old timer” pre-war immigrants was overwhelmed by the nationalist, anti-Yugoslav and anticommunist orientation of the new arrivals.

The political émigrés, seeing themselves as exiles with a special mission to liberate Croatia from the socialist Yugoslav yoke, were of the opinion that any cooperation between diaspora and homeland should cease. Like the pre-war immigrants, they had their own newspapers and magazines, and these publications played a key role in defining the views of political émigrés and relaying them to the broader diaspora communities, including the less politicized, less radical Croatian immigrants who arrived beginning in the 1950s (Čizmić et al 2005). Even though the new arrivals could reach the 1950s rendition of the American dream much more rapidly than their peasant predecessors, many of them remained fixated on homeland politics. Those who were most focused on homeland affairs felt “separated and alienated from the America around them, and...continue[d] to huddle insecurely in their segregated little communities;” within the enclaves,

[i]t has been, quite naturally, the more liberal and venturesome spirits among the émigrés who find it easiest to leave these enclaves and plunge into the American world at large. As a result, the reactionaries have with the years become even more dominant in the émigré communities...[These] hard-core émigrés who are unable or unwilling to do so become even more bitter and fanatical. There is a very real danger in this process. For these émigré enclaves – whether church, ethnic, or fraternal organizations – are largely responsible for sponsoring and harboring the newest arrivals...The latter may not share their prejudices at first, but are liable to absorb them (Raditsa 1958, 14).

The active postwar diaspora organizations included the HSS lodges, the branches of the CFU – which had a membership of nearly 110,000 by 1957 – and the ultra-right organizations. A crucial transformation took place in the political ideology on the diaspora scene. As the pre-WWII generations aged and became less active in diaspora life, the left wing of the Croatian diaspora slowly withered away. By 1970, there was only one Croatian left-oriented paper in the United States (Prpic 1971, 422). While a large subset of the diaspora neither loved nor loathed Tito’s Yugoslavia, they were not active in politically left-leaning organizations in the same way that pre-WWII Croats had been. McCarthyism and Cold War politics poured ice water on the dying coals of the American Croatian left. Moreover, the constant stream of fresh arrivals from Croatia painted a dramatically different picture of Tito’s Yugoslavia from the stories spun by communist propaganda (Čizmić et al 2005). Thus, the left-right polarization in the Croatian

diaspora faded by the 1970s. The main cleavage among the politically active diaspora was between the nationalist center and the radical right.

*The Nationalist Center:* After World War II, the leader of the HSS, Vladko Maček, remained in exile until his death. In his speeches in exile, Maček insisted that the HSS was the only legitimate representative of the Croatian people since the party had won the 1938 elections. At first, the HSS continued its long-standing tendency to vacillate on the Croatian Question. In the early postwar years, the HSS leadership supported the continuation of Yugoslavia, but an anti-communist one in which Croatia had equality with the other republics. The HSS clashed with the right-leaning organizations that envisioned an independent Croatia at any cost (Čizmić et al 2005). Another exile HSS party member, Juraj Krnjević, visited almost all of the HSS branches worldwide in the early 1960s to impose a degree of unity and coordination in the branches' activities. After Maček's death in 1964, it was Krnjević who took over the party leadership. As president, he decided that it was time to take a strong stance on the Croatian question. Through the HSS newsletters, he steered the party to fully embrace an independent Croatia. At the 1969 party convention in Toronto, at the behest of Krnjević, a resolution was passed that in no uncertain terms stated the HSS's support for an independent, democratic Croatia. The party now opposed *any* Yugoslavia, democratic or communist (Čizmić et al 2005).

In the 1970s and 1980s, however, a sharp internal rift weakened the HSS. One camp supported the London-based Krnjević (president of the worldwide HSS), and the other supported the Canadian Croat Mladen Zorkin (president of the HSS in Canada), who had been expelled from the party. The rift culminated in a legal battle in the Canadian courts over party resources.

Despite attempts at reconciliation, especially after Krnjević's death in 1988, the HSS was a divided, weakened organization. It was also a graying one. The party members who had been involved in the party in Croatia during the interwar period were dying off, which undermined the party's claims to be the legitimate representative of Croatia. The HSS had less support from post-war émigrés.<sup>15</sup> The failure of this push for reconciliation coincided with something important: the lecture tours of Franjo Tuđman in Canada and the United States in 1987, 1988, and 1989. Rather than invest in repairing a damaged organization, many HSS members and leaders jumped ship and joined the new HDZ. In fact, many of the prominent, early diaspora members of the HDZ were formerly involved in the HSS. One of Tuđman's earliest erstwhile HSS supporters, Ante Beljo, arranged for meetings between Tuđman and other high-ranking HSS leaders to get them to join the HDZ (Čizmić et al 2005). Only one diaspora HSS member became prominent in Croatian politics through ascent in the homeland HSS. By contrast, a number of émigré HSS members who joined the HDZ went on to have high-profile careers in the HDZ organization, the government and parliament in Croatia (Čizmić et al 2005).

At the same time, political elites in Croatia launched a new HSS, seizing the mantle of the venerated historical party. Yet the exile HSS and the new homeland HSS had little interaction from the outset. Like the exile party organization, the homeland Croatian party organization suffered from internal divisions (Čizmić et al 2005).

The HSS was not the only organization in the nationalist center. Liberal economic and political reforms introduced in Yugoslavia in the 1960s prompted a wave of nationalist reawakening in Croatia. One outlet for this reawakening in Croatia was criticism of the status of the Croatian language under Yugoslavia. Meanwhile, reformists within the Croatian League of Communists pushed for more devolution to the republics in the area of economic policy. The

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<sup>15</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

republic's party leaders challenged Belgrade by harnessing mass support, but they soon found themselves unable to control or contain popular dissent in Croatia (Benson 2001, 112-122).

The crackdown on the Croatian Spring leaders and supporters drew the ire of Croatian diaspora communities worldwide; most staged some sort of protest or sit-in. As had happened so often before, homeland crisis prompted diaspora organization leaders to try to coordinate their efforts. To this end, the Croatian National Council (*Hrvatsko narodno vijeće*, HNV) was established in Toronto in 1974 when delegates from diaspora organizations in North and South America convened. Of the major organizations, only the ultra-right HOP (see below) and the Croatian Peasant Party were absent. The HNV was officially nonpartisan, and backed the independence of the Croatian nation (Čizmić et al 2005). The HNV was an elite institution composed of the cultural elite and intellectuals of the Croatian diaspora; it did not have the HSS's mass membership base. This stunted its ability to act as the voice of the Croatian diaspora, and it often clashed with the radicals. In fact, of the politically active subset of the Croatian diaspora, the HNV elite tended to abstain from supporting the HDZ.

*The Right:* Ante Pavelić, the leader of the fascist NDH regime, fled to Argentina after World War II along with some of his associates. The Croatian Liberation Movement (*Hrvatski oslobodilački pokret*, or HOP) was formed in Argentina in 1956. It was an unabashedly pro-Pavelić, pro-Ustasha, and pro-NDH organization. It called for a Croatian state with territories extending into Bosnia-Herzegovina. In its Buenos Aires headquarters, the HOP had an office of the president, a war desk to coordinate the activities of "liberation" forces, an intelligence service, a press relations office, and a fundraising arm. The organizations in the comparatively affluent diaspora communities in Canada and the United States were important financial backers of the movement. The HOP also founded affiliation organizations in Australia, Europe, and North America. Well-organized, well-funded, and with a global presence, the HOP was the chief rival of the HSS on the diaspora scene. However, not long after Pavelić's death in 1957, the HOP had a split in its leadership, which eventually led to a new, parallel HOP organization. The splinter HOP was especially successful in the U.S. and Canada (Čizmić et al 2005).

Another right-wing organization was the Croatian National Committee (*Hrvatski narodni odbor*, HNO), which was formed by Pavelić's associate Branko Jelić, who had organized diaspora branches of the Croatian Party of Rights prior to World War II in North and South America, and had recruited guerillas for Pavelić's Italian training camps in the 1930s. He organized HOP branches in Western Europe in the early 1950s, and established a strong base in West Germany. The branches in Germany and Western Europe also recruited a number of legal guestworkers. This deeply concerned Belgrade, and the Yugoslav intelligence agency (UDBA) closely monitored the activities of the HNO and other radical organizations abroad, and inserted its agents into the organization to monitor from within, foment rifts, and even repress. Jelić survived two UDBA assassination attempts in the early 1970s. In all, Čizmić et al (2005) estimate that the UDBA assassinated 67 Croatian emigrants between 1946 and 1990, and made another 30 or more unsuccessful attempts. Like so many other diaspora organizations, the HNO was weakened by infighting. In the late 1980s, the then-president nevertheless decided to subsume the HNO in the HDZ (Čizmić et al 2005, 417-422).

A third important radical organization was the Croatian National Resistance (*Hrvatski narodni otpor*, here abbreviated HNOb), which was established by a high-ranking Ustasha official, Vjekoslav Luburić, who fled to Spain after the war. The HNOb grew quickly, including among guestworkers in Western Europe. Luburić and other radicals gradually came to the conclusion that in order to have a durable, independent Croatia, there needed to be national

reconciliation between the two camps of Croats that had fought against one another during World War II: the pro-Yugoslav Partisans and the nationalist dissenters of the right. A decade later, Franjo Tuđman, founder of the HDZ, also touted the concept of national reconciliation, which he claimed to embody in his transformation from a Partisan general and Tito ally to a nationalist dissident.

Within the right-leaning camp, a number of Croatian extremists gained international attention and notoriety in the 1960s and 1970s. These organizations, which followed in the footsteps of Ante Pavelić, reasoned that if his relatively marginal Ustasha forces had been able to band together in emigration and then seize power, then why couldn't they (Hockenos 2003, 60)? An estimated 15,000 veterans of the Ustasha were believed to have gone to West Germany after WWII, and the radical movement was particularly well organized there. More worrying for Bonn and Belgrade was the fact that the radicals came into contact with the hundreds of thousands of economically marginalized, young, and predominantly male migrant guestworkers who began arriving in West Germany in the 1960s. A guerilla manifesto sold in diaspora communities, "The Avengers of Bleiburg," called for sabotage and strategic strikes against Yugoslavia abroad (Hockenos 2003, 61-63).

Before long, some members of the radical groups grew impatient. The extremists within the right camp began to use direct confrontation and terrorist tactics to further their cause. In the mid-1960s, a few radicals assassinated several Yugoslav diplomats in West Germany. In 1971, two young Croatian HNOB members attempted to take over the Yugoslav embassy in Stockholm, killing the Yugoslav ambassador in the process.<sup>16</sup> The next year, a trio of Swedish Croatians hijacked a passenger flight from Goteborg to Stockholm, demanding the release of the two young men (Hockenos 2003, 60-64). The same year, a band of 16 self-styled commandos from the Croatian Revolutionary Brotherhood traveled from Australia to West Germany. There, they gathered a few more brothers-in-arms and slipped across the Austrian-Yugoslav border. They made it as far as the Bosnian village of Bugojno before the Yugoslav National Army put them down. In 1976, the radicals assassinated the Yugoslav consul in Frankfurt and nearly succeeded in doing the same to the vice consul in Dusseldorf (Hockenos 2003, 63).

In response, the Yugoslav UDBA amped up its presence in the diaspora, dispersing its agents far and wide to infiltrate émigré organizations and even carry out assassinations against émigrés. The UDBA in West Germany assassinated nine or more Croatian émigrés from 1965-1976, and "battles between militant Croat émigrés, Balkan mafia elements, Serb monarchist exiles, Yugoslav agents, and German antiterrorist units were being fought on German soil" (Hockenos 2003, 63). The most notorious event came in 1976, when Zvonko Busić, a member of a U.S.-based HNOB group, and his American girlfriend hijacked a TWA flight out of New York. The hijacking resulted in the death of a New York police officer, and the couple was given life sentences (Hockenos 2003, 66-67). The radicals' actions only fueled Yugoslav propaganda that tried to depict the Croatian diaspora as a hornet's nest of hostile emigrants (*neprijateljski iseljenici*).<sup>17</sup>

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By the 1980s, the politically active subset of the Croatian diaspora had grown far more cohesive in terms of its goals. This is not to say that Croats in the diaspora were united, or that they spoke with one voice. Nevertheless, there was a great deal of consensus on the goal: an

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<sup>16</sup> This, and other incidents, led the German government to ban the HNOB and its publications in 1974.

<sup>17</sup> Many Croats who returned to Croatia in the 1990s often felt stigmatized because of this stereotype (Winland 2007).

independent Croatia. By then, support for the Yugoslav idea was almost completely decimated among politically active diaspora Croats. The diaspora was broken up into two broad ideological camps, the right and the nationalist center, but their endgame was ultimately similar. Equally important, none of the existing diaspora organizations had the prestige, presence, or legitimacy to take on a leadership role and insert the diaspora into the homeland as an autonomous political actor. Thus, the diaspora was neither too divided (like the Serbs) nor too well organized (like the Armenian Dashnaks). It was to Tuđman's enormous advantage that these organizations were not cohesive, that the HSS was a graying, fractured organizational vestige of a bygone era, and that the organizations of the right were divided unto themselves and far too radical to garner the broad diaspora support that the more moderate HSS might have been able to command if it had been stronger. The ideology of national reconciliation made it possible for an ideologically diverse configuration of viewpoints to reach rough consensus. This paved the way for the dominance of Tuđman's HDZ.

### Cohesive Auxiliaries: Political Linkages During Communism's Collapse

Beginning in the late 1980s, a handful of homeland political dissidents and cultural figures began to pay lengthy visits to Croatian diaspora communities in North America, Europe, and Australia. These visits were typically lecture tours sponsored by diaspora organizations. Although a range of visitors with a variety of political visions undertook diaspora pilgrimages, one opposition figure was able to secure an edge over the others early on: Franjo Tuđman, the cofounder and leader of the nationalist Croatian Democratic Union (HDZ), and ultimately the country after the party won the founding elections in 1990.

At the end of the 1980s, the situation in Yugoslavia was grim. Economic and political crises had become acute, currents of nationalism in Serbia sent shockwaves across the Yugoslav republics, and rifts among the republican-level League of Communists party organizations widened. Croatia had no shortage of political dissidents, writers, and cultural elites who might have become the potential unifying leaders of an emboldened opposition. There were plenty of former political prisoners from the 1971 Croatian Spring movement, and reformist communists who had been purged in its wake. Aside from Franjo Tuđman, these figures included the brothers Marko and Vladimir Veselica, Vlado Gotovac, Slavko Goldstein, Mike Tripalo, Savka Dabčević-Kučar, and Dražen Budiša. This strong cast of potential opposition leaders suggests that there was nothing inevitable about the rise of Tuđman and his party to power. If anything, some of the other giants of the Croatian Spring had greater name recognition and popularity than Tuđman. Yet by late 1989 and early 1990, the HDZ was surging past the other new opposition parties in terms of its membership and resources. Within six months of its founding, the HDZ claimed to have more than half a million members. In sharp contrast, the parties in the opposition Coalition for National Understanding (KNS) had no more than 50,000 members collectively, and no individual party had more than 5,000 members. The League of Communists of Croatia, whose membership had once reached 300,000 had reportedly dwindled to 50,000 by early 1990 (CSCE 1990). With this material advantage and organizational edge, the HDZ won the founding elections with over 40% of the vote, which translated into over 50% of the seats in the legislature thanks to an electoral law designed to favor the winner (which was supposed to be the League of Communists).

The HDZ's successes in winning the allegiance of the most active subset of the Croatian diaspora is crucial to understanding its victory in the 1990 founding election. Tuđman's

introduction to the diaspora came in 1966, when he spent several months in the United States. At the time, Tuđman was a member of the League of Communists, a retired general, an ally of Tito, and a member of the executive board of the Croatian Heritage Foundation, the republican-level institution tasked with emigrant affairs. During his stay, Tuđman met with numerous Croatian émigrés, including several well-known intellectuals and political emigrants (Hudelist 2004, 416). He undoubtedly gleaned insights about the ideological topography of the North American diaspora scene, which would help him navigate the choppy political waters in the diaspora some two decades later, after his transformation into a nationalist dissident.

Over the next two decades, Tuđman became involved in the Croatian Spring movement, spent time in jail because of his dissident activities, and authored several books that touched on nationalist themes, including *The National Question in Contemporary Europe* and *The Wilderness of Historical Reality*, in which he claimed that the number of Serbian victims of Croatia's WWII-era fascist regime had been exaggerated (Silber and Little 1996, 85). During this time, Tuđman came to embrace what would become a key principle of early HDZ ideology, the notion of national reconciliation (Hudelist 2004). The idea of reconciliation had been discussed in diaspora circles long before Tuđman touted it; indeed, it was a position that was more or less settled on in the diaspora by the late 1970s (Čizmić et al 2005; Hudelist 2004).<sup>18</sup> The second main point of reconciliation was the synthesis of homeland and emigrant Croatia, and this theme was a centerpiece of the HDZ's early program, and was prominent in leaders' speeches.

As mentioned above, it was far from inevitable that the Croatian diaspora should have favored Tuđman over the other nationalist dissidents. He was not particularly fiery or charismatic behind the podium, and his League of Communists lineage made it all the more difficult for him to win over the most diehard anti-communist political émigrés. The simple yet crucial difference was timing. Tuđman visited Canada and the United States at a time when events in Yugoslavia were reverberating in the diaspora, and dissident visitors from Croatia were rare. One veteran diaspora journalist believes that at that time, the diaspora had grown so mobilized by Yugoslavia's crises that any homeland dissident with a modicum of nationalist credentials would have been embraced.<sup>19</sup>

Indeed, what distinguished Tuđman from his dissident peers was that he was the *only* dissident making the rounds in the diaspora in the late 1980s. He got his passport back in 1987, more than two years before Budiša, Veselica, and other opposition figures whose passports had been confiscated after the Croatian Spring (Hudelist 2004). For Dražen Budiša, the leader of the opposition HSLs party during the 1990s, the passport discrepancy was decisive:

I was one of the last [dissidents] in Yugoslavia to get a passport – in late 1989...The HSLs had already existed for half a year, and I only got my passport then...I was later criticized. How could I allow other [parties] to go abroad and not go myself? The reason why I didn't go was simply that I could not go.<sup>20</sup>

Perhaps more importantly, by the time Budiša and his fellow HSLs leaders received their passports, it was clear that the diaspora “had its favorites” – the HDZ. When Vlado Gotovac and Ivo Goldstein, Budiša's HSLs colleagues, were finally able to go to North America to solicit resources, their message was not in tune with the dominant political winds in the diaspora at that time.<sup>21</sup> The HSLs, according to Budiša, did not receive money from the diaspora; rather, most of

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<sup>18</sup> Author interview with HDZ diaspora activist #2, Zagreb, Croatia, November 11, 2009.

<sup>19</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

<sup>20</sup> Author interview with former HSLs leader Dražen Budiša, Zagreb, Croatia, June 30, 2010

<sup>21</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

its funding came from homeland party members and from domestic donations.<sup>22</sup> The party only had a few short-lived overseas branches.<sup>23</sup>

Once Tuđman had his passport returned in 1987, he contacted acquaintances in Canada, and the Society of Croatian Entrepreneurs and Intellectuals in Toronto financed a one-month visit for Tuđman and his wife Ankica in June 1987.<sup>24</sup> The official purpose of Tuđman's visit was to deliver lectures on nationality at several Canadian universities. As mentioned, Tuđman did not have the name recognition of veteran dissidents like Veselica or Gotovac, or reformists like Tripalo and Dabčević-Kučar. His diaspora speaking tour would change that.<sup>25</sup> For instance, at a speaking engagement at the University of Toronto, 400 people packed into a lecture hall to listen to Tuđman, apparently spontaneously interrupting him multiple times with standing ovations. One of the major diaspora newsletters observed at the time: “One gets the impression that there has never been such a successful lecture [delivered in the diaspora] from someone from the ranks of Croatia's intellectuals.”<sup>26</sup>

Tuđman's social engagements – dinners, banquets, picnics, and tête-à-têtes with individual activists – were even more important for his political future because they allowed him to rub elbows with successful businessmen who later made campaign donations to the HDZ and participated in the HDZ's diaspora branches. These diaspora businessmen, whose political and material support to the HDZ were not subject to the control of the Yugoslav state, were some of the earliest and most important patrons of the future party.

In addition to these entrepreneurs, Tuđman also met with individuals from the more radical émigré circles, whom Belgrade would certainly have classified as “hostile” emigrants (Radoš 2005, 22). One such figure was future Defense Minister Gojko Šušak, who hosted the Tuđmans in Ottawa. This 1987 introduction forged a deep bond that would endure throughout the 1990s, when Šušak became Defense Minister and was generally seen as one of Tuđman's closest allies and confidantes (Hudelist 2004). Šušak's widow recalls that even at that time, in 1987, Tuđman and Šušak spoke at length about Croatian independence (Radoš 2005, 23). Tuđman's initial encounters with these individuals laid the foundations for political cooperation between his future party and emigrant Croats. According to Tuđman's widow, this visit to Canada made her husband more determined to move forward with a new political movement (A. Tuđman 2006, 317).

The Tuđmans made a second visit to North America in 1988, while Tuđman's dissident colleagues were still barred from leaving the country. This time, their packed itinerary blazed a trail through twenty-some cities in Canada and the United States. Tuđman strengthened existing ties to political activists and cultural figures he'd met in Ontario the previous summer, and he made new contacts. Ante Beljo, a Canadian Croat who would later assume a key role in organizing HDZ branches in the diaspora and BiH, took the lead in organizing the Tuđmans' itinerary (Mirth 2003; A. Tuđman 2006). Once again, Tuđman deftly used the occasion to network and recruit allies. The Tuđmans' Toronto host recalled an “army of people” invading his home every night for endless dinners and parties held in honor of the guest (Radoš 2005, 24). The tone of the 1988 visit was noticeably more political, and Tuđman grew closer to elements of

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<sup>22</sup> Author interview with former HSLS leader Dražen Budiša, Zagreb, Croatia, June 30, 2010.

<sup>23</sup> Author interview with former HSLS official, Zagreb, Croatia, June 8, 2010.

<sup>24</sup> Some suspect the hand of the UDBA in Tuđman's early access to the diaspora (Hudelist 2004; Meštrović and Zlatar 2007).

<sup>25</sup> Notably, Tuđman did not develop close ties to intellectual heavyweights of the diaspora, e.g. Mate Meštrović, Vinko Nikolić, and Boris Maruna.

<sup>26</sup> “Dr. Tuđman u Torontu,” *Nova Hrvatska*, broj 13, 1987, pg. 5.

the radical, “hostile” emigration centered around the Franciscan center in Norval, just outside of Toronto (Hudelist 2004). The parish was the spiritual home of some 8,000 Canadian Croats, many of them from Herzegovina. The well-known Croatian diaspora figure Mate Meštrović speculates that these visits with the Herzegovinian circle in Norval were the beginnings of Tuđman’s “reliance” on the Herzegovinian Croats in Canada, many of whom went on to assume prominent positions in government, party, economy, and military (Meštrović and Zlatar 2007). Some journalists have alluded to a series of deals made during these sessions as to who would get which posts after Croatia gained independence, in exchange for early support for the HDZ, although the concrete evidence is weak (Glenny 1996; Kušan 2000; Silber and Little 1996).<sup>27</sup>

Information on Tuđman's North American visits generated interest in European Croatian diaspora communities, and in the fall of 1988 he visited Germany and Austria to deliver another series of lectures, which got his name out and allowed him to establish a support base in Western Europe. Tuđman met Zdenka Babić-Petričević, a Croat in the Stuttgart area who would become one of the most active emigrant organizers the HDZ had (A. Tuđman 2006).

Thus, by the end of the 1980s, Franjo Tuđman had visited dozens of North American and Western European cities, delivered countless lectures before thousands of diaspora Croats, and wined and dined key diaspora activists and entrepreneurs well before any of the other key dissidents had had their passports returned. Prominent diaspora publications in North America (*Danica Hrvatska*, *Hrvatski glas*), Australia (*Hrvatski vjesnik*), and Europe (*Nova Hrvatska*) gave extensive front-page coverage of these visits. The simple factor of timing appears to have made all of the difference in the HDZ’s initial success organizing in the diaspora.<sup>28</sup> As the diaspora writer Jakša Kušan astutely observed in a letter to a colleague in early 1990:

Do you know why Franjo Tuđman is so successful [in the diaspora]? It's because as a former communist...he had the nerve to go abroad despite the risks,...reap profit among our emigrants, and become the first to organize branches in the diaspora...At the HDZ convention that will be held at the end of the month in Zagreb, an entire jumbo jet or two [of diaspora Croats] will be coming from the USA. I can promise you that among those passengers will be the most extremist of our “Ustashas,” who were hitherto members of...the most extremist diaspora organizations (C.f. Kušan 2000, pg. 153).

In February of 1989, after months of informal meetings among Tuđman and a small circle of acquaintances in Zagreb, the Croatian Democratic Union (*Hrvatska demokratska zajednica*, HDZ) was formally presented to the public in Zagreb. The news was instantly relayed to diaspora circles. Vladimir Veselica, one of HDZ’s homeland founders, traveled to North America to personally present the draft program to the Croatian Fraternal Union, which then published it in its official organ.<sup>29</sup> Croatia’s diaspora was front and center in the HDZ's platform from the outset. One of the Draft Program Platform’s points lamented the “historical adversities” that had driven a third of the Croatian nation to emigrate. Government policy should be directed towards reconciling diaspora and homeland Croats.<sup>30</sup>

In the summer of 1989, after the party's founding congress was held in Zagreb, the HDZ intensified its organizing activities abroad. The first international branch was established in Zurich in July (HDZ 1999). One of the party’s leaders in Zagreb, Vladimir Šeks, toured Australia in September to deliver lectures and preside over a handful of HDZ branch foundings in

<sup>27</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

<sup>28</sup> An exception is the Croatian Fraternal Union, whose leader (Bernard Luketić) and official publication (*Zajedničar*) were more lukewarm towards Tuđman and the HDZ. But the CFU no longer had the stature it had enjoyed.

<sup>29</sup> The Veselicas and several others left the HDZ in mid-1989 after losing a factional struggle for the leadership.

<sup>30</sup> Point 14, “Prednaert programske osnove Hrvatske demokratske zajednice,” *HDZ bilten za članstvo* 1(1), 1989, p. 6

Melbourne, Sydney, Canberra, Blacktown, Adelaide, and Perth (Čizmić et al 2005; HDZ 1999).<sup>31</sup> Zdenka Babić-Petričević was named the HDZ representative for Germany, and she presided over the congress of its first branch in Bruschal in September 1989, then Stuttgart, and then in more than 90 other cities and towns in West Germany (HDZ 1999).<sup>32</sup> The North American diaspora scene was also well organized, with dozens of branches in the United States and Canada. The first North American Convention was held in Cleveland in January 1990.<sup>33</sup> The next month, the party had its founding Congress in Zagreb. The domestic media paid most attention to the dozens of political émigrés –the “bogeymen” of Yugoslavia’s anti-diaspora propaganda – who descended upon Zagreb for the event, most of them for the first time in decades. By 1991, the HDZ boasted of having 366 county committees in Croatia, 184 branches in Bosnia and Herzegovina, and a remarkable 210 branches outside of Yugoslavia (HDZ 1999).

These branches drew membership from the nationalist center organizations *and* the right-leaning organizations. Memberships of the centrist HSS and the radical HNO voted en masse to join the HDZ. Drawing members with a range of backgrounds and political views, these diaspora branches provided crucial resources for the HDZ’s inaugural campaign. In 1989, a newly created HDZ branch in Sydney appealed to Australian Croats to join the new party and contribute materially.<sup>34</sup> Estimates of total aid for the 1990 election range from \$2-\$8 million, the vast majority of which came from diaspora donors (Glenny 1996). One Washington businessman alone reportedly donated \$50,000 to Tuđman’s new party (Kušan 2000, 153). The HDZ had an enormous office on Savska street, complete with multiple phone lines and fax machines. Collection pots were passed around at Tuđman’s lectures, social events, church, and fundraisers were held. For instance, Šeks returned from his 1989 visit to Australia with a check for 100,000 Australian dollars carefully tucked away in his shoe. The money had been donated to help the HDZ secure an office in Zagreb (Čizmić et al 2005; Meštrović and Zlatar 2007). A prominent figure in the Croatian diaspora scene of the 1970s and 1980s recalled diasporans showing up to HDZ events with bags full of money to donate.<sup>35</sup> The party created a “Gold Book of the HDZ” (*Zlatna knjiga HDZ-a*) which published the names of members who donated 1,000 or more Australian dollars. According to Meštrović (2007):

It’s clear that the primary purpose of Tuđman’s visits was to collect large amounts of money to finance [the HDZ’s] election campaign. And it was the HDZ, in comparison to other parties, entered the election with much more money. Of all the parties, only the [League of Communists] had a fatter wallet.

By contrast, the HSLS, one of the other new party, had just hundreds of thousands to spend for the 1990 campaign (CSCE 1990).<sup>36</sup>

The diaspora quickly came to be regarded as the HDZ’s territory, and the party carefully guarded it. After the HDZ, the Veselicas’ Croatian Democratic Party (HDS)

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<sup>31</sup> “Nastupi g. Vladimira Šeksa u Melbourneu,” *Hrvatski vjesnik/ Croatian Herald*, September 29, 1989.

<sup>32</sup> “HDZ u Njemačkoj,” *Glasnik HDZ* No. 6, January 1990, pg. 55; “Nove organizacije HDZ-a u Švicarskoj i SR Njemačkoj,” *Glasnik HDZ* No. 7, February 1990, pg. 37.

<sup>33</sup> “Tisuću Hrvata na konvenciji HDZ u Clevelandu,” *Glasnik HDZ* No. 7, February 1990, pg. 17.

<sup>34</sup> “Croats in the diaspora for the first time can participate directly through the HDZ in the political project of democratization of Croatia. Take advantage of this historical opportunity; help your brothers in the homeland who tirelessly and decisively work so that the whole Croatian nation can decide its own fate. You heard the comments of Mr. Vladimir Šeks... and the appeal of HDZ president Dr. Franjo Tuđman, who said that whatever you give now will be twofold in its impact... [We] thus appeal to Croats worldwide to materially help the HDZ because without your help, it will be difficult to operate successfully.” HDZ Sydney, *Hrvatski vjesnik/Croatian Herald*, October 20, 1989, pg. 2.

<sup>35</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

<sup>36</sup> Author interview with former HSLS leader Dražen Budiša, Zagreb, Croatia, June 30, 2010.

was the most successful in the diaspora, though they only had a handful of external chapters. After its poor performance in the 1990 elections, Marko Veselica, one of the HDS leaders, lamented the party's late arrival to Australia, to which he travelled after the elections:

The HDZ formed some sort of monopoly on Australian territory, giving the impression that it was the only Croatian party, that they had covered all issues concerning Croatia...As a result of that attitude and of our late arrival, naturally it was very difficult to develop strong contacts in Australia, get support there, and in some way remove the blockade to our party and overcome distrust. A lot of unreliable information, forgeries, and falsifications were circulated [by the HDZ] to disqualify me and other heads of the HDS.<sup>37</sup>

Thanks in no small part to the HDZ's massive campaign war chest, the party was able to win a commanding victory in the 1990 elections, ushering in a decade of its rule. If the HDZ hadn't had the massive financial support from the diaspora, it may have accepted the offer to form a coalition with the other opposition parties founded by dissidents from the Croatian Spring. In coalition with these more moderate parties, the HDZ might have toned down its rhetoric and softened its party program. A true opposition coalition, such as the civic fronts that were elected in founding elections in the Czech Republic and Poland, might have staved off the creeping authoritarianism that came when one hegemonic party was quickly replaced by another.

This massive level of diaspora support made it crystal clear to all political actors in Croatia that the diaspora "belonged" to the HDZ. After 1992, none of the other parties bothered trying to campaign or organize overseas. As subsequent chapters show, even when the HDZ ceased its strong diaspora overtures in the 2000s, none of the other parties tried to capitalize on it, for reasons that will become apparent.

## THE POLITICS AND PROFILE OF THE SERBIAN DIASPORA

### Diaspora Composition

In many ways, Serbia's emigration history runs parallel to Croatia's. The key difference is that it took place on a much more limited scale. In fact, prior to World War I, the vast majority of Serbian immigrants to the U.S. came from Austro-Hungarian lands – Serbs in what are today Serbia's northern province of Vojvodina, present-day Montenegro, Croatia, and Bosnia-Herzegovina.<sup>38</sup> The earliest Serbian communities in the United States were in San Francisco and New Orleans. These arrivals were fishermen, seafarers, and agriculturalists from coastal regions in present-day Montenegro and Croatia, and they formed relatively exclusive "colonies" centered around fishing or fruit orchards (Vidaković Petrov 2006, 36). Most Serbian immigrants who arrived during the era of mass immigration, like their Croatian counterparts, concentrated in urban centers, and were employed in heavy industry and mining. Pittsburgh was the largest Serb colony, though sizable contingents coalesced in coal districts in Pennsylvania and Ohio, copper mining regions in Michigan, Arizona, and Wisconsin, and iron ore mining regions in Northern Minnesota (Roucek 1935, 605). Chicago, which is now dubbed the second-largest Serbian city due to its sizable Serbian community, became home to Serbian immigrants beginning in the 1880s (Vidaković Petrov, 2006, 34-5). Their numbers are difficult to calculate. Until 1899, U.S. statistics on immigrants from Austro-Hungarian lands were classified as Austrian or Hungarian.

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<sup>37</sup> Marko Veselica, "Izvještaj sa puta po Australiji i Kanada," *Hrvatska domovina*, October 13, 1990, p 13.

<sup>38</sup> Serbian immigration was also characterized by chain migration. For instance, many of the earliest Serbs who emigrated from Boka Kotorska (today's coastal Montenegro) concentrated in New Orleans and San Francisco.

From 1899-1924, U.S. government immigration officials organized the complicated ethnic mosaic of South Slavs into three categories: 1) Bulgarians, Serbs, and Montenegrins, 2) Croats and Slovenes, and 3) Dalmatians, Bosnians, and Herzegovinians. Ethnic Serbs could have fallen into any of the three categories (Grečić and Lopušina 1994). A conservative estimate is that between 80,000-100,000 Serbs emigrated before WWI, of which two-thirds or more came from lands under the Dual Monarchy (Grečić and Lopušina 1994). For many immigrants of this pre-WWI era, local identities were stronger than or equal to “Serb” identity, while others did not identify as “Serb” at all (Vidaković Petrov 2006, 40). In California, Serbs from Boka Kotorska, Herzegovina, and Montenegro competing for organization leadership argued about which region’s Serbs were the true Serbs (Vucinich 1960, 291). Religious identity remained important in the diaspora. By the 1930s, there were 35 Serbian Orthodox parishes in the United States (Roucek 1935).

By comparison, there was relatively modest emigration from what was then the Kingdom of Serbia. There were numerous reasons for this disparity. Serbia was a *de facto* (and later *de jure*) independent country, unlike the Slavic lands of the Austro-Hungarian Monarchy, where restrictive policies from an imperial center fused political and economic motives to emigrate. Additionally, Serbia was even less developed and more remote and isolated from the outside world than Austro-Hungarian lands of present-day Croatia. It was easier for those living in the Austro-Hungarian Monarchy to access domestic ports in Rijeka and Trieste, and even overland routes to ports in Northern Europe, than it was to access them from the Kingdom of Serbia (Grečić and Lopušina 1994).

Still, emigration was sufficiently extensive to prompt the National Assembly in Belgrade to express concern and institute measures to stem the exodus. For instance, the government levied a high tax on the issuance of passports. It now cost 250 dinars to acquire a passport (versus 5 dinars in neighboring lands), which was roughly equivalent to half a year’s pay (Grečić and Lopušina 1994). In the interwar period, emigration from the territory of Serbia proper gained speed. An estimated 10% of total emigrants from interwar Yugoslavia left from the territory of Serbia or Montenegro, and 20% from the northern territory of Vojvodina (Roucek 1935, 610). Like contemporaneous Croatian émigrés, many Serbian emigrants went to South America, Australia, and Canada rather than the United States.

In the immediate aftermath of World War II, tens of thousands of political émigrés fled the new communist regime. This included followers of the Chetnik leader Draža Mihailović, as well as other pro-monarchy officers in the Yugoslav Army. As Chetniks or staunch supporters of the Karađorđević dynasty – now exiled in London – they would have faced almost certain prosecution in Yugoslavia. Most of them were first housed in refugee camps in Germany, Austria, or Italy, before emigrating to permanent host states. Brkic (1980) estimates that between 1949 and 1952 alone, some 15,000 Serbian political émigrés arrived in the U.S. (c.f. Grečić and Lopušina 1994). An estimated 20,000 Yugoslavs fled to Canada there between 1947 and 1958. The Australian government, interested in expanding its postwar physical labor force, sponsored a work program for European refugees, and assisted them in securing employment and accommodations. Unlike Canada, there was less emphasis on skilled or highly educated immigrants. Many of the refugees were highly educated professionals and erstwhile government official, and they now found themselves engaged in railroad construction, mining, picking fruit, and cutting sugarcane (Grečić and Lopušina 1994). In all, an estimated 200,000 Yugoslavs left from the end of WWII through the end of the 1950s. While the majority of them were Croats, many of them were Serbs (Bubalo-Živković et al 2010).

In the 1960s and 1970s, economic emigrants joined the initial postwar refugees and political émigrés. An estimated 88,000 people emigrated from Serbia between 1955 and 1965 (Pejin-Stokić and Grečić 2012, 6). Pasic (1987) estimates that by the mid-1980s there were some 80,000 Serbs in Canada, most of them in Ontario (Grečić & Lopušina 1994). Reflecting Canada's emphasis on skilled and educated immigrants, a large number of arrivals recorded in the 1970s and 1980s had degrees in engineering, medicine, architecture, and technology. From the late 1960s, a growing number of highly educated Serbs went to Australia, after first securing guestwork in Western Europe. While earlier emigrants to Australia did physical labor work, by the 1980s, a growing number of educated Serbs headed to Australia. Indeed, Australia received more Serbs than either the U.S. or Canada. The 1986 Australian census recorded some 288,500 persons of Yugoslav background, of which more than half were born in Yugoslavia – roughly the same as in the United States. An estimated 90-120,000 of the 288,500 were Serbs (Grečić & Lopušina 1994).

Of the 1.1 million Yugoslavs who emigrated to Western Europe as legal guestworkers or the family members of guestworkers between 1964 and 1973, nearly 450,000 were Serbs (Grečić & Lopušina 1994). Yugoslavia signed labor agreements with Germany, Austria, France, Belgium, Sweden, and Switzerland, but the majority of guestworkers went to Germany (Pejin-Stokić and Grečić 2012, 6). Of the 625,000 Yugoslavs in Germany who were guestworkers or family members recorded in 1981, some 250,00 were from the Yugoslav republics of Serbia and Montenegro (Grečić & Lopušina 1994, 69). Most were concentrated in industries in Bavaria, Baden-Württemberg, and Hessen. While postwar migration flows to overseas countries had ever-higher numbers of highly-educated and highly-skilled persons, the majority of guestworkers were unskilled or semi-skilled, and mostly from rural areas. Austria also received a large number of Yugoslav guestworkers. In the 1981 Yugoslav census, there were 72,000 Serbian guestworkers or family members in Austria (Grečić and Lopušina 1994, 74). In both Germany and Austria, Yugoslavs comprised the second-largest immigrant group after Turks. Switzerland also received a large population of Serb guestworkers. By 1990, there were 150,000 Yugoslavs in Switzerland, of which most were Serbs (Grečić & Lopušina 1994, 82). Zurich alone had an estimated 30,000 Serbs and Montenegrins. The exodus of workers changed the countenance of Serbia's rural areas in profound ways. In areas of southeastern Serbia, where a quarter or more of the population left, the drain of youth led to rapid "graying" of the local population (Grupa-484 2010; Pejin-Stokić and Grečić 2012, 79).

Most recently, an enormous wave of Serbian emigration began in 1991. The combination of war, economic sanctions, and economic mismanagement produced staggeringly high rates of unemployment and poverty. This severe drop in the standard of living was worsened by political repression, the virtual isolation of Milošević's Serbia from the rest of Europe, and the prospect of oneself or a loved one being drafted into the military. When the conflict in Kosovo escalated with NATO intervention in 1999, an estimated 15,000-20,000 men fled Yugoslavia. Thousands of them were packed into refugee camps in Hungary, forming a sort of draft dodgers' colony.<sup>39</sup>

A conservative estimate puts the number of citizens who left Serbia from 1991-2002 at 213,000. Using host country data, Grečić and Lilić (2012: 7) estimate that 98,000 citizens of Serbia and Montenegro emigrated to Canada, the United States, and Australia during that period. The year of highest emigration was 1992, just after the war began, when 36,500 left Serbia.

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<sup>39</sup> Mark Shapiro, "Serbia's Lost Generation," *Mother Jones*, August 31, 1999, <http://www.motherjones.com/politics/1999/09/serbias-lost-generation>.

Using conservative official data, an average of nearly 14,900 people emigrated per year from 1993-1998.<sup>40</sup> In 1993 alone, a quarter of the 7,000 immigration visas that Canada issued to citizens of the Yugoslav rump state went to highly-educated immigrants (Grupa-484 2010, 8). Emigration figures spiked again in 1999 and 2000 due to the NATO bombing of Serbia. During this two-year period, 44,000 people left (Bubalo-Živković et al 2010, 3).

The exodus has not abated. Over the last ten years, at a very minimum, some 125,000 citizens of Serbia have emigrated. The actual figure is undoubtedly significantly higher. A number of those who have left are ethnic Albanians, Romani, and other minorities from Serbia.<sup>41</sup> In addition to traditional destinations like Austria, Germany, and Switzerland, Slovenia has attracted a surprisingly large number of immigrants from Serbia (19,000 from 2006-2010), as has Italy (20,300 from 2007-2010) (Eurostat 2012).

The post-socialist wave was qualitatively different from preceding waves. Belgrade University's Institute for Social Research estimated that 5% of the population left between 1994 and 1999 (Grupa-484 2010, 8). The level of education among this cohort was higher than its predecessors, and a higher percentage of this emigration cohort had university degrees than the Serbian population as a whole (Pejin-Stokić and Grečić 2012, 10). Tens of thousands of medical professionals, scientists, and holders of doctoral degrees left during this period. The median age of emigrants was also lower than prior cohorts. Among those who left between 1991 and 2002, the median age was 25.8. By contrast, the median age was 35.2 during the 1980s, and 47.6 in the 1970s.<sup>42</sup> Moreover, whereas the guestworkers who left in the 1970s typically emigrated solo, the 1990s-era emigrants tended to leave in family units (Kupiszewski et al 2009). The post-1990 wave went predominantly to Europe, North America, and Australia.<sup>43</sup> In 2009, there were at least 597,000 Serbian citizens with legal residence in the EU member states, Norway, and Switzerland. (313K Germany, 112K Austria, 70,500 Italy) (Pejin-Stokić and Grečić 2012, 7).

## Politics and Organization

“Three Serbs will gather into four parties.”  
- Serbian proverb

### **Political Life in Emigration Through the 1980s**

*Movements and Organizations:* Like their Armenian and Croatian counterparts, Serbian emigrants developed a robust array of political organizations. Some of these organizations were *Serbian* clubs or societies, while others were grouped together with other South Slav immigrants. Among the earliest organizations were the cultural club *Obilić* in Chicago (1878) and the Serbian Benevolent in San Francisco (1880) (Vidaković Petrov 2006, 35; Vucinich 1960, 290). Numerous fraternal organizations were established in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, as well as a host of newspapers and newsletters.<sup>44</sup> In 1929, several of these fraternalist organizations merged to form the Serb National Federation in Pittsburgh, which exists to this day. Serbs in the United States prior to World War II also took part in the pro-Yugoslav organizations that were discussed in the previous section, including the post-WWI Yugoslav Committee. Like the Croatian acrobatic-political *Sokols*, Serb immigrant communities formed

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<sup>40</sup> Calculated by author based on data from Bubalo-Živković et al 2010, pg. 4. The actual numbers are undoubtedly higher.

<sup>41</sup> “Iz Srbije godišnje ode više od 32.000 ljudi, najviše u Nemačku i Austriju,” *Politika*, December 17, 2012, <http://politika.rs>.

<sup>42</sup> Calculated by author based on data from Bubalo-Živković et al 2010, pg. 10.

<sup>43</sup> From 1992-2007, citizens of Serbia and Montenegro were issued 63,000 immigration visas from the U.S., 33,000 from Canada, and 29,000 from Australia. Countless more went to these countries on travel or temporary visas (Grupa-484 2010, 8).

<sup>44</sup> By the early 1900s, there were fraternal organizations in a handful of U.S. cities (Vidaković Petrov, 2006, 36-40).

Serbian *Sokols*, although they were far fewer in number and shorter in lifespan than the Croatian *Sokols* (Vucinich 1960, 291).

Serbian immigrants in the U.S. did not have as many overtly political organizations as did Croatian organizations, but there were some. Like their Croatian counterparts, they were mobilized by opposition to Austro-Hungarian rule, and the heavy-handed rule of the Monarchy in its domains where Serbs lived. The Serbian National Fund was formed in San Francisco in 1907, which lamented “the difficult fate of the Serbian nation since Kosovo. That fate has left the iron hand of foreigners weighing on our neck and forced us to abandon our homes, our beloved Homeland, in order to seek freedom and life in America” (c.f. Vidaković Petrov 2006, 47).

The events of WWI and the London-based Yugoslav Committee mobilized emigrant Serbs. During the war, Serbian immigrant associations in the U.S. raised money to send American Serb volunteers to fight for the Kingdom of Serbia against the Ottoman and Austro-Hungarian empires. Others lobbied the U.S. Congress to support the emancipation and unification of South Slav nationality groups from Austro-Hungarian lands. The government in the Kingdom of Serbia (exiled to Corfu during the war) dispatched delegates to mobilize the support of Serbs overseas during the war on behalf of its agenda of forming a Greater Serbian state. This plan conflicted with that of the Yugoslav Committee, formed by Croatian, Serbian, and Slovenian refugees in London during the war, which aspired to create a federal, democratic Yugoslav state with equal footing among the constituent nationality groups. Prominent Serbian immigrants like the well-known physicist Michael Pupin voiced their support for the Committee’s work (Vucinich 1960, 291).

In the interwar period, Serbian associational life continued to be divided by those who had a pro-Yugoslav orientation and those who favored a Serbian-dominated South Slav state. A host of new organizations, churches, and newspapers were founded during the interwar period, but they competed with more communist, nationalist and fascist groups, much like the situation within the Croatian émigré scene (Vucinich 1960, 293).

During World War II, immigrant organizations split along divisions in the civil war that raged in Yugoslavia: left-leaning, federalist, pro-Yugoslav oriented Serbian Americans supported Tito, while others supported the Chetnik guerilla leader Draža Mihailović’s vision of a monarchical, greater Serbian republic (Vucinich 1960, 304).

The most important and active period in political organization came in the wake of World War II. While the pre-WWII cleavage was primarily between the nationalists who wanted a Greater Serbian State and those who wanted a Yugoslav state of equals, the post-WWII mix was more complicated. The majority of political emigrants who left after WWII supported the deposed King Peter Karađorđević. King Peter had fled to Great Britain with his advisers in 1941. To an even greater extent, political émigrés revered General Draža Mihailović, the WWII-era royalist guerilla leader. From a mountainous retreat in Serbia’s Ravna Gora, Mihailović rallied together the fragmented remains of the Yugoslav royal army as well as nationalists into bands of Chetnik guerrillas. The unorganized, relatively amorphous Chetniks fought the Croatian Ustasha, Tito’s Partisans, and the Nazis.<sup>45</sup>

As the Partisans closed in on Serbia at the war’s end, several divisions of Chetnik fighters were slaughtered; however, many of the Chetnik divisions that remained in Bosnia and Croatia

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<sup>45</sup> The Chetniks occasionally fought *with* the Partisans (against the Axis powers) and *with* the Nazis (against the Partisans). Moreover, many Chetnik leaders envisioned a Greater Serbian state, and their divisions committed atrocities against Croatian and Bosnian Muslim civilians, particularly in East Bosnia (Hoare 2006; Ramet 2006).

managed to escape to refugee camps in Austria and Italy (Hockenos 2003, 118; Nikolić 2011, 71). Scores of family members and other civilians joined them. In the Italian camp in Palma Novi, new temporary schools were erected and named in honor of Mihailović and King Peter (Nikolić 2011, 74). In all, some 40,000 Chetniks were scattered across Western Europe (Nikolić 2011, 154). Many of the Chetnik refugees were subsequently transported to camps in Germany, and from there they emigrated overseas (Hockenos 2003, 119).

Draža Mihailović was apprehended by the Partisans, put on trial, and executed in 1946, along with several other Chetnik generals. This made him a martyr for the royalists and many other anti-communist political émigrés who left after the war. One of Mihailović's last messages to his "soldiers abroad" requested that they "stand united in the firm and steady front against the inside enemy our people are fighting" (Nikolić 2011, 73-74).

Like Croatian political emigrants, many Serbian political emigrants believed that Tito's rule would not last long. Chetnik General Damjanovic endeavored to impose some sort of unity and discipline on the tens of thousands of anti-communist combatants in Italy's refugee camps in the hopes of retaking Yugoslavia (Nikolić 2011, 94-5).

These political émigrés set up new organizations to carry the Chetnik torch. Momčilo Đujić, a Chetnik general who fled to the U.S. after the war, founded the Movement of Serbian Chetniks-Ravna Gora, which eventually had chapters in the U.S., Canada, the U.K., and Australia. Two parallel organizations in the U.S., both named the Serbian National Defense Council (*Srpska narodna odbrana*), formed branches across North America. Canada has had two separate SNOs since a split in the organization in 1951.<sup>46</sup> Australia's first SNO was formed in Sydney in 1951, while another Australian Chetnik organization, the Royal Yugoslav Ex-Servicemen/Draža Mihailović association, was founded around the same time. Both formed chapters across Australia (Jupp 2001, 678).

But the Chetnik supporters, who formed the backbone of the nationalist émigré scene, were perennially divided unto themselves. Early on, Chetnik refugees were divided in terms of their support for different émigré Chetnik generals. One organizer complained that "our main enemy today is Tito...We should all unite against him to bring freedoms to Yugoslavia. If all of us quarrel and divide ourselves into three groups...that will be of great benefit to Tito" (Nikolić 2011, 145). An activist in London also lamented the infighting: "everybody has a different point of view, various groups and clans are being formed, all with only one goal: to win the King's [favour] in order to use his name for their future plans" (Nikolić 2011, 160). According to Hockenos (2003, 119), Peter "struck a forlorn figure, a symbol to Serbia's political exiles but one without power or visim. Rival émigré groups drew the hapless king into their incessant schemings and quarrels." Another source of division was whether or not to support deposed King Peter Karađorđević at all, who now split his time between the U.S. and Europe. Peter had drawn the ire of the Chetniks when, in the fall of 1944, he renounced the royal army and the Chetniks (Nikolić 2011, 144). Aside from the Chetniks, there were other contenders for power in emigration: other members of the royal Karađorđević family, the many exiled ministers and legislators of royal Yugoslavia, political organizers from the refugee camps, and the remnants of pre-war political parties. There were even continental divides. European Serb émigrés clashed with American Serbs. The latter were distrustful of King Peter because of his renunciation of the Chetniks in 1944, while the European émigrés were disdainful of what they saw as American

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<sup>46</sup> The breakaway SNO goes by "Serbian League of Canada," while the original Canadian SNO is translated into English as the Serbian Shield. Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011.

Serbs' affection for Tito. They warned their American brethren to not “act rashly and turn to helping Tito because you have no love for King Peter” (Nikolić 2011, 141).

The Serbian National Defense Council (*Srpska narodna odbrana*, SNO), a Chetnik diaspora organization, was established in Libertyville, Illinois in 1941 when the Serbian National Federation, along with a royal Yugoslav diplomat exiled in the U.S., spearheaded the organization's creation.<sup>47</sup> The SNO grew to include 40 local branches with nearly 4,000 members.<sup>48</sup> Many of the SNO's members revered the legacy of Draža Mihailović. They felt the Allies, who had initially supported Mihailović, had betrayed him when they switched their support to Tito after 1943. They believed that Mihailović deserved credit and gratitude for rescuing hundreds of American soldiers in enemy territory during the war. But the brunt of their antipathy was directed at Josip Broz Tito and his communist Yugoslavia. Tito, half Slovene and half Croatian, was seen as conspiring to subjugate the Serbs. Of the 6 Yugoslav republics, only Serbia had autonomous regions, one of which was Kosovo, the sacred hearth of Serbdom in nationalist creed. The Serbian ethnic corpus, they believed, had been intentionally, malevolently split by arbitrary boundaries in Bosnia-Herzegovina, Montenegro, and Croatia. In short, they wanted the rehabilitation of Draža Mihailović's legacy, and a non-communist Greater Serbian state for the entire Serbian ethnic corpus, but one that included most of the lands of existing Yugoslavia. It thus wasn't framed as an issue of independence, but rather of transformation of state and regime.

There were a few high-profile instances in which radical diaspora Serbs tried the extremist tactics of the Croatian radicals. One SNO member – albeit acting alone – bombed the residence of Yugoslavia's Chicago consul in 1975. He managed to hijack the American Airlines flight that was transporting him to Chicago for sentencing, redirected it to New York, and then Ireland. His ultimate goal was a suicide mission to fly the jet into Tito's residence in Yugoslavia (Hockenos 2003, 118-119). The Yugoslav UDBA also repressed activist diaspora Serbs. An editor of the SNO's outlet, *Sloboda*, was shot and killed in Chicago in 1977. Yugoslav agents were suspected of being embedded in diaspora organizations, just as they were in the Croatian organizations.

The Chetniks, however, were not a party; the movement grew out of the loosely organized guerilla bands that fought in WWII-era Yugoslavia. They were not a party that was active at the elite political level, and thus were not comparable to the Croatian HSS, which went into exile as a party and continued to identify as one. The Serbian Chetnik movement presented itself as just that—a continuation of Mihailović's *movement*. The SNO organizations did not present themselves as parties, either – they were born and raised in the diaspora. This difference would have implications in the late 1980s.

To a greater extent than the Croats, Tito's Yugoslavia had more supporters among Serb emigrants. Many Serb guestworkers in Germany and Austria were active in the Yugoslav state-sponsored Yugo-Clubs, which were a way for Belgrade to organize and monitor emigrants.

*Schism in the Serbian Orthodox Church:* Like the Croatian and Armenian diasporas, the church was a fixture of diaspora life. Orthodox parishes provided a permanent, stable community for individuals. While organizations often had short lifespans, and individuals moved into and out of immigrant neighborhoods, the church was a constant. Its facilities anchored cultural life in

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<sup>47</sup> The SNO was established in 1941 supplanted an older SNO that was created in 1914 (Hockenos 2003, 115).

<sup>48</sup> “Prvi i drugi kongres Srpske narodne odbrane u Americi,” *Srpska narodna odbrana u Americi*, n.d, [http://www.snd-us.com/index.php?option=com\\_content&view=article&id=12&Itemid=6](http://www.snd-us.com/index.php?option=com_content&view=article&id=12&Itemid=6).

the diaspora, hosting dance troupes and musical ensembles, and providing a venue for local organizations to hold meetings.

The Croatian diaspora had its internal rifts and cleavages, but they paled in comparison to the tremor that fractured the Serbian diaspora in 1963. The epicenter of the split was Chicago. Unlike the Croats, whose earthly spiritual headquarters were in a non-communist country and beyond diaspora or Yugoslav control, Orthodox Serbs in the diaspora were loyal to a mother church that was based in communist Yugoslavia. The Serbian Orthodox Church in Belgrade had to cooperate with the communist regime in order to survive, but for the ardently anti-communist émigrés, this partnership was difficult to stomach. For years, Chicago Bishop Dionisije had butted heads with the Serbian Orthodox hierarchy in Belgrade. In 1963, the Church in Belgrade suspended and divested the rebel bishop. In response, Dionisije announced a new Serbian Orthodox Free Church that did not recognize the canonical or institutional authority of the Holy Council of Bishops in Belgrade (Fahey and Vrga 1971, 177). In parishes across North America and Australia, parishioners held plebiscites to determine whether their parish would remain loyal to Belgrade or join the schismatics. Bishop Dionisije's breakaway church won the vote in 20 out of 59 parishes in North America (Fahey and Vrga 1971, 177).

Stories of brawling parishioners caught the American media's attention. In some instances where a minority was displeased with the vote, parishioners instigated costly, messy lawsuits over church property or broke away to form their own parishes (Fahey and Vrga 1971, 177-8). Like the Iron Curtain that divided Europe, the Serbian Orthodox Church's schism divided diaspora communities in the U.S., Canada, and Australia. Many of the old-timers (pre-WWII) sided with Belgrade, while the deeply anti-communist postwar arrivals usually sided with the schismatic church.<sup>49</sup> Two sets of parallel institutions emerged in the largest diaspora communities. In Chicagoland, Belgrade continued to have authority over the Saint Sava Monastery in Libertyville, while the schismatic church relocated a few miles away in Grayslake (Hockenos 2003, 122).<sup>50</sup> The Serbian diaspora community in Ontario was also divided. An Orthodox priest who remained with the Belgrade church recalls a bishop asking him in 1980 if he was up for a challenge. That challenge was to be sent to Toronto, whose churches were particularly rife with conflict, political infighting, and unruliness.<sup>51</sup>

The rift cut deep into diaspora communities, creating divisions at the level of the community, organizations, and even families. For instance, of the two Canadian SNO organizations, the Serbian League of Canada sided with Dionisije, while the the Serbian Sheild remained loyal to the Church in Belgrade.<sup>52</sup> Pro-Belgrade parishioners would hold their own events to commemorate events and celebrate holidays, while breakaway parishioners would stick to their own parallel celebrations. Social life also broke in two. Some families were divided when some members sided with the Belgrade church and others supported Dionisije.<sup>53</sup> One interviewee recalled that some of his strongest friendships broke apart after the schism, and he did not interact with them until the reconciliation in the 1990s.<sup>54</sup> As two scholars observed in the 1970s,

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<sup>49</sup> Author interview with Serbian Orthodox Church official, Ontario, Canada, October 20, 2011.

<sup>50</sup> Speculation was rife in diaspora circles that Yugoslav intelligence agents had fomented the rift.

<sup>51</sup> Author interview with Serbian Orthodox Church official, Ontario, Canada, October 20, 2011.

<sup>52</sup> Author interview with former diaspora SPO organizer #4, Hamilton, Ontario, Canada, October 18, 2011.

<sup>53</sup> Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011; author interview with former diaspora SPO organizer #4, Hamilton, Ontario, Canada, October 18, 2011.

<sup>54</sup> Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011.

<sup>54</sup> Author interview with Serbian Orthodox Church official, Ontario, Canada, October 20, 2011.

On the ethnic communal level, the schism has deeply affected interpersonal relationships among American Serbs: many old and seemingly indestructible friendships were destroyed; conflict among kin and within nuclear families was reported. Furthermore, the followers of the two feuding sides in the church controversy no longer cooperate in any ethnic organization (Fahey and Vrga 1971, 178).

### Fragmented Auxiliaries: Political Linkages During Communism's Collapse

As the preceding section showed, the activist subset of the Croatian diaspora was relatively cohesive by the 1990s, and its support took the form of aiding a homeland actor rather than forming a separate diaspora political party or movement to compete in the homeland. The major sources of political division within the Croatian diaspora had been resolved or diminished in importance by the late 1980s. At the same time, no single organization was strong enough or viewed as the legitimate representative of the diaspora as a whole. This translated into 1) cohesion, and 2) acting as an auxiliary to homeland actors rather than forming a diaspora party. The lucky recipient of diaspora support was Franjo Tuđman and his nationalist Croatian Democratic Community (HDZ) party.

#### **A Diaspora Divided**

The Serbian nationalist mantra, “Only unity will save the Serbs,” is grounded in a long-standing Serbian popular narrative on the forces that have undermined the country’s politics and society throughout its history. Disunity is a recurring theme in this narrative: “Disunity and disaccord have acquired in the Serbian popular imaginary a notorious, quasi-demiurgic status” (Naumović 2005, 67). Whether because of self-fulfilling prophecy or because there’s a kernel of truth in the narrative, the Serbian diaspora exhibited this “notorious” disunity after World War II. The chief source of disunity was the schism within the Serbian Orthodox Church, but there were others, too: pro-communism versus anti-communism, pro-monarchy versus anti-monarchy, and pro-Greater Serbian state versus a noncommunist Yugoslavia of equals among the national groups. While the Croats were mobilized by a concrete, agreed-upon goal (independence), the Serbs lacked a clear, shared vision of what they wanted, or how to get it.

By the late 1980s, Serbs grew increasingly mobilized, but remained as divided as ever. Like the Croatian diaspora, events in Yugoslavia reverberated into the diaspora. Diaspora media like *Amerikanski Srbobran* picked up the Serbian media’s often-sensationalized stories of Kosovo Serbs under attack by Kosovar Albanians (Bieber 2002; Thompson 1999). The media in Serbia and in the Serbian diaspora also fanned the flame of fear of ethnic Serbs being persecuted in a neo-NDH Croatia.<sup>55</sup> A 1992 article in the *American Path of Orthodoxy* reminded its readership that “most of the 600,000 Serbs that live within present day Croatia are survivors of the [NDH] holocaust. [Rallies in Chicago] were held...to alert the Western media to the truth and why it is that Serbia cannot allow Croatia to secede from Yugoslavia with its present borders...Who is to guarantee those ethnic Serbs that they will not once again be the victims of a genocide?”<sup>56</sup>

Serbian diaspora activists lamented the diaspora’s disunity, and the impediments it created to the diaspora’s ability to be a coherent actor in homeland affairs. Diaspora cries for unity grew louder in the 1980s and early 1990s. Momčilo Đujić, the Chetnik general who fled to the United States after the war and had great stature in the diaspora community as the leader of the Serbian Chetnik Movement, warned the Serbian diaspora in 1989 that unity and cooperation

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<sup>55</sup> *Amerikanski Srbobran*, February 15, 1989, pg. 10.

<sup>56</sup> “Chicago Area Serbs Rally,” *Path of Orthodoxy* 27(8-9), August-September, 1992, pg. 1

were more necessary than ever.<sup>57</sup> The *American Srbobran* wrote that “Serbian disunity and lack of purpose are the greatest impediments to providing political and economic support to Serbia....Serbian organizations are numerous but not representative, since the numbers of their memberships are small.”<sup>58</sup> The Serbian Shield Society of Canada issued a resolution in 1990 calling on Serbs to set aside their differences at a time “when Serbs are faced with numerous enemies, and when their life interests are in question.”<sup>59</sup> In Canada, several local organizations formed the Canadian-Serbian Council to try to bridge the gulf between the churches and between parallel community organizations. There were to be an equal number of representatives from each side, and pursuit of shared goals. By 1992, however, due to rivalries and infighting, this Council fell apart.<sup>60</sup> Ironically, many interviewees couldn’t help but admire the Croatian diaspora for its level of mobilization and cohesion.<sup>61</sup>

The strong mobilization and organization role of the Croatian Catholic Church was not played by the Serbian Orthodox Church; it was simply too divided to be a coordinator, especially when the goals of any collective action were so undefined.<sup>62</sup> In 1992, after years of efforts to patch relations, the Church was reunified under the leadership of the new Patriarch Pavle in Belgrade. Nevertheless, the nearly thirty years in which “both sides of the schism felt greatly insulted, all made accusations....[m]illions of dollars were spent [in lawsuits], and thousands of insults and accusations [were exchanged]” made it difficult for the two sides to reconcile beyond the leadership.<sup>63</sup> As one angry reader wrote to the *Path of Orthodoxy*’s editorial board, “It is very neat and fine for the [church] hierarchs and clerics, who precipitated this [schism], to have a concelebrated Divine Liturgy to affirm some arcane canonical principle...Can we put aside, with one concelebrated Divine liturgy, the slander, character assassination, physical abuse and demoralization of so many years?...What do we do about court documents and testimony which have made modern martyrs out of so many God-fearing people? How can we accept clerics and hierarchs who have publicly and proudly betrayed us in homes, churches, newspapers, and in courts of this country?”<sup>64</sup>

### Party Overtures

The diaspora’s internal divisions made it difficult for any single homeland political actor to command diaspora support in the same way that the HDZ had in the Croatian diaspora. A sizable subset of the Serbian diaspora was opposed to Milošević and the Serbian League of Communists. This was particularly true of political émigrés. For instance, the editor of an influential Canadian newsletter warned its readers in 1980 that “the recent manipulation of changing the name of the [Serbian League of Communists] to the Socialist Party of Serbia...is nothing more than yet another of their political machinations designed to maintain power at any cost.”<sup>65</sup>

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<sup>57</sup> Momčilo Đujić, “Pozdrav Vojvode Momčila Đujića Kongresu srpske narodne odbrane u Kanadi,” *Glas kanadskih srba*, September 28, 1989, pg. 1.

<sup>58</sup> “Gathering of Serbs,” *Amerikanski srbobran*, March 28, 1990, pg. 4.

<sup>59</sup> “Rezolucija 48. Kongresa SNO održanog 15. Septembra 1990. u Okvilu,” *Glas kanadskih Srba*, September 27, 1990, pg. 2

<sup>60</sup> Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011.

<sup>61</sup> Author interview with diaspora activist #11, Toronto, Canada, October 17, 2011.

<sup>62</sup> Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011; author interview with diaspora activist #11, Toronto, Canada, October 17, 2011.

<sup>63</sup> Quoted from “Bishop Longon of the Serbian Orthodox Church Speaks at the Pastoral Conference of the Diocese of Chicago and Detroit,” March 28, 2005, <http://www.russianorthodoxchurch.ws/01newstucture/pagesen/news05/bishlogin.html>.

<sup>64</sup> Letter to the Editor, *Path of Orthodoxy* 27(8-9), August-September, 1992, pg. 12.

<sup>65</sup> Editorial, “Upozorenje srpskoj nacionalnoj emigraciji,” *Glas kanadskih srba*, August 30, 1990, pg. 2.

One Serbian dissident who threw his hat in the diaspora ring early on was Vojislav Šešelj, who would go on to lead the ultra-nationalist Serbian Radical Party (SRS) and is now on trial in the Hague for wartime atrocities. Like Tuđman, Šešelj was a member of the League of Communists, only to publicly break with the party and become a vocal critic. Šešelj, too, spent several years in jail, and his books were banned. He applied to have his passport returned in 1986, but did not get it back until early 1989.<sup>66</sup> Šešelj immediately undertook a 3-month multi-city, multi-country speaking tour, delivering 10 lectures in Canada, 29 in the U.S., and 38 in Australia.<sup>67</sup> The Pittsburgh-based *Amerikanski Srbobran* primed its readership that an upcoming visitor, Šešelj, “has been drawing record-breaking crowds in the Milwaukee-Chicago area...Serbians here in America have greeted him with great enthusiasm. His message to Serbians is 'UNITE!’”<sup>68</sup> The *Voice of Canadian Serbs* noted that “no author or guest who has visited us from Yugoslavia over the last six years had received such a strong reception. Everywhere the halls were overflowing with eager listeners.”<sup>69</sup> In June of 1989, on the 600th anniversary of the Battle of Kosovo, the revered émigré Chetnik general Momčilo Đujić conferred the title of *Vojvod* (duke) to Šešelj.<sup>70</sup>

But Šešelj was not alone, nor was he the only visitor who harnessed Serb frustrations over Serbs’ status in Yugoslavia, and their safety in Croatia and Kosovo. The writer Milan Komnenić, a founder of the Serbian Renewal Movement (*Srpski pokret obnove*, SPO), visited Serbs in the U.S. and Canada in May of 1989 to commemorate the 600th anniversary of the Battle of Kosovo. He spoke before 1,000 Canadian Serbs in Kitchener who “enthusiastically devoured his every word on defending Kosovo,” as well as at churches in Toronto and Hamilton.<sup>71</sup>

Vuk Drašković, the most important Serbian opposition figure during the first half of the 1990s and the co-founder of the SPO, visited the North American diaspora in April 1990. Drašković’s SPO was formed in 1990. Although it was not the only Serbian party to receive diaspora support, it was the best organized overseas. When the party held its first congress in October 1990, roughly 200 members from abroad attended.<sup>72</sup> In the party’s program, it vowed to “look after all of the Serbian national corpus, specifically that it will not split Serbs who live in the motherland and those who are outside of her in the diaspora” (Čotrić and Popović 2002, 5). Branches were formed worldwide, but with the greatest concentration in Canada, the US, Germany, and Australia. The most active participants in diaspora party branches were first generation immigrants, many of whom were involved Chetnik or other political organizations.<sup>73</sup> The SPO was popular among these political émigrés because of its use of Chetnik symbols, and the party's open endorsement of reinstating the Karađorđević dynasty in Serbia under a constitutional monarchy.<sup>74</sup>

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<sup>66</sup> “Dr. Vojislav Seselj Visits USA and Canada,” *Amerikanski srbobran*, April 12, 1989, pg. 1.

<sup>67</sup> “Poset Vojislava Šešelja Srbima u Kanadi i SAD,” *Glas kanadskih Srba*, May 25, 1989, pg. 8; V. Šešelj, “Srbima Sjedinjenih američkih država, Kanade i Australije,” *Glas kanadskih Srba*, July 27, 1989, pg. 13. The visit was covered extensively in the *Amerikanski srbobran* (April 12, 1989, pg. 1 April 19, 1989, pgs. 6, 12, 14 & 16, April 26, 1989, pgs. 11-12, 14-16).

<sup>68</sup> Stevo Dobrijević, “Dr. Vojislav Seselj in Pittsburgh on Palm Sunday,” *Amerikanski srbobran*, April 12, 1989, pg. 4.

<sup>69</sup> “Poset Vojislava Šešelja Srbima u Kanadi i SAD,” 1989

<sup>70</sup> Less than 10 years later, Đujić took back the title, calling himself “naïve” for having done so.

<sup>71</sup> “Poseta Milana Komnenića Srbima u Kanadi,” *Glas Kanadskih Srba*, June 29, 1989, p 8.

<sup>72</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010.

<sup>73</sup> Author interview with diaspora activist #8, Stuttgart, Germany, July 14, 2010; author interview with former SPO member, Stuttgart, Germany, July 15, 2010; author interview with SPO official #3, Belgrade, Serbia, April 21, 2010.

<sup>74</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

While the HDZ's branch-building process in the diaspora was well-organized, strongly coordinated,<sup>75</sup> and took place in a relatively brief period of time, the SPO's branches formed somewhat haphazardly. For instance, in Stuttgart, Germany, a small group of political emigrants founded the branch in 1990 when Vuk Drašković visited the city to do a book reading and present information on the party.<sup>76</sup> Yet the impetus did not always come from Belgrade. In some cases, particularly where Serbian communities were smaller, an activist or small group of activists in the diaspora took it upon themselves to found a branch, and then notified Belgrade of their intentions.<sup>77</sup> Thus, the central party did not have the level of control and oversight of diaspora branch organizations that the HDZ did.

Another key difference between the HDZ and the SPO is the timeframe of branch-building. The HDZ branches were quickly constructed in the early 1990s, quieted down in the mid-1990s, and then mostly died off after 2000 when the party in Zagreb neglected them.<sup>78</sup> By contrast, the SPO diaspora branch-building took place in two bursts in the 1990s: the first in 1990-1991, and the second in 1998-1999.<sup>79</sup> The SPO branches remained relatively active throughout the Milošević era.

Another significant difference is that SPO branch-formation was far more contentious within the Serbian diaspora community than was the creation of HDZ branches in the Croatian diaspora. The schism had a role in this. Most SPO members in North America, for instance, belonged to the breakaway Free Serbian Orthodox Church.<sup>80</sup> The Yugoslav consulates and Milošević sympathizers in the diaspora sometimes sabotaged diaspora SPO events and intimidated SPO activists (Čotrić and Popović 2002). While the HDZ's diaspora supporters were aligned with a party in power after 1990, the SPO's followers were allied with an opposition party – the primary opposition party for much of the 1990s. Accordingly, some of the SPO's diaspora branches reflected the mother party's opposition status. When the SPO led massive demonstrations against Milošević in Belgrade in 1991 and 1992, the diaspora branches held solidarity marches in their countries of residence. While Croat diaspora activists were mobilized by the war and secession, diaspora SPO activists were mobilized not only by the war, but also by the desire to see Milošević out of power.

At their peak, there were some 80 SPO branches abroad. This is an impressive number, but less than half of that of the HDZ. Moreover, the SPO in no way “conquered” the diaspora in the way that the HDZ did. The SPO received aid from the diaspora in the early 1990s, and it was important given that Serbia’s economy was crippled by hyperinflation and sanctions, and costly republican-level or federal-level elections were held almost every year. Yet rather than sending cash, most of the aid came in the form of fax machines, photocopiers, and video recorders. Financial assistance amounted to hundreds of thousands rather than in millions.<sup>81</sup> Moreover, the SPO did not have very good relations with the Serbian Unity Congress (SUC), a diaspora umbrella organization that was created in the early 1990s and quickly became the most important

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<sup>75</sup> This is evident in the common template used in branch formation, the near-constant presence of one or more officials from the mother party, and the clearly delineated hierarchy within the party as outlined in the statutes.

<sup>76</sup> Author interview with former SPO member, Stuttgart, Germany, July 15, 2010.

<sup>77</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010; author interview with former diaspora SPO member, Stuttgart, Germany, July 15, 2010.

<sup>78</sup> The exception is the HDZ in Bosnia-Herzegovina, which has competed in BiH elections since the 1990s.

<sup>79</sup> This assessment is based on the account of branch formation in Čotrić and Popović 2002.

<sup>80</sup> Author interview with former diaspora SPO organizer #4, Hamilton, Ontario, Canada, October 18, 2011.

<sup>81</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010.

diaspora organization.<sup>82</sup> The SPO disagreed with the SUC's early support for Milošević, such as the latter's initiative to arrange visiting Yugoslav officials' meetings with American politicians in the early 1990s.<sup>83</sup>

Most diasporans and diaspora organizations were divided during the 1990s into pro- and anti-Milošević camps, which in turn were internally divided. Those who were opposed to Milošević tended not to back any single party (with the exception of the SPO supporters), but rather backed the opposition as a whole, and urged its fractious parties to form electoral coalitions and work together. At a 1990 meeting, the president of the Serbian Shield Society of Canada urged his fellow émigrés to “take a clear position on all of the newly-formed parties in the homeland. It is our patriotic duty to welcome and support every democratically oriented party. With our greeting and our help we must stress that in order to change the regime in Serbia, all groups must coordinate their efforts towards joint aims... *A democratic coalition is imperative for today's fight for a better tomorrow!*”<sup>84</sup> The next year, amid mass demonstrations in Belgrade, the same newsletter again expressed its support of the democratic *coalition*, even though it was the SPO that had by and large spearheaded the protests.<sup>85</sup>

Milošević received considerable support from elements of the Serbian diaspora (Hockenos 2003). Even the aforementioned Serbian Unity Congress, which by the late 1990s strongly opposed Milošević for “selling out Bosnian Serbs” at Dayton, was nevertheless supportive of him in the late 1980s and early 1990s.<sup>86</sup> He drummed up diaspora support in 1989 with his high-profile million-Serb pilgrimage to Kosovo Field, where he delivered a rousing speech on the 600<sup>th</sup> anniversary of the Battle of Kosovo. A number of diaspora Serbs joined him on the pilgrimage. In 1990, an American Serbian Orthodox Church gazette reprinted a priest's speech opining that, despite his shortcomings in spirituality, “one cannot deny the tremendous achievements of Slobodan Milosevich where the Serbian national and territorial integrity are concerned...Undoubtedly Milosevich is a man who embodies many great qualities: courage, bravery, and pure national feelings;” and that Serbs needed to overcome their internal strife to surmount “[the threats of pan-Islam and] centuries old, militant Roman Catholicism which is present in the Croatian, twisted, self-righteous mind.”<sup>87</sup>

Still, Milošević lost popularity in the diaspora over time. One reason was the notorious bonds for Serbia scheme, in which thousands of diaspora Serbs emptied their savings accounts to buy bonds, only to later discover that the bonds could not be redeemed. Milošević's reputation in the diaspora took another blow from the risks faced by young diaspora men of being conscripted or arrested for draft dodging if they returned to Serbia. Finally, staunch nationalists were upset at what they viewed as Milošević's “betrayal” of Serbdom at the Dayton Accords in 1995, which effectively ended Serbia's bid to integrate lands in which ethnic Serbs lived in Croatia and Bosnia-Herzegovina. Nevertheless, many diaspora Serbs felt that in order to support Serbia during its decade of economic and geopolitical troubles, they needed to support Milošević. For some diasporans who were angry at Western governments' and institutions' treatment of Serbia,

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<sup>82</sup> Ibid.

<sup>83</sup> Bora Karapandić, “Ne pregovarajmo sa partijskim glavešinama...,” *Glas kanadskih Srba*, April 26, 1990, pg. 6.

<sup>84</sup> Boro Dragašević, “Polugodišnja sednica SNO u Kanadi,” *Glas kanadskih Srba*, March 29, 1990, pg. 2. Emphasis in original.

<sup>85</sup> Bora Dragašević, “Saopštenje srpskoj javnosti u Kanadi i SAD,” *Glas kanadskih Srba*, March 28, 1991, pg. 2.

<sup>86</sup> Author interview with diaspora activist #10, Toronto, Canada, October 17, 2011; author interview with SPO official #3, Belgrade, Serbia, April 21, 2010. In the words of the latter: “The members of the SPO viewed the formation of the [SUC] as an extension of the Milošević regime... The SPO gathered people who were truly political émigrés... while the Serbian Unity Congress arose with the goal of helping Milošević.”

<sup>87</sup> “Fr. Lunich's Address,” *Path of Orthodoxy*, July-August 1990, pg. 10.

Milošević was a Serbian David who stood up to the West's Goliath.<sup>88</sup> Even in the summer of 2000, when the electoral contest between the soon-to-be-ousted Milošević and a newly-united opposition was heating up, the Serbian government was able to organize a pro-Milošević "Diaspora 2000" conference in Belgrade that passed one resolution after the next in praise of the Serbian government.<sup>89</sup>

For political actors in Serbia, these divisions yielded a diaspora that was largely unreadable. For Milošević in particular, a fully incorporated diaspora could have posed risks. Many of the politically active diasporans supported a reinstated Karađorđević dynasty. While most opposition leaders had visited Alexander Karađorđević in the United Kingdom in the late 1980s and early 1990s to curry favor with him, Milošević was deeply opposed to the Karađorđević dynasty having any role in Yugoslavia.<sup>90</sup> The success overseas of the SPO, one of the primary parties of opposition in the 1990s, and the potential bastion of support for a constitutional monarchy were two clues that the diaspora, while divided, might be more harm than help for Milošević if incorporated. Milošević's SPS, which as the hegemonic party in power designed laws on citizenship, voting rights, and representation, was careful to create a legal framework that blunted any potential political role of the diaspora in homeland politics.

### **Mutual Disinterest After Milošević**

In 2000, several diaspora elites – including SUC president Michael Djordjevic and His Royal Highness Crown Prince Alexander Karađorđević – brought together the heads of the fractious Serbian opposition parties in Budapest, Hungary. There, they essentially gave the opposition a bribe: if the parties formed a coalition, these backers would contribute \$1 million USD to their campaign. This offer was not the primary determinant of that opposition coalition's formation; the lessons of years of disunity, pressure from foreign governments, and pressure from the student movement *Otpor*, arguably played a much larger role.<sup>91</sup> The main lesson of the informal 2000 Budapest summit was that the Serbian diaspora still was not backing any single political party, but rather the opposition as a whole. This diffuse support, coupled with the fact that the Serbian diaspora has become largely demobilized since the democratic changes in 2000, has rendered the Serbian diaspora a largely enigmatic political variable in Serbian politics.

Homeland parties' uncertainty on the diaspora's political profile is compounded by two factors: 1) the decline of the SPO in the diaspora (as well as in Serbia), and 2) the changes to the diaspora's political countenance since mass emigration in the 1990s.

While the HDZ's diaspora infrastructure began to dry up after 1995, the SPO's was in place until 2000, the year that Milošević was thrown out of power. Subsequently, however, these branches also went dormant. One simple reason is demographic: many political émigrés who supported the organization in the 1990s were already retirees, and many of them had since passed away or were no longer able to actively participate. A second reason concerns the SPO's diminishing prospects in homeland politics. Although the SPO was one of the main opposition parties in the 1990s, by the late 1990s, the party was no longer one of the opposition's leaders. Its reputation took a blow when it went into coalition with Milošević's SPS near the end of the

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<sup>88</sup> Author interview with delegate to the Diaspora 2000 conference, Belgrade, Serbia, May 7, 2010; author interview with former high-ranking official in the Ministry for Foreign Affairs #2, Belgrade, Serbia, May 7, 2010.

<sup>89</sup> "Deklaracija Sabora 'Dijaspora 2000' (August 5, 2000)," c.f. Beogradski forum za svet ravnopravnih 2002, pgs. 81-86.

<sup>90</sup> Author interview with HRH Crown Prince Alexander Karađorđević, Belgrade, Serbia, March 8, 2010.

<sup>91</sup> Author interview with former member of *Otpor* leadership, Belgrade, Serbia, July 14, 2008; author interview with diaspora Serb who took part in the 2000 summit, Chicago, June 2, 2012.

decade. Its reputation was further damaged when the party refused to join the Democratic Opposition of Serbia coalition in 2000. Since then, the party has never been more than a junior coalition partner, and has only had a handful of deputies in parliament. For diaspora members who were motivated by attaining the sort of plum political position that many Croatian diasporans had received for their role in the HDZ, the SPO's post-2000 diminishing prospects changed their incentive structure. As a high-ranking SPO official explained,

So long as the Milošević regime was in power...there was a strong anti-communist sentiment among our emigrants, and a desire to change this regime. And at that time there was more enthusiasm [for participation in SPO] among these people abroad; however, after October 5, 2000, after the collapse of the Milošević regime, their activities were greatly reduced. And then it happened that the SPO did poorly in the elections...the SPO was not in power. Some people [in the diaspora] had expectations that the SPO would take power in Serbia...and that they would then be included in our diplomatic corps, or be included in some other government structure in Serbia. That didn't happen. [The diaspora branches] continued on by inertia for another three or four years, such that the last practical activity of any of the [diaspora] SPO branches was the Congress of the SPO for Austria in 2004...And since then, there have been practically no organized activities.<sup>92</sup>

Second, the changing composition of the diaspora since 1990 has made it hard to take the population's political pulse. The government does not have accurate data on who left, where they went, or their political preferences. Given the breadth of age, region of origin, and socioeconomic status of those who left, this population is ambiguous. There are no consistently active, major diaspora institutions that offer clues. The new arrivals tend not to participate in the political organizations or interact with the older political émigrés; they avoid the musical ensembles, dance troupes, and other traditional diaspora organizations; and many of them are not active in diaspora churches.<sup>93</sup> Their association is informal and network-based rather than through formal organizations.<sup>94</sup> For party strategists, this is problematic. As we saw with the HDZ and the SPO in the 1990s, preexisting diaspora organizations played a crucial role in linking homeland parties to the diaspora population. In 2009, Serbia's centrist Democratic Party (DS) launched an experiment that illustrates these challenges: it created its first foreign branch in Vienna, Austria, where there were an estimated 180-300,000 Serbs. A delegate of party leaders went there to oversee the creation of the branch. The plan was to spend six months or so simply scoping out the lay of the diaspora landscape, and develop a local diaspora database using the lists from the old Yugoslav Clubs. This experiment failed when the party found it was unable to put together even a rudimentary local diaspora profile or find a mechanism to tap into the local diaspora population.<sup>95</sup>

Most homeland Serbs *and* diaspora Serbs agree that homeland political parties and the Serbian government in general has little concern with the Serbian diaspora, even if they disagree on the reason. For a DS organizer, part of the reason for this is the diaspora's inscrutability. Although his party has received the most overseas votes since introduced in 2004, the turnout is so low that it's hardly a good sample.<sup>96</sup> For a diaspora returnee who worked in the Ministry for the Diaspora, the major parties don't want the diaspora to be incorporated into Serbian political

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<sup>92</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010.

<sup>93</sup> Author interview with Canadian Serb, Belgrade, Serbia, April 13, 2010; author interview with Canadian Serb, Toronto, Canada, October 19, 2011; author interview with Serbian Orthodox Church official, Ontario, Canada, October 20, 2011.

<sup>94</sup> Author interview with diaspora activist #9, Stuttgart, Germany, July 15, 2010.

<sup>95</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

<sup>96</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

life because they fear competition from them over coveted positions in the government, the civil service, and universities.<sup>97</sup> As we will see in subsequent chapters, this uncertainty has made homeland parties unwilling to strongly and comprehensively incorporate the diaspora as a political actor.

## THE POLITICS AND PROFILE OF THE ARMENIAN DIASPORA

### Diaspora Composition

Armenia's contemporary diaspora is the product of historical population movement, the Armenian genocide, diaspora re-migration in the 1970s (particularly from the Middle East to Europe and North America), internal migration in the Soviet Union, and contemporary emigration from post-Soviet Armenia. Composed of multiple cohorts of emigrants and generations of descendants, the Armenian diaspora is estimated to be between 4 and 7 million in size, making it substantially larger than and possibly even twice as large as the 3.2 million people who live in the Republic of Armenia (Jendian 2008, 55). The largest population of Armenians outside of Armenia is Russia, where there were an estimated 1.2 -2.5 million Armenians.<sup>98</sup> There are estimated 1.4 million Americans of Armenian descent in the U.S., of which roughly half live in California (Jendian 2008, 57).<sup>99</sup> Populations of emigrant Armenians and their descendants exceed 100,000 in France, Georgia, Ukraine, Lebanon, Iran, Argentina, Syria, and Canada.

There were numerous, large-scale Armenian population dispersions going back to 1045 AD – for this reason the Armenian diaspora is considered one of the “classical” diasporas along with the Greek and the Jewish diasporas – but it was the 20<sup>th</sup> century genocide that has shaped the modern diaspora in fundamental ways. On the eve of World War I, there were roughly 2 million Armenians in the Ottoman Empire, and 2 million in the Russian Empire. In 1915-1916, an estimated 1-1.5 million of the Ottoman Empire's Armenians were massacred (Panossian 2006, 231-2). Western Armenia, the term given to Ottoman lands (present-day Eastern Turkey) where Armenians lived and which had historically been part of an Armenian state, no longer had Armenians. Several hundred thousand survivors fled to Eastern Armenia (then part of the Russian Empire), while a roughly equal share went to existing diaspora communities in the Middle East and the West. The genocide survivors and their descendants, then, were West Armenians. They did not come from the territory of present-day Armenia, but rather from villages, towns, and cities in Ottoman Turkey. They speak the Western Armenian dialect. That the genocide victims were Western Armenians, and that the Soviet Union did not tolerate discussions of the genocide until 1965, had a deep impact on the diverging development of identity politics in homeland Armenia and the diaspora (Panossian 2006, 241).

In the wake of World War I, when civil war raged in Russia and Ottoman Turkey was being dismembered, there was a power vacuum in the South Caucasus. It would be two years before the Bolsheviks had reconstituted state power in the core and were able to re-exert power in the periphery. In the meantime, Armenia briefly joined the Transcaucasian Federative Republic with Georgia and Azerbaijan. This experiment soon fell apart after Azerbaijani and Georgian delegates declared their units' independence. This left the Armenian National Council,

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<sup>97</sup> Author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010.

<sup>98</sup> The more conservative figure comes from Russia's 2010 census, while the latter is from “V Rossii prozhivaet bolee 2.5 mln armyan,” *Ria-Novosti*, December 16, 2002, <http://ria.ru/society/20021216/282886.html>.

<sup>99</sup> In the 2000 U.S. Census, nearly half of Glendale's 195,000 residents self-identified as Armenian.

dominated by the Armenian Revolutionary Federation (the ARF, or Dashnaks), at the helm of an independent state. By 1920, however, the Bolsheviks were pushing to reincorporate the South Caucasus into the Russian Soviet Federated Socialist Republic, while Mustafa Kemal's Turkish forces were encroaching on the fledgling Armenian state's territory. The Dashnak government forcefully put down several Bolshevik revolts in Yerevan in 1920, planting the seeds of the antagonistic relations between the Dashnaks and Soviet Armenia that would persist throughout the Cold War (Hovannisian 1997, 336-7). Still, as the soon-to-be-deposed Armenian prime minister lamented, the republic was caught between the "Bolshevik hammer and the Turkish anvil" (c.f. Panossian 2006, 245). In 1922, Soviet Armenia became one of the Soviet Union's constituent republics. In the process, militant Bolshevik Armenians seized power, purged the government and state apparatus, and arrested or executed many Dashnaks (Suny 1997, 348). For the Dashnaks, the brief experiment with modern statehood (not to mention their leadership in it) was a potent symbol (Panossian 2006, 251). They carried it with them into exile when they fled Soviet Armenia in the 1920s.

During the 1970s and 1980s, an estimated 80,000 Soviet Armenians emigrated to North America. Their primary destination was the Los Angeles area. LA's population of 18,000 Armenians in 1970 had more than quadrupled to 115,000 by 1990 (Jendian 2008, 55). Armenian diaspora populations in the West also changed as Middle Eastern Armenians immigrated to the U.S.: from Lebanon after civil war broke out in 1975, from Iran after the 1979 revolution, from Syria after the Syrian-Egyptian Union in 1958 and subsequent Ba'thi regime until Assad ascended to power.

The post-Soviet exodus has reshaped the diaspora. In the 1990s, an estimated 800,000-1,000,000 Armenians permanently emigrated, a figure that is equivalent to nearly a third of the Republic's 1989 population of 3.3 million (ILO 2009, 6). The largest share of the 1990s emigrants went to Russia, followed by the United States. In the 2000s, there has been an increasing trend towards temporary labor migration. A 2008 survey conducted by the International Labor Organization suggested that over 96% of labor migrants in the period between 2002-2007 went to Russia. The reasons for this choice are not difficult to divine – it is closer to workers' families who remain in Armenia, there are already large Armenian populations in most cities, there are no visa requirements to enter, it is much cheaper and easier to get there than the West, and migrants' Russian language skills make it easier to integrate. In Russia, the cities of Moscow and St. Petersburg are the most popular destinations, followed by Tyumen, Chelyabinsk, and Rostov (ILO 2009, 7-8).

Finally, there was an internal Armenian diaspora in the USSR. In the 1989 Soviet census, in addition to the 3.08 million ethnic Armenians in the Armenian Soviet Socialist Republic, there were 532,000 ethnic Armenians in the Russian SSR, 437,000 in the Georgian SSR, 390,000 in the Azerbaijani SSR, 54,000 in Ukraine, and another 95,000 in Central Asia, for a total of 4.6 million ethnic Armenians in the USSR (Panossian 2006, 278).

## Politics and Organization

For decades, organizational life in the diaspora was rigidly structured around the three Armenian political parties that went into exile after the interwar Armenian republic was reincorporated into the Soviet Union. All three parties were formed in the late 19<sup>th</sup> century, and were active in the politics of the Armenian question in early 20<sup>th</sup> century Ottoman Turkey. The parties used violent and revolutionary tactics in fighting the Turks; these battles and heroic deeds

of the early 20<sup>th</sup> century became important symbols in the diaspora. The anniversaries of these acts of rebellion and martyrdom are commemorated in the diaspora with dinners, dances, and concerts (Panossian 2006, 227).

### **The Exile Parties**

*The Hnchakian Revolutionary Party:* The Hnchakian Party originated among Russian Armenian students in Geneva in the 1880s, who became inspired by contemporaneous Russian populists and socialists, as well as by Marxism. In Ottoman Turkey, the Hnchaks embraced revolutionary tactics – including assassination and terror – and advocated immediate independence for Ottoman Armenia. By the time of the Armenian genocide, the Hnchaks had over 100 cells scattered in Europe and the United States (Panossian 2006, 204). Weakened by internal rifts, however, the Hnchaks were marginal players by the 1920s. In 1924, the party declared its support for Soviet Armenia as “the realization of the goal we have pursued for 38 years” (Panossian 2006, 205). In the diaspora, the Hnchaks remained staunch supporters of the Soviet Union, a decision that proved costly as the Cold War intensified. By the 1980s, the party was a marginal player in the diaspora.

*The Ramkavar Party:* The Ramkavar Party (Armenian Democratic-Liberal Party, or ADL) was founded in the Ottoman Empire in 1885. The party had branches in Iran, the South Caucasus, and the U.S., but it did not have the strong diaspora presence that the Dashnaks did. Unlike the Dashnaks and the Hnchakian Party, the Ramkavars did not advocate an immediate revolutionary push for independence; they felt that Armenians had to be remolded first and prepared for the struggle (Panossian 2006, 202).

Over time, the Ramkavars transformed into a decidedly more liberal party. The ADL had strong support among the middle and upper classes of Ottoman Armenian society. The Ramkavars “came to embody the liberalism of the western point of Armenian identity. It eschewed radicalism and violence, providing an alternative programme that emphasized political and individual rights, market economics, private property...It remained committed to the freedom and unity of Armenia, but this aim was to be achieved through peaceful means and negotiations, and with reliance on Russia/the Soviet Union” (Panossian 2006, 203). In the diaspora, the ADL is a distant second to the ARF.

*The Armenian Revolutionary Federation:* The Armenian Revolutionary Federation (ARF, or “Dashnaks” from the Armenian word for federation, *Dashnaktsutium*), was the most important of the diaspora parties. Founded in 1890 in Tbilisi, present-day Georgia, it quickly grew to be the largest revolutionary party, and had numerous branches in Russian and Ottoman Armenia and the overseas diaspora. Its goal, too, was the liberation of Ottoman Armenia. Although they were socialist like the Hnchaks, the Dashnaks were primarily nationalists, and any ideological tension between socialism and nationalism was decided in favor of the latter. The national cause trumped class struggle (Panossian 2006, 207). With less of the Hnchaks’ rigid socialist orthodoxy, the Dashnaks appealed not only to radical students, but also to the middle class. Moreover, the party excelled at weaving together strands of western and eastern Armenian nationalism into its ideology (Panossian 2006, 209). The party ruled the short-lived independent Armenian Republic (1918-1920).

### **Life and Organization in the Diaspora**

In comparison to the Croatian and Serbian diasporas, the population of Armenian diaspora organizations proved much more stable over time. During the 20<sup>th</sup> century, no new

major diaspora organizations were created until the 1970s (Toloyan 2001). The party organizations instilled an Armenian identity in the diaspora that bridged language, region of origin, class, and political ideologies (Panossian 2006, 292). When the leadership of the revolutionary trio of parties fled Soviet Armenia to the Middle East, they found themselves “among a broken refugee population with little or no political consciousness, with strong regional and religious identities, a weak pan-national sense of belonging and even little or no Armenian language skills” (Panossian 2006, 294). The parties’ nationalism and secularism faced resistance from local diaspora elites and religious clergy. Despite these challenges, the parties were able to instill cohesion into this otherwise fragmented population.

The Dashnaks were the quickest at adapting to the new milieu. The ARF reshaped its organization and mission at its 10<sup>th</sup> Congress in Paris in the winter of 1924-1925, where it announced a new era of activism in new diaspora colonies (Panossian 2006, 294). Until the 1970s, Lebanon was the political and cultural headquarters of the Armenian diaspora, including the ARF. The Lebanese diaspora had grown in the 1920s and 1930s when thousands of refugees fled the genocide. Remarkably, the ARF was able to marginalize the 30+ pre-existing diaspora organizations in Lebanon (which they dubbed “useless weeds” because of their parochialism and fragmentation). By the 1930s, “the ARF had asserted itself as the hegemonic party in many of the diaspora communities and had succeeded, along with its competing organisations, in instilling a strong and modern sense of pan-national identity among the newly-politicized masses...[They did so by cultivating] a new generation of Armenians [who] grew up knowledgeable of Armenian culture, speaking the language, and identifying with the nation above all else” (Panossian 2006, 295). On a more limited scale, and with less success, the Ramkavars and the Hnchaks did the same. In addition to the party organizations themselves, the parties had affiliated institutions that offered a full spread of educational, cultural, social, and political activities.

Parties even had their own separate affiliated schools, wherein teachers were party members and party intellectuals designed the curriculum. By 1950, there were nearly 30 such schools in Lebanon, and they were a key part of the identity-building process. Building an Armenian consciousness and a cohesive diaspora community was different in Europe and the Western Hemisphere, where the forces of integration and assimilation were stronger. Whereas parties could create their own Armenian schools in Lebanon, Armenian schools could only supplement, not replace, public education in Europe and North America. Thus, “Armenian school” came in the form of Sunday classes. By 1932, there were an estimated 60 Armenian schools in the United States excluding California. By the 1960s, there were a handful of full-time private schools that taught Armenian history, culture, and language (Panossian 2006, 297-8).

Over the course of the 20<sup>th</sup> century, Armenians also integrated into their host states by using these institutions to lobby on behalf of the Armenian Cause. After World War II, the ethnic Armenian lobby became an effective force in U.S. politics. As Panossian (2006: 308) notes of this era, “two different planes of diaspora politics had come into being. One was the traditional but still prevalent community oriented party politics. The other was the new professional politics of campaigning, lobbying and networking as an integrated group in the political system of the host country. These two planes competed and complemented each other in the diaspora.” Some of the lobbying organizations were affiliated with the parties. For instance, the Armenian National Congress of America, which is headquartered in DC, is tied to the ARF.

Although some in the diaspora began to view the parties as stagnant, conservative, and too resistant to integration into the host state, the new forms of organizing did not supplant the

old.<sup>100</sup> Young diaspora Armenians continued to be socialized into different party camps. A California diaspora youth on a summer program in Armenia in 2010 explained that in his Ramkavar-affiliated Armenian school,

You can still feel the Dashnak/non-Dashnak division. There is a Dashnak school, also in Los Angeles, and recently there was a huge war of words on Facebook between the students. They were calling us Turks, or ignorant of Armenian history. Because that's all they [Dashnaks] talk about – genocide, history. Even in our generation, teenagers, there are still divisions.<sup>101</sup>

Even among the large adult returnee population in Armenia, these divisions divide social life: Dashnaks tend to only socialize with other Dashnaks, etc.<sup>102</sup>

The most divisive issue in the diaspora was relations with Soviet Armenia. Diaspora parties had strongly differing positions on what the diaspora's relationship with Soviet Armenia should be. While the Hnchaks and Ramkavars had generally warm relations with Soviet Armenia, the Dashnaks were adamantly opposed to any relationship with the Soviet Union. As socialists, the Hnchaks' support for Soviet Armenia is easy to explain. The liberal Ramkavars, once in the diaspora, took the position that they should support Armenia, no matter what kind of political system or who was in place (Panossian 2006, 366-7). This issue broke the diaspora into two rigid blocs: Dashnak and non-Dashnak (i.e. Hnchaks and Ramkavars).

As a result, much like the Serbian diaspora after the 1963 schism, the Armenian diaspora communities were “split along partisan cleavages, which affected families, cultural societies, educational institutions, and ultimately the Armenian Church” (Dekmejian 1997, 415). The Soviet regime tried to win support from friendly diasporans (namely, the Hnchaks and Ramkavars), while extinguishing any threat from the Dashnaks. In Western countries, the Dashnaks used Cold War politics to undermine the Soviet-friendly Hnchaks and Ramkavars (Dekmejian 1997, 415-8). Individuals were “born” into party camps. As an elderly Iranian-born Dashnak explained, his father had been a Dashnak, as had his grandfather.<sup>103</sup> The Dashnak and non-Dashnak blocs had “two sets of umbrella organizations with global networks, linking the various branches of each bloc scattered in many countries” (Panossian 1998, 157). Within the same city, one found parallel churches, charity organizations, newspapers, athletic teams, schools, etc. Remarkably, this “iron curtain” in the diaspora persisted for more than half a century. In Lebanon, the party-centric diaspora camps literally fought each other in the 1950s, when the Dashnaks supported President Chamoun and the Ramkavars and Hnchaks supported Prime Minister Karami (Dekmejian 1997; Panossian 1998).

Soviet-diaspora relations worsened mid-century when diaspora Armenians were invited to “return” to Soviet Armenia in 1945 with the nominal goal of resettling historic Armenian regions that Stalin wanted to acquire from Turkey. Some 100,000-150,000 Armenians – the majority of them Western Armenian survivors of the genocide who had never lived on the territory of the Soviet Armenian republic – immigrated over the next three years. Over 85% of the immigrants came from the Middle East (Dekmejian 1997, 416-7; Suny 1997, 367). The inflow of Armenians comprised nearly 10% of Soviet Armenia's population of 1.2 million in 1946. The promises of Soviet propaganda were vastly different from the Armenia that the “returnees” encountered mid-century. They lived in dreadful conditions, and were not given the

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<sup>100</sup> One organization that embodies the new politics was the Armenian Assembly of America, created in 1972 to lobby the U.S. government on issues of genocide recognition and aid to Armenia.

<sup>101</sup> Author interview with American Armenian #3, Yerevan, Armenia, August 3, 2010.

<sup>102</sup> Author interview with American Armenian #1, Yerevan, Armenia, August 3, 2010

<sup>103</sup> Author interview with Iranian Armenian, Yerevan, Armenia, August 18, 2010.

employment and stipends that had been promised. Some of them were sent to Siberia. The Dashnaks, already opposed to Soviet rule, were livid (Panossian 2006, 361).

Relations between the Dashnaks and the Armenian Church in Armenia were strained. While the Catholicos of the Armenian Apostolic Church had a surprising degree of freedom to travel abroad, the Church hierarchy (Ejmiatzin) became a Soviet tool to subtly monitor and control the diaspora (Panossian 2006, 354). Like the Serbian Orthodox Church, the Armenian church in the diaspora split. When Ejmiatzin appointed Ghevond Turian Archbishop of New York in 1931, the Dashnaks condemned his selection on the grounds that he was too pro-Soviet. New York's diocesan assembly split in two – the Dashnaks defected to form an independent diocese, while non-Dashnaks remained in the other. In 1933, the Archbishop was murdered, and 9 Dashnak members were charged with the crime. The Dashnak-Ejmiatzin split was formalized in 1956 during the election of a Catholicos to the See of Cilicia in Beirut. While the non-Dashnak parties backed one candidate (with quiet Soviet support), the Dashnaks made sure that an ARF-friendly candidate was selected. Under pressure from Moscow, Ejmiatzin did not acknowledge the church election results (Dekmejian 1997, 418). Thereafter, the Cilician church, or “Dashnak church,” extended its influence throughout Armenian diaspora communities. Much like the Serbs in North America, “diaspora Armenians, on the basis of their political persuasions, split their loyalty between one of the two Catholicos” (Panossian 2006, 355).

Like socialist Yugoslavia's Croatian and Serbian *matica iseljenika* institutions, Soviet Armenia had its own institutions for state-diaspora relations. The Aid Committee for Armenia (*Hayastani Ognutian Komite*, HOK) was established in the 1920s to solicit material aid for Armenia, but it was also a propaganda office to exert control over the diaspora (Panossian 2006, 368). HOK propaganda maligned the “enemy” Dashnaks, and non-Dashnak diasporans were called upon to resist them. In 1964, the Soviet Armenian Communist Party leadership established a new Committee for Cultural Ties with Diaspora Armenians. Its domain was limited to cultural contacts and exchanges of dance and musical troupes, but it still opened up new channels of communication. Its propaganda was less explicit and political than the HOK, and it was a way for Soviet Armenia to depict itself as the homeland of the Armenian diaspora (Panossian 2006, 371).

As the new committee shows, Nikita Khrushchev's de-Stalinizing “Thaw” made it possible for the Armenian Soviet Socialist Republic to take on a stronger role in state-diaspora relations (Dekmejian 1997, 419). In 1965, the Communist Party leadership in Armenia convinced Moscow to allow the republic to commemorate the 50<sup>th</sup> anniversary of the genocide. Moscow agreed to a small, quiet event. It was the first time that the genocide was publicly discussed in Soviet Armenia. As intellectual and political elites gathered behind closed doors, crowds of 100-200,000 gathered outside, threw rocks, and called on Turkey to return Armenian territories (Dekmejian 1997, 420-1; Suny 1997, 376-7). In the 1960s and 1970s, Communist Party elites in Armenia helped create and control a new type of Armenian nationalism. Unlike most of the other Soviet republics, homeland Armenian nationalism did not become anti-Russian or even anti-Soviet. It had Turkey in its sights, like the diaspora (Panossian 2006, 322).

After 1965, diaspora critics of Soviet rule became demonstrably more mute. By the 1980s, even the Dashnaks were on warm terms with Soviet Armenia (Panossian 2006, 322). This was partly because the Armenian SSR, whose leadership opened some societal space for nationalist sentiment after 1965, was deemed more acceptable. Equally importantly, the genocide became the key issue for all of the diaspora parties by the 1970s. This singular focus led the Dashnaks to cease endorsing outright independence. Politically active diasporans gradually came

to share the view that “being part of the Soviet Union – that is, being under Russian hegemony – was vital for the nation’s physical survival” and Armenia’s ability to regain Western Armenian lands from Turkey (Panossian 2006, 372). Dashnak congresses were no longer laden with anti-Soviet diatribes. Later, the ARF’s opponents – most notably President Levon Ter-Petrosian – would argue that the ARF’s about-face in its view of Soviet rule was evidence of KGB infiltration of the organization. These were the grounds on which he forced the leader of the ARF, Hrair Marukhian, to leave Armenia in 1992. Marukhian later admitted that the Dashnak leadership had met with Soviet Armenian leaders annually to talk about the Armenian Cause and state-diaspora relations, but vehemently denied that this contact constituted collaboration with the KGB (Panossian 2006, 374). Thus, while the Dashnak/non-Dashnak split continued, there was surprising agreement on the ends (Turkish genocide recognition and return of territories to Armenia) and the means (reliance on a Third Force protector like Russia).

## Cohesive Competitors: Political Linkages During Communism’s Collapse

### **Mobilizing for Armenia**

As this chapter has shown, the period surrounding the collapse of communism was crucial in shaping homeland actors’ perceptions of the diaspora as a political actor. Post-Soviet Armenia’s diaspora incorporation policies are rooted in the views that crystallized in the late 1980s and early 1990s regarding the diaspora as a *political* actor.

Armenians in the diaspora grew mobilized in response to the devastating Spitak earthquake in 1988, and in response to the contemporaneous crisis over Nagorno-Karabakh. Initially, these crises in Armenia seemed to portend “a crucial role [for the diaspora] in sustaining the homeland. Indeed, the survival of Karabakh and the newly independent republic required a mobilized diaspora that could provide not only economic assistance, but also political support and even military aid” (Dekmejian 1997, 441).

The magnitude 6.8 earthquake that struck Armenia in 1988 killed an estimated 25,000 people, and left another half million homeless.<sup>104</sup> Along with other international humanitarian efforts, the Armenian diaspora helped provide nearly 500 million USD in humanitarian aid through the new United Armenian Fund (Dekmejian 1997, 441). Mikhail Gorbachev invited the West and the diaspora to provide such aid.

Meanwhile, Gorbachev’s policy of *glasnost* and limited toleration of dissent paved the way for nationalist opposition in Soviet Armenia. The rallying basis of dissent in Armenia was the situation of ethnic Armenians in Nagorno-Karabakh, an autonomous *oblast* that Moscow had transferred to the Azerbaijani Soviet Socialist Republic in 1923.<sup>105</sup> In 1988, the local council in Stepanakert (Nagorno-Karabakh’s capital) issued an audacious decision to secede from the Azerbaijani SSR and become part of the Armenian SSR. This triggered huge rallies of support in Yerevan, and counter-demonstrations in Azerbaijan. The mass mobilization triggered pogroms against minorities in both republics.

In Armenia, a loosely organized Karabakh Committee formed in 1988 to champion the transfer of the oblast to Armenia. It was thus a direct challenge to Moscow. As it gained steam, the Movement broadened its scope to include issues like corruption, economic reform, and ultimately independence (Libaridian 1991, 3). In January, however, members of the Karabakh

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<sup>104</sup> “Earthquakes With 1,000 or More Deaths Since 1990,” United States Geological Survey, November 30, 2012, [http://earthquake.usgs.gov/earthquakes/world/world\\_deaths.php](http://earthquake.usgs.gov/earthquakes/world/world_deaths.php).

<sup>105</sup> From 1918-1920, there were battles between Armenia and Azerbaijan over several territories, including Nagorno-Karabakh.

Committee, including leader Levon Ter-Petrosian, were arrested for six months, prompting mass demonstrations in Yerevan. The Committee was reorganized as the Armenian Pan-National Movement (ANM) in June of 1989, and it was led by and became a political vehicle for future president Ter-Petrosian. The showdown between the Communist Party and the ANM umbrella movement heated up throughout the summer and fall of 1989, at the same time that the violence between Azerbaijan and Armenia escalated (Suny 1997, 382-3). As nationalist fervor intensified in Armenia, a number of Armenian Communist Party officials defected to the ANM, giving the latter de facto control in Armenia before it ever declared independence. The republic boycotted Gorbachev's referendum on the future of the Soviet Union, instead deciding to hold its own referendum on secession in September 1991. Ter-Petrosian was elected president the next month.

The diaspora directly reentered the political scene in mid-1990. A handful of Dashnaks moved to Armenia in 1990 to restart the party. One of the first wave diaspora returnees who spearheaded these efforts recalled that the Dashnak team traveled to different parts of Armenia to build local support bases, and began publishing newspapers and forming party institutions. Most Armenians were familiar with the party's history, albeit a Sovietized version of it.<sup>106</sup> In fact, the ANM, which at that time was an umbrella coalition of parties, *invited* the Dashnaks to join, but the latter refused because they believed they were the sole rightful heirs of independent Armenia.<sup>107</sup>

The conflict with Levon Ter-Petrosian's ANM began almost immediately. In fact, many claim that the bad blood goes back to the notorious joint statement issued by the Dashnaks, Hnchaks, and Ramkavars in October 1988. For the first 9 months of the Karabakh Committee's existence, the diaspora had been relatively quiet on the issue. The Ramkavar English language newspaper (*The Armenian Mirror-Spectator*) made no mention of the Karabakh Committee until the leadership was imprisoned at the year's end (Libaridian 1991, 127 fn 3). Then, the trio issued a joint statement, one of precious few instances when they acted in concert. The statement urged their "valiant brethren in Armenia and Karabakh to forgo such extreme acts as work stoppages, student strikes, and some radical calls and expressions that unsettle law and order in public life in the homeland...that [harm seriously] the good standing of our nation in its relations with the higher Soviet bodies and other Soviet republics" (c.f. Libaridian 1991, 129). Here, and in subsequent statements, the diaspora basically told the homeland opposition to stop agitating for independence. This was consonant with the diaspora parties' belief that a "third force" – an external power like Russia – was needed to be Armenia's protectorate against the age-old nemesis, Turkey, and that an independent Armenia would be imperiled.

For one of Ter-Petrosian's advisors, the statement "was a milestone in diaspora political thinking and in Armenia-Diaspora relations, as it crystalized the position of diaspora political organizations. More importantly, it marked the beginning of an important process in Armenia. Public organizations, movement leaders, and common people began to disabuse themselves of certain myths regarding diaspora organizations. Until then the diaspora was assigned a much larger role in the realization of the national agenda...conceived in Armenia" (Libaridian 1991, 130). Before, nationalists in Armenia had revered the Dashnaks as valiant freedom fighters. Early on, homeland Armenians had high hopes and expectations that the Dashnaks would immediately come to their side (Panossian 1998, 166). These hopes were now dashed.

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<sup>106</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

<sup>107</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

From there, relations only worsened. In August of 1990, the Dashnaks tarnished their image even further by backing the Communist official Vladimir Movsisian as President of the Supreme Council over Levon Ter-Petrossian (Panossian 1998, 167). The ANM made clear in no uncertain terms that the Dashnaks had encroached on “their” turf, and told them to go back to the diaspora.<sup>108</sup> In a volume of speeches and essays edited by Ter-Petrossian’s close adviser, the former Dashnak Gerard Libaridian, the Dashnaks were dismissed as a spent force. While once a carrier of the torch for Armenian independence, the Dashnaks had essentially sold out on their support for independent Armenia when they turned their focus, in the 1960s and 1970s, to genocide recognition and the reacquisition of Western Armenia at all costs (Libaridian 1991, 6).

The divisions were not only about simple political interests; they also centered on clashing foreign policy preferences. As Armenia struggled under blockades along its Azerbaijani and Turkish borders, Ter-Petrossian’s administration began to advocate rapprochement with Turkey and immediately ceasing any territorial claims: “[These territories’] union with Armenia requires resources which Armenians simply do not have” (Libaridian 1991, 7). This position directly conflicted with the Dashnaks, for whom reacquiring territory and genocide recognition were paramount. The ANM leadership accused the diaspora – in particular the Dashnaks – of having borderline obsessive tunnel vision on the issue of the genocide, and of clinging to the unpatriotic idea that Armenia could not survive without being under the tutelage of a third power (Ishkhanian 1991). As Panossian (1998, 167) notes, from “1988-1991, neither the Dashnaks nor any other diaspora organization could even conceive that Armenia could – or should – question Russian hegemony and ‘protection’[.]”

The Hnchaks and Ramkavars were less successful in restarting their parties in Armenia. First, their image was tainted by their cooperation with the Soviet regime at a time when nationalist, anti-Soviet sentiment was high.<sup>109</sup> Second, in keeping with their long-standing practice of supporting whichever government was in power in Armenia, the smaller “non-Dashnak” camp initially professed its support for the ANM (Ishkhanian 1991, 30).<sup>110</sup> Third, these parties were much smaller in the diaspora, and the Armenian homeland public was less familiar with their histories in 19<sup>th</sup> and early 20<sup>th</sup> century Armenia.

The Dashnaks, indisputably the largest and most influential of the diaspora parties and the one most able to wield political power independently, saw themselves as the legitimate heir of the Armenian Republic because they had been the outgoing government of the previous government nearly seven decades earlier.<sup>111</sup> Having long been the strongest and most important party on the diaspora scene, it was unwilling to play second fiddle to the ANM. In fact, at the time that the Armenian Supreme Soviet issued a declaration of independence in August 1990, the editor of the Dashnak organ *Droshak* reportedly claimed that it should be the Dashnaks who determine if and when the moment was ripe for declaring independence (Libaridian 1991, 107-8). The party “actually believed its rhetoric of having a right to power and could not accept that in reality it had not had much to do with Armenia’s independence” (Panossian 1998, 172). Thus, although cohesive in that the ARF overpowered the two smaller parties, rather than aiding existing homeland parties (as the Croatian diaspora had done), they competed *against* homeland parties. As mentioned, the Ramkavars and Hnchaks were not particularly successful when they attempted to compete in homeland politics. The ARF, on the other hand, with its traditional

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<sup>108</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

<sup>109</sup> Ibid.

<sup>110</sup> They eventually did compete as independent parties, but they remained marginal actors.

<sup>111</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

anti-Soviet nationalism (even if it had been on friendlier terms with Soviet Yerevan since the 1970s), was more successful in gaining legitimacy as a homeland political actor (Dekmejian 1997, 442).

In the fall of 1991, after Armenia's declaration of independence and the election of Ter-Petrosian as president, there was a brief period of unity. This was despite the fact (or perhaps because of the fact) that the ARF's candidate against Ter-Petrosian received a humiliating 4% of the vote to Ter-Petrosian's 83 (Panossian 1998, 173). In fact, Ter-Petrosian even appointed several diasporans to government posts, including Raffi Hovannisian, a 32-year-old California-born lawyer, as the first foreign minister.

The respite did not last long. Hovannisian resigned as foreign minister in objection to Ter-Petrosian's foreign policy goal of normalizing relations with Turkey (Panossian 1998, 170). This reflected a growing rift between the Dashnaks, who were absolutely unwilling to normalize relations with Turkey without the latter's recognition of the genocide, and Ter-Petrosian's administration, which wanted to normalize relations without any preconditions. Moreover, the ARF took a more radical stance on the Armenian-Azerbaijani conflict over Nagorno-Karabakh (Panossian 1998, 170). In 1992, they gave Ter-Petrosian an ultimatum: either recognize Nagorno-Karabakh's independence (recently self-proclaimed in Stepanakert) or resign from office.<sup>112</sup> In response, Ter-Petrosian went on television and stated that the Dashnaks were sabotaging the government's Karabakh policies. Furthermore, he accused the ARF of having connections to the KGB. On these grounds, he then announced the expulsion from Armenia of the long-serving Dashnak leader, the Greek citizen Hrair Marukhian.<sup>113</sup> Almost all of the opposition parties then banded together to call on the government to recognize Karabakh; their demands were bolstered by demonstrations throughout July and August 1992 calling for the same.<sup>114</sup>

Ter-Petrosian's government continued to attack the legal basis on which the ARF operated in the country. He maintained that "the concept of national political parties which exist and function outside of their country is unnatural" (Panossian 1998, 171). Foreigners were barred from joining homeland parties, and foreign funding was likewise banned.

Like the Croatian diaspora, the Armenian diaspora was deemed a "readable" actor by homeland elites. Unlike the Croatian diaspora, the Armenian diaspora competed *against* homeland parties rather than acting as an auxiliary. The fact that the Armenian diaspora had a powerful, extremely well-organized diaspora organization – the Dashnaks – made this possible, while the party's own self-aggrandizing view of itself as the single legitimate inheritor of independent Armenia justified this position.

## CONCLUSION

In sum, the period of communism's collapse and the early postcommunist years provided important intel for homeland political elites on the diaspora's political profile. This does not mean that homeland elites were necessarily correct in their assessment of the diaspora's political

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<sup>112</sup> Elizabeth Fuller, "Transcaucasia: Ethnic Strife Threatens Democratization," *RFE/RL Research Report* 2(1), January 1, 1993, pgs. 17-18. Nagorno-Karabakh had declared independence in January 1992. The Dashnaks formed the majority in the self-proclaimed republic's government. Ter-Petrosian's popularity had also dipped considerably by this time. Spring 1992 public opinion polls suggested that if early elections were held, his ruling ANM would only receive a quarter of the vote (Fuller *ibid.*).

<sup>113</sup> Fuller, "Transcaucasia: Ethnic Strife," 18.

<sup>114</sup> *Ibid.*

landscape, but this is irrelevant, because they acted on the basis of what they believed to be true. In the next three chapters, I show how these perceptions informed debates on citizenship, voting rights, and representation mechanisms, and how they shaped policy output.

### Chapter 3: The Politics of Defining Membership

This study seeks to explain why some countries of emigration enact policies to incorporate their diasporas into the homeland political community, while others try to keep the diaspora out of homeland politics. The previous chapter reviewed the patterns of linkages that formed between homeland political parties and diaspora organizations during the late 1980s as communism was collapsing in Eastern Europe. This period was crucial to subsequent policies on diaspora political incorporation because these linkages shaped homeland political elites' perceptions of the diaspora as a political actor, and thus helped them gauge the political impact when drafting legislation on citizenship, overseas voting rights, and representation mechanisms. The linkages in Croatia and Armenia were *cohesive* in that diaspora activists concentrated their support in one party. This cohesion made it easier for homeland politicians in Zagreb and Yerevan to anticipate the impact of diaspora incorporation on homeland parties' material and electoral interests. The crucial difference was that the Croatian diaspora acted as an *auxiliary* by backing a homeland party (the Croatian Democratic Union, HDZ), while the Armenian exile parties reestablished their party organizations in Armenia and competed against homeland elites. Like the Croatian diaspora, Serbia's diaspora also acted as an auxiliary to homeland political actors rather than a competitor. However, the Serbian diaspora was far more *diffuse* than the Armenian and the Croatian diasporas, making the Serbian diaspora's political pulse much more difficult to take.

In this chapter, I look at the first dimension of diaspora political incorporation – membership. The clearest marker of membership in a political community is citizenship. I view citizenship as the bedrock of incorporation because, in addition to denoting an individual's membership status in a political community, it bestows rights and obligations that come with that status. States use citizenship policies to define the boundaries of the political community.

Historically, most countries of emigration initially allowed their emigrants to retain their citizenship upon leaving their homeland. However, the legal relationship between emigrant and homeland was far more limited than it typically is today. Most European emigrants lost their homeland citizenship if they stayed abroad beyond a certain length of time or if they naturalized as citizens of a foreign state.<sup>1</sup> Moreover, with very few exceptions, citizenship retention ended with the emigrating generation; foreign-born children of emigrants were “disinherited” (Gabaccia et al 2007). As Chapter 1 discussed, few states recognized dual citizenship prior to the mid-20<sup>th</sup> century (Brøndsted-Sejersen 2008). These practices were in line with governments' prevailing attitudes towards citizenship; namely, that citizenship both denoted and demanded an individual's complete loyalty to the state and as such was indivisible (Faist 2007, 13).

But in recent decades, citizenship, “so long a symbol of rootedness, exclusivity, and permanence...has been discovered to be portable, exchangeable, and increasingly multiple” (Barry 2006, 18). Contemporary emigration states face the task of defining the status of emigrants and their progeny. Who is eligible to acquire citizenship status, and under what conditions? Should diasporans' rights, benefits, and obligations be identical to those of homeland citizens, or should these rights and duties be predicated on residence in the homeland? Contemporary states struggle to define this relationship in an era where individuals are more mobile than ever, and where technology affords new platforms for transnational political

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<sup>1</sup> An exception is France's Napoleonic Code, which stipulated that French emigrants who left without the intention to return would lose their citizenship (Zolberg 2007, 51-52).

participation. For many Eastern European emigration states, the task of legally defining the relationship with external kin is further compounded by the large populations of coethnic kin in adjacent or nearby states. Should the same acquisition criteria that apply to emigrants and their descendants also apply to coethnic kin who are separated from the kin state by virtue of redrawn borders rather than recent migrations?

While some scholars argue that there is growing norm-driven convergence among states' citizenship policies (Hansen and Weil 2001; Soysal 1994; Vink and de Groot 2010), particularly on the issue of dual citizenship, other scholars have argued that states' citizenship policies exhibit as much variation as ever (Bauböck et al 2009; Howard 2009; Koopmans et al 2012). This chapter offers empirical support for the latter perspective by examining variation in the citizenship access that emigration states grant to external kin, and the politicized process of developing citizenship legislation in postcommunist Armenia, Croatia, and Serbia. It shows how homeland elites bundled together the issues of citizenship, voting, and representation policies when weighing the impact of incorporation. They thus crafted legislation that would restrict or expand diasporans' access to membership in ways that were politically self-serving. The primary concern was electoral – whether new citizens would support one's own party or a rival's. But they also worried about whether the newly incorporated would pursue coveted positions in government, economy, and party. The first section of this chapter discusses the meaning and uses of citizenship in an emigration context. I then identify several specific provisions in citizenship legislation that shape the feasibility and ease with which diasporans acquire homeland citizenship. Next, I turn to empirical discussions of the debates over citizenship in Armenia, Croatia, and Serbia, and show how elites' electoral concerns shaped policy outcomes. Finally, I offer conclusions on the motives behind their specific policy choices.

## **THE MEANING AND USES OF CITIZENSHIP**

The concept of political community is central to political incorporation. For the modern nation-state, citizenship is the clearest indicator of membership in a state's titular political community. More broadly, citizenship is the link that binds together individual, community, and state. It is a status that accords rights and benefits to individuals, while often also imposing attendant obligations like military service, jury duty, and income taxation. Among contemporary political and legal theorists, citizenship is seen through multiple lenses: as a legal status, as a bundle of rights and obligations, as active engagement of a political system, and as a source of identity or solidarity (Bosniak 2000). I focus on citizenship as a formal status that delineates a relationship between an individual and a state, and as the rights and duties that stem from this status. In all but the most exclusive states, citizens are equal before the law, and they usually enjoy rights that are unavailable to noncitizens. Social benefits linked to citizenship status might include healthcare, parental leave, welfare, unemployment assistance, and pension programs. The economic perks of citizenship might include the right to own property and land, be employed in the public sector, invest in firms, and receive privatization vouchers or shares.

The most straightforward indicator of a sending state's willingness to politically engage its diaspora is whether or not it makes citizenship in the homeland legally possible and feasible to obtain, both on paper and in practice. For diasporas, citizenship not only symbolizes their membership in the political community of their external homeland, it is also a practical prerequisite for voting and running for office (Barry 2006; Bauböck 2009; Waldrauch 2006).

A leveling device among those who enjoy membership status in a political community, citizenship legislation can also be a tool to maintain internal social closure, manipulate political competition, and engage in demographic engineering. Social closure results when noncitizens face disproportionate difficulties in accessing education, employment, healthcare, and other institutions that are crucial for socioeconomic advancement. Noncitizens' lack of political rights deprives them of the ability to vote for lawmakers committed to eliminating these barriers, thus resulting in a sort of vicious circle of disenfranchisement.

Ruling elites might stage-manage political competition by selectively revoking potential opponents' citizenship or denying it to applicants deemed to be a political threat. For instance, Georgian President Mikheil Saakashvili reportedly ordered the Ministry of Justice to deny a billionaire tycoon's request to reacquire Georgian citizenship after he expressed interest in forming an opposition party.<sup>2</sup> When Moldova barred civil servants and politicians from holding multiple citizenships in 2007, critics accused the ruling Communist Party of trying to root out nationalist, pro-Romania opposition members, many of whom held both Romanian and Moldovan citizenship.<sup>3</sup> In Chapter 5, I discuss the case of Raffi Hovanissian, a U.S.-born Armenian who moved to Yerevan in the early 1990s and became active in politics. The timeline of his Armenian citizenship acquisition was allegedly manipulated by successive ruling elites in order to prevent him from running for president. Finally, by virtue of defining who does and who does not "belong" to the political community, citizenship has been used for centuries to marginalize subsets of the population based on class, ethnicity, race, sex, and religion. The mirror image of these exclusionary policies are the "positive discrimination" provisions in citizenship legislation that allow elites to engineer the citizenry that they want – perhaps one that encompasses the nation regardless of location – in place of a formula that might encompass the more heterogeneous resident population (Koska 2011; Štiks 2010). These provisions in citizenship legislation have the effect of "engineering" a country's citizenry, and thus creating a gated political community. By privileging the dominant cultural or ethnic group, these policies replace explicit exclusion with *de facto* exclusivity.

Christian Joppke (2003) argues that contemporary migration has simultaneously de-ethnicized *and* re-ethnicized citizenship. The growing stock of global migrants, coupled with the international human rights regime, make it increasingly paramount for receiving states to base immigrants' citizenship on more neutral and objective criteria rather than ethnic and cultural attributes lest they "violate fundamental liberal-democratic precepts that most contemporary states are nominally committed to" (2003, 430). At the same time, the phenomenon of emigration may pressure states to re-ethnicize their citizenship laws by cementing ties to émigrés and their descendants. Under a citizenship regime of ethnic selectivity, ethnic kin (resident or nonresident) who seek naturalization are given preferential treatment over immigrants or aliens who do not belong to the dominant group. This treatment is preferential in that applicants do not need to meet all of the criteria that ordinary applicants must meet in order to naturalize.

Rogers Brubaker (1992, x) adds a valuable territorial dimension to comparative citizenship studies. His schema classifies citizenship policies in terms of their *inclusiveness*. The more inclusive citizenship legislation is, the greater the number of people who qualify for

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<sup>2</sup> Bidzina Ivanishvili had lost his Georgian citizenship when he had acquired French citizenship. "Georgian Opposition Tycoon Denied Naturalized Citizenship," *Radio Free Europe/Radio Liberty Newslines*, April 4, 2012, <http://www.rferl.org/>.

<sup>3</sup> "New Moldovan Parliament Scraps Ban on Dual Citizenship," *Radio Free Europe/Radio Liberty Newslines*, September 17, 2009, <http://rferl.org/>.

citizenship under the law's provisions. In Brubaker's schema, the *internal* inclusiveness of citizenship legislation refers to the relative size of the pool of aliens residing within a state's borders who are eligible for citizenship. Provisions on the length of residency, renunciation of other citizenship(s), language proficiency, knowledge of state institutions, and income security can shape how internally inclusive citizenship legislation is. *External* inclusiveness is the extent to which citizenship provisions facilitate access for ethnic or culture kin outside of the home country, typically by reducing the criteria that they must meet to naturalize.

A single citizenship law might be inclusive towards ethnic kin living outside of the state while being exclusive towards immigrants residing within the state's borders who do not have ancestral, cultural, ethnic, or historical ties to the state. Germany's citizenship legislation before the end of the 20<sup>th</sup> century is a classic example of a state with internally exclusive but externally inclusive provisions. Non-German immigrants and their German-born children faced great difficulty in acquiring German citizenship, while certain categories of ethnic Germans abroad received it with few hurdles.

### Establishing inclusivity

Much of the research on comparative citizenship classifies national citizenship regimes as a whole while leaving the area of comparison (usually immigrants' access to citizenship) implicit (Brubaker 1992; Koopmans et al 2005; Soysal 1994). Citizenship, however, is a multi-purpose tool. A single law may be restrictive towards some categories of individuals while being permissive towards others. Croatia and Serbia's citizenship laws in the 1990s demonstrate this internal contradiction, and cannot be classified as either wholly inclusive or wholly exclusive. For this reason, it is more fruitful to classify citizenship legislation based on the target group that the researcher is interested in, and then identify relevant modes of acquisition and loss that shape the target group's access to citizenship.

In this study, the core group of interest is the kin population that resides outside of the homeland. There are several aspects of citizenship legislation that impact diasporans' access to citizenship by shaping whether it is legal, feasible, and desirable to acquire homeland (C1) citizenship.<sup>4</sup> I focus on the provisions for obtaining C1 citizenship that are formally codified in citizenship legislation, and the administration of these provisions. The informal aspects of policy implementation are also important – indeed, they may tell us more about political elites' intentions with citizenship legislation than formal provisions – but they are much more difficult to quantify and compare systematically across cases. I use anecdotal information about informal barriers to citizenship acquisition to supplement analysis of formal measures.

The criteria identified below come in part from the typology of modes of citizenship loss and acquisition developed by European University Institute's Democracy Observatory on Citizenship (EUDO CITIZENSHIP).<sup>5</sup> Of the dozens of modes identified by the project, I selected those that have the strongest impact on diasporans' access to homeland citizenship. These provisions are the strongest determinants of the magnitude of the external citizenry.

The EUDO CITIZENSHIP project has data by mode for the 27 member states of the European Union, the European Economic Area members, and EU candidate states, totaling 35 countries. Using EUDO's typology and data, Jeffers et al (2011) have assigned weighted scores

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<sup>4</sup> To avoid confusion, C1 always refers to the country of actual or imagined origin (e.g. Armenia) regardless of a person's place of birth while C2 is the country of residence, even if the diasporan was born in C2 (e.g. United States).

<sup>5</sup> This remarkable wealth of data is available at <http://eudo-citizenship.eu/databases>.

("CITLAW") to various modes based on provisions in each country's citizenship legislation. These CITLAW scores, which I reference below, are snapshots of legislation as of 2011. A score of 1 indicates greatest inclusiveness of the targeted population, while 0 indicates greatest exclusiveness. Although not a global perspective, the European trends on each of the following points demonstrates that there is considerable variation even in a region where we would expect strong convergence due to the centrality of the international human rights regime and the international organizations that promote it, which are headquartered in Europe.

### **External Inclusiveness of Citizenship**

*1. Overseas ius sanguinis at Birth:* Does the principle of *ius sanguinis*, whereby a child's citizenship is based primarily on the citizenship of one or both parents at the time of birth, apply to births that take place overseas? In other words, under what circumstances would the foreign-born children of expatriate citizen(s) get C1 citizenship? Most states allow for automatic external *ius sanguinis* under at least some circumstances. For some states, such as the Czech Republic and Greece, a child automatically receives citizenship so long as one parent is a citizen of C1, no matter where the child is born. For other countries, however, the criteria are more stringent for children born abroad to C1 citizen parent(s) than for children born in C1 to C1 citizens.<sup>6</sup> Under Croatia's citizenship law, a child born overseas is automatically granted citizenship if both parents are citizens.<sup>7</sup> By contrast, a child born in Croatia need only have one parent with Croatian citizenship in order to automatically acquire it.<sup>8</sup> For some countries, foreign-born children may need to be registered within a certain timeframe. A child born overseas to a Belgian citizen who was *also* born overseas has 5 years to attain Belgian citizenship by declaration.

The CITLAW average for overseas *ius sanguinis* among the 35 states in the European dataset is 0.87. In other words, most European states are quite inclusive when it comes to citizenship acquisition at birth by children born overseas. Croatia and Serbia, both of which have scores of 0.88, are marginally above the European average. Armenia is not in the dataset, but its citizenship law is in line with European practices in this area. Regardless of place of birth, children acquire Armenian citizenship if both parents are citizens, or by mutual parental agreement if only one parent has Armenian citizenship.

*2. Dual Citizenship:* Recognition of dual citizenship, either across the board or by bilateral treaty, is increasingly common (Broensted-Sejersen 2008). Some countries recognize dual citizenship for native-born citizens who acquire a second citizenship *and* allow immigrants to acquire citizenship without renouncing their existing citizenship. Other countries allow dual citizenship for their native-born citizens who acquire a second nationality, but require immigrants to renounce foreign citizenship before naturalizing. Croatian and Serbian legislation follows this approach, but also creates a loophole for diasporans to gain citizenship without renouncing their existing citizenship. Another important distinction to make is between countries that formally allow dual citizenship and those countries that allow it in practice even if they do not formally recognize it, such as the United States.

By Tanja Broensted Sejersen's count (2008), more than 80 countries worldwide formally allow dual citizenship, either for the majority of the population or through bilateral treaty. For example, aside from the loophole discussed above that *de facto* allows dual citizenship for ethnic

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<sup>6</sup> Some countries require that the mother must have citizenship in cases where a child is born overseas out of wedlock.

<sup>7</sup> If only one parent is a citizen, the child must acquire citizenship through registration.

<sup>8</sup> EUDO Modes of Acquisition Database, Mode A01. Registration is, however, less onerous than naturalization.

Croats, Croatia has a bilateral agreement with Bosnia-Herzegovina to recognize dual citizenship among the population of the two states.

Over the last decade, a large subset of the comparative citizenship research examines variation in states' allowance of dual citizenship (Broensted-Sejersen 2008; Faist 2007; Hansen and Weil 2002; Howard 2006; Jones-Correa 2001). This research is a valuable addition to the literature, and addresses an important trend, but states' dual citizenship recognition is only part of the citizenship access framework, whether one is discussing immigrants' access or diaspora access. Dual citizenship allowance alone is not a good indicator of the external inclusiveness of citizenship. Croatia's citizenship legislation is highly inclusive of the diaspora, even though it formally does not recognize dual citizenship for countries it has not signed a bilateral treaty with. Nevertheless, the fact that renunciation of existing citizenship is not a requirement for external Croats allows for them to hold multiple citizenships *de facto*. Moreover, a country might allow dual citizenship, but the citizenship acquisition criteria might nevertheless be highly stringent.

*3. Preferential Acquisition by Origin:* Preferential citizenship acquisition on the basis of an individual having cultural, ethnic, or historical ties to a given state also has a strong impact on the external inclusiveness of citizenship. Under this arrangement, eligible foreigners have a "fast-track" or "streamlined" option for acquiring citizenship more easily and quickly than other aliens. This mode of descent can be based on descent or ethnocultural affinity.

*a. Descent.* Under this type of preferential acquisition, multiple generations of descendants of an emigrant have the option of preferential naturalization. In this case, the link is through a former citizen of the state, and not necessarily through the applicant having cultural or ethnic links to C1. For instance, under Serbia's 2004 citizenship law, the descendant of an ethnic Albanian who emigrated from Serbian territory should in theory have the same right to Serbian citizenship as the descendant of an ethnic Serb who emigrated. This method of preferential acquisition is more neutral, since it is tied to the status of the ancestor, and not necessarily to his or her ethnicity, language, religion, or other markers of belonging to a national community. Officials in C1 determine eligibility on the basis of reasonably objective criteria (birth certificates, marriage licenses, etc.)

The 35 country European average on this score is 0.28, which tells us that broad, multi-generation inclusivity of external populations on the basis of descent is not the norm in Europe. As Joppke (2003, 445) notes, although there is marked variation in European countries' citizenship provisions on descent- and origin-based acquisition, "there seems to be an informal consensus among contemporary states that beyond the second foreign-born generation of expatriates, the ties of membership should either cease to exist or...they should not be recoverable in a preferential way." European states allow the first foreign-born generation to access citizenship (automatically or by registration), but many states stop with the first foreign-born generation. Serbia's score of 0.69 is one of the highest in the dataset. The provisions that establish this high level of inclusion of descendants of former citizens are discussed below. Croatia's score is 0. Lest this be interpreted as a sign of Croatia's unwillingness to embrace external kin, it is important to note that Croatia's law was highly inclusive of *ethnic* Croats. To the extent that the descendant of a former citizen is an ethnic Croat, his naturalization is provided for in the cultural affinity provision. Armenia's citizenship law does not provide for the naturalization of descendants of Armenian *citizens* beyond the first generation.

*b. Cultural affinity.* A second variant of the preferential mode of acquisition determines eligibility on the basis of an individual bearing an ethnic, cultural, or some other sort of affinity

to the external homeland, regardless of whether he or his ancestors resided on the territory of that state. Both Serbia and Croatia have highly inclusive provisions on this mode of acquisition, allowing Bosnian Serbs, Bosnian Croats, and other members of the “Croatian nation” and “Serbian nation” to naturalize. The average CITLAW score for this mode (naturalization based on cultural affinity) for the 35 states is 0.33. Again, the score suggests that European countries have strongly varying provisions on this mode. Serbia and Croatia both score 0.69, meaning that their naturalization policies towards coethnic kin are considerably more inclusive of external kin than the European average. Armenia has fast-track citizenship for persons of Armenian origin, although there are barriers in practice that impede naturalization.

As far as administrative practices are concerned, this mode is far more subjective than descent-based preferential access because it requires officials to determine ethnic membership as if it were an objective fact. In practice, it is often at the officials’ discretion to make judgment calls, which can lead to gross inconsistencies in the law’s application.

For descent-based and cultural affinity-based versions alike, citizenship policies vary as to whether they have descent- and affinity-based tracks to citizenship at all, the number of generations that are eligible, and whether there are any language proficiency prerequisites, residency requirements, or other eligibility criteria.

4. Reacquisition: Reacquisition provisions allow former citizens to reacquire their citizenship in a streamlined manner. Legislation differs, however, based on whether a former citizen has to move back to C1 for a designated period of time in order to reacquire citizenship, whether she was a citizen for a minimum period of time before she lost it, whether she was born in C1, and other qualifiers. The 35 country average on this score is 0.64, indicating that European countries tend to be quite inclusive of former citizens’ citizenship reacquisition, at least in 2011. Croatia and Serbia’s scores are identical for this provision: 0.75, making them somewhat more inclusive than the European average. Armenia also has provisions for citizenship reacquisition.

5. Obligations and Transaction Costs. While items 1-5 spell out the citizenship acquisition options for would-be citizens, citizenship legislation may also embed disincentives to naturalization. Subjecting external citizens to military service, jury duty, income taxation, and other obligations can deter external kin from seeking C1 citizenship. So, too, does requiring those who acquire citizenship to renounce their existing citizenship.

Other transaction costs in gaining C1 citizenship – onerous bureaucratic procedures, large fees, poor treatment from officials – can also deter diasporans from seeking citizenship. These costs, as well as the obligations outlined above, are important in that they may belie the otherwise seemingly inclusive provisions of 1-4. We will see this in the discussion of Serbia and Armenia’s 1990s-era practices. Table 3.1 classifies citizenship regimes in Armenia, Croatia, and Serbia across two time periods.

**Table 3.1 Citizenship policies in Armenia, Croatia, and Serbia**

	<b>Time Period I</b>	<b>Time Period II</b>
Armenia	<p style="text-align: center;"><b>Restrictive</b></p> <p>-Per 1996 citizenship law, diaspora Armenians have to renounce existing citizenship and become residents of Armenia to naturalize.</p>	<p style="text-align: center;"><b>Partial</b></p> <p>-Dual citizenship allowed per 2007 citizenship law, but includes obligations that limit appeal of acquiring Armenian citizenship.</p>
Croatia	<p style="text-align: center;"><b>Expansive</b></p> <p>-1991 citizenship law lays out highly permissive criteria for naturalization of ethnic kin; de facto allows dual citizenship for ethnic Croats who naturalize and for Croatian citizens who acquire second nationality</p>	<p style="text-align: center;"><b>Expansive</b></p> <p>-Provisions on naturalization for descendants of emigrants, former citizens, and ethnic kin are tightened, but overall regime still expansive</p>
Serbia	<p style="text-align: center;"><b>Partial</b></p> <p>-Dual citizenship allowed for individuals with ties to Yugoslavia, but FRY citizenship difficult to obtain in practice, especially for the ethnic Serb Refugees</p>	<p style="text-align: center;"><b>Expansive</b></p> <p>-2004 citizenship law recognizes dual citizenship. Allows simplified naturalization process based on ethnic heritage and descent.</p>

### Defining Citizenries After Communism

Across Eastern Europe and Eurasia, new governments faced the daunting task of defining their citizenries after communism. Similar to the way that new electoral institutions would shape political competition (the subject of Chapter 4), citizenship provisions shaped the parameters of the national political community. For many countries in the region, it took years for political elites to agree upon a set of principles for citizenship acquisition. Poland, for example, continued to use its 1962 citizenship law until 2009, despite two decades of attempts to enact a new citizenship law (Górny and Pudzianowska 2010). Moreover, citizenship legislation has been highly malleable in most of the region’s countries. Latvia’s 1994 Law on Citizenship has been revised no fewer than three times since its passage, while Romania’s 1991 Law on Citizenship has subsequently been amended more than six times.<sup>9</sup>

In many ways, the task of citizenship policymaking was a leap in the dark for new governments. Decades of hostile, arm’s-length relations with a diaspora that was indeterminate in size and complex in its composition made it difficult for new governments to gauge the effects of inclusive citizenship provisions. Would third generation Slovak Americans be interested in acquiring citizenship if given the opportunity? Would ethnic Poles in Ukraine seek Polish citizenship? These types of questions loomed large. They mattered because they were both materially costly and politically important. New citizens, particularly those from poorer neighboring countries, might be a financial drain if they used citizenship to acquire social benefits or immigrate and seek employment. Since voting rights were contingent upon citizenship, changing the make-up of the citizenry de facto changed the electorate.

The context in which governments in Armenia, Croatia, and Serbia drafted citizenship legislation was broadly similar. All three emerged as new states from the institutional rubble of larger ethnofederal states, and thus had to define their initial citizenries by writing wholly new legislation. Moreover, all three states had large, overseas diasporas formed by generations of emigration, and they also had pockets of ethnic kin in nearby states – including states with which they were engaged in war. These same wars led to an influx of coethnic refugees during the

<sup>9</sup> EUDO country legislation chronology profiles available at [eudo-citizenship.eu](http://eudo-citizenship.eu).

1990s, ranging in size from the hundreds of thousands (Croatia and Armenia) to more than one million (Serbia). Each state also had populations of minorities. 78.1% of Croatia's 4.78 million residents were ethnic Croats in the 1991 Yugoslav census. Excluding Kosovo, ethnic Serbs comprised just below 80% of Serbia's population of 7.8 million in 1991. In Armenia, the most ethnically homogeneous of the Soviet republics, 93.3% of its population of 3.3 million was ethnic Armenian in the 1989 census.<sup>10</sup>

Thus, political elites in each state had to make several key decisions. 1) Should former citizens and their progeny have access to citizenship, and if so, under what conditions? 2) Should ethnic kin outside of the homeland and ethnic kin who come to the homeland as refugees have access to citizenship, and if so, under what conditions? As we will see in this section, the external inclusiveness of citizenship legislation varied by time period in Armenia, Croatia, and Serbia. Croatia's citizenship legislation was highly externally inclusive in the 1990s, but has grown more moderate in recent years. Serbia's citizenship law was non-uniform in its treatment of external kin in the 1990s, but became highly inclusive in 2004. Armenia's citizenship law was externally exclusive in the 1990s, and has only become slightly more inclusive in recent years.

## CITIZENSHIP POLITICS IN CROATIA

In the Socialist Yugoslav Republic of Croatia's 1990 elections, the first competitive elections held in over 50 years, the right-nationalist Croatian Democratic Union (HDZ) came to power with an absolute majority in the legislature.<sup>11</sup> As Chapter 2 showed, the party spent years cultivating a large base of support in the diaspora prior to the election. Its ideology was Croatian integralist, calling for ethnic Croats' return migration to Croatia and the spiritual synthesis of homeland and diaspora Croats.<sup>12</sup> One of the goals listed in the party's 1990 statute was "to create the conditions that shall stop emigration from Croatia, achieve lasting cooperation with Croatian Diaspora and ensure return of expatriates to the homeland."<sup>13</sup>

Once the HDZ was in control after the April 1990 elections, it was able to push through its preferred policies. This was certainly true of the citizenship law, which helped further the HDZ's integralist mission, but also its electoral prospects thanks to the link between citizenship and voting rights. Croatia's citizenship law, passed in 1991, created a radically inclusive framework through which *ethnic* Croats, wherever they lived, could become citizens. At the same time, the law denied citizenship access to a large subset of the Croatian Serb population that resided permanently on Croatian territory. This simultaneous inclusion (of ethnic Croats) and exclusion (towards minorities) was politically self-serving for the HDZ, as this section shows. In 1992, the HDZ offset its seemingly waning support at home by turning to the newly minted citizenry abroad for votes. A large number of Croatian Serbs, who had very low support for the HDZ in the 1990 elections, were now ineligible to vote because of their citizenship status.

Serious changes to the external inclusiveness of the citizenship law came only in 2011, as Croatia worked to close the final chapters for its admission to the European Union. These

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<sup>10</sup> The Armenian SSR population became more homogeneous in the 1980s. By 1989, the population of 160,800 Azerbaijanis in Armenia recorded in 1979 (5.2% of the population) was down to 84,860 (2.5%).

<sup>11</sup> The HDZ won 42% of the votes, but received more than 50% of the seats thanks to an electoral formula that was designed to reward the victor (which was supposed to be the League of Communists).

<sup>12</sup> Author interview with political analyst #1, Zagreb, Croatia, December 1, 2009.

<sup>13</sup> Article 10.3, *Statute of the Croatian Democratic Union*, passed at the HDZ's First General Convention (1990). Quoted from "HDZ," National University Library Zagreb, No. 585441, pg. 18.

changes somewhat restricted the access of external kin to citizenship, while making its acquisition easier for those Croatian Serbs who still did not have citizenship. The push to change the law came from the Social Democratic Party, and was part and parcel of a more long-term effort to scale back the diaspora incorporation framework. Yet relative to other European countries, Croatian citizenship legislation continues to be relatively externally inclusive.

### 1990-2011: The Politics of Defining the Citizenry

Like the other successor states of socialist Yugoslavia and the USSR, Croatia faced the difficult task of determining its initial citizenry. The ex-Yugoslav republics faced unique challenges stemming from socialist Yugoslavia's system of citizenship, wherein each citizen possessed two citizenships: one republican-level citizenship and the federal Yugoslav citizenship that all citizens held in common. In practice, since Yugoslav citizens' political, civic, and social rights derived from their *federal* citizenship, and were thus uniform no matter which republic an individual lived in, republican citizenship had little practical importance (Omejec 1998). Many internal migrants during the socialist period did not bother to change their republican citizenship if they moved, for example, from Serbia to Croatia. Moreover, Croatia's republican citizenship law allowed a child born in the Croatian Socialist Republic to acquire the citizenship of another republic (e.g. Serbia) if it was held by one or both of her parents (Omejec 1998; Medvedović 1998). Thus, many Serbian internal migrants to Croatia kept their Serbian citizenship and passed it on to their Croatian-born children.<sup>14</sup> Due to these circumstances, by 1991 there were hundreds of thousands of residents in Croatia who had the citizenship of another Yugoslav republic, even if they had long resided in or had even been born in Croatia (Knežević 1998). This wasn't an electoral issue in 1990, because they had the federal citizenship that entitled them to vote in republican elections, as mandated by federal law in what was then still Yugoslavia.

The 1991 Law on Citizenship was enacted concurrently with Croatia's proclamation of independence and during a period of escalating interethnic tensions between Serbs and Croats. The law rested on two main principles to determine the initial citizenry. The first was simply to automatically grant citizenship to all individuals who held Croatia's republican citizenship at the time the law went into effect. The second transitional provision was to grant citizenship through declaration to ethnic Croats domiciled in Croatia who did not have republican citizenship (Omejec 1998, 116). An example of the latter might be a Bosnian Croat who moved to Croatia during the Yugoslav period but did not acquire Croatian republican citizenship.

Non-ethnic Croats who resided in or were even born in Croatia but held the citizenship of a different Yugoslav republic could only gain citizenship through an onerous naturalization process. The vast majority of these cases were ethnic Serbs. These minorities, who had been full-fledged citizens of Yugoslavia, now had to naturalize under the same criteria that a non-Croat immigrant to Croatia faced. Under Article 8 of the law, she would be required to: 1) be aged 18 or older, 2) prove the revocation of foreign citizenships, 3) demonstrate 5 years of continuous residence in Croatia, 4) exhibit proficiency in the Croatian language and Latin script, and 5) be deemed sufficiently attached to the legal order, customs, and culture of Croatia.<sup>15</sup>

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<sup>14</sup> It wasn't just members of ethnic minority groups who kept their existing republican citizenship. Some of the ethnic Croats who migrated from the other republics (e.g. Bosnia-Herzegovina) to the Croatian Socialist Republic during the Yugoslav era also did not bother to change their republican citizenship.

<sup>15</sup> Zakon o hrvatskom državljanstvu, *Narodne novine* No. 53, October 8, 1991.

To make matters worse, given that the law was passed when the new state's administrative apparatus was being restructured and restaffed, the procedures were inconsistently followed or even disregarded at the local level. In an atmosphere marked by nationalist euphoria over independence and deteriorating interethnic relations, municipal employees in some locales reportedly took it upon themselves to remove the vital records of Croatian Serbs from local offices. When Serbs whose records had been destroyed tried to acquire key documents in support of their naturalization applications, they were unable to prove their eligibility (Helsinki Committee of Serbia 2000). The police were empowered to decide whether or not an individual was an ethnic Croat and whether or not the individual showed sufficient attachment to the legal order, customs, and culture of Croatia. The police were not required to give justification for the rejection, and there was no appeal process.<sup>16</sup>

These discriminatory provisions and the difficult process for ethnic minorities to naturalize clearly classify Croatia's citizenship law as *internally exclusive* under Brubaker's (1992) schema.

### **(1) Emigrants and Descent-Based Acquisition**

In contrast to its treatment of non-Croatian aliens, Croatia's 1991 Law on Citizenship created a framework to actively expand the Croatian citizenry on the basis of descent and affinity. Article 11 regulated citizenship acquisition for Croatian emigrants and an unspecified number of generations of their descendants. The first four criteria required for non-Croats were waived for diasporans who descended from an emigrant from Croatia, even if they themselves had never set foot in Croatia and had no plans to move there. Those who were eligible under this Article could be any age, they did not need to speak Croatian or have a registered residence in Croatia, and, perhaps most crucially, they were not required to renounce their existing citizenship. This meant that they could have dual citizenship in practice, even though Croatia did not recognize dual citizenship outside of bilateral treaty agreements. In addition to descent from a Croatian emigrant, they were simply required to demonstrate attachment to the legal order, culture and customs of Croatia. The same streamlined track to citizenship also applied to the spouses of ethnic Croats outside of Croatia, even if the spouse did not have Croatian background. On paper and in practice, acquiring citizenship was quite easy for diaspora Croats.<sup>17</sup>

Emigrant Croats who had lost their Croatian citizenship during the Yugoslav period could regain it by providing documentation of their birth in Croatia and signing a declaration that they considered themselves to be Croatian (Article 15). The spouses of emigrant Croats could benefit from the same streamlined naturalization process.

### **(2) Ethnic Kin Without Citizenship**

Article 16 applies the same fast-track naturalization process to ethnic Croats who are members of autochthonous or constitutive communities of Croats in countries like Austria, Romania, Bosnia-Herzegovina, and Serbia. It also applied to the family of ethnic Croats who emigrated from these countries.

Under the 1991 law and 1992 revisions, a member of the ethnic Croatian nation could get citizenship by *declaration* if she met criterion 5 (demonstrated attachment to the legal order,

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<sup>16</sup> This lack of appeals process was not remedied until the Croatian Constitutional Court struck down these provisions in 1993.

<sup>17</sup> Of the 20+ diaspora Croats with citizenship that I interviewed, all of whom were born overseas and ranged from first to third generation descendants of ethnic Croat emigrants from Bosnia-Herzegovina or Croatia, none reported serious difficulties in acquiring Croatian citizenship.

culture and customs of Croatia). As was the case for descendants of emigrants from Croatia, she did not have to meet any language requirements, did not have to renounce her primary citizenship, did not need to reside in Croatia, and could be any age. The majority of ethnic Croats who acquired Croatian citizenship under this Article were ethnic Croats from the other former Yugoslav republics, mostly Bosnia-Herzegovina. In the early 1990s, Bosnian and Serbian Croats sought Croatian citizenship en masse. By 2011, nearly 1,000,000 ethnic Croats from neighboring former Yugoslav republics had acquired Croatian citizenship.<sup>18</sup>

Ethnic Croats would need to submit documents “proving” their ethnicity, such as an official Yugoslav document that stated their ethnicity, a birth certificate, or the same documents for the individual’s parents (USCIS 2000). In the 1990s, even these relatively basic requirements were relaxed by officials in practice.<sup>19</sup> It was often a matter of having a Croatian name and showing a baptismal certificate from a Croatian Catholic church.<sup>20</sup> One former government official reported that he would often simply sign statements for Bosnian Croats in the 1990s when the latter were unable to retrieve documents “verifying” their Croatian ethnicity.<sup>21</sup>

### The Politics of Ethnicity and Citizenship

HDZ politicians made no attempt to hide their goal of making it easy for the large, unknown quantity of ethnic Croats outside of Croatia to naturalize as citizens, in part to help reverse the demographic decline of “Croatian” Croatia. The law was framed as a corrective to the ill-intentioned policies of royal and socialist Yugoslav regimes, which had by design stimulated the disproportionate exodus of ethnic Croats and the influx of non-Croatian migrants from other republics. In his parliamentary speech supporting the proposed legislation, the vice president of parliament, Milan Ramljak (HDZ), lamented the fact that Croatian republican citizenship in the Yugoslav era had been given out so easily to persons from other Yugoslav republics who were not ethnic Croats. The “quiet...demographic occupation” of Croatia (by Serbs) had been gradually expanding for decades, and Croatia had “systematically lost her citizens. Croatia has, above all, systematically lost her Croats.”<sup>22</sup> Therefore, the principle of blood ties (*ius sanguinis*) would be the primary principle of citizenship acquisition so that “every person who is linked to Croats and to Croatia can be considered a Croatian citizen. In this way, [the law] will cover the majority of the main corpus of Croatian citizens in Yugoslavia and abroad.”<sup>23</sup>

Despite the law’s far-reaching consequences, the temperature of the debate in Zagreb was lukewarm at best, a fact that can mostly be attributed to the timing of the law’s passage. In the urgency of pushing through a cascade of legislation in anticipation of Croatia’s declaration of independence in June of 1991, there was relatively little time for serious debate over the citizenship law, and media coverage of the law’s details was limited. On the day the Law on Citizenship was debated, it was one of over 60 laws on the agenda.<sup>24</sup> One lawmaker complained

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<sup>18</sup> “Državljanstvo u 15 godina dobilo više od milijun osoba,” *Vjesnik*, September 13, 2006.

<sup>19</sup> Tanja Augustinović, “S domovnicom brže,” *HDZ Glasnik*, May 25, 1992, pg. 21.

<sup>20</sup> Author interview with former official from the Ministry for Return and Immigration, Zagreb, Croatia, November 5, 2009; author interview with former Croatian consular official #1, Zagreb, Croatia, December 15, 2009.

<sup>21</sup> Author interview with former official from the Ministry for Return and Immigration, Zagreb, Croatia, November 5, 2009.

There is an interesting parallel here to naturalization in the U.S. in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. Despite the fact that Congress had jurisdiction over issues of naturalization, in reality local judges often had considerable discretion in deciding upon individual cases (Bloemraad 2006, 22). Like Croatia, this led to an uneven application of the law.

<sup>22</sup> “Državljanstvo – temeljni status građana Hrvatske,” *Izješća Hrvatskoga sabora*, No. 39, July 5, 1991, pgs. 10-11.

<sup>23</sup> *Ibid.*, pg. 11.

<sup>24</sup> A few days later in the non-stop parliamentary session, more than 80 laws were debated and passed in a single day.

that the citizenship law's draft had only been distributed to members of parliament the day before its debate. Most of the laws in these marathon pre-independence legislative sessions – including citizenship – were passed under emergency proceedings.<sup>25</sup>

Despite these constraints, the opposition proposed some changes. The parliamentary club for the Party for Democratic Changes (SDP), as the League of Communists of Croatia had rechristened itself in 1990, objected to wording that semantically suggested an ethnic basis to state membership (e.g. “Croatian citizen” instead of “citizen of the Republic of Croatia”).<sup>26</sup> The party also worried that too much discretion was given to the police in determining citizenship applications. On balance, however, the disjuncture between internal exclusiveness and external inclusiveness was not seriously questioned at the time in governing circles or the mainstream media, and it was only after the fact that the principles of citizenship acquisition, and the implementation process, were seriously challenged. In 1991, at a time when interethnic tensions were on the rise and nationalism and patriotism were surging, it would have been politically risky for the main opposition parties to defend the rights of ethnic Serbs too strongly, lest they be accused of being “anti-Croatia.” Secessionist Croatian Serb populations in Krajina and Slavonia had barricaded these regions the previous summer, and declared autonomous statelets.

This ethnic basis of solidarity, as laid out in the citizenship law, was not just the result of the HDZ's utopian demographic vision for Croatia. Domestic political incentives are particularly important to understanding why the HDZ in 1991 designed such a strongly ethnicized citizenship regime. With a diaspora then estimated to be 2-4 million, and an additional 800,000 ethnic Croats in neighboring Bosnia-Herzegovina, the external electorate was potentially as large as the domestic electorate.<sup>27</sup> The size, however, could only be as large as the citizenship law would allow. In the early 1990s, political elites in Croatia genuinely did not know what the scale of political participation would be in the diaspora or in Bosnia-Herzegovina. One thing was certain: in the early 1990s, the HDZ, with its vast organizational infrastructure in Bosnia-Herzegovina as well as in the overseas diaspora communities, had so supremely out-organized other homeland parties that its victory outside of Croatia was deemed far more secure than its victory among domestic voters. Here it is essential to preview Croatia's electoral legislation in order to understand how changes in citizenship were directly linked to partisan interests. As we saw earlier, 12% of Croatia's population was Serbian at the time of the 1990 founding elections. The overwhelming majority of Croatian Serbs voted for the League of Communists of Croatia (now the SDP) in 1990; the party's left-leaning coalition received 34% of the vote nationwide, and performed the best in territories where Serbs formed the largest portion of the electorate (Zakošek 1997, 43). By the 1992 elections, however, Croatian Serb voters were a smaller slice of the SDP's potential electorate. The Serbian Democratic Party formed in August of 1990 now competed with the SDP for Croatian Serbs' votes. Serbs' participation was dampened by a climate of hostility, and by the boycott from Croatian Serbs who were in the secessionist regions in Slavonija and Kraijna. Finally, tens of thousands of Croatian Serbs who had voted in the 1990 elections (thanks to their federal Yugoslav citizenship) were now aliens. In contrast to the situation in the late 1990s and 2000s, the electoral marginalization of Croatian Serbs in the early

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<sup>25</sup> “Samostalnost: prije 30. lipnja,” *Slobodna Dalmacija*, June 19, 1991, pg. 2; “Sedmi dan: 80 zakona,” *Slobodna Dalmacija*, June 27, 1991, pg. 4.

<sup>26</sup> “Državljanstvo – temeljni status građana Hrvatske.” *Izvjješća Hrvatskoga sabora*.

<sup>27</sup> Bosnia-Herzegovina's 800,000 ethnic Croats in the 1991 census comprised just over 17% of the population.

1990s, as well as the nationalist political climate, removed any strong incentive for the SDP to fight for their citizenship rights.

Not surprisingly, the law was lauded in diaspora communities. *The Croatian Herald*, Australia's most widely-distributed Croatian newspaper, observed that whereas citizenship laws up that point had made it as difficult as possible for emigrants to keep their citizenship and pass it on to their children, "the draft Law on Citizenship of the Republic of Croatia, which is already being discussed in professional and political circles but should be passed very soon...is so radical that it is absolutely certain to lead to heated debate."<sup>28</sup>

At the same time, and as the next chapter will show, at the HDZ's behest, Croatia created an overseas voting framework that was highly expansive. One of the first tasks that the HDZ reportedly undertook after winning the 1990 elections was to prepare for the next election. After the HDZ's poor performance among voters in the Western Croatian region of Istria, HDZ elites apparently hatched a scheme to "import" ethnic Croats in Romania to the region (Thompson 1992, 63). Moreover, it was decided early on that party strategists would closely track the public "mood" so as to pick a most opportune moment to call the next elections.<sup>29</sup> By late 1991 and early 1992, less than 2 years after the 1990 victory, the HDZ's position was starting to look shaky. Pervasive infighting within the HDZ overheated "in the summer of 1991 at the time of the strongest pressures by the insurgent Serbs, the Serbian leadership and the federal army" (Zakošek 1997, 41). At the end of 1991, support for the HDZ waned due to its unpopular decision to allow UNPROFOR forces to oversee Slavonia. Moreover, an estimated 15% of the population was internally displaced by 1992 because of the occupation of territories in Krajina and Slavonia. There was also concern in the HDZ that these IDPs, angered by the government's inability to defend their homes and cities, would defect to the ultra-right HSP.<sup>30</sup> This was particularly worrisome given that the HSP, as well as popular 1971 veteran Savka Dabčević Kučar's new HNS party, were unfamiliar competitors. These two parties, and several other new parties, had not participated in 1990, and "their strength will only be known after the [elections] to come. Taken separately, they cannot seriously threaten the HDZ, except for possibly the HNS, but they are dangerous because each one, from its own end, can bite off a piece of the cake that the ruling party has already [eyed]."<sup>31</sup>

By expanding the external citizenry and electorate in tandem, the HDZ was able to tap its strong support among Croats outside of Croatia, and offset growing electoral uncertainty within Croatia. The law on citizenship greatly expanded the overseas citizenry, while the 1992 electoral law created a framework for overseas citizens to vote. These expansive measures, in turn, were linked to the HDZ's strategy prior to the 1992 parliamentary and presidential elections.

Indeed, the situation within the Ministry of Internal Affairs in the months before the 1992 elections supports my contention that electoral motives strongly factored into Croatia's citizenship regime. That summer, Ministry officials rushed to resolve as many citizenship applications as possible for ethnic Croats. The Ministry had an alleged backlog of 300,000 citizenship applications from ethnic Serbs and Croats who lived in Croatia, as well as ethnic Croats outside of Croatia. The Minister for Justice announced that the citizenship acquisition process would be accelerated for members of the Croatian nation in and outside of Croatia prior

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<sup>28</sup> "Kako se stječe hrvatsko državljanstvo?" *Hrvatski vjesnik/ Croatian Herald*, April 12, 1991.

<sup>29</sup> "Voter Registration Seen Making Election Unfair," *Foreign Broadcasts Information Service*, FBIS-EEU-92-116, June 16, 1992, pg. 31.

<sup>30</sup> "Voter Registration Seen Making Election Unfair," *FBIS*.

<sup>31</sup> "HDZ Accused of Intimidating Opposition," *Foreign Broadcasts Information Service*, FBIS-EEU-92-108, June 4, 1992.

to the elections. Non-Croats who had alien status, however, would have to continue using the standard naturalization process, which took several months, and thus alien Croatian Serbs would not be able to vote in the elections.<sup>32</sup> As some analysts noted, political parties were the best-equipped to quickly get their supporters' citizenship applications filled out and processed in time to be registered to vote. This "would give these parties [with a strong presence outside of Croatia] an advantage over their rivals even before the elections. The procedure is quite simple [for emigrants]...It is easily predictable that the political parties that have their organizations and affiliations in that part of the voting body [abroad] will, during the next month [before the election], encourage their members and sympathizers to seek registration, and help them with their applications, so that, by the elections, they will be entered in the electoral roll in Zagreb. At the moment, the ruling HDZ is best equipped to organize that [citizenship drive overseas]."<sup>33</sup>

Foreign governments and international organizations alike have lambasted Croatia's citizenship regime since its passage, but the brunt of this criticism has targeted the restrictive acquisition criteria for Croatian Serbs, and not the external inclusiveness per se. Human Rights Watch (HRW) condemned the law's discrimination "against ethnic and national groups which are not the majority group in the respective republic" (HRW 1995, 7). The organization also criticized the disparities between ethnic Croats' and minorities' attempts to apply for citizenship.

In 2000, after the HDZ was no longer in power, the Organization for Security and Cooperation in Europe (OSCE) held that the primary impediment to Croatia's democratization was ethnic favoritism. While the "Law on Citizenship [grants] ethnic Croats abroad...the right to Croatian citizenship," ethnic Serbs continued to face barriers to citizenship acquisition and political participation (OSCE 2000b, 1-2). Similar criticisms of the law were echoed by the OSCE again in 2002, by the Council of Europe's Venice Commission the same year, and by the U.S. Department of State in human rights reports throughout the 1990s and early 2000s (OSCE Croatia 2002; U.S. State Department 2004; Venice Commission 2002).

Yet, contrary to the claim that this sort of external leverage was *decisive*, its impact was much more muted. Croatia's major parties were unwilling to sacrifice their core political interests, and international organizations proved to be unwilling to seriously demand that Croatia's citizenship law be moderated on the issue of diaspora acquisitions. For instance, in 1996, the Council of Europe found much to fault in the nefarious effect of Croatia's citizenship and electoral laws on minorities, but admitted Croatia into the organization anyway (PACE 1996). In 2005, Croatia signed the European Convention on Nationality, which forbids discrimination in citizenship legislation on the basis of race, ethnicity, or religion, but the country did not *ratify* the Convention because of the HDZ's objections (Koska 2011; Štikš 2011). The European Union, the organization that by the early 2000s arguably had the most leverage over Croatia's domestic legislation concerning political rights and minority rights, leaves the issue of national citizenship legislation at the sole discretion of its member state governments, and it did not exert serious pressure on Croatia to change its citizenship law. The Commission's 2004 Opinion on Croatia's application for EU membership did not raise the issue of Croatian Serbs' access to citizenship, let alone the generous provisions that made potential EU citizens out of more than 1 million ethnic Croats in near abroad, and an even larger number of people who could conceivably claim citizenship through ancestry. Instead, the provisions for

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<sup>32</sup> "Voter Registration Seen Making Election Unfair," *FBIS*.

<sup>33</sup> *Ibid.*

ethnic minorities' citizenship acquisition were made piecemeal because of steady pressure from the SDP after 2000.

Ultimately, the diaspora provisions of the citizenship law were only changed in 2011 when the Social Democratic Party was able to pressure the HDZ to change the law. In that year, several major changes were instituted that restricted diaspora Croats' access to citizenship, while also making it much easier for Croatian Serbs who were still unable to naturalize to finally do so.<sup>34</sup> As we will see in chapters 4 and 5, policies on voting rights and diaspora representation were likewise scaled back during this period, even though the HDZ had been back in power since 2003. The party was no longer Franjo Tuđman's nationalist-right party. Since 2000, the HDZ has refashioned itself as a moderate center-right party. EU accession has been the centerpiece of the party's electoral platform, and once the HDZ was voted back into power in 2003 under the leadership of Prime Minister Ivo Sanader, the party's policy priorities remained centered on furthering the accession process. The party viewed EU accession as critical to its future electoral successes. By then, the diaspora had demobilized considerably since the early 1990s, and its interests were something of an afterthought for the HDZ.

At the same time, the Social Democratic Party, although long vocally critical of Croatia's expansive diaspora policies, became more pugnacious on diaspora issues when Zoran Milanović became party leader in 2007, and the party consistently pressured the governing HDZ on citizenship and especially voting rights and representation.<sup>35</sup> With the reintegration of some of Croatia's displaced Serbian population, the SDP treated Serbs – and other national minorities – as part of their constituency. In some ways, the party's support among minorities was seen as a way to offset the HDZ's relationship with the diaspora.

On the citizenship front, the HDZ – eyes firmly fixed on the prize of joining the EU – was also willing to “abandon” the diaspora by changing the country's citizenship law. On the eve of 2011 parliamentary elections, Prime Minister Kosor (HDZ) sent a draft law on changes to the parliament to be introduced under emergency proceedings, with limited open debate on the law. As well as increasing the residency requirements for aliens seeking naturalization from 5 years to 8, the law put more limitations on Article 11, which accords citizenship through naturalization on the basis of descent. Under the 1991 law, there was no limit on the generations eligible for acquisition through this mode. Under the 2011 revisions, up to the third generation of *direct* descendants of emigrants (and their spouses) are eligible for citizenship. Moreover, descendants must now have proficiency in the Croatian language, which is a major difference from the 1991 law. Meanwhile, the requirements under Article 16, which regulate citizenship access for members of the Croatian nation (e.g. Bosnian Croats), are the same: demonstrated attachment to the Croatian legal order and customs. Proficiency was still not a requirement, in contrast to the revised criteria for descendants just discussed. Article 16 did, however, introduce new language on the kinds of activities and evidence that demonstrated membership in the Croatian nation.<sup>36</sup>

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<sup>34</sup> There is anecdotal evidence that it was more difficult in practice for ethnic Croats and the descendants of emigrants to acquire citizenship after 2000. See, for example, Pavao Blažević, “Hrvatske vlasti sve čine da što manje potomaka iseljenih Hrvata dobije hrvatsko državljanstvo,” *Hrvatski svijet*, April 1, 2011, [hrsvijet.net](http://hrsvijet.net).

<sup>35</sup> Milanović attacked the diaspora issue immediately after the party named him leader in 2007, leading to conflict even within the SDP on the diaspora issue. See “Polemike oko Milanovićeve dijaspore i dalje ne jenjavaju,” *Index*, June 11, 2007, <http://www.index.hr/vijesti/clanak/polemike-oko-milanoviceve-dijas-pore-i-dalje-ne-jenjavaju/350754.aspx>.

<sup>36</sup> Zakon o izmjenama i dopunama Zakona o hrvatskom državljanstvu, *Narodne Novine* No. 130, November 16, 2011.

The provisions for former citizens to reacquire it were also tightened: under the revisions to Article 15, they now have to live in Croatia.<sup>37</sup>

Why would the HDZ sign off on these modifications to the citizenship law? First, as Chapter 5 discusses, the impact of the diaspora on electoral outcomes in Croatia was dampened by changes to the constitution in 2010. Diaspora seats are now fixed at 3, which means that the HDZ's relative benefit from overseas voters (which the party continues to receive) is basically fixed; it cannot be affected by voter turnout. Moreover, the timing of the law was important. It was pushed through parliament just weeks before parliamentary elections in which the HDZ's position looked increasingly untenable. The HDZ's outcome in the election could have been further damaged had the opposition blocked EU-relevant legislation in retaliation for the HDZ not supporting changes to the citizenship law. Finally, after 20 years in force, the 1991 law had done the task it had been assigned – it had radically reconfigured the demography of Croatia, with more than a million new ethnic Croat citizens. Meanwhile, generations of Croats that emigrated beginning in the 1990s no longer automatically lost their Croatian citizenship if they acquired a second citizenship (unless their host state required its renunciation), and they could easily pass it on to their foreign-born children.

The diaspora response was outrage. One diaspora journalist wrote of his reaction to Kosor's proposed changes to the law: "I immediately called upon God to curse all those in Parliament who would raise their hand and give support to the [law.]"<sup>38</sup> Another diaspora writer ironically observed that the law solidified the legal assault on the diaspora's influence: it had begun under Ivica Račan's SDP-led government (2000-2003), had been furthered by the HDZ under Ivo Sanader's governments (2003-2007, 2007 until his 2009 resignation), and finished on Jadranka Kosor's watch (2009-2011).<sup>39</sup>

Just how strong was the citizenship law's impact on the magnitude of the citizenry? Comprehensive data on annual citizenship applications and the background of applicants are not available, but pooling together fragments of data from various sources is instructive if not conclusive. In 2003, the Ministry for Internal Affairs reported that it had received 13,000 citizenship requests that year, of which it had rejected 3,000.<sup>40</sup> A 2006 article in *Vjesnik* states that more than one million foreigners acquired Croatian citizenship from 1991 to 2006, a figure equivalent to 20% of Croatia's 1991 population, and to 23% of its current population. The vast majority of these naturalized citizens are from the former Yugoslavia, but there are also a number from overseas: 800,000 from BiH, 124,000 from Serbia, Montenegro, Macedonia, and Slovenia, 10,000 from Germany, 3,500 from Italy, 3,000 from Australia, 2,000 from Argentina, 1,600 from Canada, and 1,500 from Chile.<sup>41</sup> A Ministry source claims that 23,500 foreigners

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<sup>37</sup> Adriano Milovan, "Vlada: stranci teže do naše putovnice," *Jutarnji list*, October 20, 2011, <http://jutarnji.hr>. In 2012, the Ministry for Internal Affairs issued regulations on language proficiency and a new citizenship test to establish familiarity with the culture and legal order of Croatia. The guidelines for demonstrating citizenship eligibility on the basis of descent or ethnicity were also routinized (Ministarstvo unutarnjih poslova, "Pravilnik o načinu provjere poznavanja hrvatskog jezika i latiničkog pisma, hrvatske kulture i društvenog uređenja u postupcima stjecanja hrvatskog državljanstva," *Narodne novine* No. 118, October 26, 2012; Ministarstvo unutarnjih poslova, "Upute o proceduri: stjecanje državljanstva," <http://www.policija.hr/5339.aspx>.)

<sup>38</sup> Rudi Tomić, "Nedržavotvorni zakon o državljanstvu u RH," *Croatian Chronicle Network*, October 29, 2011, <http://croatianchronicle.com/ccn/opinions/nedr%C5%BEavotvorni-zakon-o-dr%C5%BEavljanstvu-u-rh>.

<sup>39</sup> Blažević, "Hrvatske vlasti sve čine da što manje potomaka iseljenih Hrvata dobije hrvatsko državljanstvo"; V. Marjanović, "Za hrvatsko državljanstvo stalni boravak u RH od 8 godina," *Slobodna Dalmacija*, October 20, 2011, <http://www.slobodnadalmacija.hr/Hrvatska/tabid/66/articleType/ArticleView/articleId/152700/Default.aspx>.

<sup>40</sup> "Izvešće Odbora za useljeništvo s rasprave o: Prijedlogu godišnjeg provedbenog plana statističkih aktivnosti Republike Hrvatske za 2005. i o Izvešću o izvršenju programa statističkih istraživanja Republike Hrvatske za 2003," [www.sabor.hr](http://www.sabor.hr).

<sup>41</sup> "Državljanstvo u 15 godina dobilo više od milijun osoba," *Vjesnik*, September 13, 2006.

naturalized as citizens between 2008 and 2012.<sup>42</sup> Thus, from 1991 to 2012, up to 1.1 million individuals acquired citizenship. Comparing this data to another official's estimate that 800,000 ethnic Croats acquired citizenship from 1991 to 2011, it is likely that 75% of new citizens since 1991 have been ethnic Croats, while most of the remainder are likely Croatian Serbs.<sup>43</sup>

In sum, Croatia's citizenship law has had the effect of engineering the boundaries of the Croatian political community by providing strongly preferential citizenship acquisition for ethnic Croats while making it difficult for ethnic Serbs in Croatia who did not have Croatian republican citizenship in 1991 to naturalize. Of course, the nationalist ideology of the ruling HDZ and the escalating tensions with Belgrade *and* with Croatian Serbs in Slavonia and Krajina are part of the law's passage because they created a nationalist climate that allowed such a radical law to be enacted and signed off on by both government and opposition.<sup>44</sup>

As we will see in the next chapter, the support of Croatian voters outside of Croatia for the HDZ in 1992 was much stronger than that of homeland voters. Franjo Tuđman's (HDZ) margin of victory in the presidential elections was almost 15% higher among diaspora voters (70% for Tuđman) than it was among homeland voters (56.7%), while support for the HDZ in the parliamentary elections was 20 percentage points higher among diaspora voters (63%) than among homeland voters (43%).

Citizenship was tied to representation, the third dimension of diaspora political incorporation, in direct and indirect ways. Membership and representation were directly linked in that the permissive citizenship acquisition criteria allowed thousands of diaspora Croats to acquire citizenship and serve in government, parliament, the state apparatus, and the diplomatic corps. It also allowed diaspora Croats to serve in the nearly 10% of seats that were set aside in parliament in 1995 for diaspora delegates. Croatia's permissive citizenship law also worked in tandem with official programs to promote ethnic Croats' "return" to Croatia and even to encourage diaspora Croats' settlement in areas that Croatian Serb inhabitants fled from during the war, or in regions where electoral support for the HDZ was low (Thompson 1993). As Chapter 5 shows, the diaspora constituency and ethnic return programs were also tied to the HDZ's electoral concerns, thus tying together all three dimensions.

## CITIZENSHIP POLITICS IN SERBIA

Whereas Croatia's 1991 citizenship law made it easy for ethnic Croats outside of Croatia to acquire citizenship, and only recently scaled back the law's ethnic favoritism, Serbia's citizenship law went from being unevenly restrictive towards Serbs outside of Serbia in the 1990s to one of Europe's most expansive in the 2000s. The 1996 Law on Citizenship was formally devoid of ethnicized precepts, and it made it difficult in practice for *anyone* who did not have Serbian or Montenegrin republican citizenship on April 27, 1992 (the date of the constitution of the Federal Republic of Yugoslavia, or FRY) to naturalize. The 2004 law is

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<sup>42</sup> Vlatka Polšak Palatinuš, "Muke po državljanstvu: Kako država zagorčava život strancima," *Tportal*, February 1, 2012, [http://www.tportal.hr/vijesti/hrvatska/173769/Kako-drzava-zagorcava-zivot-strancima.html#.USpe\\_xmgRbw](http://www.tportal.hr/vijesti/hrvatska/173769/Kako-drzava-zagorcava-zivot-strancima.html#.USpe_xmgRbw).

<sup>43</sup> Blažević, "Hrvatske vlasti sve čine da što manje potomaka iseljenih Hrvata dobije hrvatsko državljanstvo."

<sup>44</sup> In 1990, the government began purging Croatian Serbs from the police and state apparatus and resurrecting some of the symbols and discourse of the fascist NDH regime that had massacred and terrorized the Croatian Serb population during World War II. These moves on the part of the HDZ fueled Croatian Serb secessionist leaders' claims that the Ustasha were back, helping to generate enough support from Croatian Serbs for the Serbian Democratic Party in Croatia to proclaim the autonomy of Croatian Serbs, erect barricades to the Krajina city of Knin in the so-called Log Revolution, and then hold a referendum on the creation of a Serbian Autonomous Oblast of Krajina. This was the backdrop against which the 1991 citizenship law was crafted.

something of a compromise between nationalist and civic visions of membership and reflects the competing orientations of Serbia's major political parties. Oddly, the law became more inclusive of ethnic Serbs and of non-ethnic Serbs in one fell legislative swoop, rather than the back-and-forth that is seen in other European citizenship regimes (Joppke 2003). Although the external inclusiveness of the 2004 law is very high on paper and in practice, the continued restrictions to external voting rights and representation reveals Serbian parties' continued wariness of diaspora incorporation.

### 1990-2003: The Politics of Defining the Citizenry

As I discussed in the preceding section on Croatia, socialist Yugoslavia had a two-tiered system of citizenship, whereby each citizen had federal Yugoslav citizenship as well as the citizenship of one of its constituent republics. Just like the Yugoslav Republic of Croatia, many of the inter-republican migrants to Serbia did not bother to change their republican citizenship, because it simply did not matter. Moreover, in Serbia, too, parents with a non-Serbian republican citizenship had the right to choose that of their Serbian-born child's (Pejic 1995, 7).

Whereas Croatia's constitution enshrined a collectivist, integralist ethnonational basis of statehood and membership, constitutional nationalism was less pronounced in Serbia's constitution of 1990. According to Hayden (1992, pg. 660), "[whereas] the other republican constitutions represent more or less serious attempts to provide the basis for a nation-state grounded on constitutional nationalism, the primary purpose of the Serbian constitution of 1990 was to provide the basis for the one-man rule of Slobodan Milošević. Thus its various statements of national equality are probably about as relevant as the statements of rights and freedoms in the Constitution of the USSR of 1936" (Hayden 1992, 660).

While Croatia and many other postcommunist governments adopted new citizenship laws within a year or two of communism's collapse, the rump FRY state, now consisting of an unhappy marriage between the Republic of Serbia and the Republic of Montenegro, did not adopt a federal citizenship law until 1996. Moreover, the entire process of drafting and approving a citizenship law was beset with delays and policy shifts. For instance, during 1992 government-opposition roundtable negotiations over electoral legislation, the opposition urged the government to adopt a citizenship law prior to enacting new electoral legislation. The dissolution of Yugoslavia had created a citizenship quagmire, they argued, and as such it made sense to sort out membership issues before formulating voting rights that hinged on this status.<sup>45</sup> Their request was ignored by Milošević's SPS.

Bosnian Serbs and Croatian Serbs called on the government of FRY to grant citizenship to the Serbs from the rebellious regions. In 1994, the then-prime minister of the self-proclaimed Republic of Serbian Krajina (occupying the Krajina region in Croatia) argued that since the Croatian Serbs and Bosnian Serbs had been "waging a defensive war since 1991" and had never seceded from federal Yugoslavia, it then logically followed that Bosnian and Croatian Serbs should have FRY citizenship, too: "[Refugees] have no right to vote. Germany is united, and yet the Serbs are not allowed to remain in the state [FRY] in which they lived? Is this policy not banal and senseless?"<sup>46</sup> Other refugee organizations pleaded with the FRY government to work

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<sup>45</sup> "Roundtable Issues Declaration on Elections," FBIS, pg. 40.

<sup>46</sup> "Mikelic Announces FRY Citizenship for Serbs," *Foreign Broadcast Information Service*, EEU 94-126, June 30, 1994, pg. 33.

out a dual citizenship treaty with Croatia, something that would benefit the hundreds of thousands of refugees from Croatia.<sup>47</sup>

Formally, the 1976 Law on Citizenship of Yugoslavia and the 1979 Law on Citizenship of Serbia (republican) remained in force until 1996, but hundreds of thousands of residents were in legal limbo, and unable to verify whether they even had citizenship. Inconsistent and unclear directives from Belgrade complicated the way in which citizenship applications were processed on the ground in consulates and police stations. Allegedly, ethnic Serbs from other republics who applied for citizenship were “often encouraged to leave the Federal Republic [of Yugoslavia] and return to their country of origin or move elsewhere” (IRB 1994). The citizenship issue was no less complex overseas. During the early 1990s, Serbia’s consulates and embassies allegedly did not accept or process applications for citizenship in many cases (UNHCR 1997, 35).

After years of debating and tabling various citizenship proposals, a federal citizenship law was passed in 1996.<sup>48</sup> Given the lack of meaningful democratic deliberation in Serbia’s policymaking during the 1990s, the law was the product of Milošević’s ruling SPS. Like the socialist Yugoslav framework, the principle of origin (*ius sanguinis*) was considered the primary mode of acquisition, while the territory principle (*ius soli*) was secondary (Knežević 1998).

The 1996 Law on Yugoslav Citizenship stipulated that only individuals who had the republican citizenship of Serbia or Montenegro on April 27, 1992 were entitled to automatically become citizens of FRY. Everyone else had to go through a cumbersome naturalization process. This included: (1) former citizens and their descendants and (2) ethnic kin without citizenship.

### **(1) Emigrants and Descent-Based Acquisition**

Under the 1996 Law on Citizenship, foreigners who wished to acquire FRY citizenship 1) had to be of majority age, 2) renounce any existing citizenships, 3) exhibit behavior demonstrating loyalty to the state, 4) maintain a stable source of income, 5) be law-abiding, and 6) obtain permanent resident status. The last criterion was particularly onerous, since it was a years-long process beset with bureaucratic hurdles.

By contrast, former citizens and their close family members only had to meet the conditions of loyal behavior and a clean criminal record (Article 13). The Article used the term *Yugoslav* emigrant and thus avoided explicit ethnic references. Yugoslavia did not formally recognize dual citizenship outside of bilateral treaties, but emigrants’ exemption from renouncing foreign citizenship meant that they, like Croats from the diaspora, could *de facto* hold dual citizenship. Emigrants did not have to meet any residence requirements. A child born overseas could acquire citizenship if at least one parent was a Yugoslav citizen (Article 8). However, whereas an unspecified number of generations of descendants of Croatian emigrants were eligible for Croatian citizenship in the 1990s, the descendants of Yugoslav emigrants beyond the first foreign-born generation were not explicitly eligible for fast-track citizenship under the 1996 law.

On paper, these provisions seem fairly inclusive of emigrants and their immediate descendants and are in line with European practices (Joppke 2003). Yet several things need to be noted about how the law was administered in practice. First, the criterion of loyalty was itself entirely subjective, and at the discretion of notoriously corrupt bureaucrats. Second, the

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<sup>47</sup> “Croatia: Serbs Ask FRY Assembly to Pass Dual Citizenship Law,” *Foreign Broadcast Information Service*, EEU 96-137, July 16, 1996, pg. 36.

<sup>48</sup> *Zakon o jugoslovenskom državljanstvu*, *Službeni list Savezne Republike Jugoslavije*, no. 33, July 19, 1996.

requirement of a clean criminal record could selectively create problems for any of the tens of thousands of Yugoslav citizens who left illegally during the socialist period, especially political emigrants who were branded enemies of the state during the socialist Yugoslav period.

Third, the Yugoslav bureaucracy was rife with corruption and inefficiency. Citizenship applications were to be processed by federal and republican internal affairs bodies, but the specific division of labor between the two levels was not spelled out. Moreover, Ministry officials had considerable discretion to reject applications. An official in the Ministry of Foreign Affairs who worked in Yugoslav consulates in Europe during the 1990s placed the blame squarely on Belgrade: “it was very difficult [for diasporans] to get citizenship [in the 1990s]. It’s not that the terms for acquiring it were difficult, but rather that the applications weren’t pushed through [the system] or decided upon [by officials in Belgrade].”<sup>49</sup> A Serbian lawmaker agreed, noting that “numerous citizens who filed [citizenship] requests in Serbia or in diplomatic-consular representations of Serbia and Montenegro waited...Some members of our diaspora could not realize their right to citizenship for seven or more years, including some bishops of the Serbian Orthodox Church in the diaspora.”<sup>50</sup>

Fourth, the ongoing war made the holding of FRY citizenship risky for war-averse diaspora males. Military service at that time was compulsory; all men ages 18-27 were required to fulfill 12 months of military service, and remain in the military reserves until the age of 60 (UNHCR 1995). Among the diaspora, stories circulated of overseas Serbian men – even those who were born abroad – being conscripted into the Yugoslav Army when visiting FRY, or even being arrested for draft-dodging and subject to the 5-20 years in prison that the Federal Criminal Code stipulated for draft-dodging (UNHCR 1995).

## **(2) Ethnic Kin Without Citizenship**

For aliens who were part of the Serbian or Montenegrin “nation” rather than having descent-based links to the territory of FRY, the law was even less generous. Ethnic Serb refugees who fled to FRY from Bosnia-Herzegovina and Croatia in the 1990s fell into this category. Under Article 47 of the 1996 law, a citizen of socialist Yugoslavia who held the citizenship of a republic other than Serbia or Montenegro but resided in one of the two republics on the date that the federal Constitution was approved (April 17, 1992) could apply for citizenship. However, even the small subset of refugees that this provision applied to faced enormous challenges in actually acquiring citizenship (Rava 2010a, 8; Žilović 2012, 19).

The majority of Serbia’s nearly 1 million refugees, however, arrived after April 27, 1992. Under Article 48, refugees in Serbia who had the citizenship of one of the other former Yugoslav republics and had fled their homes because of their “national, religious, or political affiliation and endeavors to observe human rights and freedoms” could seek citizenship, so long as they did not currently have any other citizenship. Although no specific ethnicity is listed, the intended subjects of this provision were undoubtedly ethnic Serbs and Montenegrins. Indeed, an earlier draft version of the law explicitly stated this.<sup>51</sup>

However, in practice it was extremely difficult for most post-1992 refugees to acquire citizenship. In addition to strict formal criteria, of which proving renunciation of former citizenship was nearly impossible, the law’s implementation in practice made it harder to acquire

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<sup>49</sup> Author interview with high-ranking official from Ministry for Foreign Affairs, Belgrade, Serbia, March 18, 2010.

<sup>50</sup> Aleksandar Čotrić, “Uključiti iseljenike u život Srbije,” *NIN*, May 4, 2006, pg 12.

<sup>51</sup> The reference to ethnicity in the draft prompted backlash in debate, and it was subsequently removed (Knežević 1998, 238).

Yugoslav citizenship. The law left excessive discretion to the Ministry of Internal Affairs, whose low-level bureaucrats were tasked with evaluating individual cases while “bearing in mind the interests of security, defense, and [the] international position of Yugoslavia” (Article 48). Refugee applicants had to include proof of their SFRY citizenship, detail the grounds for their claim of human rights violations and persecution that led them to flee to Serbia, and submit a statement that they had no other citizenship (Svilanović 1998, 254-5). It is estimated that just 42,000 of the 100,000 persons who sought citizenship under this Article obtained it, out of a refugee population that was nearly 1 million strong (Rava 2010a, 9).

Why did the Milošević government make it so difficult for refugees to acquire FRY citizenship? The answer to this is complex, because refugee policies underwent revisions and reversals as political imperatives shifted. As Dragojević (2010) demonstrates, for much of the 1990s, government policy promoted refugee repatriation to Bosnia-Herzegovina or Croatia rather than permanent settlement in FRY. An ulterior motive can also be discerned in an explanatory memorandum appended to a 1995 draft of the law, which stated that refugees from lands that were under the control of Croatian Serbs or Bosnian Serbs could not acquire citizenship at all (Knežević 1998, 238; Pejić 1995, 9). Given Serbia’s unofficial policy of aiding and abetting rebels in Croatia and Bosnia-Herzegovina, it was in the interest of the government to have enough Serbs remain in those statelets to sustain and justify secession. After Dayton (1995), Belgrade developed plans to resettle refugees in Kosovo and the minority-majority areas in Serbia’s northern province of Vojvodina to even out the demographic balance (Bellamy 2000, 115-6; Biserko 2004). Giving refugees citizenship would deprive Belgrade of its ability to stimulate this “voluntary” resettlement of refugees in exchange for citizenship (Rava 2010a, 9).

On the domestic political front, Milošević and his ruling party’s perceptions of refugees’ support for incumbent rule shaped policies on refugee voting rights. Some 230,000 refugee Serbs in Serbia were added to the electoral register for the 1992 republican presidential race – despite the fact that they did not have citizenship –because Milošević and the SPS leadership calculated that the refugees, “radicalized by their experiences, would provide a receptive constituency for [Milošević’s] brand of nationalist politics” (Thomas 1999, 132). However, just one year later, the same ruling elites were uncertain about their support base among refugees, and for the 1993 election, noncitizen refugees were once again ineligible to vote.<sup>52</sup> This was primarily due to the SPS’s fears that refugees would support the ultra-right Serbian Radical Party or more veritable opposition parties like the SPO, DSS, and DS. A Croatian Serb activist pointed out the electoral motivations that in large part underpinned the new citizenship law:

Krajina Serbs could all vote in the 1992 federal elections, and there was no problem for the FRY authorities then. Confident that this would help them win the elections, the Serbian officials...gave them the right to vote [without granting citizenship]. Today, the Serbian authorities are no longer convinced that the Krajina Serbs will vote for them again...[Now] they are proposing a law that would almost completely prevent [refugees] from regulating their status in the FRY...None of [the refugees] know what will become of them because some idiots have decided to fiddle with the law.<sup>53</sup>

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<sup>52</sup> “Refugees’ Right to Vote Unclear,” *Foreign Broadcast Information Service*, EEU 93-211, November 3, 1993, pg. 29; Vasiljević 2011, 13.

<sup>53</sup> “FRY: Krajina Serb Refugee Official on Citizenship Law,” *Foreign Broadcast Information Service*, FBIS EEU-96-140, pg. 42, July 19, 1996.

In sum, in addition to legal ambiguity, the citizenship framework in the 1990s was further marred by the nontransparent, corrupt, and inefficient bureaucratic nightmare that was Milošević's Serbia.

## 2004-Present

Since the overthrow of Milošević in 2000 and Serbia's subsequent democratization, the citizenship regime has undergone a fundamental transformation. These changes in the post-Milošević period followed alterations to the structure of FRY itself. In 2003, the federal arrangement was replaced with the confederal State Union of Serbia and Montenegro, and primary responsibility for citizenship was delegated to the republican level (Vasiljević 2011, 14). Thus, it was now republican-level Serbian officials who had the prerogative of designing citizenship legislation, and they had more leeway to weave an ethnic view of membership into the law's provisions (Žilović 2012, 25).

At the end of 2004, a new Law on Citizenship of the Republic of Serbia was passed.<sup>54</sup> The new law made it much easier to obtain Serbian citizenship, particularly for refugees in Serbia, former citizens of socialist Yugoslavia, and ethnic kin overseas. The 2004 Law on Citizenship is an interesting amalgamation of civic and ethnic principles. On the one hand, the law is devoid of most of the strictly ethnic markers that are in Croatia's citizenship law. There are no prerequisites of proficiency in the Serbian language or acceptance of Serbian culture; citizenship is "of the Republic of Serbia" rather than "Serbian" (Rava 2010b, 24). The law tolerates multiple citizenship for special categories, including categories for emigrants, their descendants, and ethnic kin. Although ethnic Serbs are favored under the latter, the law contains language that could technically apply to ethnic kin of Serbia's 19 recognized minority groups as well.

### **(1) Emigrants and Descent-Based Acquisition**

Like Croatia's 1991 Law on Citizenship, Serbia's 2004 law provides fast-track naturalization for former citizens of Serbia and their descendants (Article 18). These individuals must be majority age and submit a written statement that they accept Serbia as their state. Former citizens and their descendants do not need to reside in Serbia in order to naturalize, nor do they need to renounce their existing citizenship(s). The same facilitated naturalization process applies to their non-Serb spouses. Another similarity to Croatia's law (prior to the Croatian law's changes in 2011, at any rate), is that Serbia's law did not specify the number of generations eligible for fast-track citizenship. In theory, the law could be interpreted as allowing an infinite number of generations of descendants to acquire Serbian citizenship. In Toronto, the Serbian Consulate has issued citizenship to third generation Serbian Canadians and beyond under this clause, but only relatively rarely.<sup>55</sup> The term used in the law is relatively neutral on ethnicity – it applies to "emigrants from the territory of Serbia." Formally, the grandchild of an ethnic Albanian emigrant from Southern Serbia would be entitled to Serbian citizenship in the same manner that the grandchild of an ethnic Serb emigrant from Belgrade would be.

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<sup>54</sup> Zakon o državljanstvu, *Službeni glasnik Republike Srbije*, 135/2004.

<sup>55</sup> Author interview with Serbian consular official, Canada, October 19, 2011.

## (2) Ethnic Kin Without Citizenship

Another special category under the law includes ethnic Serbs without descent-based or territorial ties to Serbia, as well as coethnics of the 19 minority groups in Serbia that are recognized by the Serbian government (Article 23).<sup>56</sup> Their naturalization criteria are the same as those of emigrants' descendants: they can acquire Serbian citizenship without knowing the language, having residence in Serbia, or sacrificing their existing citizenship(s). Unlike the previous category, they do not have to prove ancestral ties to Serbia, but rather their ethnicity. Ethnic Serbs in countries adjacent to and near Serbia, as well as the descendants of, for example, Bosnian and Croatian Serbs who emigrated from Bosnia-Herzegovina and Croatia, are eligible for Serbian citizenship under this Article. Many of the citizenship applicants at the Toronto Consulate are Serbs who emigrated from Bosnia-Herzegovina or Croatia to Canada, and lack descent-based or territorial links to Serbia proper.<sup>57</sup> As Serbia's prospects for EU membership become more likely than those of Bosnia-Herzegovina, its citizenship may become more enticing for Bosnian Serbs and Bosniaks in Bosnia who claim a link through the Bosniak minority in Serbia.

Initially, this preferential mode of citizenship acquisition was quite neutral on ethnicity, in stark contrast to Croatia's law. Two sub-groups – ethnic Serbs outside of Serbia *and* the kin of minority groups from Serbia – were treated in the same paragraph of Article 23 in the 2004 law. Both groups “*may* be admitted” to the citizenship of Serbia. When the law was amended in 2007, however, ethnic Serbs and minorities were treated in separate paragraphs with slightly different but nevertheless important wording. Now, ethnic Serbs outside of Serbia “*have the right*” (*imaju pravo*) to be admitted to Serbian citizenship, while kin of other ethnic groups from Serbia “*may*” (*mogu*) be admitted.<sup>58</sup>

Just like Croatia's law, there is the problem of “proving” ethnicity. In practice, the criteria for “proving” membership in the nation include baptism into the Orthodox Church, proof of a family member or ancestor with Serbian ethnicity, activeness in diaspora organizations, etc. According to the Ministry for the Diaspora, the majority of citizenship requests under this clause over the last several years have come from individuals in Bosnia-Herzegovina and Turkish citizens with ancestral ties to the Turks in the Raška region in South-Central Serbia.<sup>59</sup>

A third category of fast-track citizenship includes individuals from other republics of the former Yugoslavia. In sharp contrast to the 1996 law, which on paper and in practice excluded the majority of refugees from citizenship, under Article 52 of the current law it is far easier for refugees to get Serbian citizenship. The article allows individuals who held the citizenship of another former socialist Yugoslav republic (e.g. Croatia) on the day of the law's enactment, but who have been permanent residents in Serbia for nine or more years, to acquire citizenship if they submit a written statement that they accept Serbia as their state. They are not required to reject any foreign citizenship, allowing them to have multiple citizenship in practice. In contrast to the 1996 law, their citizenship acquisition process was not subject to a discretionary administrative decision. As Rava (2010a, pg. 12) notes, this article was of monumental

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<sup>56</sup> In the 2011 census, ethnic Serbs comprise less than 85% of the population of Serbia.

<sup>57</sup> Author interview with Serbian consular official, Canada, October 19, 2011.

<sup>58</sup> According to Rava (2010a), this change reflects concern in the Ministry of Internal Affairs that the admission criteria under Article 23 were too permissive. Applied liberally, it would potentially entitle tens of millions of foreigners to Serbian citizenship, because Serbia's recognized minority groups include, among others, Albanians, Bosniaks, Bulgarians, Croats, Hungarians, Turks, Ukrainians, and Romanians.

<sup>59</sup> “Povećan broj zahteva za srpsko državljanstvo,” Tanjug, January 30, 2010, <http://www.rtv.rs>.

significance because it “collectively (and almost automatically) incorporated the whole group of refugees” into the Serbian citizenry. The majority of the estimated 200,000 refugees who have gained Serbian citizenship received it after the 2004 law was enacted.

In 2007, Montenegro’s declaration of independence ended the State Union, and Serbia is now the Republic of Serbia. Article 52 was subsequently amended to allow Serbs who had Montenegrin republican citizenship at the time of the state’s dissolution (June 3, 2006) to acquire Serbian citizenship in the same manner as Bosnian and Croatian Serbs, and without renouncing their Montenegrin citizenship. The issue of dual citizenship has been a point of contention between Serbia and Montenegro. In Montenegro, ethnic Serbs comprise nearly 30% of the population.<sup>60</sup> The leadership in Podgorica is concerned by the prospect of these Serbs holding Serbian citizenship and potentially being influenced by Belgrade. It does not help that during the countdown to Montenegro’s referendum on independence, Belgrade had funded anti-independence Serb parties in Montenegro (Helsinki Committee of Serbia 2007, 452).

### Externally Inclusive Citizenship With a Liberal Face

When the citizenship law came up for debate in the Serbian National Assembly in 2004, its proponents were explicit in their goals: they wanted to make it easier for potential citizens to naturalize in light of their negative experiences trying to do so under the previous citizenship regime. The law would do so by drastically easing the criteria for naturalization, ending the bureaucratic stonewalling of the Milošević era and reducing the required documentation.<sup>61</sup>

The initiative for the Law on Citizenship first came from the Ministry for the Diaspora. A former official from the Ministry recalled that it was difficult to get the Serbian government, then led by Vojislav Koštunica's nationalist DSS, to move forward on the citizenship issue. Minister for the Diaspora Vojislav Vukčević first tried to convince then-Minister for Internal Affairs Dragan Jočić to draft a new citizenship law. Jočić was a high-ranking member of the nationalist Democratic Party of Serbia (DSS), which at the time led the coalition government under Prime Minister Vojislav Koštunica. The Minister for the Diaspora repeatedly asked Jočić about the status of a new citizenship law over the course of several months, but received noncommittal replies. The Ministry for the Diaspora, a portfolio that belonged to Vuk Drašković’s center-right Serbian Renewal Movement (SPO), was so low-ranking that it did not have the authority to propose legislation in the Assembly. Thus, the Ministry authored a law and had the SPO’s parliamentary group propose the bill from the floor, alongside a high-profile media statement.<sup>62</sup> The message to the public was clear: a minor ministry with no legislative prerogatives drafted the law, and the Ministry for Internal Affairs had done nothing about the country’s serious citizenship problem. According to the Ministry for the Diaspora official, this public humiliation is what finally pushed the Interior Ministry to tackle the citizenship issue.

According to refugee expert Jelena Grujić, the law’s passage was linked to the pre-election campaign promises of Vuk Drašković’s SPO to the Serbian diaspora – that it would simplify as much as possible the conditions for diasporans’ citizenship acquisition.<sup>63</sup> However, by the time the law was put forth before the Assembly at the end of 2004, it was no longer an SPO law or a Ministry for the Diaspora law. Once the Ministry for Internal Affairs was forced to

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<sup>60</sup> “Montenegro Publishes Population Census Data,” Tanjug, July 12, 2011, [www.b92.net](http://www.b92.net).

<sup>61</sup> Aleksandar Čotrić, “Uključiti iseljenike u život Srbije,” *NIN*, May 4, 2006, pg 12.

<sup>62</sup> Author interview with former high-ranking Ministry for the Diaspora official #5, Belgrade, Serbia, April 11, 2010.

<sup>63</sup> Jelena Grujić, “Zakon o državljanstvu: Srbija, moja otadžbina,” *Vreme*, December 8, 2004, <http://www.vreme.com/cms/view.php?id=398849>.

act it took ownership of drafting the law. Grujić further contends that “one would be mistaken to conclude that the law was written for the diaspora or with the diaspora in mind; it’s really about a standard citizenship law like that which is in force in most countries of the EU, and about harmonizing Serbia’s [laws] with European practices in this area.”<sup>64</sup>

Yet a closer look at the debate over the proposed 2004 law provides only partial support for Grujić's interpretation of the influence of European norms and standards. In introducing the bill before the Assembly, Minister for Internal Affairs Jočić pointed out that even though Serbia had not ratified the European Convention on Citizenship, the Ministry had been sensitive to the Convention’s key principles concerning statelessness. The law was, he claimed, a “modern, liberal [law], compliant with international legal standards, befitting our needs and interests, and in line with our efforts at European integration.”<sup>65</sup> Liberal, center-left, and center-right parties also praised the law’s respect for modern European standards and practices. Even Milošević’s SPS party, which until 2000 had depicted itself as David battling the West’s Goliath, expressed support for the law’s embodiment of European citizenship precepts.<sup>66</sup>

When Prime Minister Koštunica summed up the government’s legislative agenda at the first Assembly session following the 2004 elections, his comments on citizenship changes were brief: “The Law on citizenship’s changes will liberalize the regime of admission to citizenship for people of Serbian origins and in this way will open the door to a more comprehensive realization of the rights of the Serbian diaspora.”<sup>67</sup> Nationalist and radical parties (the DSS and the Serbian Radical Party especially), while criticizing some procedural aspects of the law, were nevertheless appeased by the law’s provisions on citizenship acquisition on the basis of descent or ethnic belonging. The SPS, which as the ruling party in the 1990s had denied the citizenship acquisition of hundreds of thousands of ethnic Serbs from neighboring republics, was now whistling a wholly different tune. Its leader, Ivica Dačić, stated the importance of allowing all Serbs, “no matter where they live and whose citizenship they have, to have the right to dual citizenship of the Republic of Serbia.”<sup>68</sup> Moreover, at the same time that the law became more inclusive of ethnic Serbs and coethnic kin of Serbia’s minorities, the law’s provisions concerning the naturalization of alien immigrants lacking any cultural or historical affinity to Serbia surpasses the practices of almost all other European states in terms of inclusiveness. Thus, it cannot be seen simply as an EU-friendly law.

Whereas the Croatian diaspora’s role in politics was a highly politicized issue among the Croatian public, in Serbia the issue of whether the diaspora should have rights was less divisive. Diaspora Serbs had not been a major force in domestic politics during the 1990s, and their reputation among the homeland population was not “sullied” in the way that the magnification of Croatian diaspora representation and the hardline policy positions of a few highly visible Croatian diaspora returnees led to popular anger and resentment towards the Croatian diaspora’s influence in politics. In Serbia, by contrast, public opinion polls in the early 2000s show consistently overwhelming support for citizenship and voting rights for the diaspora.<sup>69</sup>

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<sup>64</sup> Ibid.

<sup>65</sup> “Šesta sednica Drugog redovnog zasjedanja,” Narodna skupština Republike Srbije, December 2, 2004, <http://otvoreniparlament.rs/2004/12/02/297047/>.

<sup>66</sup> This stance was in line with the party’s effort to reinvent itself as a modern social democratic party.

<sup>67</sup> “Stenografske beleške prve sednice prvog redovnog zasjedanja,” Narodna skupština Republike Srbije, March 2, 2004, <http://otvoreniparlament.rs/2004/03/02/288209/>.

<sup>68</sup> “Šesta sednica Drugog redovnog zasjedanja,” December 2, 2004.

<sup>69</sup> “Iz istraživanja javnog mnjenja 2001–2006. godine: Narod dijaspori veruje,” *NIN*, May 4, 2006.

There was generally broad consensus among the major political parties over the provisions of the 2004 law, as well as its 2007 amendments. The major parliamentary party clubs indicated in advance that they would support the law, and few amendments were proposed.<sup>70</sup> On the day of the debate, newspaper coverage noted that “although the Draft Law on the Citizenship of Serbia was given prominence on the daily schedule of the parliamentary session, legislators spent the majority of this time discussing whether there had been an assassination attempt on President Boris Tadić.”<sup>71</sup> These factors suggest that there was, as Rava (2010, pg. 19) notes, a general “consensus on the main aspects of the law... There seems to be agreement on the liberal nature of the law, the opportunity to resolve the long-standing issue of refugees, and the special treatment of Montenegrins, the former SFRY citizens from other republics and those with Serb or other ethnic origins.” Nationalists were appeased by the provisions for relatively easy streamlined naturalization for ethnic Serbs outside of Serbia and for Serbian refugees. Yet, unlike the Croatian law, Serbia’s citizenship law also satisfied liberals by according the same rights to overseas members of minority groups with recognized status in Serbia, and by offering solutions to prevent statelessness. The inclusiveness of the naturalization regime for aliens who do not have cultural affinity to any of the nationality groups in Serbia (e.g. a Vietnamese immigrant) also appeased liberals concerned about ethnic favoritism.<sup>72</sup>

Evidence suggests that diaspora Serbs face relatively few difficulties in acquiring citizenship or passing it on to their foreign-born children. The Serbian Consul General in Chicago, who is openly critical of the Serbian government’s policies towards diaspora Serbs in general (and its external voting framework in particular, as the next chapter discusses) thinks that the citizenship law is a positive step. After several years of dealing with an enormous backlog of citizenship cases after the 2004 law, the process for diasporans to acquire citizenship is now quite smooth. It takes roughly six months for a clear-cut case to be processed and approved. As he describes it, “We did liberalize [the law] because we had a lot of people who were born in different republics of former Yugoslavia. And so in order for them to get citizenship we had to be a little lenient and not [be unreasonably strict about required documentation]. Especially for a lot of older people, a lot of church records were burned, and some of the government records were lost during the civil war. So if these people are basically members of the Serbian ethnic group, we... would like to accept them [as citizens].”<sup>73</sup>

An official in the Serbian Consulate in Toronto concurs that it is “infinitely” easier to get passports now than under the 1996 law. He estimated the waiting time to be approximately 9 months, and the cost of getting a Serbian passport have been reduced considerably from more than \$300 to less than \$100. Almost all citizenship applications are approved. Since 2008, the consulate has processed an average of 400 citizenship applications per year. The first few years after the law passed the average was more than 1,000 per year because of the backlog.<sup>74</sup>

In the next section, we will see that Armenian political elites were careful to make sure that any changes making citizenship more inclusive of external kin were offset by making overseas voting more restrictive. Remarkably, Serbia’s citizenship law became more inclusive in the same year that overseas voting rights were introduced. Serbia took two “leaps in the dark” at

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<sup>70</sup> Jelena Grujić, “Zakon o državljanstvu: Srbija, moja otadžbina.”

<sup>71</sup> “Svada poslanika umesto rasprave o državljanstvu,” *Vesti*, December 3, 2004, <http://www.srpskadijaspora.info>.

<sup>72</sup> For instance, there are no language requirements, no citizenship test, and a short residence requirement of just 3 years. Foreigners are, however, required to renounce their existing citizenship.

<sup>73</sup> Author interview with Serbian General Consul in Chicago, U.S. (Desko Nikitović), Chicago, U.S., June 1, 2012.

<sup>74</sup> Author interview with Serbian consular official, Canada, October 19, 2011.

once. Unlike Croatia, it was not the result of a diaspora-backed hegemonic party pushing through legislation that was unsavory to the opposition. In Serbia, all of the major parties signed on to both changes. Why do we see this apparent consensus in a country whose diaspora is estimated to be 3-7 million, making it equivalent to 50 percent or more of the domestic population?

The answer lies in the limited way that the diaspora became involved in domestic politics in the 1990s. This is not to say that the Serbian diaspora did not care or was not active – it did care and it was active. But it was denied direct involvement in homeland politics during the Milošević period. This decade of “quarantine” yielded three insights that made homeland elites feel less wary of diaspora incorporation in the 2000s. First, the diaspora was divided unto itself along the major axes that were discussed in Chapter 2: their vision for a Serbian state, the lingering effects of the 1963-1992 schism in the diaspora church, and conflict between supporters and opponents of Milošević. Second, and related to the first, mass emigration in the 1990s meant that by the 2000s, the diaspora was no longer “just” the duopoly of older, nationalist émigrés and the legal economic guestworkers of the 1960s-1980s (two blocs that were themselves hardly monolithic). The diaspora had been dramatically altered by the generally more educated and urban cohort of 1990s emigrants. Homeland elites deemed the latter to be the more likely supporters of moderate and liberal parties, while nationalists and conservatives viewed the older political emigrants and the guestworkers to be in their own image.<sup>75</sup> However, other analysts suspect that the voting behavior of the 1990s emigrants will run parallel to their generational and socioeconomic cohorts in Serbia. In this view, the diaspora would simply be a small-scale copy of the Serbian electorate. Yet their assessments are tentative at best. As a Democratic Party strategist stated, 20 years after the demise of socialist Yugoslavia, Serbian voter cleavages were still ambiguous, and the party system still in flux.<sup>76</sup> Third, and arguably most importantly, the 1999 NATO campaign against Serbia elicited the most activism and unity on the part of diaspora Serbs. But that mobilization quickly died down by Milošević’s 2000 ouster, and further still after that.<sup>77</sup> By 2004, there was inertia and apathy in the diaspora. For all of these reasons, it was deemed relatively safe to liberalize the citizenship regime. However, as discussed in the next chapter, the overseas voting rights framework had many more “safeguards” than the citizenship regime, revealing continued unwillingness of Serbia’s political elites to incorporate the diaspora.

## CITIZENSHIP POLITICS IN ARMENIA

Like the case of Serbia, several years passed before independent Armenia adopted its post-communist citizenship legislation. Moreover, like both Croatia and Serbia, its citizenship provisions would affect the legal status of the estimated 8 million Armenians outside of Armenia and the hundreds of thousands of ethnic Armenians from Nagorno-Karabakh who sought refuge in Armenia in the late 1980s and early 1990s as the Armenia-Azerbaijan dispute over the territory escalated.

There have been two major episodes in the history of post-Soviet Armenia’s citizenship law: the constitution and citizenship law that were both passed in 1995, which banned dual citizenship, and revisions to the citizenship law in 2007 that allowed dual citizenship. In the first

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<sup>75</sup> J. Cerovina, “Dijaspora u drugom planu,” *Politika*, January 10, 2007, <http://www.politika.rs/rubrike/Politika/t16787.lt.html>.

<sup>76</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

<sup>77</sup> Author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010.

period (1990-2006), only a miniscule sliver of the diaspora sought Armenian citizenship. On top of the dual citizenship issue, there were other legal “disincentives” to acquiring citizenship – requisite residency and, for men, compulsory military service. In 2007, the citizenship law was revised and dual citizenship was recognized but, as discussed in the next chapter, the electoral code was simultaneously changed to eliminate overseas voting. In other words, despite finally yielding to pressure for dual citizenship rights, the government was unwilling to couple citizenship access with political participation rights, and quickly changed the electoral framework.

### 1990 – 2006: The Politics of Defining the Citizenry

Armenia’s 1990 Declaration of Independence proclaimed that diaspora Armenians had the right to citizenship, but it did not spell out the conditions for acquiring citizenship.<sup>78</sup> The 1994 Law on Foreigners, ethnic Armenians were eligible for a special resident status. This was essentially a 10-year visa that allowed diaspora Armenians to live in Armenia without serving in the military, but rendered them politically neutral since they did not have political rights.<sup>79</sup> Citizenship, however, was still not addressed.

It wasn’t until 1995 that a post-independence citizenship order came to be defined in Armenia. In that year, a new Constitution and a citizenship law were passed. But before discussing those provisions, it is important to recall the tenor of state-diaspora relations at the time, because they profoundly shaped the government’s policy decisions. Between 1990 and 1995, relations between the Armenian government and the Armenian diaspora had grown rancorous. The Armenian Revolutionary Federation (ARF, or Dashnaks) was the largest by far of the trio of diaspora-based exile parties that “returned” to Armenia in the early 1990s to participate in political life. Not surprisingly, homeland aspirants to political power were none too happy about these additional (and comparatively wealthier) competitors. By 1994, President Levon Ter-Petrossian and the Dashnaks were gearing up for a showdown. Ter-Petrossian banned the ARF at the end of 1994, accused the organization of engaging in terrorism and drug trafficking, and jailed 31 high-ranking members and leaders. Incidentally, it was the Dashnaks that had the most followers and supporters in the diaspora, and needless to say the crackdown was unpopular in diaspora circles.

Article 14 of the Constitution, passed in the summer of 1995, and at the height of the drama between the Ter-Petrossian Administration and the ARF, explicitly barred dual citizenship. Existing statutes also barred dual citizenship, but elevating the ban to the constitutional level made it much more ironclad. Armenians in the diaspora could acquire Armenian citizenship through naturalization on the basis of affinity, but – unlike Croatia and Serbia’s laws – they could not retain their existing citizenships (Panossian 1998, 191).<sup>80</sup> Most in the Western diaspora had been settled there for generations, and descended from Armenians of Western (Ottoman) Armenia rather than the territory of present-day (“Eastern”) Armenia. It is revealing that the issue of dual citizenship was codified in the country’s Constitution rather than in citizenship legislation, thus making it hard to undo. The Ter-Petrossian government was not going to take any chances.

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<sup>78</sup> Declaration of Independence, Republic of Armenia, August 23, 1990, <http://www.armeniaforeignministry.com>.

<sup>79</sup> Law on the Status of Foreign Citizens in the Republic of Armenia, June 17, 1994.

<sup>80</sup> The 1994 Law on the Legal Status of Foreign Citizens did permit a foreigner of Armenian heritage to acquire a 10-year residency permit; however, this did not include voting rights.

The country's first post-independence citizenship law was passed later that year. One of its tasks was to determine the initial citizenry of the Republic. Unlike Croatia and Serbia, which linked automatic (*ex lege*) initial citizenship based on republican-level citizenship rather than territorial residence, the Armenian law extended citizenship to citizens of the former Armenian Soviet Socialist Republic who permanently resided on the territory of Armenia (Art. 10(1)) or other Soviet citizens who had resided in Armenia for at least 3 years and would otherwise be rendered stateless (Article 10(2)). The latter category of persons – primarily refugees from Nagorno-Karabakh – had one year to apply citizenship.<sup>81</sup>

Armenia's challenges with establishing its initial citizenry were undoubtedly less severe than Croatia and Serbia's. Armenia was the most ethnically homogeneous Soviet republic by 1991, as most of the 200,000 Azerbaijanis in Soviet Armenia fled or were expelled in 1988 and 1989 (Suny 1999-2000). This made *internal* conflict less problematic than in Croatia, where the relations between the new, nationalist government and the large Serbian minority population had sharply deteriorated at the time the citizenship law was drafted. Political motives, however, were still paramount.

### **(1) Emigrants and Descent-Based Acquisition**

Individuals who had been citizens of the former Armenian Soviet Socialist Republic but had emigrated after September 21, 1991 were eligible to secure Armenian citizenship so long as they had not acquired another citizenship and were registered in the consulate at the time that the 1995 law came into effect. This applied to the hundreds of thousands of Armenians who emigrated from Armenia, mostly to Russia, after the collapse of the USSR. The catch was that they would have to renounce any other citizenship that they had acquired since emigrating, which could limit their ability to work abroad in their host states.

In the 1995 law, children born to Armenian citizen parents had the right to citizenship regardless of whether they are born in Armenia or abroad (Article 11). The 3-year residence requirement was lifted for, among other special categories, anyone with at least one parent who was an Armenian citizen or was born on the territory of the Republic of Armenia. For applicants under this track, as well as the following track, their request could be rejected if the applicant violated the order, security, reputation, dignity, etc. of the Republic of Armenia – in other words, whenever the authorities did not wish to grant citizenship.

### **(2) Ethnic Kin Without Citizenship**

Ethnic Armenians who did not have ties to Armenia through descent from a citizen of Armenia could acquire it by virtue of ethnicity if they moved to Armenia and renounced their existing citizenship. So whereas the Russian-born child of an Armenian citizen in Russia, or the child of a former Soviet or post-Soviet Armenian citizen in the United States did not have to move to Armenia to acquire citizenship, the descendant of an ethnic Armenian from “Western” Armenia –the Ottoman Armenians who survived the genocide – would have had to move to Armenia. This “fast track” option for ethnic Armenians was far less generous than Croatia's or Serbia's provisions. For the Dashnaks, requiring diasporans to move to Armenia and renounce

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<sup>81</sup> The Law on Citizenship was amended 7 times between 1997 and 2010, and in each instance except for 2001 Article 10(2) was amended, usually to extend the deadline for applying. Despite the provision for refugees to acquire citizenship, very few of the estimated 334,000 refugees estimated to be in Armenia in 1993 actually did. By 2008's end, less than 75,000 of refugees had naturalized. One reason was that refugees worried that they might lose their properties and compensation from Azerbaijan if they naturalized as Armenian citizens (Makaryan 2010, 8).

their current citizenship was unacceptable: “Our approach was, no, they don’t have to move here because that is unrealistic, first of all, and second, because saying they have to give up their citizenship, again, it is some sort of denial of facts or history...[Diasprans] didn’t become citizens of other countries by choice [but rather because of the genocide.]”<sup>82</sup>

The largest Armenian diaspora populations were in North America, the Middle East, and Western Europe, and most of them were descendants of Ottoman Armenians who had fled the genocide in the early 20<sup>th</sup> century. The prospect of renouncing their current citizenship and repatriating to Armenia, which at that time was in a deeply precarious economic and geopolitical state, deterred the vast majority of diaspora Armenians from doing so. Indeed, by 2007, it was reported that only 1,735 foreigners had acquired Armenian citizenship. By contrast, 81,000 refugees or stateless individuals had gained Armenian citizenship during roughly the same period.<sup>83</sup>

Still, even with this minor loophole, ruling elites were unwilling to take any chances on giving diaspora Armenians access and influence. For those who were willing to take the gamble and give up the safety net of French, American or any other citizenship that they might have held, they were nevertheless prevented from immediately participating in elections. They could not vote until they had resided in Armenia for one year, and could not run for office until they had resided there for three years. These barriers to diaspora political participation and representation are discussed in chapters 4 and 5.

Whereas Croatian and Serbian opponents of externally inclusive citizenship couched their objections in relatively neutral terms, Armenian opponents to an externally inclusive citizenship regime pulled no punches. These dual citizenship opponents – most notably President Ter-Petrossian and allies from his Armenian National Movement (ANM) – justified their position on several grounds. First, they appealed to national security as a reason to ban dual citizenship. They argued that dual citizenship would allow Armenians to dodge military service at a time when the country’s conflict with Azerbaijan was unresolved and Armenia remained under blockade on its eastern and western borders. Similarly, there was concern that dual citizenship would make Armenia’s foreign policy agenda vulnerable to diaspora influence at a time when the Ter-Petrossian government wanted to open Armenia’s border with Turkey and normalize relations. Most in the diaspora, particularly the Dashnaks, were vehemently opposed to any reconciliation without Turkey recognizing and apologizing for the Armenian genocide. The Dashnaks also objected to Ter-Petrossian’s foreign policy goals of seeking a compromise agreement with Azerbaijan over Nagorno-Karabakh. Political incorporation of the diaspora would risk the latter hijacking the Ter-Petrossian government’s foreign policy agenda.

Second, the ANM argued that dual citizenship would tip the balance of political influence to forces outside of Armenia. They clearly took into consideration electoral consequences. Specifically, given the sheer size of the diaspora relative to Armenia’s homeland population, the diaspora’s political participation could overwhelm the political will of homeland Armenians. This, they argued, was profoundly unfair because diaspora Armenians did not have the same sort

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<sup>82</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

<sup>83</sup> Between 1997 and 2007, the majority of people who acquired the citizenship of Armenia were refugees from Nagorno-Karabakh. The Soviet citizenship law remained in force until 1995. In 1990 – 1991, the Armenian government adopted the practice of determining refugees’ citizenship applications on a case-by-case basis. In practice, they only gave citizenship on the basis of descent, and to families where one or both parents had citizenship of Armenia. If both of the parents in a family were ethnic Armenians but citizens of Azerbaijan (which Nagorno-Karabakh Armenians had, since NK was an autonomous oblast in the Azeri Soviet Socialist Republic), then citizenship was not extended. See Makaryan 2010, pg. 9.

of stake in Armenia's well-being that homeland Armenians had, and should therefore not have the same legal status as homeland Armenians (Panossian 1998, 171-2). The author of the 1995 Constitution explicitly stated his belief that the constitution had to take into consideration the population imbalance between domestic and external Armenians (Harutyunyan 2006, 289-90).

This is strong evidence that ruling elites coupled the citizenship issue with voting rights issues. In this way, the 1995 ban on dual citizenship was a strategic move by Ter-Petrosian's ANM – a party that was highly unpopular in the diaspora– to prevent the Dashnaks (ARF), which by 1995 had become one of the strongest opposition parties, from electorally benefitting from an expanded citizenry.<sup>84</sup> They perhaps looked to the electoral situation in Nagorno-Karabakh, where the Dashnaks had won parliamentary elections, as an early warning. An additional electoral consideration was the status of refugees. From 1988-1993, an estimated 360,000 Armenians from Nagorno-Karabakh fled to Armenia (UNHCR 2004). This mass of refugees was equivalent to roughly 10% of the population of Armenia, a substantial size that could alter election outcomes if enfranchised.

Political elites from the ARF, as well as many diaspora Armenians from other parties, were outraged over the dual citizenship ban. One high-ranking ARF leader argued that “imposing distinctions between native Armenians and Diasporans when it comes to involvement in Armenia's politics is insulting” (Panossian 1998, 171). Officials from some of the smaller nationalist parties also condemned the move (Harutyunyan 2006, 290).

The issue of dual citizenship, and more generally state-diaspora relations, became an electoral issue later in 1997. The Dashnaks joined other opposition parties under the National Alliance Union, which put forth a joint candidate for the presidency. As one of its core campaign points, the umbrella group vowed to lift the ban on dual citizenship (Panossian 1998, 174). The National Alliance Union did not win the elections, leaving the dual citizenship issue a contentious point in Armenian politics for years to come.

In 1998, as President Levon Ter-Petrosian moved closer to a negotiated settlement with Azerbaijan over the Nagorno-Karabakh conflict, he was suddenly forced to resign by a group of associates from the military and security arms of the state. His then-Prime Minister Robert Kocharian became the acting president.<sup>85</sup> He immediately lifted the ban on the ARF (Dashnak) Party, and met with a delegation of Dashnaks from overseas.<sup>86</sup> Kocharian also promised to introduce dual citizenship.<sup>87</sup> His overtures to the Dashnaks were in part linked to the ARF's support for Kocharian in the 1998 presidential election. Additionally, Kocharian himself came from Nagorno-Karabakh, where the ARF was at time the majority party in parliament.<sup>88</sup> Because Kocharian was not a member of *any* party, he was less constrained by the partisan consequences of diaspora incorporation other than his own re-election to the presidency. In his subsequent presidential inauguration address, Kocharian stated that it was important to facilitate the Armenian diaspora's participation in all aspects of Armenian life, and that this would be boosted

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<sup>84</sup> Emil Danielyan, “Armenia Allows Dual Citizenship Amid Controversy,” *Eurasia Insight*, February 25, 2007, [eurasianet.org](http://eurasianet.org).

<sup>85</sup> Prior to serving as Prime Minister of Armenia (1997-1998), Kocharian – born in Nagorno-Karabakh – led a movement to secede from Soviet Azerbaijan in the late 1980s, and was the President of Nagorno-Karabakh from 1994-1997.

<sup>86</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010

<sup>87</sup> “Kocharyan Meets with Dashnaks From Abroad,” *RFE/RL Newslines*, February 18, 1998, <http://www.friends-partners.org/friends/news/omri/1998/02/9802181.html>.

<sup>88</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

immensely by introducing dual citizenship.<sup>89</sup> Despite frequent revisions to the citizenship law, however, this promise to introduce was slow to materialize

Before dual citizenship could be introduced, proponents first had to remove its ban from the constitution, a change that could only be made through a popular referendum. For the next several years, the issue of modifying the constitution remained on the political agenda, but the changes proved difficult to secure. In 1999, a presidential commission for constitutional reform met to discuss a package of proposed amendments that were slated to be sent to parliament later in the year. The commission, however, rejected the inclusion of an amendment that would have lifted the dual citizenship ban.<sup>90</sup> In late 2004, three different sets of draft amendments were submitted to the parliament, including a proposal to lift the ban on dual citizenship. The referendum itself was controversial because of the radical changes to the constitution, including some that fundamentally redistributed power among the various branches of government. Most opposition parties urged their supporters to boycott the plebiscite because they anticipated fraud.<sup>91</sup>

Finally, in 2005 the dual citizenship issue resurfaced when the Kocharian Administration once again introduced a package of constitutional amendments. The ARF proclaimed dual citizenship to be “one of the most important issues today in the draft of constitutional changes” (Gevorkyan 2006, 12). One of the party’s leaders argued that the diaspora was to Armenia as oil was to Azerbaijan – its most valuable resource (Gevorkyan 2006, 13). Once again, the issue of citizenship was bundled together with the question of voting rights. A number of deputies from the Republican Party (HHK), the largest in the governing coalition, worried that removing the ban on dual citizenship would lead to voting rights for all ethnic Armenians and thus alter electoral outcomes.<sup>92</sup> The ARF’s proposal for dual citizenship encountered resistance from parliamentary opposition as well, particularly Ter-Petrosian’s ANM. One ANM official opined that it was “wrong to do the Diaspora favors at the expense of the people of Armenia. Those who spent the 1990s in prosperous and comfortable countries have no moral right to have the same status as the people of Armenia who have endured state building, the blockade, the war and all the hardship related to it.”<sup>93</sup>

The Dashnaks, working with President Kocharian, lobbied the other two governing parties hard to get them agree to put the dual citizenship amendment up with the package of amendments.<sup>94</sup> Nevertheless, the referendum passed and the ban was lifted, paving the way for revisions to citizenship legislation.

With the constitutional hurdle cleared, the Dashnaks immediately went to work drumming up support for – or at least easing opposition to – modifying the citizenship law to

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<sup>89</sup> Liz Fuller, “Armenia’s New President: Not a Hawk But a Pragmatist,” *RFE/RL Newslines*, April 14, 1998, <http://www.friends-partners.org/friends/news/omri/1998/04/9804141.html>.

<sup>90</sup> “Armenian Presidential Commission Rejects Dual Citizenship,” *RFE/RL Newslines*, February 23, 1999, [www.friends-partners.org/friends/news/omri/1999/02/9902231.html](http://www.friends-partners.org/friends/news/omri/1999/02/9902231.html).

<sup>91</sup> Liz Fuller, “Armenia: Both Sides Gear up For Constitutional Referendum,” *RFE/RL Newslines*, November 21, 2005, [rferl.org](http://www.rferl.org).

<sup>92</sup> “Armenian Lawmakers Call for Restrictions on Dual Citizenship,” *RFE/RL Newslines*, November 2, 2005, [rferl.org](http://www.rferl.org).

<sup>93</sup> Shakeh Avoyan and Ruzanna Stepanian, “Ter-Petrosian Allies Remain Opposed to Dual Citizenship,” *Armtown.com*, November 9, 2005, <http://www.armtown.com/news/en/rfe/20051109/200511093/>.

<sup>94</sup> Victoria Abrahamyan, “Will Dual Citizenship Unite Armenians?” *Hetq*, November 21, 2005, [archive.hetq.am/eng/politics/0511-citizen.html](http://archive.hetq.am/eng/politics/0511-citizen.html); author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010

allow dual citizenship.<sup>95</sup> The party did so by allaying opponents' concerns about the electoral consequences of dual citizenship. The ARF faced an uphill battle because virtually all other parties remained staunchly opposed to dual citizenship. Nevertheless, the party proposed a dual citizenship concept in which dual citizens would be required to reside in Armenia for a minimum number of years before acquiring voting rights, and overseas voting would be eliminated entirely (Gevorkyan 2006, 13). In their draft concept, only ethnic Armenians would be eligible for dual citizenship. Government treaties would resolve taxation issues, and dual citizens could meet military service requirements in their host states if they so desired.<sup>96</sup>

Various institutional actors weighed in on proposed changes to the citizenship law. Under the Ministry of Justice's proposal, dual citizens would have the same rights and duties as homeland Armenians. Rather oddly, they would be able to run for parliament and even for the presidency, but would be barred from holding positions in the executive and judicial branches (Makaryan 2010, 14). Foreign Minister Vartan Oskanian, himself a returnee from the diaspora, disagreed. He argued that dual citizens should have equal voting rights to homeland Armenians; anything else would undermine the principle of equality before the law.<sup>97</sup> By contrast, his predecessor, former Foreign Minister Aleksander Arzumanian, voiced concern that "if votes are so easily rigged in Armenia, it is not hard to imagine what opportunities will open up for the authorities when our compatriots from abroad receive the right to vote [once they obtain dual citizenship]."<sup>98</sup>

With the exception of the ARF, most Armenian parties – in the opposition and the ruling coalition alike – were extremely wary of dual citizenship. The opposition parties asked the government to postpone any decision on dual citizenship until after the forthcoming presidential and parliamentary elections. The most clear-cut resistance to dual citizenship came from former President Ter-Petrossian's ANM, firmly in opposition since 1998, which raised the specter of Russia influencing Armenian politics by using the millions of ethnic Armenians in Russia as pawns. As one ANM representative stated, "[The] 2.5 million Armenians [in Russia] today will do Russia's bidding when it comes to participation in [Armenian] elections. We all know how elections are organized in Russia...In essence, our state will cease to exist independently."<sup>99</sup> Another ANM deputy went even further, arguing that Armenia's problems "must be solved by people living in its territory...He who wants to have equal rights with me must be like me [and reside in Armenia]."<sup>100</sup> The chairman of another opposition party, the National Democratic Union, speculated that extending participation rights to diasporans would benefit those in power: "Several provisions in the Bill are made to provide a reserve of votes [for the Dashnaks] from a

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<sup>95</sup> According to a high-ranking official from the ARF, the party's leaders met with then-President Robert Kocharian on numerous occasions to negotiate over the citizenship issue. Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

<sup>96</sup> "Dashnaksutun Party Worked Out a Concept of Granting Armenian Citizenship as a Second One," April 6, 2006, <http://www.armeniandiaspora.com/archive/47240.html>.

<sup>97</sup> "RA FM: Dual Citizenship Supposes Equal Rights for All," *PanArmenian.net*, February 27, 2007, [www.panarmenian.net/eng/politics/news/21195/](http://www.panarmenian.net/eng/politics/news/21195/); "Double Citizenship Most Important Mechanism of Making Armenia and Diaspora Closer," *ARKA News Agency*, August 20, 2004, <http://www.armeniandiaspora.com/archive/9600>.

<sup>98</sup> "Armenian Politicians Divided on Dual Citizenship Bill," *BBC Monitoring International Reports*, February 22, 2007.

<sup>99</sup> Quoted in Abrahamyan, November 21, 2005; see also "Dual Citizenship Institution is Very Dangerous for Armenia and Threatens its Statehood: ANM Representative," *ArmInfo*, September 10, 2007, [www.armeniandiaspora.com/archive/109180.html](http://www.armeniandiaspora.com/archive/109180.html)

<sup>100</sup> "Representatives of Opponent Parties Dispute About Advantages and Disadvantages of Dual Citizenship," *ArmInfo*, February 26, 2007, [armeniandiaspora.com/archive/85534.html](http://www.armeniandiaspora.com/archive/85534.html).

non-existent electorate.”<sup>101</sup>

There was also resistance from the ARF’s peers in the other two parties of the governing coalition. The United Working Party (MAK), agreed that dual citizenship should be tolerated (though not encouraged), but objected to changing the citizenship law if it would allow dual citizens to become deputies or government officials.<sup>102</sup> The Republican Party, the largest party in the ruling coalition, was crucial to getting the law passed. Initially, the Republican Party sided with the opposition – it was vehemently opposed to dual citizenship.<sup>103</sup> The Republican Party was most sensitive to the electoral implications of the law; it was thus most vocal in its objection to the prospect of allowing dual citizens to vote in Armenian elections.<sup>104</sup> According to officials from the ARF party, the Republican leadership was worried that dual citizenship would lead diaspora Armenians to vote in elections *en masse*.<sup>105</sup> The Republicans accused the Dashnaks of simply wanting to capture a larger share of votes by capitalizing on their strong support base in the diaspora.<sup>106</sup> A Dashnak official described the Republican fears as exaggerated, especially since overseas voting would simultaneously be eliminated. The Republicans had the mistaken impression that the entire diaspora was at the ARF’s beck and call, and that diaspora citizens would pay exorbitant sums just to vote: “Do they really expect [diaspora Armenians] to spend \$1000 on airfare just to fly in and vote?”<sup>107</sup>

In late February, these two members of the governing coalition – the Republicans and the MAK – proposed amendments to the draft law. The Republicans’ parliamentary faction head stated his belief that those with dual citizenship should reside in Armenia for at least half of the year as well as pay taxes. The MAK chairman insisted that dual citizens not be eligible to be elected to the parliament or the presidency.<sup>108</sup> The Republicans then submitted an amendment that would only allow a dual citizen residing in the diaspora to vote in an election if he had lived in Armenia for at least one of the previous 5 years. The Speaker of Parliament, one of the highest-ranking Republican Party members, sounded a lot like Ter-Petrossian’s ANM when he insisted that Armenia’s destiny must ultimately be “decided by the people who are aware of and affected by its problems.”<sup>109</sup> However, this amendment was rejected by the Justice Minister, who had submitted the bill on behalf of Kocharian.<sup>110</sup>

How, despite such great opposition to dual citizenship, were the changes made? In the end, and allegedly under immense pressure from President Kocharian, the Republican Party halfheartedly supported the government’s bill after assurances that active and passive voting

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<sup>101</sup> Quoted in Julia Hakobyan, “Dual Personality: Can Divided Loyalties Provide the Key to a United Nation?” *ArmeniaNow*, February 26, 2007, [http://www.armenianow.com/news/7065/dual\\_personality\\_can\\_divided\\_loyal](http://www.armenianow.com/news/7065/dual_personality_can_divided_loyal).

<sup>102</sup> “Prime Minister and Ministers Must Not Have Dual Citizenship, MAK Believes,” *Panorama.am*, February 21, 2007, [panorama.am](http://www.panorama.am); “Dual Citizenship Should be Allowed but not Encouraged in Armenia,” May 22, 2005, <http://www.armeniandiaspora.com/archive/30027.html>; Aghavni Harutyunian, “In Case of Double Citizenship Some Rights Should be Restricted,” *Armenian Daily*, May 24, 2005, <http://www.armeniandiaspora.com/archive/30200.html>.

<sup>103</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010; author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

<sup>104</sup> A. Bedevian, “Armenian Coalition Divided Over Dual Citizenship,” *RFE/RL Armenia Liberty*, February 22, 2007, [rferl.org](http://www.rferl.org).

<sup>105</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010; author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

<sup>106</sup> A. Bedevian, “Armenian Coalition Divided Over Dual Citizenship.”

<sup>107</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

<sup>108</sup> “Armenian Parliament Majority Seeks to Amend Draft Legislation on Dual Citizenship,” *RFE/RL*, February 23, 2007, <http://www.rferl.org/content/article/1143818.html>.

<sup>109</sup> Quoted in Danielyan, “Armenia Allows Dual Citizenship Amid Controversy.”

<sup>110</sup> Danielyan, “Armenia Allows Dual Citizenship Amid Controversy.”

rights for the diaspora would be curtailed.<sup>111</sup> The country's electoral code was thus simultaneously changed so that dual citizens could only vote if they were registered in Armenia as residents. They could not run for parliament or the presidency until they had resided in Armenia for 5 and 10 years, respectively.<sup>112</sup> These changes were made in tandem with the changes to the citizenship law, and were undoubtedly a concession to win over support from the Republicans. However, the ARF seems to view the elimination of external voting as a temporary but necessary evil. An official was quick to point out that the overseas voting ban was not in the constitution, and could be changed by a legislative act.<sup>113</sup> The law passed by 66 to 5 with 1 abstention; however, the vote was not attended by a number of parliamentary formations, including the Justice bloc, the Orinats Yerkir Party, the National Unity Party, a handful of Republican Party members, and some independent MPs (Policy Forum Armenia 2010).

Under the revised Law on Citizenship, passed in late February 2007, a new clause was added to Article 13. This clause allowed dual citizenship and imposed the same rights and responsibilities as those of homeland Armenians. Contrary to the ARF's proposal, dual citizenship would be allowed for all citizens, not just ethnic Armenians. Anyone who acquired a second citizenship had to report it to the Passport and Visa Agency of Armenia within a month or pay a fine. However, any application for dual citizenship could be denied if it went against Armenia's national interests, and officials did not have to give a reason for the application's rejection.<sup>114</sup> Armenians who acquire a second citizenship are still obliged to fulfill their military service; only those foreigners who acquired Armenian citizenship as a second citizenship and had fulfilled their 12 months of service in another country did not have to serve in the Armenian Army (Makaryan 2010, 16). Thus, diasporans from countries that do not have mandatory military service, such as the U.S., would have to serve in the Armenian army.

Some critics argue that the law's implementation in practice renders the framework restrictive towards diaspora citizenship acquisition. The Chairman of the Ramkavar party (a smaller diaspora party that returned in the 1990s) called the 2007 legal changes an act of deception because, in practice, the documentation required for diaspora naturalization was excessively complicated.<sup>115</sup> An analyst who has personal experience with the process agreed: in practice, little is done to encourage dual citizenship, and there have been informal measures that make it harder, not easier, for diaspora Armenians to get dual citizenship. None of the administrative and bureaucratic barriers that hindered naturalization in the 1990s were removed, nor was the corruption that plagues the process remedied.<sup>116</sup> Initially, the implementation was such that in order to get citizenship, a diaspora Armenian had to travel to Armenia and file the paperwork with the Citizenship Agency within the Ministry for Internal Affairs. Only more recently have the regulations changed to allow embassies and consulates to receive citizenship applications.<sup>117</sup>

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<sup>111</sup> Danielyan, "Armenia Allows Dual Citizenship Amid Controversy;" Policy Forum Armenia 2010. At the time the law was passed, Robert Kocharian was nearing the end of his second constitutionally mandated term, and Defense Minister Serzh Sargisian, a longtime ally of Kocharian, was being groomed as heir-apparent to Kocharian. Sargisian had recently joined the Republican Party and become its chair. It was thus in the interest of the party not to seriously alienate Kocharian, although it is unclear whether Kocharian used any sort of threats to achieve the policy change.

<sup>112</sup> "Is Dual Citizenship a Means to Strengthen Armenia?" *Panorama.am*, June 22, 2006.

<sup>113</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

<sup>114</sup> Law on Citizenship of Armenia, 1995 (with 2007 amendments).

<sup>115</sup> Author interview with official from the Armenian Democratic-Liberal (Ramkavar) Party, Yerevan, Armenia, August 6, 2010.

<sup>116</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

<sup>117</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #2, Yerevan, Armenia, August 25, 2010.

Despite these restrictions, Armenia's naturalization data suggests that the changes at least somewhat broadened the external inclusiveness of the law. Whereas only 1,735 people acquired Armenian citizenship between 1997 and 2007 (excluding refugees from Nagorno-Karabakh), between 2008 and 2010 more than 12,000 people naturalized (Makaryan 2010). Official data for 2012 report that 14,239 Armenians from the diaspora acquired citizenship that year, although nearly a third were ethnic Armenian refugees from Syria.<sup>118</sup> Still, considering that the ethnic Armenian corpus outside of Armenia is estimated to exceed 7 million – twice the population of domestic Armenia – this is a rather small number. It suggests that red tape bureaucratic barriers and the disincentives of military service have deterred most Armenians from seeking citizenship.<sup>119</sup>

## CONCLUSION

This chapter has shown that citizenship legislation's inclusiveness of external kin has varied across time and space in postcommunist Croatia, Serbia, and Armenia. In Croatia, the direction of change was from highly inclusive under the 1991 law to moderately inclusive in the wake of the 2011 changes to the law. In Serbia, by contrast, the citizenship law was in practice restrictive towards expatriate Serbs (and especially restrictive towards ethnic Serb refugees in Serbia) in the 1990s, but became one of Europe's most externally inclusive after changes in 2004. In Armenia, citizenship legislation was externally exclusive in the 1990s, and only eased slightly in 2007 with the introduction of dual citizenship.

On one level, the battle over citizenship in Croatia largely centered on the rival parties' visions of the Croatian state. Was it the culmination of the Croatian nation's "thousand-year dream," as Franjo Tudman had insisted in the 1990s, or was Croatia a modern, politically correct European state for all of her inhabitants, regardless of their ethnicity, as the SDP claimed? More important, however, was the political side of the matter. For the HDZ, the diaspora Croats and Croats in Bosnia-Herzegovina were an electoral reserve as its support among homeland Croats grew more tenuous in the lead-in to the elections in 1992, 1995, and 1999. In order to enfranchise them, however, diasporans needed to first be citizens. The HDZ's confidence in its political support among the diaspora was rooted in its vastly superior organization overseas. The ruling HDZ, as the party seen as the overwhelming beneficiary of diaspora incorporation, pushed to have expansive membership, participation, and representation policies enacted during the 1990s. Policy changes in citizenship, external voting, and representation coincided with electoral cycles, almost always on the eve of a close national election. Citizenship was the key to participation and representation, and thus the law was formulated as broadly as possible. However, as we will see in the next two chapters, during the 1990s the opposition parties, faced with an uphill battle against the HDZ, set their sights on undoing the electoral legislation provisions that magnified diaspora representation. Cutting off participation rights and representation magnitude negated the political impact of diaspora political incorporation, and the SDP in particular was able to force through some changes incrementally. Meanwhile, the left-of-center SDP courted minority voters, and as such was the champion of scaling back the overt

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<sup>118</sup> "14,239 arm'ian iz diaspori poluchili dvojnoe grazhdanstvo," *Armenia Today*, December 24, 2012, <http://www.armtoday.info/default.asp?Lang=Ru&NewsID=80229>.

<sup>119</sup> This reason was cited as the primary deterrent by almost all of the male diaspora Armenians that I interviewed in Yerevan in 2010, three years after dual citizenship was introduced.

ethnic favoritism of the citizenship framework. The SDP stepped up its pressure on the HDZ enormously after Zoran Milanović became party leader in 2007. One of Milanović's first targets was diaspora voting and representation. In late 2011, despite being in the opposition, his SDP successfully lobbied for the citizenship law to be amended to be more inclusive towards Croatian Serbs, and slightly less inclusive towards diaspora Croats' citizenship acquisition. Milanović was not squaring off against Tuđman's HDZ. By the time the HDZ came back to power in 2003, it was more moderate, and its unabashedly nationalist policies of the 1990s gave way to the policy priority of European Union accession. At the same time, with the exception of HDZ sister parties in Bosnia-Herzegovina, the HDZ's relations with the diaspora cooled. This was in part due to demobilization of the diaspora after the 1995 Dayton Accords. Much more importantly, however, the electoral incentive calculation changed due to changes in the diaspora representation formula in the 1999 election law amendments, and the 2010 constitutional changes that fixed diaspora representation at 3 seats. It no longer mattered how many diasporans turned out to vote. Thus, it was an easy decision for the HDZ to concede on the redefinition of citizenship in 2011. HDZ-sponsored policy accomplishments that furthered EU integration were worth incurring the wrath of the diaspora.

In Slobodan Milošević's Serbia, citizenship provisions were formally devoid of overt references to ethnicity, yet dangling Serbian citizenship just beyond refugees' reach was a tool to manipulate the hundreds of thousands of Serbian refugees in FRY and maintain leverage over them. As far as overseas Serbs were concerned, the tension between the formal aspects of the citizenship law and the informal aspects of the law in practice reveal great ambivalence about extending membership status to the millions of overseas Serbs during the 1990s. Former citizens were entitled to citizenship under a streamlined track, along with their foreign-born children, but the corpus of ethnic Serbs and descendants of emigrants beyond the first foreign-born generation did not have the easy access to citizenship that Croats had vis-à-vis Croatia's citizenship law. During the 1990s, Serbian parties tried to make sense of the Serbian diaspora, but the diaspora had proved to be too divided unto itself to discern any major political implications of the diaspora's incorporation. By 2004, despite democratization, Serbia's parties were still wary of a politically incorporated diaspora. The Serbian diaspora had proven itself to be divided as ever unto itself throughout the 1990s and early 2000s, but the exodus of the 1990s cohorts changed the diaspora's demographics. There was no strong sense as to which party or parties commanded the diaspora's support. By 2004, an inclusive citizenship law was tolerable but the political impact was blunted by a relatively restrictive overseas voting framework, and representation access points that were on the state's terms. The final law was a compromise between nationalist and liberal visions of the state, while not posing any electoral threat to domestic Serbian political elites.

Finally, we saw that citizenship has been a hotly contested issue in Armenia since independence. The Armenian government was happy to accept diaspora aid and remittances, but it was unwilling to face the risks and uncertainties of expanding the citizenry and incorporating a diaspora that outnumbered the homeland population. After banning dual citizenship in the 1995 constitution, proponents of dual citizenship – primarily the formerly diaspora-based ARF Party – waged a lengthy struggle to have the ban removed. Like Croatia, Armenia's parties perceived the Armenian diaspora to be a cohesive political actor because the diaspora scene was so clearly dominated by just one of the trio of exile parties – the ARF. With the ARF's return to Armenia to compete in elections, the perceived beneficiary of diaspora political incorporation would clearly

be the ARF itself. Thus, the major parties were united in their objections to allowing dual citizenship, even bitter rivals like the ANM and the Republicans. Although some party members stated that their objections were grounded in Armenia's national security interests, the real issue was that dual citizenship would pave the way to the diaspora's electoral participation. The prospect of a pro-ARF voting mass overpowering the will of homeland voters was simply unacceptable to the major parties. In order to gain the vital support of homeland parties, particularly the Republican Party, the ARF had to make concessions on the issue of voting rights for the diaspora. For this reason, electoral and citizenship legislation were changed in tandem in Armenia. Dual citizenship was allowed, but only because overseas voting was eliminated. And even with dual citizenship's introduction, the diaspora's low rates of citizenship acquisition suggest continued bureaucratic hurdles to naturalization, as well as disincentives like military service for men who have not fulfilled it in their host states.

## Chapter 4: Voting from Abroad After Voting With One's Feet

There is a clear link between citizenship, the subject of the preceding chapter, and electoral rights, the focus of this chapter. Voting rights for national elections are almost *always* predicated on citizenship status. Because of this link, ruling elites carefully weigh the electoral consequences of any legislative changes that would make the citizenry or electorate more expansive. Not surprisingly, overseas citizens' participatory rights are one of the most glaring ruptures in the overlap between citizenship and electoral rights. More than a third of the world's sovereign states have an emigrant stock equivalent to 10% or greater of their domestic population (World Bank 2011). If we were to use diaspora stock—the stock of emigrants as well as ethnic kin born abroad—this number would be even higher. For emigration states, this external electorate would be more than enough to seriously affect parties' vote shares, and thus change electoral outcomes. For example, the nearly 225,000 Croatian citizens in Germany outnumber the inhabitants of Split, Croatia's second-largest city (DESTATIS 2011). In Europe alone, overseas voters have been blamed for tipping close election outcomes in Italy, Croatia, Romania, and Bulgaria, to list just a few examples. Given these high electoral stakes, when and why would political elites in emigration states *ever* extend voting rights to overseas citizens?

As I argue, elites' willingness to politically incorporate the diaspora – including electoral incorporation – hinges on their calculations of the electoral fallout. This chapter demonstrates how the political linkages that formed between homeland political elites and diaspora actors during the period of communism's collapse served as signals to ruling elites in the subsequent policymaking period. As they drafted electoral legislation in the early 1990s, and then revisited it again down the road, political elites in Armenia and Croatia perceived a high level of diaspora cohesion. The key difference was that ruling elites in Armenia felt certain that overseas voting would harm their electoral prospects, whereas ruling elites in Croatia felt certain that they would benefit from overseas voting. In the 1990s, Armenian rulers blunted the diaspora's role in homeland politics by barring dual citizenship and, as an additional safety net, creating an external voting process that made it difficult and costly for the small subset of the diaspora with voting rights to actually cast their ballots. In 2007, when dual citizenship was introduced, ruling elites immediately rescinded overseas voting rights. Croatia's ruling HDZ harnessed its strong diaspora support in the 1990s by creating an expansive overseas voting framework. The framework was tweaked on the eve of crucial elections in 1992, 1995, and 2007. The homeland "losers" of diaspora incorporation were only able to force restrictions in the 2000s – after democratization gained momentum and the HDZ transformed into a more moderate center-right party. In Serbia, the diaspora's political orientation was far more ambiguous. During the 1990s, when the diaspora was mobilized and ruling elites faced stiff domestic competition from the right, they were unwilling to risk adding new uncertainty to electoral competition, and thus barred overseas political participation. In the 2000s, the diaspora profile grew more complex due to mass emigration in the 1990s, yet its political contours were as ambiguous as ever. The diaspora's demobilization in the 2000s made it safe enough for Serbian parties to introduce overseas voting, but the framework that they crafted was so restrictive that it belies the parties' continuing concern with the electoral impact of diaspora incorporation.

The chapter proceeds as follows: After briefly discussing the historical extension of voting rights and its role in political incorporation, I review current data on external voting

frameworks along several dimensions. Next, I discuss alternative explanations from research on historical enfranchisements. I then turn to homeland debates in Armenia, Croatia, and Serbia over extending voting rights to overseas citizens, demonstrating that policy choices were anchored in parties' strategic calculations.

## VOTING RIGHTS AND INCORPORATION

*No one in Italy ventures to prophesy what will be the results of the measures which have just been adopted, but each party professes to hope that it will be the chief gainer.*

*The New York Times*, March 7, 1882, on Italy's recent extension of the franchise to all literate adult males

For ruling elites, the extension of voting rights to new subsets of the population has always been inherently risky. Lord Derby, the British prime minister when the 1867 Reform Act enfranchised the majority of the country's urban males, likened the law's passage to a "leap in the dark" (Himmelfarb 1966). The unprecedented expansion of voting rights introduced a host of electoral and political uncertainties. Just how many Britons would be enfranchised by the reforms? What portion of them would turn out to vote? For whom would they vote, and how would it affect the distribution of power among existing parties? Anxiety over the enfranchisement of new subsets of the population is not unique to Britain, and Lord Derby's conundrum was resurrected time and again in the 19<sup>th</sup> and 20<sup>th</sup> centuries as political parties debated the merits of extending the vote to non-landowners, workers, overseas soldiers, and women.

Modern debates over extending voting rights to expatriate citizens and noncitizen immigrants put a contemporary spin on the age-old question of political inclusion. Overseas voting is arguably the most important and direct way in which diaspora citizens participate in homeland politics. Not surprisingly, external voting rights are also one of the most common demands emigrants make upon their home country governments.

Extending the franchise to overseas citizens introduces new uncertainties into electoral competition. In large part, the uncertainty over the electoral impact of overseas voting stems from the ambiguous nature of the diaspora population. A state's ability to make the population "legible" ends at the state's own borders (Scott 1998). Countries of emigration lack accurate, up-to-date data on emigrants and the population of overseas "kin" who were not born in the homeland. Many emigrants' departures are not recorded at their time of exit, and many of them intentionally opt not to register with their homeland consulates or fall out of contact over time. Marriages, births, and other pertinent life events may also go unrecorded. It is particularly hard for sending state governments to sketch the parameters of the second generation and beyond. Party strategists thus lack the data to accurately predict the effects of diaspora enfranchisement on electoral outcomes since conducting a representative poll of such a poorly specified population would be impossible. In sum, until overseas voting is actually introduced, it is extremely difficult to accurately forecast how expatriate citizens will vote, or how many of them will actually cast their ballots at election time.

### Debates Over External Voting Rights

There are numerous ways to participate in politics, but voting is arguably the quintessential act of political input in the contemporary world (Dahl 1961). Along with citizenship, it is a tool of inclusion and exclusion, allocating equal shares of power in selecting delegates to those who are enfranchised while denying it to others. Some of the most passionately waged rights movements centered on enfranchisement. At a deeper level, voting rights signify inclusion in a political community, and electoral participation is most one of the commonly used indicators of political incorporation.

Several contentious issues are often raised in debates over extending external voting rights. Is citizenship alone enough to warrant voting rights, or should one also be subject to laws in order to be part of the decision-making process? In other words, should residence in the homeland be a precondition for participation?

Opponents of overseas voting point out that citizens residing abroad permanently are helping make rules that they do not have to obey and that do not affect their immediate well-being. Critics also note that diasporans do not have the same obligations that resident citizens do because they often do not have to pay income taxes or serve in the military, and they do not “suffer” economic downturns in the homeland or the horrors of war to the same extent that the homeland population does. Opponents cite as further downsides the administrative impracticalities of overseas voting, the exorbitant costs of conducting elections overseas, and the potential for fraud on the part of ruling elites, since opposition parties cannot effectively monitor overseas voting.

In contrast, proponents of expatriate voting rights, the most vocal of which is usually overseas citizens themselves, justify external voting on several grounds. Some supporters appropriate the global rights discourse, claiming that to deny overseas voting rights is to deny fundamental political rights. They furthermore use the legal justification that disenfranchising overseas voters would violate the principle of equality before the law. Other proponents argue that diasporans have a vested interest in the homeland’s wellbeing because of familial ties, properties, and the desire to eventually return (Collyer and Vathi 2007). Another common argument is that emigrants’ contributions and sacrifices have earned them the right to have voting rights, even if they do not directly contribute to the homeland in the same way that residents do.

### Historical and Current Trends in Overseas Voting Rights

Historically, the extension of voting rights to overseas citizens was piecemeal, first to soldiers, then to overseas government personnel, and later in the post-WWII period to private civilians. Absentee voting rights were first introduced during the U.S. Civil War, when nearly two dozen states amended their election laws to allow active duty soldiers to vote from the field (White 2004). The enfranchisement of *overseas* soldiers was often introduced in the aftermath of military conflict, and justified on the grounds that it honored servicemen’s sacrifices (Bauböck 2007).

Diplomatic personnel were typically the next subset of overseas citizens eligible to vote from abroad. The United States government advised state governments to enfranchise overseas government personnel in the 1955 Federal Voting Assistance Act (Coleman 2007). The introduction of overseas voting for private civilians is almost exclusively a post-WWII phenomenon. Indonesia (1953) was one of the first countries to allow overseas civilian voting.

The number of countries allowing general overseas voting gradually increased (Ellis et al 2007). For example, in 1975, the U.S. Congress passed a law that gave voting rights to all eligible overseas American citizens; at the time the law was passed, 22 U.S. states did not allow overseas voting.<sup>1</sup>

By 2007, 115 countries allowed external voting, an astonishing figure when one considers that for most of the 20<sup>th</sup> century it was restricted or banned entirely (Ellis et al 2007). Yet it would be erroneous to conclude that there has been normative convergence on overseas voting rights, or that there is a unidirectional expansion of rights. Almost as many countries do *not* allow overseas voting as *do* allow it. Among those countries allowing overseas voting, there is marked variation in the inclusiveness of overseas voting provisions.

Extending voting rights to overseas voters differs from the extension of voting rights to groups residing within a territory. Overseas voting requires qualitatively different procedures for voter registration and election administration in comparison to homeland voting (see below). The principles for denying voting rights also differ from historical enfranchisements to in-country groups. Rather than having rights denied based on individual traits (age, race, sex, caste, socioeconomic status), exclusion is based on the principle of residence. In the modern era, it is far easier for governments to justify denying voting rights to overseas kin than it is to justify denying the franchise based on characteristics of the individual that are protected by global human rights covenants. Political elites can reasonably cite administrative costs, concerns over electoral transparency, and reluctance to jeopardize relations with foreign states by conducting elections on the latter's territory. They cannot use this kind of justification when it comes to minorities and other groups residing within a territory.

It is tempting to treat overseas voting dichotomously – either a country allows it (and thus elites want to incorporate the diaspora) or it does not (and thus elites do not want to incorporate the diaspora). Yet among countries that *do* allow overseas voting, their external voting frameworks vary in important ways. Borrowing in part from the Institute for Democracy and Electoral Assistance's (IDEA) 2007 report on overseas voting, I break down variation along the following dimensions: the types of elections for which external voting is permitted, the method of external voting, and eligibility restrictions.<sup>2</sup> These provisions have an impact on how expansive overseas voting rights are. Ruling elites may formally extend overseas voting rights but create a rigid framework that makes it expensive, difficult, or time-consuming for overseas citizen to vote in practice.

### **(1) Type of elections**

The first way in which external voting frameworks vary is with respect to the type of elections for which overseas voting is allowed. While some states allow external voting for all types of elections and referenda, others only allow it for presidential elections (Ellis et al 2007). The greater the number of elections and referenda where external voting is permitted relative to the total number of elections and referenda, the more inclusive this aspect of external voting is.

According to the 2007 IDEA dataset, the following breakdowns were recorded for states

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<sup>1</sup> "House Votes to Widen Absentee Ballot Abroad," *New York Times*, December 11, 1975.

<sup>2</sup> External voting frameworks also vary by the method of pooling external votes with homeland votes. Some countries count overseas votes in the homeland district where the voter last resided, while in other cases all ballots cast abroad are pooled with the capital city votes. The effects of allocation methods are too nuanced and context-specific to compare methods as more or less permissive, but I do discuss them in sections on Armenia, Croatia, and Serbia.

that permitted some form of external voting:

**Table 4.1 Number (and %) of countries allowing overseas voting, by election type**

Type of Election	Yes	Partial	No	Total
National <sup>3</sup>	88 (41%)	27 (13%)	99 (46%)	214
Subnational	24 (11%)	0	190 (89%)	214
Referenda	32 (15%)	0	182 (85%)	214

As IDEA’s data show, relatively few countries allow external voting for subnational elections and referenda. Among countries that allow external voting for national elections, most allow it for all possible types of national elections, but a sizable subset only permits it for some national elections – usually for the presidency.

## (2) Voting method

A second important way in which overseas voting varies is procedural. The ease with which external citizens can vote abroad speaks volumes about how willing the home country government is to facilitate external participation. Arranged on a rough continuum from least to most permissive, these procedures for external voting include: in-person voting at diplomatic sites only, in-person voting at diplomatic sites *and* temporary polling places, voting through the mail, and voting online. Some countries allow for a combination of these practices. Table 4.2 shows the distribution of voting methods among states that allow overseas voting, based on IDEA’s 2007 data. Note that the data do not distinguish between countries that allow in-person voting at diplomatic sites only, and countries that also allow in-person voting at temporary voting sites.

**Table 4.2 Number of countries allowing overseas voting, by voting procedure**

External Voting Procedure	# of countries	% of countries <sup>a</sup>
In-person voting only	54	50%
Postal only	25	23%
Combination personal, postal, fax	27	25%
Allows e-voting	2	2%
Total	108	100%

In-person voting is by far the most common procedure for overseas voting. For obvious reasons, this method is also the most restrictive in terms of overseas voter turnout. Consulates and embassies are limited to a host country’s capital city and a handful of major cities, which means that many citizens would have to travel, take time off from work, and spend money to actually cast their ballots. For instance, in Serbia’s 2012 elections, the nearest polling place for a voter in San Francisco was the Serbian Consulate General in Chicago. Not surprisingly, few people are willing to make such grand sacrifices to exercise their voting rights.

<sup>3</sup> For national elections, IDEA uses the categories “presidential only,” “presidential and legislative,” and “legislative only.” However, it does not differentiate between “legislative only” cases of parliamentary democracies where there is no popularly elected executive and cases where there is an elected legislature *and* an elected head of state, but external voting is only allowed for the former. I use the categories “yes” when external voting is allowed for all possible national elections, “partial” when external voting is allowed for some types of national elections but not for others, and “no” when it is not allowed for any national elections. Data on popularly elected head of state comes from Fish and Koenig’s (2009) Parliamentary Powers Index.

Other countries require in-person voting but create additional polling stations overseas on election day. In the 1990s, Croatia established anywhere from a handful to several dozen temporary voting sites in countries with large Croatian diaspora populations, such as Germany, Canada, the U.S. and Australia.

Postal voting is the second most common method of overseas voting. This arrangement allows voters to submit an absentee ballot through the postal system. Clearly, this method is much easier and cheaper for voters than traveling to a consulate or embassy. In IDEA's 2007 dataset, 25 countries had a framework that only allowed for postal voting. E-voting is only allowed in a handful of countries, but is arguably the easiest method of overseas voting. Finally, in 24 countries, overseas voters can vote through one or more methods, which gives citizens even more options to vote abroad.

### **(3) Eligibility**

Finally, overseas voting frameworks vary in terms of eligibility criteria. Some countries restrict eligibility on the basis of duration abroad. Australia's external voters must apply for renewed voting privileges after 6 years of overseas residence, and Britons lose their external voting rights after 15 years. Some countries, including major countries of emigration like Ireland, Armenia, and Israel, limit overseas voting rights to government workers abroad on official business (Ellis et al 2007). Other restrictions may include pre-registration, returning to the homeland to get a voter identification card, or less common clauses such as that of the Philippines, whose émigrés must show intent to return in order to vote abroad. It is harder to quantify these restrictions, but the IDEA dataset identifies at least 14 countries where overseas voting is restricted on the basis of purpose for being abroad and length of time abroad.

\* \* \*

Varying combinations of provisions on the types of elections in which voters can vote from abroad, the procedure for overseas voting, and eligibility criteria profoundly affect the likelihood that external citizens will actually turn out to vote, and thus these provisions mediate overseas citizens' ability to participate in elections. Some of the provisions, particularly those concerning eligibility criteria and the procedure for voting, may create barriers to voting abroad. For instance, after decades of debate over voting from abroad, Mexico introduced external voting in 2006. However, in order to vote, an emigrant citizen needed a voting identity card that could only be obtained in person in Mexico. It is estimated that less than half of the roughly 11 million Mexicans abroad had this card (Suro and Escobar 2006).

Table 4.3 breaks down external voting frameworks in postcommunist Armenia, Croatia, and Serbia by the policy time period and by the categories of provisions just discussed.

**Table 4.3 External voting frameworks by time period**

	<b>Time Period I</b>	<b>Time Period II</b>
Armenia	<p align="center"><b>Partial</b></p> <p><u>Type</u>: Presidential and parliamentary elections  <u>Method</u>: In person at diplomatic offices  <u>Eligibility</u>: Citizenship, registration, 18 y.o.</p>	<p align="center"><b>Restrictive</b></p> <p>No external voting except government personnel</p>
Croatia	<p align="center"><b>Expansive</b></p> <p><u>Type</u>: Presidential &amp; parliamentary elections; referenda  <u>Method</u>: In person at diplomatic offices or temp sites sites  <u>Eligibility</u>: In practice, 18 y.o. and Croatian heritage</p>	<p align="center"><b>Partial</b></p> <p><u>Type</u>: Presidential &amp; parliamentary elections; referenda  <u>Method</u>: In person at diplomatic offices  <u>Eligibility</u>: Citizenship, registration, 18 y.o.</p>
Serbia	<p align="center"><b>Restrictive</b></p> <p>No external voting</p>	<p align="center"><b>Partial</b></p> <p><u>Type</u>: Presidential &amp; parliamentary elections; referenda  <u>Method</u>: In person at diplomatic offices or temp sites with petition  <u>Eligibility</u>: Citizenship, registration, 18 y.o.</p>

## OVERSEAS VOTING RIGHTS: GIVEN OR TAKEN?

In Chapter 1, I discussed several alternative explanations for diaspora political incorporation policies drawn from research on diaspora policies, comparative citizenship, and migrant transnationalism. These alternative hypotheses included economic incentives, geopolitical incentives, diffusion effects, and the diaspora's ability to organize and make demands. In this section, I evaluate the strength of alternative explanations for external voting.

### Public Interest

Most scholars attribute diaspora political incorporation policies at least in part to the collective economic or foreign policy interest of the country of emigration (Bauböck 2007; Itzigsohn 2000; Smith 2008). They also apply this argument to external voting rights. Herein, governments institute policies that bind the diaspora more tightly to the homeland in order to strengthen the diaspora's sense of attachment to the homeland, which is a strategem to sustain the flows of resources or foreign policy support from diaspora to homeland (Jones-Correa 2001).

I find little support for either variant of the public interest argument. The first alternative explanation, whereby overseas voting rights are extended when the homeland is dependent upon diaspora resources, is tested by Collyer and Vathi (2007) using their dataset on overseas voting rights in 144 countries and data on remittances. They find no statistically significant relationship between the two. Moreover, Table 4.4 lists countries where remittances on average constituted 10% or more of GDP from 2000-2010. In other words, these are the most likely cases where this theory should hold. However, as the data show, of these 20 countries, more than half do *not* allow their expatriate populations to vote overseas. Even among these highly remittance-dependent countries, overseas voting rights are far from universal.

**Table 4.4 External voting in top remittance-dependent states (as % GDP, 2000-2010 average)**

Country	Remittances as % GDP, 2000 – 10*	External voting for most expatriate citizens?	Types of elections and voting methods
Lesotho	47.7	No	---
Tonga	28.6	No	---
Tajikistan	28.2	Yes	National elections and referenda Postal voting
Moldova	25.3	Yes	National elections and referenda In-person voting
Bermuda	23.8	No	---
Haiti	21.8	No	---
Lebanon	21.8	No	---
Samoa	21.7	No	---
Jordan	19.4	No	---
Bosnia and Herzegovina	19.3	Yes	National and subnational elections Postal voting
El Salvador	16	No	---
Honduras	15.2	Yes	Presidential elections In-person voting
Jamaica	14.5	No	---
Albania	14.3	No	---
Nepal	14	No	---
Guyana	13.1	No	Only those abroad on government business or full-time students abroad can vote
Kyrgyzstan	12.4	Yes	Presidential elections and referenda In-person voting
Cape Verde	12.1	Yes	National elections In-person voting
Philippines	11.5	Yes	National elections Postal and in-person voting
Nicaragua	11.3	Yes	National elections In-person voting

Data on 10-year remittance average calculated by author based on World Bank 2011.

These economic motivations do not offer a compelling explanation for varying policies in Armenia, Croatia, and Serbia. Since all three of them faced acute decline in the standard of living and economic performance during the 1990s, we would expect to find overseas voting rights in each case. For example, in Croatia real income per capita contracted by 25% in 1991, and by nearly 45% in 1992. Industrial output likewise dropped by nearly 30% in 1991 (EIU 1996-7). The situation was even worse in neighboring Serbia, where GDP shrank by roughly 50% between 1989 and 1995, and the country faced one of the worst episodes of hyperinflation in

history, peaking at an unfathomable 116 *trillion* percent in 1994 (EIU 1996a). Armenia faced de facto isolation because of the blockades to its borders with Azerbaijan and Turkey, and unstable Northern transit routes due to Georgia's civil war. Armenia's GDP contracted by more than 50% in 1992, while consumer price inflation ranged from 200 to nearly 5,000 percent in the first half of the 1990s (EIU 1996b). Worker remittances kept afloat the household economies of virtually entire villages in Serbia and Armenia during the 1990s, and diaspora aid more generally was a crucial source of support, yet in neither case did this dependence on external diaspora resources compel governments to extend overseas voting rights. As I show below, the political costs of doing so were simply too high.

Foreign policy prerogatives are harder to test quantitatively because the issues are context-specific and are not necessarily related to active conflict. However, the cases of Armenia, Croatia, and Serbia are instructive. All three countries were involved in inter-state wars in the 1990s. Armenia and Croatia's declarations of independence in 1991 meant little in practice until they had secured the recognition of Western powers. Serbia and Croatia were under an arms embargo. Because international organizations and foreign powers could shape the course of the conflicts, it was in the interest of governments in these three states to have diaspora lobbying support in foreign capitals. Nevertheless, only Croatia extended broad voting rights to its expatriate citizens. Serbia and Armenia did not offer diaspora incorporation policies in the 1990s, and still benefitted from diaspora lobbying support. The Serbian Unity Congress, SerbNet, and other diaspora organizations launched public relations campaigns and hired PR firms to sway U.S. public opinion and public officials' responses to the war in Yugoslavia. The Armenian diaspora, despite acrimonious relations with Armenia's first president, Levon Ter-Petrossian (1991-8), nevertheless lobbied the U.S. Congress to extend massive amounts of aid to Armenia, to deny aid to nemesis Azerbaijan, and to support Armenia's interests in the conflict with Azerbaijan over Nagorno-Karabakh.

### Lobbying the System

Other scholars argue that sending states extend overseas voting rights when their diasporas demand them (Itzigsohn and Villacrés 2008). This yields two predictions. First, we would expect to find overseas voting rights when diasporas are effectively organized and launch a concerted lobbying campaign. Second, we would expect a political system in the homeland that is open to pressure groups. Thus, we would expect overseas voting rights to be more common among democracies than among autocracies with electoral institutions.

These demand-side explanations have difficulty accounting for the timing of the introduction of overseas voting rights, since in most cases the diaspora's enfranchisement campaign is protracted. How do we explain the timing of legislation on citizenship and overseas voting if diaspora organizations have been lobbying for them for many years? For example, Mexican and Dominican activists in the United States demanded overseas voting rights for many years, but legislation was not passed until the 1990s. Even then, homeland elites in Mexico and the Dominican Republic stalled and did not introduce them until 2006 and 2004, respectively. While external diaspora lobbying can be credited in many cases with putting overseas voting on the homeland political agenda, it is ultimately homeland policymakers who decide whether or not to introduce overseas voting, and how expansive the platform for it should be (Lafleur 2011; Levitt and de la Dehesa 2003; Marcelli and Cornelius 2005; Smith 2008).

As I show below, diaspora lobbying does not explain varying outcomes in overseas voting rights extensions in Armenia, Croatia, and Serbia. The Croatian diaspora didn't have to lobby at all for overseas voting rights, since the nationalist government elected in 1990 codified voting rights in the constitution before the country even declared independence. The Serbian diaspora called on the government to institute overseas voting as early as 1990, but this did not happen until 2004, and even then the platform for overseas voting was somewhat restrictive. Few diasporas are as sizable and powerful relative to the homeland as the Armenian diaspora, which outnumbers the population of the Republic of Armenia twofold, was a lifeline to Armenia during the 1990s, and has been active and organized in the West for nearly a century. Even here, diaspora Armenians' demands for citizenship access alongside overseas voting rights went unheeded, even in the 1990s when Armenia was at its most vulnerable and most dependent upon diaspora resources.

What about regime type? Some scholars, particularly those focusing on Latin American cases, have observed a link between democratization and diaspora enfranchisement, and thus view political liberalization as the requisite spark for amending voting rights (Itzigsohn and Villacrés 2008). In one view, since democracy allows for citizens' input, a liberalizing political system becomes more receptive to group interests, which are then able to lobby homeland politicians to allow overseas voting.

Table 4.5 shows the number of democracies, hybrid regimes, and nondemocratic regimes that allowed overseas voting based on the 2007 IDEA dataset on overseas voting rights and Freedom House regime type data for the same year. The majority of the world's authoritarian and hybrid regimes have electoral institutions (Levitsky and Way 2010; Magaloni 2006) and dozens of these countries, such as Russia and Zimbabwe, allow citizens to vote overseas (Brand 2010; Ellis et al 2007). Yet as Table 4.5 shows, there is not a strong correlation between regime type and allowance of overseas voting. Interestingly, the percentage of authoritarian regimes that allow overseas citizens to vote is higher than the percentage of democratic regimes that allow overseas citizens to vote.<sup>4</sup>

**Table 4.5 Overseas Voting Allowance By Regime Type**

	No <sup>a</sup>	Yes	Total
Free <sup>b</sup>	41 (45%)	51 (55%)	92
Partly Free	39 (66%)	20 (34%)	59
Not Free <sup>c</sup>	13 (39%)	20 (61%)	33

<sup>a</sup> Countries where overseas voters could only vote by proxy were counted as no, as were cases where only diplomats and government employees in service abroad could vote

<sup>b</sup> Using Freedom House data for the year 2007

<sup>c</sup> Only counting NF countries that have direct elections

## Diffusion and International Norms

Finally, some scholars contend that the global human rights regime is propagating overseas voting rights as a norm (Collyer and Vathi 2007). As early innovator states enfranchised their expatriate citizens and conducted their elections on the territory of foreign states, they helped build a norm of acceptance towards what would otherwise impinge on the

<sup>4</sup> The number of authoritarian regimes excludes countries where there are no direct elections.

sovereignty of the “host” state. As more states allow overseas voting, the idea that expatriates *should* be allowed to vote gains currency – at least at the level of discourse (Levitt and de la Dehesa 2003). This in turn strengthens diaspora organizations’ campaigns to institute overseas voting.

It is true that there has been a trend towards allowing overseas voting rights; however, as I discussed above, this appearance of convergence masks considerable variation in the practices of overseas voting. Moreover, there are as many states that *do not* allow overseas voting at all as there are states that permit it for all national elections (Ellis et al 2007).

To the extent that there is convergence, it is more clearly linked to the leverage of international actors than to diffusion-by-example. Even here, however, international organizations’ leverage over domestic electoral legislation is limited. First, in the many election “good practice” guidelines authored by various international organizations, there is no consensus on whether or not states are obliged to allow overseas citizens to vote. The Council of Europe’s Venice Commission, which evaluates member states’ legislation relating to democratic institutions, has been tepid in its support of overseas voting rights. Its basic position is that local context and tradeoffs should be taken into account. A recent report from the organization, noting the broad variation in overseas voting practices among European states, concludes that “it is within the state’s own scope of sovereignty to decide whether they wish to grant the right to vote to their citizens residing abroad...each state may give a different response to this problem depending on circumstances” (Venice Commission 2011, para. 7). The same report even suggested that for emigration states, “to the extent that [overseas citizens’] votes could appreciably affect election results, it seems more appropriate to provide parliamentary representation for the citizens resident abroad by pre-defined numbers of members of parliament elected by them” (Venice Commission 2011, para. 70). In conclusion, “while the denial of the right to vote to citizens living abroad or the placing of limits on that right constitutes a restriction of the principle of universal suffrage, the Commission does not consider at this stage that the principles of the European electoral heritage require the introduction of such a right” (Venice Commission 2011, para. 98).

The European Court of Human Rights has also refrained from endorsing overseas voting rights, and identified the following as circumstances that might make it less practical or desirable 1) nonresident citizens lack the familiarity with the home country’s state of affairs, 2) the difficulty/undesirability of having homeland candidates campaign among overseas citizens, and 3) overseas voters are not affected by the acts of the political institutions they help elect.<sup>5</sup>

Nor has the European Union has not been particularly vocal about the issue of overseas voting, aside from the requirements of allowing EU citizens to vote in EU parliamentary elections anywhere within the EU’s borders. When it comes to member states’ domestic elections, however, there remains considerable variation in terms of the allowance of and provisions for administering the overseas vote.

On the other hand, on a case-by-base basis, there has been significant pressure on national governments to institute overseas voting rights. The Council of Europe’s (CoE) Parliamentary Assembly urges its member states to allow overseas citizens to participate in elections. The Venice Commission, too, has advocated overseas voting rights in certain cases. In its 2011 evaluation of Albania’s Election Law, the Commission stated that denying overseas

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<sup>5</sup> ECHR, *Melnychenko v. Ukraine*, Case No. 17707/02, October 19, 2004, para. 56.

voting rights “is a political choice which is not against international or European standards, but it must be underlined that the practice in Europe is increasingly in the direction of facilitating voting from abroad” (Venice Commission and OSCE 2011b, para. 69). The Organization for Security and Cooperation in Europe (OSCE), through the election observation reports issued by its Office for Democratic Institutions and Human Rights (hereafter OSCE/ODIHR), has also urged governments to allow those temporarily residing abroad to participate in homeland elections, although the emphasis is on displaced persons rather than all overseas citizens. Examples of this type of pressure will be seen below in all three case studies.

### Domestic Political Factors

Most scholars acknowledge that domestic politics plays at least some role in the decision to extend overseas voting rights. However, domestic politics is typically seen as a secondary or tertiary factor that tweaks the impact of larger causal factors like diaspora lobbying, economic incentives, or "peripheral" position in the global economy.<sup>6</sup> Few studies put domestic political wrangling at the front and center of analysis, and there is a dearth of theorizing on why and how domestic politics matters beyond simply acknowledging that they have an impact.

Diaspora pressure and international leverage may in some occasions force the issue of overseas voting onto the homeland policy agenda, but they cannot compel the introduction of overseas voting rights. Even if homeland elites do feel strong pressure to allow overseas voting, they can still create a framework that gives rights on paper, but is extremely restrictive in practice. Above all it is the partisan interests of policymakers that determine when and on what terms overseas voting is introduced. Their partisan incentives are paramount, even when the homeland is highly dependent on diaspora resources (esp. Armenia and Serbia) and when the leverage of international organizations over aspects of domestic legislation is high (Croatia and Serbia).

At the most basic level, party elites in emigration states support an expansive overseas voting framework when it is in their parties' interest to facilitate the broad participation of overseas kin, and reject it or provide a minimal overseas voting platform when an expanded electorate threatens their political interests. Above all, their primary concern is the electoral impact. Beneficiary parties are especially likely to introduce external voting rights or expand the overseas voting framework on the eve of elections with high levels of uncertainty in the outcome. The problem for homeland policymakers is that they cannot know in advance how an expanded electorate will affect their political interests. To compensate, they look to the manner of the diaspora's involvement in homeland affairs during periods of crisis or political transformation for “data” to determine whether to support or reject overseas voting.

## **EXTERNAL VOTING DEBATES IN CROATIA**

Croatia's electoral framework has been one of the postcommunist region's most malleable. Core election laws were substantially revised on the eve of virtually every election in the 1990s and 2000s (Kasapović 2000). The revisions included entirely new electoral formulas, dramatically redrawn electoral districts, reconfigured voting rights, and revised formulas for representing ethnic minorities in parliament.

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<sup>6</sup> See, however, Lafleur 2011 and Smith 2008.

Electoral law provisions on external voting and diaspora representation have likewise been highly pliable, and revisited with virtually every legislative overhaul. Between 1990 and 2012, two marked trends can be seen in the area of external voting. From 1990 through 1998, the provisions on external voting and diaspora representation grew more expansive; that is, they broadened the participatory framework for diaspora voters and amplified the representation of diaspora interests in parliament. The HDZ's hegemony in Croatian politics throughout the 1990s enabled it to override opposition parties' objections and design electoral legislation by fiat. Since 1999 and renewed democratization, the framework for diaspora participation in elections has been incrementally scaled back.

Party strategists' decisions to reject or support overseas voting rights were fundamentally linked to their perceptions of the diaspora's political contours. In Chapter 2, I showed that when the Croatian diaspora became increasingly engaged in homeland political affairs in the late 1980s, its support overwhelmingly went to the opposition Croatian Democratic Union (HDZ) party, which then went on to win the 1990 founding elections. By 1992, the party had over 200 branches in diaspora communities, compared to the paltry two dozen formed by the party with the second-strongest diaspora presence. The HDZ had also mobilized an estimated \$4–8 million from the diaspora for its 1990 election campaign war chest. In contrast, other opposition parties had tens or at most hundreds of thousands of dollars to spend on their inaugural election campaign, and very little of their funding came from the diaspora. A number of diasporans assumed prominent positions in the party leadership and in the HDZ government. For example, the person deemed most powerful in government after Tuđman himself was Gojko Šušak, a Canadian Croat who was instrumental in helping Tuđman build the HDZ, and then became Defense Minister in 1992. Returnees also assumed key positions in the HDZ party leadership, the HDZ government, parliament, the economy, and the diplomatic corps. The diaspora was the HDZ's "turf," and this was patently clear to strategists from all homeland political parties.

When the opposition's bargaining position improved at the end of the 1990s, one of its very first targets was overseas voting and diaspora representation in parliament. Its bargaining power benefited from the fact that organizations like the OSCE and Council of Europe were likewise pressuring the HDZ to amend electoral legislation. In 1999, a beleaguered and increasingly unpopular HDZ offered partial electoral legislation concessions to the demands of the opposition and international actors by reducing diaspora representation in parliament, but it refused to undo it entirely or to further restrict diaspora voting. The opposition came into power in 2000 and ruled as a shaky coalition until 2003, but few major changes were made to the electoral framework. Only after 2007 did a resurgent SDP start pushing harder at the HDZ for changes. The SDP's major victory on the electoral legislation front was to secure constitutional changes to diaspora representation, as well as an end to temporary voting sites, in 2010.

### 1990 - 1998: Vote One, Vote All

During the first policy "swing" (1990–1998), successive election laws created an ever more expansive framework for external voting. The core acts were the 1990 Law on the Election of Representatives, Croatia's 1990 Constitution, a package of election laws in 1992 and critical amendments in 1995 to the Law on the Election of Representatives to the Sabor.

The pattern of electoral law design that would prevail for the next decade, whereby the party in power designs the law just before elections with little input from other stakeholders, was

set by the outgoing party, the League of Communists of Croatia, in 1990. Faced with domestic pressure for change and increasing tensions with the communist leadership in Serbia, the Croatian League of Communists declared their intent to hold competitive elections at the end of 1989. In February 1990, opposition parties were formally legalized and elections were called for April – just two months later. The League of Communists’ political monopoly allowed it to design an election law that served its partisan interests. It adopted a majoritarian single member district formula, which typically favors incumbents and established parties (CSCE 1990). There was no external voting in Croatia’s inaugural 1990 elections despite diaspora demands for the right.<sup>7</sup> The League of Communists had political motive to limit the political participation of the Croatian diaspora; after all, the communist regime had maligned the “fascist,” “hostile” diaspora for the last four decades, and the animosity was mutual.

In a surprising turn of events, the nationalist HDZ won a plurality in the 1990 elections with just over 40% of the vote, but thanks to the Communists’ election law, it was awarded 57.6% of seats in the three legislative chambers (Zakošek 1997). Under the HDZ’s stewardship, the same dynamic of a ruling party quickly pushing through election legislation with little input from other stakeholders would be repeated in 1992, 1995, and 1999.

In December 1990, less than a year after the HDZ came to power, the Croatian parliament (Sabor) passed a new constitution. The HDZ was able to push through its preferred constitution due to its solid parliamentary majority and party founder, Franjo Tuđman, at the helm of the state.<sup>8</sup> On the issue of external voting, the constitution broke radically from the existing electoral code. It obliged the state to “ensure suffrage to its citizens who are abroad at the time of the elections, so that they may vote in the countries in which they are [located].”<sup>9</sup> The constitution left the procedures for voting to be determined by future electoral legislation, which the HDZ would pass in 1992.

By enshrining the principle of voting abroad in the constitution, any attempt to take away that right could only be done by amending the constitution itself. Thus, the ruling HDZ made a strong commitment to preserving external voting beyond its rule. This commitment sprang from the HDZ’s confidence in its ability to win diaspora votes for the long haul, as shown in Chapter 2. Indeed, the HDZ employed the same electoral engineer that the League of Communists had used in 1990.

Between its 1990 victory and early 1992, the HDZ transformed from a mass movement to a hegemonic ruling party by exerting control over all branches of government, the state apparatus, and the economy. This monopoly of power gave the party access to state resources, including public firms and media outlets (Zakošek 1997). The party’s all-encompassing hold on power meant that HDZ party leaders wrote the laws, ushered them through parliament with few revisions, and could rely on the loyal state apparatus and court system to ensure the law was implemented to the party’s satisfaction. With the onset of open war in 1991 and territorial losses to rebel Serbs, the spike in Croatian nationalist fervor enabled the HDZ to silence debate and opposition by accusing opponents of being unpatriotic or un-Croatian.

A package of election laws was introduced in early 1992, not long after a ceasefire between ethnic Croats and ethnic Serbs was brokered in its territory of Slavonia, and as the HDZ

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<sup>7</sup> “Zahtjevi iseljene Hrvatske Saboru SRH: svi želimo glasati,” *Večernji list*, February 25, 1990, pg. 3. Some 10,000 citizens – mostly guestworkers in Western Europe – returned to Croatia to vote in 1990 (CSCE 1990).

<sup>8</sup> “Ustavna komisija,” *Slobodna Dalmacija*, December 20, 1990.

<sup>9</sup> Ustav Republike Hrvatske, 1990.

began to prepare for parliamentary elections.<sup>10</sup> The HDZ's law created a mixed system, half proportional representation and half majoritarian single-member districts.<sup>11</sup> The HDZ shifted to a mixed system because there were signs that the popularity of the party was dipping due to the Croatian government's agreement to allow UNPROFOR forces to take charge in the region of Slavonia. Additionally, there was fear that the hundreds of thousands of Croatian refugees from Slavonia and Krajina, many of whom felt the HDZ had left them unprotected against Serb paramilitaries, would support the ultranationalist Croatian Party of Rights (HSP). The HSP had not competed in 1990, so it would have an unknown effect on the HDZ's voter base.

Further fueling the uncertainty over the HDZ's ability to secure a commanding win was the displacement of the population, uncertain citizenship status of large portion of the population, and external kin. As one journalist surmised, "When one adds up the 25% of the unregistered [domestic citizens who have not been officially entered in the register of citizens], Croatian emigrants, and the Croats from Bosnia-Herzegovina, Serbia, and other former Yugoslav republics, one gets a potential million-voting body that could have a crucial influence on the outcome of the election."<sup>12</sup>

In addition to the mixed election formula, the introduction of an expansive external voting framework would help offset these electoral insecurities for the HDZ. The April 1992 laws allowed citizens to vote in person at diplomatic-consular representations and temporary voting sites.<sup>13</sup> The vice-president of the ultra-right HSP worried that "the circumstances of voting in the diaspora are very unclear. I doubt, therefore, that [elections there] will be regular."<sup>14</sup> His concern was shared by other opposition parties across the political spectrum, and the veteran dissident Miko Tripalo even argued that the vague provisions for overseas voting called the legality of the election law into question, particularly since most opposition parties lacked the resources and diaspora networks to monitor the electoral process overseas.<sup>15</sup> These fears over electoral manipulation were not unfounded. One public official tasked with bringing 60,000 ballots to Australia boasted that at least 50,000 would come back for the HDZ (CSCE 1992, 18). Moreover, the SDP repeatedly insisted that, if overseas voting was to be allowed, it must be limited to embassies and consulates.<sup>16</sup>

Elections for the presidency and the House of Representatives were scheduled for August 2, 1992. As the elections drew near, the gap between external voting provisions on paper and external voting implementation in practice became apparent. The first major gap concerned eligibility criteria. One month before the election, the president of the Electoral Commission described the framework for external voting as it was stated in the laws: voters had to have Croatian citizenship and be listed in the voter registry. In practice, however, eligibility criteria were far looser. The Election Commission itself seemed uncertain about the provisions for

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<sup>10</sup> By 1992, the war had claimed over 10,000 lives, displaced hundreds of thousands of Croatian residents, brought an influx of Bosnian Croatian refugees, and rendered a quarter of Croatian territory beyond state control.

<sup>11</sup> The same scholar who wrote the 1990 election law for the League of Communists was employed to write the HDZ's election laws in 1992 and 1995. Robert Naprta, "Zasad nije moguće odgovoriti hoće li izbori biti regularni," *Globus*, July 3, 1992, pg. 40

<sup>12</sup> C.f. "Voter Registration Seen Making Election Unfair," *Foreign Broadcasts Information Service*, FBIS-EEU-92-116, June 16, 1992, pg. 31.

<sup>13</sup> "Oporba za (pretežno) razmjerni izborni sustav," *Izješća hrvatskog sabora*, br. 57, March 4, 1992, pg. 24.

<sup>14</sup> "Provest ćemo čistke na televiziji, u vojsci i policiji," *Globus*, July 24, 1992, pgs. 6-7.

<sup>15</sup> CSCE 1992a, 15; Josip Šmidt, "Koordinacija oporbenih stranaka o najavljenim izborima: izborni zakon – nejasan," *Slobodna Dalmacija*, June 4, 1992, pg. 4.

<sup>16</sup> "Prijedlog za donošenje i nacrt Zakona o izboru predsjednika Republike," *Izješća hrvatskoga sabora*, No. 57, March 4, 1992, pgs. 21, 24. I use SDP to refer to the League of Communists' successor party throughout the post-1990 period.

overseas voting. Just days before the election, officials in Zagreb conceded that they still had not determined what criteria would be used to determine eligibility for overseas voting.<sup>17</sup> While the Law on Voter Registries listed just 3 documents that could be used to demonstrate eligibility, regulations issued by the Electoral Commission expanded this list. A diasporan who helped organize voting in Chicago stated that anyone who could demonstrate their own Croatian citizenship or prove their father's citizenship was eligible to vote.<sup>18</sup> A notice issued to overseas voters by the Croatian Embassy in Australia even stated that ethnic Croats from Bosnia-Herzegovina who were not Croatian citizens, but were eligible to apply for it due to the recent agreement between Croatia and Bosnia, could still vote provided they submitted a written statement acknowledging their loyalty to Croatia. Their Australian-born children were also eligible.<sup>19</sup>

Officials did not even adhere to these highly permissive criteria. Journalists noted that the only criterion enforced at many voting sites was Croatian heritage, with unclear provisions for how to actually prove this.<sup>20</sup> One stunned journalist surmised, "It appears that any adult – anywhere on Earth – who can prove he or she had a parent born in Croatia is eligible to vote."<sup>21</sup> The law's implementation undermined the very principle that *citizenship* was a prerequisite for voting – a double standard since noncitizen ethnic Serbs living in Croatia could not vote in the election, while noncitizens who might never have set foot on Croatian soil could vote on the basis of descent.

Another major gap between the law on paper and in practice concerned voting procedures.<sup>22</sup> Whereas a notice issued by the Croatian government to overseas voters in early July more or less followed the letter of the law by stating that elections would be limited to consulates and other overseas government offices, in reality temporary polling stations were set up in churches, private homes, and cultural organizations.<sup>23</sup> For example, 26 voting sites were established at churches, consulates, and cultural clubs in a handful of Australian cities.<sup>24</sup> In California, some 200 Croats cast their ballots at a private ranch home, whose owners then phoned in the results to the Croatian consulate.<sup>25</sup> The opposition was outraged by this "gross over-stretching of the law," particularly given their lack of resources to campaign overseas and monitor the vote, but their challenges to last-minute Electoral Commission regulations before the Constitutional Court were rejected (CSCE 1992, 18).

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<sup>17</sup> Philip Sherwell, "Tudjman's Difficulties Come With the Territory of Croatia," *The Globe and Mail* (Canada), July 30, 1992, LexisNexis.

<sup>18</sup> Andrew Gottesman, "In Croatia and Chicago, an Election for Freedom," *Chicago Tribune*, August 1, 1992, LexisNexis.

<sup>19</sup> "Uputstvo o glasovanju" and "Domovinska i iseljena Hrvatska – jedno su biće," *Hrvatski Vjesnik/Croatian Herald*, July 31, 1992.

<sup>20</sup> Tony Barber, "Tudjman Whips up Election Mayhem," *The Independent* (London, UK), August 2, 1992, NewsBank (920803in000024); Neil Steinberg, "Hundreds Here Vote on Croatia's Future," *Chicago Sun-Times*, August 3, 1992, NewsBank (CHI770291); Margaret Terol, "Croatian President Gets Support From Area Voters," *The Record* (Kitchener, Canada), August 4, 1992, NewsBank (920804KR0041).

<sup>21</sup> Blaine Harden, "Croats Vote in Aftershock of Vicious War; Opposition Parties Focus on Loss of Land to Serbs," *The Washington Post*, August 2, 1992, LexisNexis.

<sup>22</sup> In contrast to future elections, when most external ballots were cast in Bosnia-Herzegovina, BiH votes were not counted with external votes in 1992.

<sup>23</sup> "Proglaš svim građanima Republike Hrvatske u inozemstvu," *Hrvatski Vjesnik/Croatian Herald*, July 3, 1992.

<sup>24</sup> "Rješenje o određivanju biračkih mjesta u inozemstvu," Izborna komisija Republike Hrvatske, Zagreb, July 27, 1992.

<sup>25</sup> Tony Barber, "Croatia Votes But Change is Unlikely," *The Independent* (London, UK), August 3, 1992, NewsBank (920803in000024); Jeffrey Brody, "OC Croats Cast Long-Distance Votes," *The Orange County Register* (California), August 3, 1992, NewsBank (OCR422562).

The potential voting pool was enormous, yet it was anybody's guess as to how many overseas Croats would vote. Analysts' estimates ranged from 200,000 overseas eligible voters to 3 million (CSCE 1992). The upper bound, if turnout was high, could have made the number of ballots cast outside of Croatia equal to the number of ballots cast inside Croatia. The wildly uncertain estimates also heightened the risk of election manipulation. In retrospect, it seems ludicrous that such high turnout would have been the case, but at the time, given the absence of a prior history of overseas voting, the high level of diaspora mobilization, and the very permissive implementation of the election law overseas, it seemed possible. In the end, however, just 76,000 Croats voted in the 1992 presidential elections. Nevertheless, the results reveal the right-leaning orientation of diaspora voters. 70% of overseas voters supported Franjo Tuđman (HDZ) in the presidential race, followed by 12% for Dobroslav Paraga, the ultra-right HSP candidate. Among the 2.67 million homeland voters, Tuđman garnered 56.7% of the vote, followed by Dražen Budiša (21.9%), the leader of the liberal HSLS party. In the concurrent parliamentary elections, 85,000 Croats voted overseas, of which 63% of party list votes went to the HDZ, followed by 12% of votes to the ultra-right HSP, whereas among all voters 43% of party list votes went to the HDZ, followed by 17.3% to the liberal HSLS.<sup>26</sup>

In 1995, the HDZ came up with a way to capitalize on its diaspora support without having to worry about the level of diaspora voter turnout. Radical changes were made to the election law that restructured the parliament and both institutionalized and amplified formal diaspora representation in homeland politics. Rather than having external voters vote for the same national-level party lists as those of homeland voters, external voters who had permanent residence abroad voted for party lists for a special diaspora district composed of 12 fixed seats, a remarkable 10% of all seats in the House of Representatives. This massive scale of diaspora representation in parliament was without equal in the world.

Once again, the reasons for revising the election law in 1995 were linked to the ruling HDZ's partisan aims of offsetting electoral uncertainties. Although the party continued to be a hegemonic force in government and economy, its ability to secure a decisive election win in 1995 was uncertain. Poor economic performance, growing resentment over corruption, the enrichment of HDZ supporters in the privatization process, and the HDZ government's controversial policies in Bosnia and Herzegovina undermined the party's support base. Opposition parties, still dissatisfied with the 1992 version of the law and aware of the likelihood of early elections, made initial steps towards formulating unified opposition demands for electoral conduct in June 1995.<sup>27</sup>

At the same time, the HDZ now had shifted its focus to external voting in Bosnia-Croatia, a much more cost-effective approach given the proximity, size, and relative compactedness of the Croatian population there. Moreover, whereas many of the diaspora HDZ branches had died off by the mid-1990s, the HDZ's active sister party in Bosnia-Herzegovina was still well organized there, as it had been competing in Bosnian-Herzegovinian elections as well.

Throughout the summer and fall, opinion polls cast a shadow of doubt over the HDZ's ability to secure a commanding win. A June 1995 Globus poll indicated that 40.1% of

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<sup>26</sup> *Analitički podaci o rezultatima za izbor zastupnika sa državnih lista u izbornim jedinicama i inozemstvu*, Izborna komisija Republike Hrvatske, August 12, 1992.

<sup>27</sup> Djurdica Klancir, "Predsjedništvo HSS-a odlučilo je: HSS na sljedećim izborima neće ući u koaliciju s HDZ-om," *Globus*, June 16, 1995, 8-9.

respondents would vote for the HDZ in hypothetical elections, but 32% showed support for the liberal HSLŠ, then the strongest opposition party.<sup>28</sup> Considering that potential HSLŠ coalition partners like the reformed League of Communists Party (now renamed the Social Democratic Party, or SDP) had 5.7% and the Croatian Peasant Party 5%, an opposition coalition victory was plausible. The HDZ's support among homeland remained precarious throughout the fall. By early October, 46% of respondents indicated they would vote for a coalition among the HSLŠ and other opposition parties over either the HDZ or the HSP, while the HDZ alone had a share of 45.7%.<sup>29</sup>

Although Croatia's political regime was not fully democratic, the ruling authorities could not resort to blatant electoral fraud in order to manufacture a super-majority. Instead, the HDZ sought to manipulate the election environment and the rules of elections. In September, a legal adviser to the opposition predicted that the HDZ would need to resort to manipulation because it was "not so secure in its victory that it can afford to not think about the margins."<sup>30</sup>

At the end of September, just over a month before the elections, the new election law was introduced with no warning to opposition parties, and adopted without change after just a few hours of debate (Council of Europe 1995). The opposition parties were outraged. The leader of the centrist People's Party decried the draft as "the product of carefully-thought approach of the HDZ's election team, which clearly understands that the ruling party is losing voters... If they had been secure, they wouldn't have come up with an election law that is so blatantly self-serving."<sup>31</sup>

On election day in October, roughly 2.5 million homeland Croats voted for the regular party lists in which the country as a whole was one district. Nearly 400,000 Croats outside of Croatia were registered to vote, of which 109,389 voted for the special diaspora lists. This time, 80% of votes for the diaspora list came from Bosnia-Herzegovina. Not surprisingly, the HDZ won overwhelmingly: 90% of externally-cast votes for the special lists went to the HDZ, followed by the extremist Party of Rights (3.6%). In all, there were 238 overseas polling places (more than twice as many as the 111 overseas voting sites abroad in 1992), of which 96 were in Bosnia-Herzegovina.<sup>32</sup>

### 1999-2010: A Resurgent Opposition

Throughout the 1990s, Croatia's political opposition was vocal in its criticism of the country's electoral framework, particularly concerning overseas voting and diaspora representation. With the HDZ firmly in power, there was little the opposition could do to change it. However, the balance of power between the opposition and the HDZ tipped by the end of the 1990s as the HDZ lost support among domestic Croats. This section looks at the changing political circumstances and how they affected the electoral bases of the HDZ and opposition by

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<sup>28</sup> Snježana Beroš, "Nakon povratka iz Australije i Novog Zelanda, popularnost predsjednika Tuđmana ponovno je porasla," *Globus*, July 7, 1995.

<sup>29</sup> "Globusovo specijalno istraživanje," *Globus*, October 6, 1995, pg. 8.

<sup>30</sup> Interview with Vladimir Primorac, *Globus*, October 6, 1995, pg. 48.

<sup>31</sup> "Osnivamo veliku konfederaciju HSLŠ-a, HSS-a, in HNS-a," *Globus*, September 22, 1995, pgs 12-13.

<sup>32</sup> "Izbor zastupnika u Zastupnički dom Sabora Republike Hrvatske s posebnih lista," Izborna komisija Republike Hrvatske, November 14, 1995. The 36,035 overseas Croatian voters with domiciles in Croatia voted for the party lists of that district in Croatia. They also voted for the HDZ by a large margin (74.3%). "Rezultati glasanja za državne liste po državama za sva biračka mjesta u inozemstvu, *Izvišće br. 25*, Izborna komisija Republike Hrvatske, Zagreb, November 14, 1995.

the decade's end, and the ways in which the overseas voting framework changed in the 2000s as the regime underwent democratization and European integration.

Domestic stakeholders were not the only critics of Croatia's election law. After the 1995 Dayton Accords and Erdut Agreement brought settlement to Croatia's part in the war, international and regional organizations stepped up their criticism of Croatia's democratic deficiencies, policies towards Croats in Bosnia-Herzegovina, and the stalled reintegration of the several hundred thousand Croatian Serb refugees who had fled during the war. Although less explicit, these organizations were also deeply concerned about the impact of Croatia's policies towards Bosnian Croats on stability and state-building in Bosnia-Herzegovina, and on Western European governments' refugee management crises. These two issues were interrelated, because a political climate that privileged ethnic Croat-ness was seen as detrimental to the return of ethnic Serbs. Between World War II and the end of the Cold War, refugee return policies were seldom embraced by Western governments, despite the policy being one of the three "durable solutions" outlined by the UNHCR (Black and Gent 2006). However, with more than half of a million refugees fleeing to Western European countries in the early 1990s, alarmed member state governments increasingly gravitated towards policies of refugee repatriation to their countries of origin rather than permanent settlement in the West (Eastmond 2006; Koser et al 1998).

When Croatia was admitted to the Council of Europe in late 1996, it promised to revise its election law and take into account the organization's demands for greater media access, updated voter registries, and a reassessment of diaspora representation; however, no significant changes were made for the 1997 presidential elections or over the following year. But the diminishing popularity of the HDZ, coupled with the aligned interests of Croatia's emboldened opposition parties and international organizations, paved the way for changes in electoral legislation, even on the HDZ's watch. In light of Croatia's failure to adopt the changes it had pledged to make in 1996, the CoE and OSCE issued a joint "non-paper" in 1998 that called for legislative changes to address the election framework's deficiencies, again with particular emphasis on diaspora Croat representation, the disenfranchisement of Croatian Serbs, and minority representation (HRW 1995).

In late 1998, Sabor deputies from the so-called "Opposition 6" submitted draft legislation to alter the Law on Electing Representatives. Among other changes, the law would have created a purely proportional representation system in which the country as a whole was one electoral district, and which would have eliminated the diaspora constituency. This system would have weakened the ruling HDZ. To be sure, the opposition parties were *not* arguing for the elimination of overseas voting. Rather, under their proposal overseas voters would vote for the same party lists as homeland voters, and be represented by the same delegates. The SDP's Ivica Račan maintained that the opposition was

not opposed to the right of Croatian citizens who live abroad to vote overseas and to be elected themselves. We are opposed to the special list or special electoral district for the diaspora, because such a situation antagonizes two parts of the Croatian citizenry – those who live in emigration and those who live in Croatia, pay taxes and carry the weight of good and bad laws that are passed by the Sabor. Moreover, why should the vote of a citizen from Croatia be half as valuable as the votes of those who live abroad?<sup>33</sup>

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<sup>33</sup> Slavica Lukić, "Nedemokratske snage u HDZ-u miniraju Tuđmanov dogovor sa šestoricom o izbornom zakonu," *Globus*, May 7, 1999, pg. 6.

The opposition's law was rejected, yet as analyst Slaven Letica presciently noted, the entire debate over election legislation "may already be regarded as a symbolic prelude to a possible and probable transfer of legislative power [to the opposition] in late 1999 or early 2000" (Letica 1999, 404). Indeed, independent surveys at the end of 1998 reached the same conclusion: some two-thirds of the Croatian electorate wanted the HDZ out (Letica 1999).

Heated negotiations between the opposition and the ruling HDZ continued into late 1999, with no results. Pressure was mounting because the mandate of the current Sabor was set to expire. The opposition insisted on eliminating the diaspora district; the HDZ seemed to refuse to concede.<sup>34</sup> Yet the HDZ was not the self-assured party that it was in 1995. The nationalist surge that had been fueled by independence, war, and loss of territory and that favored the HDZ was tempered in the second half of the 1990s as Croats became more concerned with the state of the economy, widespread corruption, and the country's glaring democratic deficits. A 1998 survey conducted by the International Organization for Migration found that  $\frac{3}{4}$  of Croatian citizens wanted to move abroad permanently or temporarily (Letica 1999, 427). A poll conducted at the end of March 1999 concluded that under a purely proportional electoral law in which the country as a whole was one district, a coalition between the SDP and HSLs would get 40% of votes, with the HDZ a distant second place with 24%.<sup>35</sup> The base of the HDZ was unraveling it: it was losing the support of farmers to the Croatian Peasant Party, and pensioners and women to the Social Democrats.<sup>36</sup> Meanwhile, the HDZ itself was weakened by internal discord. As Tuđman's health declined, conflict between party moderates and hardliners undermined internal cohesion and discipline.<sup>37</sup>

Finally, after months of failed negotiations, the HDZ pushed through a new election law in October 1999. The diaspora constituency was changed to a non-fixed formula, whereby the number of mandates would be proportional to the turnout of diaspora voters relative to homeland voters. Minorities would select a fixed 5 representatives, but Croatian Serbs only had one representative, which was far fewer than the 13 representatives they had had under the 1992 law, and less even than the 5 representatives they had had under the 1995 framework.<sup>38</sup> Human Rights Watch criticized the law for this further alienation of Croatian Serbs "from participation in the life of their country at a time when post-war normalization should be leading to their further reintegration into Croatia" (HRW 1999). An EU delegation sent a *demarche* lambasting the Croatian government over the new law, which violated repeat recommendations from the EU, OSCE, CoE, and UNHCR by not improving minority voting rights and representation, by continuing to allow for diaspora voting, which was "working against implementation of the Dayton accords," and for permitting external voting outside of embassies and consulates.<sup>39</sup>

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<sup>34</sup> "Croatian Opposition Says No Consensus on Electoral Reform," *RFE/RL Newswire* Vol. 3, No. 166, August 26, 1999, rferl.org

<sup>35</sup> Mirjana Kasapović, "Izborni savez SDP-a i HSLs-a osvaja relativnu većinu glasova i apsolutnu većinu mandata," *Globus*, April 9, 1999, pgs 28-32.

<sup>36</sup> Tomislav Čadež, "Selo se potpuno odreklo HDZ-a: za HSS će glasovati 25.3 posto, za HDZ samo 22.8 posto, a za SDP čak 5.4 posto seljaka," *Globus*, January 29, 1999, pg 14; Smiljana Leinert Novosel, "Za oporbenu šestorku glasovalo bi čak 53.6 posto Hrvatica, za koaliciju SDP-a i HSLs-a 39.2 posto, a za HDZ samo 19.6 posto," *Globus* April 23, 1999, pg 2; Gordana Simonović, "Penzioneri ruđe HDZ," *Globus*, April 30, 1999, pg. 34.

<sup>37</sup> Đurđica Klancir, "Dolaskom Markice Rebića u Predsjedničkim dvorima definitivno je pobijedila desna struja dr. Ivića Pašalia," *Globus*, February 12, 1999, pg. 5; Slavica Luki and Tomislav Čadež, "Vladimir Šeks, Mate Granić i Nikica Valentić sklopili su lažni savez s Ivićem Pašalićem," *Globus*, March 12, 1999, pg. 4-5.

<sup>38</sup> Silva Pavić-Stazić, "Hrvatska danas na biralištima," *Vjesnik*, January 3, 2000.

<sup>39</sup> "Text of EU Speaking Note Presented to Croatian Government," *HINA-Croatian News Agency*, October 28, 1999.

In January 2000, only weeks after Tuđman's death, the opposition coalition between the liberal HSLS and the Social Democrats, along with smaller allied regional coalitions, won the parliamentary elections. Again, diaspora voters did not mirror homeland voters. Whereas just 24% of homeland voters cast their ballots for the HDZ, the party won 86% of votes for the diaspora list.<sup>40</sup> For the first time in almost a decade, the HDZ was out of power. The hitherto opposition, now a fragile coalition government led by the Social Democrats, quickly went on the offensive. In March of 2001, the government introduced a proposal to link voting rights to residency as part of a larger package of constitutional changes. In a highly acrimonious debate, a Social Democrat leader defended the changes on the ground that overseas Croats who did not live in Croatia had representatives "that truly only represented one group of Croatian citizens...and contributed to crafting laws that they were not subject to[.]"<sup>41</sup> However, there was some dissent from within the coalition, including the key opposition figure for much of the 1990s, Dražen Budiša of the Croatian Social Liberal Party.<sup>42</sup> Not surprisingly, the HDZ was staunchly opposed to eliminating or revising external voting rights. The HDZ's Vladimir Šeks remarked that the governing coalition's real motive for the change was that it had no support in the body of diaspora voters.<sup>43</sup> In the end, Article 45, which in the 1990 Constitution had given unqualified voting rights to all Croatian citizens aged 18 and above, was reworded to state: "Croatian citizens age 18 and above have general and equal voting and equal voting rights *in accordance with the law*["]<sup>44</sup> The HDZ expressed concern that since voting rights were no longer clearly defined in the Constitution, they could be reduced through additional laws, perhaps limiting it to individuals who had registered domiciles in Croatia.<sup>45</sup>

The opposition coalition suffered from internal fighting, and ultimately collapsed in 2003. The HDZ won parliamentary elections that year, but it was not the same party that it had been in 1999. The moderate faction, led by Ivo Sanader, won the post-Tuđman leadership showdown with the hardline faction. Sanader's HDZ made European Union integration the policy centerpiece of the party's program. Evaluations of the HDZ's performance in government now hinged in large part on its success in furthering EU integration.

Unlike the 1990s, the SDP was in a much better position to shape policies on diaspora incorporation *and* minority rights and incorporation, for these issues were now seen as two sides of the same coin, with further diaspora incorporation benefitting the HDZ, and stronger minority incorporation benefitting the SDP.<sup>46</sup> For instance, in 2003, the SDP-led coalition government was able to push through legislative changes increasing minority representation in parliament, despite the objections of the HDZ.

Under the leadership of Zoran Milanović (2007- present), the Social Democrats have become even more critical of the diaspora incorporation framework. As soon as he assumed leadership, Milanović went on the offensive, not only stating objection to diaspora representation, but also vowing that if the SDP won in the forthcoming parliamentary elections,

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<sup>40</sup> "Izbor zastupnika u Zastupnički dom Hrvatskoga državnog sabora koje biraju hrvatski državljani koji nemaju prebivalište u Republici Hrvatskoj u XI. izbornoj jedinici," Državno izborno povjerenstvo, Zagreb, Croatia, January 17, 2000.

<sup>41</sup> "Danas u Saboru," Hrvatska radio-televizija, March 1, March 8, 2001, <http://www.hrt.hr/>.

<sup>42</sup> Ibid.

<sup>43</sup> "Danas u Saboru," Hrvatska radio-televizija, March 6, 2001, <http://www.hrt.hr/>.

<sup>44</sup> "Promjena Ustava Republike Hrvatske, *Narodne novine* br. 28, April 2, 2001. Italics added for emphasis.

<sup>45</sup> "Danas u Saboru," Hrvatska radio-televizija, March 28, 2001, <http://www.hrt.hr/>.

<sup>46</sup> Author interview with political analyst #3, Zagreb, Croatia, December 16, 2009.

it would end external voting in Bosnia-Herzegovina.<sup>47</sup> The SDP had never been so openly critical of the issue of overseas voting rights. Indeed, Milanović's statement apparently concerned some in the SDP leadership, and they quickly went to the media to say that it was Milanović's personal opinion, and not necessarily that of the SDP.<sup>48</sup> Nevertheless, Milanović made this criticism of the diaspora constituency – and indeed of overseas voting more generally – a key issue in the party's 2007 parliamentary campaign.<sup>49</sup> Together with the domestic NGO GONG, the SDP succeeded in securing changes to the Law on Voter Lists that regulated the addition of voters to the registry on election day, which had been seen as enabling multiple voting among Croatian voters in Bosnia-Herzegovina.

2007 was the last time that the post-Tuđman HDZ seriously turned to the diaspora to overcome domestic electoral uncertainties. As parliamentary elections drew closer, the ruling HDZ's ability to win enough seats to form another coalition government was in doubt. Indeed, the SDP was polling slightly ahead, although analysts pointed out that external voters could tip the election (Bartulac-Blanc 2007). The HDZ leadership was fully aware of this. Then-Prime Minister and HDZ leader Ivo Sanader began lobbying the leaders of the fractious sister HDZ party organizations in Bosnia-Herzegovina some 8 months before the election.<sup>50</sup> He campaigned heavily in Mostar and other cities in Herzegovina, wooing conservative Bosnian Croat voters by warning them that an SDP government would legalize soft drugs and eliminate religious instruction in schools.<sup>51</sup> The Electoral Commission increased the number of overseas voting sites in Bosnia-Herzegovina fourfold from 30 to 124. With the help of the diaspora seats, the HDZ emerged victorious in the parliamentary elections, and was able to scrape together another governing coalition. Soon, however, the relations between the HDZ and the diaspora would cool.

The “spoiler” role of external voters in 2007 stiffened the SDP leadership's resolve to undo or scale back the overseas electorate's impact on elections.<sup>52</sup> The next major change to the external voting framework came in 2010, and once again at a time when the HDZ's bargaining power was decreasing relative to that of the opposition. The SDP used the fact that the HDZ-led coalition could not unilaterally push the constitutional changes required for EU accession through parliament as leverage to force the HDZ to the bargaining table on the diaspora issue. The divisive points were the formula that should be used to determine the number of representatives from the diaspora and the procedures for extraterritorial voting. The HDZ's preferred outcome was to preserve the status quo: to define measures for diaspora representation through the electoral law rather than the constitution, to continue with the electoral formula used since 1999, to permit overseas voting at designated sites aside from embassies and consulates, and the introduction of measures to allow mail-in or electronic voting, something the party had advocated since 2003. In contrast, the SDP's position was to eliminate or at the very least reduce the number of diaspora representatives in parliament, and to only allow in-person voting at

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<sup>47</sup> “Zoran Milanović: Ako SDP pobijedi, zabranit će glasovanje Hrvatima iz BiH,” *Jutarnji list*, June 9, 2007, <http://www.jutarnji.hr/template/article/article-print.jsp?id=177763>.

<sup>48</sup> “Polemike oko ‘Milanovićeve dijaspore’ i dalje ne jenjavaju,” *Jutarnji list*, June 11, 2007, <http://www.index.hr/vijesti/clanak/polemike-oko-milanoviceve-dijaspor-i-dalje-ne-jenjavaju/350754.aspx>.

<sup>49</sup> Author interview with SDP official, Zagreb, Croatia, June 14, 2010.

<sup>50</sup> Snježana Pavić, “Lobistička misija u Sarajevu: Ivo Sanader ujedinjuje HDZ BiH zbog glasa dijaspore,” *Jutarnji list*, March 25, 2007, <http://www.jutarnji.hr/lobisticka-misija-u-sarajevu--ivo-sanader-ujedinjuje-hdz-bih-zbog-glasa-dijaspor/218348/>.

<sup>51</sup> “Sanader: Izbore u Hrvatskoj neće odlučiti glasači iz BiH,” *Index.hr*, November 10, 2007, <http://www.index.hr/vijesti/clanak/sanader-izbore-u-hrvatskoj-neece-odluciti-glasaci-iz-bih/364534.aspx>.

<sup>52</sup> Author interview with member of parliament (SDP), June 14, 2010.

Croatian embassies and consulates, a move that would dampen turnout significantly. The final agreement, reached in May 2010, favored the SDP's position. Rather than the prior non-fixed quota that had yielded five-six diaspora seats per election, the constitutional changes fixed the number of seats for diaspora representatives at three. Unlike the prior system, voting must be done in-person at Croatian embassies and consulates.<sup>53</sup> The latter provision would have the most dramatic impact on voting in BiH, where the vast majority of extraterritorial votes have been cast since 1995, as voting will now only be permitted at just four sites. An amendment to allow mail-in voting, submitted by two HDZ representatives from the diaspora constituency, was rejected.<sup>54</sup>

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Croatia's external voting framework went from being expansive in the 1990s to moderate in the 2000s. During both time periods, 1990-1998 and 1999-2010, electoral interests drove parties' positions on overseas voting. The party that dominated Croatian political life during the 1990s, the right-nationalist HDZ, strongly favored an expansive external voting framework. This is not surprising, since the party had very good reason to be confident in its ability to win among diaspora voters. It had far out-organized all other homeland parties by the time of the 1990 elections, eventually creating over 200 chapters outside of Croatia. The HDZ's decade of hegemony in the 1990s ensured an expansive overseas voting framework. The opposition presented a real challenge to the HDZ at election time, and small adjustments at the margins had large payoff for the party, as did the careful design of an electoral law to offset uncertainties. At the same time, for the Social Democratic Party, which consolidated its position as the premiere opposition party by the late 1990s, was the unambiguous loser of diaspora incorporation. The party made no efforts to court diaspora voters, and didn't even bother running a list of candidates in the diaspora constituency. The 2007 elections, in which the SDP likely would have formed a governing coalition were it not for the diaspora seats, made the party leadership even more resolute on the need to scale back incorporation policies. It accomplished this in 2010.

Electoral legislation was thus highly politicized in the 1990s and the 2000s, under nondemocratic and democratic rule alike. In the first period (1990–1998), the political prerogatives are particularly visible in legislative changes in 1992 and 1995, both of which expanded the external voting framework. On both occasions, the legislation was pushed through by the HDZ, and public debate over the provisions was largely circumvented. In the second period, the most significant changes came in 1999 and 2010. On both occasions, as the opposition's clout gave it an edge over the increasingly unpopular ruling HDZ, it forced concessions in electoral legislation. One of its key demands was to undo the expansive provisions of external voting and diaspora representation.

## EXTERNAL VOTING DEBATES IN SERBIA

Whereas Croatia's external voting framework changed from being expansive in the 1990s to moderate in the 2000s, Serbia's framework transformed from restrictive in the 1990s to

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53 Anita Malenica, "Sabor uz potporu većine izglasovao ustavne promjene," *Večernji list*, June 16, 2010, <http://www.vecernji.hr/vijesti/sabor-potporu-vecine-izglasovao-ustavne-promjene-clanak-156373>.

54 Anita Malenica, "SDP-ov uvjet prošao: dijaspora će glasovati u konzularnim sjedištima," *Večernji list*, June 10, 2010, <http://www.vecernji.hr/vijesti/sdp-ov-uvjet-prosao-dijaspora-ce-glasovati-konzularnim-sjedistima-clanak-153368>. In December 2010, the constitutional provisions were codified in the Act on Amendments to the Croatian Parliamentary Elections Act.

moderate in the 2000s. Whereas democratic consolidation in Croatia after 2000 led to more restrictiveness in overseas voting, in Serbia democratic consolidation led to an increased framework for diaspora participation in political life. Despite these different trajectories, the motives behind these changes were fundamentally electoral in both cases.

Serbia's election laws throughout the 1990s were vaguely formulated, dictated from above, and failed to create an electoral climate of transparency and accountability (Fisher et al 1997). This, of course, was no accident, as it gave those in power more leeway to manipulate electoral outcomes (Goati 2001; Lučić 2002; OSCE 1997). Like their counterparts in Armenia and Croatia, Slobodan Milošević and his ruling party, the Socialist Party of Serbia (SPS), designed electoral legislation that would buttress the SPS's majority in parliament and government. To an even greater extent than in Croatia, the ruling SPS and its strongman leader concentrated power and repressed opposition parties and organizations.

Slobodan Milošević's distrust of overseas Serbs led to citizenship and electoral legislation that were designed to prevent diaspora Serbs and refugees from influencing political affairs. This distrust stemmed from the non-cohesive, fractured nature of Serbian diaspora mobilization in the late 1980s and early 1990s. Whereas the Croatian diaspora gravitated en masse to a single homeland party, the HDZ, the Serbian diaspora was fissured by a rift in the Serbian Orthodox Church overseas, and by the intricate mix of reasons for emigration and political beliefs. In the 1990s, diaspora support was fragmented; a large number of diaspora Serbs supported Milošević, while others (particularly self-styled political émigrés) supported the SPO, a monarchy, or other opposition parties. After Milošević was overthrown in a spectacular upsurge of societal protest in 2000, the country underwent democratization. Overseas voting was instituted in 2004 after lobbying from diaspora organizations put the issue on the agenda. However, because domestic political actors were uncertain as to how broad overseas voting would affect their partisan interests, they developed a framework that was somewhat restrictive, and voter turnout has been very modest.

### 1990–2003: Give Us Your Bonds but Not Your Ballots

Whereas Franjo Tuđman came from the ranks of the opposition before his ascent to power, Milošević maneuvered to the top of the Serbian League of Communists in 1987, and later consolidated his position in the party by violating one of the key principles of Tito's Yugoslavia: he harnessed nationalist mobilization. After a brief period of high popularity, by 1990 Milošević's hold on power was increasingly tenuous amid growing domestic and foreign pressure.<sup>55</sup> In the summer of 1990, negotiations between government and opposition were held over a draft constitution and draft laws on elections and political associations. After stonewalling for months, Milošević agreed to hold elections at the end of 1990. On July 19<sup>th</sup>, 1990, the Serbian Assembly legalized independent political associations, leading to the official founding of more than 50 parties by the time of the election. The law also banned funding from foreign entities, which imposed resource constraints on the opposition parties (NRI 1990). Meanwhile, the League of Communists of Serbia underwent cosmetic changes in the summer of 1990 and merged with the Socialist Alliance mass organization, rechristening itself the Socialist Party of Serbia (SPS) and unveiling a program that fused economic socialism with nationalism.

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<sup>55</sup> "Weekly Record of Events," *RFE/R Report on Eastern Europe*, June 29, 1990.

At the end of July, 1990, the SPS-controlled Serbian Executive Council adopted a draft law on republican legislative and presidential elections at the republican level.<sup>56</sup> This draft was met with stiff criticism from the opposition parties, which argued that the law created a profoundly unfair and unfree playing field for elections. They demanded greater media access, a campaign period of at least 3 months, and the right to participate in the electoral commissions.<sup>57</sup> At this stage, overseas voting was not one of the core demands of the opposition; ensuring a level playing field took precedence over fine-tuning the mechanics of elections. But there was also uncertainty as to how it would impact homeland parties. Which of them would benefit?

After protests and a threat of boycott by the opposition, the electoral law that was passed in mid-September partially incorporated the opposition's demands, but the heated debate over the election law continued through the fall, with the opposition again using the threat of election boycott to leverage its demands for changes to the law. This tactic eventually proved somewhat successful and they were able to pass two amendments that opened the electoral commissions' work to the participation of all political parties and "recommended" that major state-owned media outlets give political parties more space for campaign promotion. Three additional proposals from the opposition were rejected, including one that would have allowed Serbian workers abroad to vote at Yugoslav embassies and consulates (NRI 1990). Still, the push to allow Serbian citizens overseas – particularly in Western Europe – to vote abroad was quieter and came somewhat later in the list of demands. For the opposition, the key issue was ensuring a sufficiently fair playing field.

For Milošević and the SPS, a commanding victory in the 1990 elections was far from certain. Having alienated moderates and old school socialists, Milošević's support within his own party was diminishing, he faced stiff competition for nationalist votes from right-wing parties, and the idea of restoring the Karadjordjević monarchy was increasingly popular. Moreover, public opinion surveys indicated a large portion of voters were undecided.

Although Milošević had been espousing vitriolic nationalist rhetoric since his climb to power, by mid-1990 he faced competition from nationalist SRS and SPO on the "Serb question." Since they were not in power, the SRS and SPO could afford to position themselves even farther to the right on nationalist issues, making radical demands to extend Serbia's borders into Macedonia, Montenegro, Croatia, and Bosnia-Herzegovina, and appropriating WWII-era Chetnik symbols. Ironically, among the parties that in theory flanked the left (Milošević's ruling SPS) and right (SRS and the SPO) ends of the political spectrum, there was considerable overlap on the nationality question. Each party faced the challenge of distinguishing itself from the other two.<sup>58</sup> Meanwhile, the liberal, centrist Democratic Party (DS) took the surprising step of nominating exiled Prince Tomislav Karadjordjević, brother of the late King Peter, as its

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<sup>56</sup> "Serbian Assembly on Election of Key Officials," *Foreign Broadcasts Information Service* FBIS-EEU-90-147, July 30, 1990, pg. 68.

<sup>57</sup> Milan Andrejevich, "Milošević and the Socialist Party of Serbia," *Radio Free Europe Report on Eastern Europe*, August 3, 1990, pgs. 41-45; "Serbian 'United Opposition' Rejects Election Law," *Foreign Broadcasts Information Service* FBIS-EEU-90-160, August 30, 1990, pg 58; "Serbian Opposition Criticizes Election Proposals," *Foreign Broadcasts Information Service* FBIS-EEU-90-178, September 13, 1990.

<sup>58</sup> Milan Andrejevich, "Milošević and the Serbian Opposition," *Radio Free Europe Report on Eastern Europe*, October 19, 1990, 38-46.

candidate for president, hoping to capitalize on the growing support among Serbs for some form of constitutional monarchy.<sup>59</sup>

Given these uncertainties, it is unsurprising that Milošević was wary of inviting additional uncertainty by incorporating the Serbian diaspora, a large yet indeterminate voting body with amorphous political preferences. Although some in the diaspora continued to support Milošević, there were just as many, if not more who supported constitutional monarchy and/or the opposition parties. As we saw in Chapter 2, throughout the 1990s Serbs outside of Serbia were a highly variegated community, a legacy of the 1963 church schism as well as the fact that three distinctive waves of emigration took place, each comprising a multitude of political views and regions of origin. Among all parties, the SPO had an edge over the other parties in its level of organizational infrastructure abroad, yet it did not have the decisive edge that the HDZ had in Croatia. In fact, the SPO was as reviled by some in the diaspora as it was revered by others. Its support tended to be strongest among parishioners of the breakaway Serbian Orthodox Church, as well as the older post-WWII émigrés who had founded organizations devoted to Draža Mihailović, the wartime leader of the nationalist Chetnik movement.<sup>60</sup> On the other hand, the most important Serbian diaspora organization was the Serbian Unity Congress, which never had strong relations with the SPO during the 1990s.<sup>61</sup>

For the second half of the 1990s, the more than half million noncitizen refugees in Serbia – the vast majority of them ethnic Serbs from Bosnia-Herzegovina and Croatia – were another enormous uncertainty for Milošević. Poorly integrated and marginalized, they were clustered in refugee communities around Serbia, and their legal status was in limbo for over a decade. Here, citizenship legislation worked in tandem with electoral legislation to reduce electoral uncertainties, for it was generally believed that a majority of these refugees would vote against Milošević and his SPS party (Fisher et al 1997).

Election legislation at the republican (Serbian) level as well as the federal (Yugoslav) level continued to be a sticking point between the opposition and the Milošević regime throughout the 1990s, and was revisited on numerous occasions. Whereas the Croatian opposition never actually boycotted elections, despite the unfair playing field, Serbia's fractious opposition parties used boycotts or the threat of boycotts on a number of occasions. These opposition divisions helped prop up the Milošević regime during periods of weakness. Although the opposition periodically advocated the adoption of external voting, it was never in the interest of the SPS. Nor was it a serious issue for the opposition, which had to fight tooth and nail to have even a minimally acceptable election framework. Overseas voting, cloaked behind the walls of Yugoslavia's consulates and embassies thousands of miles away, would have been particularly prone to fraud. The ambiguity of an external electorate made all but the small niche parties strongly advocate external voting rights.

Even after Milošević conceded loss in the September 2000 elections and Serbia's political system liberalized, voting abroad was not immediately introduced. The new republican-level election law that was quickly passed in October 2000, just after Milošević's overthrow, did not introduce provisions for extraterritorial voting, even though it made radical changes to other

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<sup>59</sup> Ibid. The DS's move irked Crown Prince Alexander Karadjordjević, the *son* of the late King Peter, who reminded Serbs that he was the head of the dynasty. He was also interested in returning to Yugoslavia and establishing a constitutional monarchy.

<sup>60</sup> Author interview with former diaspora SPO organizer #4, Hamilton, Ontario, Canada, October 18, 2011; author interview with former SPO member, Stuttgart, Germany, July 15, 2010.

<sup>61</sup> Author interview with SPO official #3, Belgrade, Serbia, April 21, 2010.

aspects of the framework, including changing Serbia's system of 29 electoral districts to one where the country as a whole is one single electoral district. The OSCE's observation team recommended that the law "be amended to ensure that those who were unable to vote on 23 December [2000] can exercise their right in the future, in particular citizens of Serbia temporarily living outside the republic, disabled people, and soldiers" (OSCE 2000a, 1).

The period of opposition unity during the 2000 elections quickly disintegrated. The two largest parties of the DOS coalition, the DS and the DSS, were soon at loggerheads as relations between their leaders, who served as Serbian prime minister and president of Yugoslavia, respectively, were acrimonious. The DSS pulled out of the Serbian government coalition in mid-2001, and the DOS made the constitutionally dubious move to strip 45 DSS deputies of their parliamentary mandates in 2002. Political gridlock paralyzed the legislative and executive branches, and public confidence in the government plummeted so sharply that three attempts to elect a president in 2002 and 2003 failed because voter turnout was below the required 50% (OSCE 2004). Maintaining DOS, uprooting endemic corruption, imposing law and order, controlling the security forces, and asserting authority over the state apparatus were just a few of the tasks faced by Prime Minister Djindjić (Democratic Party). Tragically, his effort to weed out organized crime led to his assassination in March 2003.

Since none of the major parties was willing to embrace external voting rights as a political priority, the pressure to extend voting rights came from the diaspora itself. The organization that was best positioned to take on this battle was the U.S.-based Serbian Unity Congress (SUC), which had a Belgrade office devoted to work on government affairs. Shortly after Milošević's ouster in 2000, the SUC began to advocate more strongly for overseas voting rights. When the Ministry for the Diaspora was created in 2004, the new Minister urged the Belgrade branch of the Congress to relocate its office to the Ministry's new building.<sup>62</sup> This portended a strong relationship between the Ministry and the Serbian Unity Congress, which some in the diaspora dubbed cooptation. Diaspora organizations appealed to Djindjić to strengthen ties between homeland and diaspora, including through the extension of voting rights; however, he "had other, more important [political] battles" to wage.<sup>63</sup> By 2004, with the Ministry in place and the political situation somewhat more stabilized, the Serbian Unity Congress again agitated for overseas voting, organizing several roundtables with political figures and diaspora organizations.<sup>64</sup> They conducted studies on overseas voting models in other countries with large emigration populations, such as Greece, Italy, and Poland.<sup>65</sup> Later on, experts from the domestic NGO, the Center for Transparent Elections and Democracy, became involved in the process, effectively signalling the well-respected organization's support for overseas voting.<sup>66</sup>

The Serbian Unity Congress claims credit for the introduction of overseas voting rights, though domestic political elites disagree. Although it undoubtedly played an important role in getting the issue on the legislative agenda, the fact is that domestic political elites nevertheless had to *agree* to make the changes. A former official from the Ministry for the Diaspora did not see the SUC as a very effective lobby. The Belgrade office did not have enough autonomy within the SUC to carry out its own agenda, and the organization as a whole did not have nearly enough

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<sup>62</sup> Author interview with diaspora activist #3, Belgrade, Serbia, April 19, 2010.

<sup>63</sup> Ibid.

<sup>64</sup> See, for instance, "Saopštenja za javnost iz dijaspore," *Serbian Unity Congress Herald* 6(41), 2004, pg 4.

<sup>65</sup> Author interview with diaspora activist #3, Belgrade, Serbia, April 19, 2010.

<sup>66</sup> Author interview with political analyst #4, Belgrade, Serbia, May 6, 2010.

of the “connections” that are needed to accomplish major policy change.<sup>67</sup> A coalition between the weakest Ministry in government (the Ministry for the Diaspora), which didn’t even have the authority to propose legislation in parliament, and a major diaspora organization was not enough.

A stable, Western-oriented Serbia was seen as a key ingredient to peace in the Western Balkans, and international and regional organizations increased their presence in Belgrade after 2000. They became closely involved in the process of implementing political reforms, training police, and repatriating refugees. For example, the OSCE established a new mission in Serbia in 2001 to monitor developments on democratization, the rule of law, human rights, and media openness. In 2009, the Mission had 170 staff to assist, advise, and monitor “the full implementation of legislation in areas covered by the mandate,” including training law enforcement, democratic reforms, and programs to facilitate refugee repatriation. The Council of Europe also opened an office in 2001, and has also been actively engaged in working with Serbian policymakers “in order to ensure and target Council of Europe advice and assistance...in support of the process of reform, particularly in the promotion of democracy and good governance and the promotion and protection of human rights and the rule of law.”<sup>68</sup> The European Union Delegation to Serbia also works with Serbian policymakers to ensure compliance with accession-related reforms.

The OSCE and the Council of Europe’s Venice Commission were vocal supporters of extending the franchise to Serbs abroad. OSCE election observation reports in the early 2000s repeatedly call for modifications to the law to allow voting outside of polling places and overseas. A 2000 election assessment recommended that the law “be amended to ensure that those who were unable to vote on 23 December can exercise their right in the future, in particular citizens of Serbia temporarily living outside the republic, disabled people, and soldiers” (OSCE 2000). The OSCE reiterated these critiques in the wake of elections in 2002 and 2003 (OSCE 2003b, 6). Serbs “temporarily abroad” refers to the refugees who fled Serbia in the 1990s rather than the established Serbian diasporas.

## 2004 -2012: Rights Without Reasonable Access

Parties ultimately voted in support of external voting rights, but the framework was slightly restrictive. Voters had to register before each election at the nearest consulate, and then return to the consulate on election day to vote. This slightly restrictive framework did not pose much of a threat to any individual party because it impeded broad turnout. In 2004, just 10,000 Serbs registered to vote overseas for Serbia’s presidential election, of which some 8,000 cast their ballots on election day. In 2008, 19,000 turned out to vote overseas for parliamentary elections, while four years later, a mere 4,256 Serbian citizens voted abroad for the parliamentary elections, the lowest turnout to date.<sup>69</sup>

In early 2004, several months before presidential elections, the coalition government led by Vojislav Koštunica’s conservative DSS ushered in amendments to the electoral law allowing citizens to vote overseas. This provision was part of broader reforms. Voting was to be done in

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<sup>67</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

<sup>68</sup> Council of Europe Office in Belgrade, <http://www.coe.org.rs>.

<sup>69</sup> “Nisu se prijavili a žale se da bi glasali,” *Novi magazine*, May 3, 2012, <http://www.novimagazin.rs/izbori/nisu-se-prijavili-a-zale-se-da-bi-glasali>; “Rezultati izbora za narodne poslanike u Narodnu skupštinu Republike Srbije, održani 06. maja 2012. godine, po biračkim mestima,” Republička izborna komisija Republike Srbije, [http://www.rik.parlament.gov.rs/cirilica/propisi\\_frames.htm](http://www.rik.parlament.gov.rs/cirilica/propisi_frames.htm).

person at diplomatic sites and required pre-registration. Formally, in order to register, a voter had to have a registered domicile within the Republic of Serbia, although citizens without their own residence in Serbia could get on the registry through a relation who did have a residence in Serbia. In practice, most Serbs abroad still had a relative or friend in Serbia who could do this. Registration had to be completed at least 20 days prior to the election, and repeated for each electoral cycle.

Unlike Croatia and Armenia, the proposed amendments provoked little debate. All of the parties, including the post-Milošević SPS, accepted the reforms and the principle of external voting rights because they anticipated overseas voting to be limited in scale given the framework.<sup>70</sup> One former government official who had been involved in introducing the overseas voting amendment insisted that the law was designed to *intentionally* make it difficult for overseas voters to actually vote; it was a way to extend political rights on paper without really doing it in practice.<sup>71</sup> The Serbian Consul General in Chicago was particularly vocal in his criticism of the framework for overseas voting, citing it as “proof that the Serbian government is not interested in including the diaspora [in homeland affairs].”<sup>72</sup>

Among homeland parties, there was great uncertainty as to how the diaspora would vote. The reasons for the uncertainty over how Serbs overseas would vote stem from the multiplicity of political views, migration profiles, and socioeconomic status among Serbs in the diaspora. Prior to the first election for which there was to be external voting, some analysts speculated that the older political émigrés who left just after WWII were most likely to gravitate to nationalist parties like the SPO, SRS and the DSS. The guestworkers who went to Western Europe beginning in the 1960s were also likely to be attracted to more nationalist programs. However, many of the Serbs who emigrated beginning in the 1990s were young, educated, and urban, and thus seen as likely to vote as their demographic counterparts in Serbia would – for centrist and liberal parties like the Democratic Party.<sup>73</sup> But even this was impressionistic. Would all three “groups” in the diaspora have equal voter turnout?

Overseas voting was first allowed for the June 2004 presidential elections. As observers expected, overseas was light due to the lack of time to educate overseas voters and the limited platform for voting. In all, just 10,020 of the estimated 3-4 million Serbs outside of Serbia registered to vote.<sup>74</sup> For example, of the estimated 9,000 Serbian citizens in Spain, just 20 had registered, of which 18 worked for the Serbian consulates and embassy in Spain.<sup>75</sup> In contrast to Croatia, where eventually the largest set of “diaspora” votes came from neighboring Bosnia-Herzegovina, only a handful of Serbian citizens living in neighboring ex-Yugoslav republics registered to vote in 2004.<sup>76</sup> In the U.S. there were just two voting sites, the Consulate General in Chicago and the Embassy in Washington.<sup>77</sup>

Why such low turnout? An election observer from CeSID commented that “everywhere in the world [overseas voting] is mainly done by mail and it is a much simpler process. I’m

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<sup>70</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

<sup>71</sup> Author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010.

<sup>72</sup> Author interview with Serbian General Consul in Chicago, U.S. (Desko Nikitović), Chicago, U.S., June 1, 2012.

<sup>73</sup> Vladislav Obrenović, “Biranje po savesti,” *Politika*, May 12, 2004, “Samo 8.508 birača,” *Glas javnosti*, May 25, 2004, [http://www.b92.net/specijal/izbori2004/glasanje\\_u\\_inostranstvu.php?nav\\_id=141939](http://www.b92.net/specijal/izbori2004/glasanje_u_inostranstvu.php?nav_id=141939).

<sup>74</sup> “Samo 8.508 birača.”

<sup>75</sup> “Izbori bez glasača,” *Glas javnosti*, May 14, 2004, <http://www.b92.net/specijal/izbori2004/>.

<sup>76</sup> “Više posmatrača nego glasača,” *Danas*, May 23, 2004, <http://www.b92.net/specijal/izbori2004/>.

<sup>77</sup> “Dve stotine glasača u SAD,” *Beta*, May 28, 2004, <http://www.b92.net/specijal/izbori2004/>.

completely certain that more people could vote, and it would be cheaper for the Serbian government, to organize elections [by mail].”<sup>78</sup> The Minister for the Diaspora speculated that “our people overseas are inadequately informed [about the opportunity vote], and our diplomatic-consular representations are issuing confusing announcements.”<sup>79</sup> Overseas voters and diaspora organizations complained about the limited number of voting places. A voter in Canada opined that it was “unrealistic to expect that our citizens would spend a lot of money and time in order to vote.”<sup>80</sup> A Serbian diaspora activist in Sweden concluded that “the opportunity that the new government gave to the diaspora to vote is a scam and a dead letter.”<sup>81</sup>

There were additional challenges to overseas voting beyond the fact that it was limited to in-person voting at diplomatic sites. For the Serbian General Consul in Chicago, the administration of voting rights was unfair to overseas voters and showcased the worst aspects of Serbian bureaucracy: “The whole procedure, the whole process by which you have to register yourself is so complicated and difficult that a) it discouraged a lot of people, and b) a lot of people who went through this process ended up not being on the [voter registry] list. We are talking about extremely incompetent people in the Electoral Commission.”<sup>82</sup> The Consulate forwards the list of registered voters to the Republican Election Commission in Belgrade in the lead-in to each election. From here, however, the information is not always properly processed. On election day, a number of names that his consulate sent to the Commission were no longer there. A voter from the Chicago suburb of Glenview might have wound up on the registry for the New York Consulate because those working in the Commission “have no idea where Glenview is,” and they don’t bother to check. In 2008, about 1,500 people registered to vote in Chicago, and there were 300-400 people who could not vote in practice because their names were not on the final registry.<sup>83</sup>

Although overseas voter turnout increased somewhat for the parliamentary elections in 2007, 2008, and 2012, and the presidential elections in 2008 and 2012, it has still been very low relative to the total number of eligible voters abroad. 37,000 overseas Serbs registered for the presidential elections in early 2008, of which 12,813 voted.<sup>84</sup> The consulate with the highest registration for the parliamentary elections was Stuttgart, Germany, which had fewer than 3,000 registered voters – just a sliver of the over 50,000 Serbian citizens in Baden-Wurttemberg.<sup>85</sup>

In 2008, the Ministry for the Diaspora, together with the Serbian NGO CeSID, began working on a proposal to allow overseas voting by mail in order to facilitate greater turnout. In addition to broadening turnout, postal voting would “considerably decrease the expenses for voting abroad,” which had been the most scandalous aspect of external voting.<sup>86</sup> An official from the Ministry for the Diaspora recalled that the best they could get was to allow a temporary

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<sup>78</sup> “Razlozi za slab odziv,” *B92*, May 27, 2004, <http://www.b92.net/specijal/izbori2004/>.

<sup>79</sup> “Komentari o slabom odzivu,” *Danas*, May 20, 2004, <http://www.b92.net/specijal/izbori2004/>.

<sup>80</sup> Quoted in “Po ugledu na druge,” *Politika*, May 18, 2004; “Komentari o slabom odzivu,” *Danas*, May 20, 2004, <http://www.b92.net/specijal/izbori2004/>.

<sup>81</sup> B. Đokić, 2004, “Dijasporu ništa ne pitaju,” *Koreni*, <http://www.nssr.eu/?p=231> on September 26, 2012.

<sup>82</sup> Author interview with Serbian General Consul in Chicago, U.S. (Desko Nikitović), Chicago, U.S., June 1, 2012.

<sup>83</sup> Ibid.

<sup>84</sup> “Izbori za predsednika Republike ponovljeno glasanje održano 3. februara 2008. godine. Pregled dobijenih glasova po opštinama,” Republička izborna komisija Republike Srbije, 2008.

<sup>85</sup> “Glasanje u inostranstvu za parlamentarne izbore u Srbiji,” *Tanjug*, May 11, 2008, <http://www.kurir-info.rs/aktuelne-vesti/2008-05-11/glasanje-u-inostranstvu-za-parlamentarne-izbore-u-srbiji>.

<sup>86</sup> Quoted in “Da dijaspora lakše glasa,” *Beta*, February 5, 2008, [http://www6.b92.net/info/vesti/index.php?yyyy=2008&mm=02&dd=05&nav\\_category=11&nav\\_id=283709](http://www6.b92.net/info/vesti/index.php?yyyy=2008&mm=02&dd=05&nav_category=11&nav_id=283709).

voting site if a local diaspora community collected at least 100 signatures.<sup>87</sup> This led to a few extra voting sites in Canada and the U.S. in 2008, including Boston, Los Angeles, and San Francisco.<sup>88</sup> A former official from the Ministry believes that postal voting is not a likely option: none of the major parties has a vested interest in making it easier for overseas Serbs to vote because they do not know which parties will benefit.<sup>89</sup> A political analyst who has worked on several government strategies for overseas voting felt strongly that political parties in Serbia would not ease the overseas voting process anytime soon because the diaspora's actual voting behavior was unknown.<sup>90</sup> An organizer from the Democratic Party concurred; there simply isn't political will among the parties (including the DS) to introduce postal voting.<sup>91</sup> He, too, linked this lack of political will to the fact that it was uncertain who the diaspora would support. The very small turnout of overseas voters is "too small and non-representative of a sample" to reach any conclusions about what expanded overseas voting would look like.<sup>92</sup> His own party confronted these problems when it undertook an experiment of opening a DS office in Vienna in the mid-2000s. The plan was to scope out the political terrain of the diaspora for six months and develop a decent database of the local Serb population by working from the lists of the Yugoslav-era Yugo Clubs, but they were unsuccessful, left only to conclude that there were anywhere from 180,000 – 300,000 Serbs there, but they didn't know much beyond that.<sup>93</sup> Another former official from the Ministry agreed. The major parties in Serbia, in his view, did not want the diaspora to be too involved in politics – including voting rights – because they viewed the diaspora as competition for jobs, contracts, and office. They were particularly leery of the highly educated emigrants.<sup>94</sup>

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In sum, Serbia's external voting framework shifted from being restrictive in the Milošević era and early post- Milošević era to moderate since 2004. Milošević's suspicions over external voting were linked to his precarious hold on power in the early 1990s, his distrust of the diaspora, and, by the late 1990s, the staunch opposition of the major Serbian diaspora organizations to his rule.

After Milošević, the new government was the fragile DOS coalition, which was constantly jeopardized by infighting among its members. The government was also preoccupied with more pressing tasks; it is hard to overstate the enormity of the problem of modernizing the state administration, tackling endemic corruption, and exerting authority over the security arm of the state. It wasn't until 2004 that the combination of diaspora agitation, pressure from the Ministry for the Diaspora, and international organizations' calls for allowing refugees to vote that the law was changed. However, a very partial framework was introduced that in practice deters

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<sup>87</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010; author interview with Serbian consular official, Canada, October 19, 2011.

<sup>88</sup> Author interview with Serbian General Consul in Chicago, U.S. (Desko Nikitović), Chicago, U.S., June 1, 2012. These extra voting sites were the result of a one-time mobilization effort from several diaspora groups. They did not repeat their efforts in the 2012 elections.

<sup>89</sup> Author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010.

<sup>90</sup> Author interview with political analyst #4, Belgrade, Serbia, May 6, 2010.

<sup>91</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

<sup>92</sup> Ibid.

<sup>93</sup> Ibid.

<sup>94</sup> Author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010.

the majority of the diaspora citizenry from voting. As had been the problem in the 1990s, the Serbian diaspora was not cohesive, and the government simply lacked data on the size and profile of the diaspora. For party actors, this made overseas voting a question mark. By creating a framework that dampened the impact of overseas voting, no party's interests were seriously jeopardized. Thus, although external pressure was an important factor in the impetus for the legislative changes, the actual content of the law was mediated by party interests. As more and more ethnic Serbs in Bosnia-Herzegovina and Montenegro acquire Serbian citizenship, however, Serbia's external electorate could more strongly resemble Croatia's, wherein the majority of "overseas" votes are not over any seas at all, but right next door. That may push parties to revise the voting laws to harness potential electoral support or blunt the impact.

## EXTERNAL VOTING DEBATES IN ARMENIA

The third case, Armenia, exhibits an entirely different trajectory of overseas voting rights from either case. Like Croatia and Serbia, dramatic elite turnover at the end of the 1990s ushered in a new period for policymaking. However, across both periods, overseas voting was restricted. In the 1990s, overseas voting was allowed through a restrictive framework. In 2007, however, external voting rights were revoked when dual citizenship was introduced.

As discussed in Chapter 2, at the end of the 1980s, Armenia's diaspora grew strongly mobilized by the escalating conflict between Soviet Armenia and Soviet Azerbaijan over the latter's autonomous *oblast* of Nagorno-Karabakh, whose inhabitants were predominantly ethnic Armenians, and by the devastating earthquake that struck Armenia in 1988. The trio of exiled Armenian parties, of which the Armenian Revolutionary Federation (ARF, or Dashnaks) was by far the largest and most powerful, issued a joint appeal calling on the Armenian opposition to exercise restraint. The diaspora parties' opposition to Armenian independence at that stage – which they felt would leave Armenia vulnerable and exposed to her "real" enemy of Turkey – directly went against the aims of the Armenian National Movement (ANM), an umbrella coalition of opposition groups. This was one pre-independence factor that contributed to the strong discord between homeland and diaspora parties. Another factor was the Dashnaks' refusal of the offer to join the ANM movement, because they saw themselves as the natural heirs to independent Armenia. After all, they had ruled the first Armenian Republic in 1918. The Dashnaks, then, led by diasporans who moved to Armenia to restart the party, directly positioned themselves in opposition to the ANM even before independence. These two factors had a strong impact on subsequent diaspora political incorporation, including in the area of overseas voting. Because of the Dashnaks' power within the diaspora and its many institutions, the government "saw the diaspora much more as an obstacle or a threat than a partner. It was inherently threatening because the [Dashnak] leadership, the financing of the party were all outside of Armenia."<sup>95</sup> The sheer size of the Armenian diaspora – estimated to be as much as twice the size of Armenia's domestic population – meant that overseas voting wasn't necessarily just shaving at the electoral margins, but rather had the potential to wholly overwhelm domestic votes.

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<sup>95</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

## 1990-2007: Overseas Voting Rights for a Miniscule Subset of the Diaspora

In 1990 and 1991, there were three major voting events. First, elections for Armenia's Supreme Soviet – the republican legislative assembly – were held in April 1990. Levon Ter-Petrossian's ANM claimed an easy victory, and Ter-Petrossian was selected Chairman of the Soviet. In September 1991, Armenia held a referendum to determine whether the Republic should pursue independence from the USSR. The following month, Ter-Petrossian was elected the first president of the newly independent state. Soviet-era legislation was used for the 1990 elections, while new laws were introduced for the 1991 election and referendum.<sup>96</sup> For all three, voting was restricted to Soviet citizens who were residents of Armenia, and was likewise limited to the territory of the Armenian Soviet Socialist Republic (CSCE 1992b).

The Ter-Petrossian government moved quickly to prevent the diaspora from becoming a powerful player in domestic politics. It did so through a multi-pronged approach. The first prong was the 1991 Law on Civic and Political Organizations. This law, which regulated the formation of parties and the environment in which they operated, instituted measures to prevent political parties from transnationalizing their structures and membership. Parties could not link their organizations to foreign-based organizations, including international party leagues. Parties had to be headquartered in Armenia, and they could not receive funds from foreign sources. Additionally, the law forbade foreigners from becoming members of Armenian political parties.<sup>97</sup> A leader of the Ramkavar (ADLA) Party, which was one of the 3 exile parties reintroduced from the diaspora in the early 1990s, claims the Ter-Petrossian government used these clauses to suppress his party. Government officials would drop in unannounced several times per year throughout the 1990s to go through party's files and accounting records in search of damning information that it was receiving diaspora funding.<sup>98</sup> A leader from the Dashnak party (ARF) in Armenia also recalled the immediate hostility of relations with the Ter-Petrossian government. Ruling elites made clear that diasporans competing in Armenia were not welcome there and should go back to their own "turf," i.e. the diaspora.<sup>99</sup>

The government worked against diaspora political incorporation despite the fact that it was anxious to get American recognition of its independence. The well-established and well-endowed Armenian diaspora was arguably the strongest weapon in the would-be independent Republic's arsenal (CSCE 1992b). Showdowns with the diaspora occurred at the same time that Armenia was at war with Azerbaijan and faced blockades along its Turkish border. That the government was willing to politically quarantine the diaspora at such a geopolitically precarious time indicates just how seriously the diaspora threat was taken.

The stringent naturalization requirements for diasporans and the ban on dual citizenship, discussed in the preceding chapter, were safeguards against diaspora participation. By restricting the citizenry, the government was also able to prevent the expansion of the electorate. Overseas voting *was* allowed in 1996 (see below), but the serious limits to diasporans' ability to naturalize eradicated the threat of overseas votes distorting homeland election outcomes and jeopardizing the ANM's grip on power.

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<sup>96</sup> Act on the President of the Republic of Armenia, August 1, 1991; Law on Referenda, April 2, 1991.

<sup>97</sup> Indeed, this clause was the grounds on which the ARF was banned for six months in 1995.

<sup>98</sup> Author interview with official from the Armenian Democratic-Liberal (Ramkavar) Party, Yerevan, Armenia, August 6, 2010.

<sup>99</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

Armenia's first post-Soviet parliamentary elections took place in July 1995. A referendum on a draft constitution was held concurrently. The elections were held at the height of acrimony between the opposition (especially the ARF) and Ter-Petrosian. At the end of 1994, the government publicly accused the leadership of the Dashnaks of trafficking heroin and plotting to overthrow the government.<sup>100</sup> The Supreme Court of Armenia then instituted a six-month ban on the Dashnak party and shut down its newspapers and affiliate organization. This prevented the party from participating in the July elections. A number of Dashnak leaders were arrested and remained in jail until Ter-Petrosian was out of office in 1998. A Dashnak leader recalled that he often received harassing phone calls and threats to his family's safety.<sup>101</sup>

The 1991 Law on the Conduct of Referenda, as amended in 1995, and the April 1995 Law on the Election of Deputies to the National Assembly stipulated residency as a precondition to voting. In both laws, citizens had to reside within the territory of the Republic of Armenia for one year or more in order to vote (Edgeworth and Lansell 1996).<sup>102</sup> In the absence of a post-Soviet citizenship law, the Central Election Committee (CEC) took the liberty of defining who had citizenship for the purposes of the election. Voting rights were to be given to "those citizens of the former USSR who reside in the Republic of Armenia and have a permanent residence permit, and who meet the requirements of the laws on 'Election of Deputies to the National Assembly' and 'Law on Conduct of Referendum'" (Edgeworth and Lansell 1996, 38). The former Soviet citizen provision disqualified the majority of the Western diaspora. Additionally, voters could only cast their ballot in the district in which they were registered, thus precluding overseas voting.<sup>103</sup>

The new law on presidential elections, passed in June 1996, introduced overseas voting (OSCE 1996). However, here the electoral law worked in tandem with the citizenship law, since the latter prevented dual citizenship. This prevented the diaspora from participating on a large scale since few diaspora Armenians were willing to give up the safety of their primary citizenship. Additionally, as Chapter 5 discusses, any candidate for the presidency had to have been a resident in the Republic of Armenia for at least 10 years prior to the election. This effectively prevented diaspora Armenians, among whom there was no shortage of wealthy individuals, from running for president.

After his victory in the 1998 presidential election, Kocharian immediately sought improved relations with the diaspora. He ordered the release of the jailed Dashnak leaders, but did not *pardon* them, which meant that they could be re-jailed at any time. This has given all governments since then leverage over the Dashnaks.<sup>104</sup> Some observers now view the Dashnaks as coopted by parties and individuals in power. Even when outside of the ruling coalition, they are seen as palace opposition at best. They allegedly have "too many business interests" intertwined with those of the ruling Republican Party.<sup>105</sup>

A new election law was drafted in 1999 for the forthcoming parliamentary elections. The key issue was whether to have a system primarily based on single member districts, which was favored by the Yerkrpah faction, the largest in parliament, or to have a proportional formula, as

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<sup>100</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

<sup>101</sup> Ibid.

<sup>102</sup> Law on the Election of Deputies to the National Assembly, Article 3 (1995).

<sup>103</sup> Ibid., Article 23.

<sup>104</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

<sup>105</sup> Ibid.

avored by the Dashnaks and several other small parties (CSCE 1999).<sup>106</sup> After months of debate, a compromise was reached and a mixed system was adopted. The Election Code passed on February 5, 1999 allowed citizens of Armenia who resided abroad to vote in diplomatic and consular missions of the Republic for presidential elections and proportional representation elections to the National Assembly (56 out of 131 seats), but not for candidate lists for single member districts (PACE 1999). Again, it is important to recall that the 1995 constitution barred dual citizenship. So while the 1999 election law gave overseas voting rights to Armenians who left during the 1990s (most of them bound for Russia) but still had Armenian citizenship, the far larger generations-old diaspora could not vote.

The external voting framework was nevertheless modest. The ban on dual citizenship meant that in practice it was Armenians who left after the collapse of the USSR who were eligible. They exercised this right in small numbers. The Central Election Commission reported that just 2,000-3,000 Armenians abroad turned out to vote for the 1999 parliamentary elections.<sup>107</sup> On the eve of the 2003 elections, only 15,000 Armenian citizens abroad were registered to vote (OSCE 2003a). These limits to external voting contradicted President Kocharian's assurances that he would establish a strong framework for diaspora political incorporation.

### 2007 – 2012: Yerevan Taketh Away

In 2007, the electoral law was revised to curtail the active and passive voting rights of overseas Armenians. These changes came with little forewarning, yet the timing could not have been many more obvious, since they came on the heels of major changes to the citizenship law, which allowed dual citizenship for the first time (Venice Commission and OSCE 2007a). Under the revised election law, Armenian citizens could no longer vote outside of the Republic of Armenia (Venice Commission and OSCE 2007c). Moreover, *dual* citizens could *only* vote in Armenian elections if they were registered in Armenia. In other words, dual citizens who lived permanently overseas but happened to be in the country on election day were not able to vote unless they undertook an onerous registration process. The passive voting rights of dual citizens and new citizens were likewise curtailed. Armenian citizens with dual citizenship could not run for parliament or the presidency. Armenians who only had Armenian citizenship – hypothetically, a diaspora returnee who renounced his or her former citizenship – could only run for the presidency if they had resided in the country for at least 10 years, and possessed Armenian citizenship for at least as long (Venice Commission and OSCE 2008).

As discussed in the previous chapter, it was the Dashnak Party that agitated for the changes to Armenia's citizenship legislation in 2007. Crucially, the party had the support of then-president Robert Kocharian, who was not a member of any political party and enjoying the twilight years of his second term in office.<sup>108</sup> He had been promising dual citizenship to the diaspora since 1998. The elimination of overseas voting was a concession to the Republican Party, the largest in the governing coalition, which had been strongly opposed to the introduction

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<sup>106</sup> There were several other points of debate, which included military voting procedures and refugee voting rights. Overseas voting, however, was not an issue.

<sup>107</sup> Ibid.

<sup>108</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010.

of dual citizenship.<sup>109</sup> The Republican Party had reason to be nervous about extending dual citizenship *and* overseas voting rights to the diaspora. Another top-down party of convenience formed around economic interests and political aspirations, its bland ideology had little appeal and it lacked a strong membership. It is the party with the least support in the diaspora, and the party that has done the least to boost its image in the diaspora. For these reasons, the party “wanted to guard the gates” to the Armenian political arena.<sup>110</sup>

The fact that these 2007 changes came in tandem with a package of laws whose primary aim was to end the ban on dual citizenship is of crucial importance for understanding successive Armenian governments’ attitudes towards diasporic political participation. External voting was tolerated so long as there was a ban on dual citizenship to limit the scope of overseas voting. Once dual citizenship was allowed, however, external voting was immediately banned to dampen the political effects of an expanded citizenry. The Serbian solution of allowing dual citizenship and external voting but making the framework for external voting narrow was still too risky for elites in a country that was outnumbered by its diaspora by nearly 2:1.

## CONCLUSION

As this chapter has shown, electoral uncertainties and political calculations played a strong role in shaping election legislation in all three cases. Electoral legislation had to be drafted soon after communism’s collapse, and electoral design necessitated a decision on whether or not to allow overseas voting. This forced party strategists to contemplate what the impact of overseas voting would be on their vote share. A difficult task under any circumstances, it was particularly problematic for homeland political actors to gauge the impact in the early 1990s. There was no prior history of overseas voting to draw on, and data on the size and location of overseas citizens was unreliable. Until overseas voting was actually introduced, it was impossible to know how, exactly, the diaspora would vote. The diaspora was antagonistic to the communist leadership in general, which made it easy for communist parties to determine their positions on external voting, but which opposition parties would benefit? Rather than draw on concrete data, political actors looked for clues in the behavior of the diaspora and the types of linkages that formed between homeland and diaspora during the period of heightened mobilization in the late 1980s and early 1990s. How cohesive was the diaspora as a political actor? Were the major diaspora organizations and elites conveying the same political message? If cohesive, did it support a specific homeland political party, or was it directly vying for power?

For new ruling elites in Croatia and Armenia, the diaspora’s political contours were seen as being fairly clear. The Croatian and Armenian diasporas were *perceived* by homeland political actors as being cohesive, and it was clear to political actors in the homeland which among them had the diaspora’s support. In Croatia, it was clearly Franjo Tudman and his HDZ. History gave a free pass to Tudman when he became the first dissident (by several *years*) to get his passport back, allowing him to build an extensive support base outside of Croatia and capitalize on his first mover advantage years before his fellow dissidents. In 1992, domestic electoral

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<sup>109</sup> Author interview with Armenian Revolutionary Federation (Dashnak) official #1, Yerevan, Armenia, August 18, 2010; Julia Hakobian, “Dual Personality: Can Divided Loyalties Provide the Key to a United Nation?” *ArmeniaNow*, February 26, 2007, [http://www.armenianow.com/news/7065/dual\\_personality\\_can\\_divided\\_loyal](http://www.armenianow.com/news/7065/dual_personality_can_divided_loyal).

<sup>110</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

uncertainties for the HDZ prompted ruling elites to create an expansive external voting framework. In 1995, faced with waning domestic support as elections approached, Croatia's election law transformed the Bosnian Croatian communities in Western Herzegovina into a cache of HDZ votes. The big "loser" of diaspora political incorporation, the Social Democratic Party, gained bargaining power in the late 1990s, and was able to force the HDZ to modify diaspora representation. In 2010, the SDP again was able to force through changes limiting overseas voting to embassies and consulates by holding the EU accession process hostage.

In Armenia, the diaspora exhibited cohesion in its 1989 statement cautioning the homeland opposition to refrain from mass demonstrations and strikes. Then, the diaspora-based Dashnak Party quickly positioned itself to compete *against* the coalition of opposition parties (the ANM) by refusing to join the coalition, and declaring that they, the Dashnaks, were the legitimate heirs to independent Armenia. Rather than work *with* a homeland party, they competed *against* homeland parties. Given the gargantuan size of the Armenian diaspora, the Ter-Petrossian government was careful to use citizenship and electoral legislation to limit diaspora influence. Voting in consulates was tolerated after 1996, but the restrictive citizenship provisions meant that few were eligible to exercise voting rights abroad. Even though President Kocharian pledged to improve state-diaspora relations when he came to power in 1998, external voting was outright *banned* in 2007 when the citizenship regime liberalized. The largest governing faction, the Republican Party, was strongly opposed to permitting overseas voting in a context in which diasporans could more easily acquire citizenship, because its strategists knew that the party would not be a beneficiary of overseas voting. Most major parties, with the exception of the Dashnaks, agreed with this position.

In the case of Serbia, the diaspora was divided unto itself. Given the precarious hold that Milošević had on power in the early 1990s, as well as the increasingly sour relations with the diaspora, he was unwilling to extend participation rights to Serbs overseas or to ethnic Serb refugees in Serbia. The diaspora continued to be an ambiguous political actor after Milošević's ouster in 2000. For this reason, political elites across the board were unwilling to tolerate an expansive citizenship framework *and* expansive overseas voting rights. As a result, the overseas voting framework introduced in 1994 was restrictive.

## Chapter 5: Remote Representation

Representation is the third dimension of diaspora political incorporation. In the political realm, representation refers to delegates in policymaking who “make present” the broader citizenry by expressing and advocating its interests. This definition comes from Hanna Pitkin (1967), who outlines two types of representation that have been broadly adapted by scholars of immigration and racial and ethnic politics: 1) *Descriptive representation* is the presence of representatives who “resemble” or “mirror” their constituents in terms of personal backgrounds, ascriptive characteristics, or life experiences, while 2) *substantive representation* occurs when elected officials enact policies that reflect the preferences of their constituents, regardless of whether delegates share their background.<sup>1</sup>

While membership and participation are usually conceptualized as core components of political incorporation in the immigration literature, representation is often omitted. For example, Soysal (1994, 32) defines incorporation regimes as the “set of legal rules, discursive practices, and organizational structures that define the status of foreigners vis-à-vis the state, and the forms and boundaries of their participation in host polity institutions.” On one hand, some might argue that representation is a superfluous dimension because citizenship and participatory rights are sufficient guarantors of representation. Citizenship confers voting rights to immigrants, who are then able to cast their ballots for individuals who represent their interests, or even run for office themselves. As immigrants become integrated into their host societies, their core economic and social interests may come to mimic those of their neighbors rather than of their subgroup. These interests are then taken into consideration by the elected delegates who represent these territorially-bounded constituencies. The assumption underpinning this claim is that the democratic institutions and organizations that order political life are open source, and that all subgroups of citizens are on roughly equal footing in accessing and influencing political life. Whether immigrants’ and minorities’ interests and preferences are effectively aggregated and advocated by mainstream parties and elected representatives is not analyzed here. However, numerous studies in the racial and ethnic politics literature indicate that voting alone seldom translates into minorities having as effective representation and influence in policymaking as members of the majority do (Hero and Tolbert 1995; Owens 2005).

In the context of *emigration*, and of emigrants’ relationship to the homeland political community, representation poses unique challenges. The linkages that usually connect those who govern to those who are governed are frail by default. One simple reason is the physical distance separating elected officials from overseas citizens, which makes it difficult for delegates and homeland parties to understand and interact with overseas constituents, and map out their preferences and concerns. A key claim in this study is that sending states have highly imperfect data on their diaspora populations. They have only partial knowledge of their geographic distribution and composition. Mapping the diaspora is problematic enough, while polling and analyzing the public opinion of overseas citizens is harder still.

Another reason for the representation gap is the problematic tendency to lump together external citizens as a monolithic community of shared interests. In reality, the common interests that bind together highly educated emigrants, skilled workers, unskilled workers, and refugees might be limited to their desire for the opportunity to be included in homeland affairs. Their

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<sup>1</sup> Pitkin also discusses two additional aspects of representation: *formal representation* pertains to the institutional configurations that condition representation, and *symbolic representation* is constituents’ sense of being adequately represented.

broader views on economic and social policies in the homeland might vary considerably. Third, political parties are usually seen as the primary mechanism linking together the citizenry and the government (Dalton 1985; Sartori 2005). They are “an instrument, or an agency, for *representing* the people by *expressing* their demands” (Sartori 2005, 24). Moreover, parties organize the “chaotic” will of the masses; they “aggregate, select, and, eventually, deviate and distort [the public’s] preferences” (Sartori 2005, 25). But parties typically have territorially-bounded domains of activity. This makes it difficult for them to understand, integrate, and advocate diaspora interests along with those of homeland constituents. Finally, electoral laws are often unclear on how externally-cast ballots are pooled with those cast in the homeland, and as such do not clearly establish which legislators these external constituents “belong” to. All of these types of linkages, then, tend to be territorially bounded. Thus, policies that bestow membership and participation rights on the diaspora might be in place, but they do not ensure or necessarily enhance representation.

This chapter analyzes policies that deepen or impede the descriptive and substantive representation of external kin. The first section conceptualizes representation in an emigration context. Next, the chapter discusses several policy indicators for descriptive and substantive representation, and considers their role in enhancing diaspora access to policymaking and governance. It then looks at the trajectories of representation policies in Croatia, Serbia, and Armenia since 1990. It concludes by questioning the efficacy of these policies in deepening representation, and then discusses the alternative political purposes that they may serve. My reference to research on ethnic and racial studies, as well as my use of concepts (descriptive and substantive representation) that are most commonly used in research on ethnic and racial minority representation, is not meant to suggest that I view the barriers to diaspora representation as the same affront to individual rights and dignity that they are to minorities who face barriers based on ethnicity, race, religion, sex, and sexual orientation. Excluding individuals because they do not live within a state’s territory is qualitatively different from exclusion on the basis of ascriptive characteristics or the legacies of past exclusion on this basis.

## CONCEPTUALIZING DIASPORA INTEREST REPRESENTATION

As a dimension of the diaspora political incorporation framework, representation *policies* are formal institutions or mechanisms for advocating diaspora interests and integrating their preferences into homeland policymaking. To capture this aspect of incorporation policies, I use two of the types of representation described by Pitkin (1967). These aspects of representation are commonly used in research on racial and ethnic politics: 1) descriptive representation and 2) substantive representation. The first type of representation should theoretically give the diaspora a direct or semi-direct voice in policymaking and political debates. Substantive representation institutions make diaspora issues an area of public policy, and they ostensibly act on behalf of the diaspora’s interest, even if officials working in these institutions do not have a diaspora background.

### Descriptive representation

Descriptive representation policies enhance the presence of delegates and officials who have direct, personal understanding of the external citizenry because they themselves have this background. In theory, this better equips them to be advocates of overseas citizens’ interests. I

use two representation mechanisms as indicators of descriptive representation: passive voting rights and institutionalized representation in government or parliament.

By allowing overseas citizens to run for office, or alternatively by institutionalizing their representation in parliament, sending states enhance the descriptive representation of overseas citizens. A variety of studies on the representation of women and ethnic and racial minorities have supported the thesis that descriptive representation does in fact positively impact subgroup substantive representation by way of public policy (Bratton 2005; Chattopadhyay and Dufflo 2004; Devlin and Elgie 2008; Griffin and Newman 2008; Haynie 2001; Preuhs 2005). A related finding, albeit one for which the empirical evidence is more mixed, is that stronger descriptive representation positively impacts the subgroups’ political participation and cognitive evaluations of government (Barnes and Burchard 2012; Karp and Banducci 2008; Rocha et al 2010). These studies focus on traditionally underrepresented populations within a state’s borders – women, minorities, and immigrants – but the same logic could apply in the case of emigrants’ interest representation.

**(1) Passive Voting Rights**

The first descriptive representation policy indicator is simply whether nonresident and dual citizens have the right to hold office and, if so, with what restrictions. The right to run for office is considered an important political right under democratic regimes, yet many democracies place eligibility restrictions on subsets of the population. The prestige, outsider status, and comparative wealth of émigrés might be seen as a formidable source of competition for power. While some countries allow overseas and dual citizens to run for office unfettered, in other sending states, candidates for office must have residence in the homeland, must have been born there, and/or must only possess homeland citizenship.<sup>2</sup> Indeed, one could argue that barring diasporans from seeking office is a strong indication of ruling elites’ reluctance to incorporate the diaspora into homeland political life.

According to cross-national data from the ACE Electoral Knowledge Network, 43% of the world’s states have candidacy eligibility restrictions for the legislature on the basis of residence.<sup>3</sup> In Jamaica, a country that has experienced extensive emigration, candidates must have 12 months of residence prior to the election, and cannot hold dual citizenship. Candidates for office in Ukraine must have resided there for the previous five years.

Legislative candidates are restricted by country of birth in 11% of the world’s states. Presumably, these countries require birth within the country in question, a restriction that would prevent foreign-born citizens from running for office. The U.S. places this restriction on candidates for the presidency.

**Table 5.1: Restrictions to passive voting rights (legislative)**

Restrictions to legislative candidacy	Percent countries with restriction
Restrictions based on residence in homeland	43%
Restrictions based on country of birth	11%

Source: ACE Electoral Knowledge Network, Comparative data, “Registration requirements for candidates.”

<sup>2</sup> The right to run for office could also be seen as an indicator of participation; however, the number of people who run for office and the number of elected positions are so small relative to the general population that their role is closer to interest mediation.

<sup>3</sup> “What are the legal qualifications to become a candidate at legislative elections (Chamber 1)?” Comparative data from The Electoral Knowledge Network, [http://aceproject.org/epic-en/CDTable?question=PC003&set\\_language=en](http://aceproject.org/epic-en/CDTable?question=PC003&set_language=en).

## **(2) Institutionalized Diaspora Representation**

Diaspora deliberative institutions embedded in the legislature or government, whose delegates are diasporans themselves, are a second descriptive representation policy. Herein, descriptive representation may be institutionalized in legislatures through quotas, majority-minority districts, and special voting lists. These institutions have been introduced to rectify the underrepresentation of women and minorities in the legislature and to overcome the disproportionate barriers to their access to office. Following a similar logic, some sending states reserve legislative seats for overseas voters to ensure diaspora interest representation in the legislative process. As of 2007, at least 11 countries had institutionalized diaspora representation in the legislature (Ellis et al 2007).<sup>4</sup>

However, institutionalized parliamentary representation is a double-edged sword. If only a few token seats are set aside for the diaspora, but all overseas voters are required to select from these special lists, this could have the effect of dampening diaspora influence through a higher votes-per-seat cost. If, on the other hand, the votes-per-seat cost for diaspora seats is lower than the votes-per-seat cost for homeland seats, then diaspora influence is magnified. As discussed below, this was the case with Croatia's system of diaspora representation in parliament, which gave nearly 10% of parliamentary seats to the diaspora, even though external votes constituted less than 1% of ballots cast. Another drawback is that diaspora constituencies may insulate homeland representatives and relieve them of feeling obliged to consider diaspora interests.

Another variant of institutionalized representation is the presence of diaspora councils in government. These councils' resolutions are seldom binding, but they provide a public forum for raising issues and gaining the ear of legislators and government officials, even if it is more symbolic than substantive. These councils may be a source of funds, expertise, contacts, and feedback, while remaining relatively low cost for the government (Rannveig Agunias and Newland 2012, 42-43). However, just as parliamentary representation can cut both ways in terms of whether it magnifies or muzzles the diaspora's political voice, so too can these councils. On the one hand, they are a public forum that garners media attention, and their resolutions and proclamations are formally received by the government, providing at least some semblance of accountability. At the same time, these councils may be government-friendly institutions with hand-picked diasporans who are unlikely to embarrass the government, and thus simply serve to legitimate the government's policies toward the diaspora, or give the appearance that the government is doing something to strengthen ties to the diaspora.

## **Substantive Representation**

Substantive representation policies are initiatives to enhance the effective representation of a subgroup's interests in policymaking and governance, regardless of whether policymakers and politicians come from the subgroup. As indicators of diaspora substantive representation policies, I use state agencies devoted to diaspora affairs. Sending states as dissimilar as Somalia and New Zealand have created state ministries, ministerial subunits, consular units, and other agencies to manage diaspora affairs. These institutions formalize diaspora affairs as an area of governance. Diaspora agencies can provide "an institutional framework at the national level to communicate with...diasporas, coordinate policies, and provide support for and follow-up on engagement" (Rannveig Agunias and Newland 2012, 32). In theory, these special agencies

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<sup>4</sup> More recently, F.Y.R. Macedonia introduced diaspora representation, and it is under debate in several other countries.

should enhance diaspora substantive representation, even if the officials themselves do not have a diaspora background.

In general, the higher a diaspora institution is situated in the hierarchy of government or the state apparatus, and the higher the level of issue exclusivity, the more prominent that institution is. A special ministry for the diaspora “signifies that the government accords diaspora engagement the highest political importance” (Rannveig Agunias and Newland 2012, 74). A hybrid ministry, which combines the diaspora portfolio with other policy areas (often employment, foreign affairs, or welfare), “can be a cost-effective approach because it elevates the government’s diaspora portfolio while avoiding the larger administrative and legislative expenses normally associated with establishing a new and separate institution (Rannveig Agunias and Newland 2012, 76).

Yet the presence of such a ministry or agency should not automatically be interpreted as a reflection of the diaspora’s policy importance in the eyes of homeland governments. Creating a state agency for diaspora affairs may reflect the desire to project the image of state commitment to diaspora inclusion rather than a functional response to increased complexity of tasks. Therefore, it is important to look at the institution’s workload, budget, personnel, and perceived importance in order to determine whether the ministry/agency has actual clout in policymaking. Governments may also create institutions to depoliticize diaspora relations or reroute diaspora input in a more politically safe way. As Panossian (1998, 117) notes, a sending state government might create “its ‘own’ or mediating organizations...to sidestep diaspora parties that do not (or might not) support it, or which publicly criticize [the] government[.]”

Rannveig and Newland (2012) have identified the following data on countries with diaspora institutions, although the list is a partial compilation, and not exhaustive:

**Table 5.2: Indirect Diaspora Representation Institutions**

<b>Institution Type</b>	<b>Number of countries</b>
Ministry devoted solely to diaspora affairs	12
Hybrid ministry (diaspora affairs grouped with other governance areas)	14
Sub-ministerial institutions (offices, departments within ministries)	17
Other national-level institutions (committees, office under presidency, etc.)	17

Source: Rannveig and Newland 2012. Note that the authors do not look at the entire universe of cases.

## **REMOTE REPRESENTATION IN CROATIA**

Croatia is an interesting case study of diaspora representation because it has introduced policies to nominally enhance descriptive and substantive representation, and with varying results. Moreover, the type and scope of representation mechanisms has varied considerably over time. As was the case with citizenship and overseas voting rights, representation mechanisms were expansive during the first decade of independence, but then became more limited in the 2000s. This and the following two sections on Serbia and Armenia are organized by type of representation mechanism rather than chronologically.

## Descriptive Representation

### **Passive Voting Rights**

Croatia has protected passive voting rights since its December 1990 constitution, which affirms that suffrage (*biračko pravo*) is universal and equal for all Croatian citizens 18 and above, regardless of where they live.<sup>5</sup> Thus, the Croatian Democratic Union (HDZ), the nationalist party that ruled by a solid majority from 1990 to 2000, did not leave the issue of active and passive voting rights for diaspora Croats to be determined by electoral legislation or regulations. Instead, the ruling party made sure that it was institutionalized at the highest possible level by enshrining it in the constitution.

Although the relevant article simply uses the term “suffrage” and does not explicitly cite both active and passive voting rights, in practice the clause has been interpreted as inclusive of both, and no candidacy restrictions based on residence have been codified in electoral legislation. The opposition raised the issue of passive voting rights for the diaspora during the 1992 debate on the presidential election law. The Social Democratic Party questioned whether the law should restrict eligibility to individuals with domiciles on the territory of Croatia.<sup>6</sup> However, a proposed amendment to restrict candidacy to individuals with residence in Croatia was rejected.<sup>7</sup> This was not an issue that the opposition pushed at. Rather than interpreting their relative silence as tacit approval for universal passive voting rights, it is more likely that the opposition focused its energies on what it viewed to be larger electoral issues. One such issue was changing the electoral system to a more purely proportional one; another issue was simply trying to install stricter regulations for freer and fairer elections.

In practice, a number of diasporans ran for office in Croatia in the 1990s. Almost all of them ran as candidates through HDZ party lists, and served in the diaspora constituency once it was created in 1995. A notable exception is the presidential bid of Boris Mikšić, a Croatian who emigrated to the United States in the 1970s and founded a multi-million dollar corporation in Minnesota. In 2005, he ran for president of Croatia as an independent candidate, and nearly made it to the runoff. In fact, as early results came in, Mikšić was in a strong place, and foreign wire services released stories that he would be in the second round. Several hours after the polls closed, however, he went from having a four point lead over the HDZ's Jadranka Kosor, to being in third place with two points behind her (Miksic 2006, 238).

### **Institutionalized Representation**

The most controversial of the Croatian government's policies towards the diaspora was the creation of a special diaspora constituency in parliament in 1995. It has been a bone of contention between the two dominant parties in Croatia – the nationalist HDZ and the Social Democratic Party (SDP) – since its creation.

The constituency was created when the electoral law was revised in 1995 on the eve of elections to parliament. These changes reserved 12 fixed seats – nearly 10% of all seats in parliament – for voters who did not have residence in Croatia. These voters included overseas Croats as well as Croats in Bosnia-Herzegovina. As I discussed in Chapter 4, the 1995 revisions

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<sup>5</sup> Ustav Republike Hrvatske, *Narodne novine* br. 56, December 22, 1990.

<sup>6</sup> “Zakon o izboru predsjednika Republike,” *Izvešća Hrvatskoga sabora*, No. 57, March 4, 1992, pg 21.

<sup>7</sup> “Predsjednik Republike bira se na neposrednim izborima na vrijeme od pet godina,” *Izvešća hrvatskoga Sabora* br. 62, May 4, 1992, pg. 10; “Prijedlog podržan, Nacrtu najviše prigovora od SDPH,” *Izvešća hrvatskoga Sabora* br. 57, March 4, 1992, pg. 20.

were largely a political machination on the part of the ruling HDZ, which sought a way to ensure a solid victory in the forthcoming parliamentary elections. Despite successful military operations in August 1995 to retake hitherto Serb-held territories, the party's popularity was waning amid sluggish economic performance, increasing restrictions to the media and civil society, and endemic corruption and war profiteering. The *fixed* seats in the diaspora constituency allowed the HDZ to capitalize on its strong support among external citizens without that support being dampened by low turnout, as had been the case in 1992.

The proposed law, which was presented to the opposition with little warning mere days before parliament's dissolution for the forthcoming elections, also reduced the number of minority seats from 13 to 3. The opposition's outrage was immediate. Many opposition delegates raised questions that the draft law's vague wording did not address. What criteria would be used to determine eligibility to run for office on the special list? Would diaspora delegates be flown back and forth for parliamentary sessions on the government's dime?<sup>8</sup> Why were 10% of seats set aside? In order to satisfy the principle of equal voting rights, 500,000 overseas Croats would have to vote to warrant 10% of parliamentary seats, yet fewer than 100,000 voters had turned out to vote in 1992. Dražen Budiša, the leader of the Croatian Social-Liberal Party and at the time a key opposition figure, offered a counterproposal wherein several eminent Croats from the diaspora would be appointed to participate in the Sabor's day-to-day business and have the power to propose legislation, but without the right to vote on legislation.<sup>9</sup> The HDZ, of course, rejected the proposal.

Diaspora contributions to the homeland were the leitmotif of the HDZ's arguments in favor of dramatically altering the electoral law in 1995. The ruling HDZ argued that the state was morally indebted to the diaspora for its invaluable contributions to the establishment of independent Croatia during the latter's hour of need. Second, the proposed diaspora constituency would strengthen the bonds between emigrant Croatia and the homeland, a key component of the HDZ's program since its inception. An HDZ representative argued, "If we enable emigrants to participate in the workings of the Sabor, we will stimulate their return and inclusion in life in the homeland."<sup>10</sup>

However, as one analyst surmised, "[the overseas] voting body will primarily be 'found' in neighboring Bosnia-Herzegovina... Behind the pathetic invocations of the diaspora are hidden prosaic political reasons, which will become clear when the results of the 'special lists' are published. The HDZ is counting on all of these mandates."<sup>11</sup> As Chapter 4 discussed, the HDZ was not polling well in the months leading up to the election. The party was losing ground among key demographics. The diaspora constituency helped solve this problem. Few were surprised when voters outside of Croatia overwhelmingly supported the ruling party. In the 1995 elections, the HDZ's slate of candidates won 90% of the votes cast for the diaspora list. In 1995 there were almost 400,000 registered voters abroad. Of the estimated 100,000 who actually voted in the 1995 elections, over eighty percent were ethnic Croats in BiH (Bartulac-Blanc 2007). The HDZ has won all of the diaspora seats in subsequent elections. This was the case even in 2000, when

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<sup>8</sup> "Prijedlog i konačni prijedlog Zakona o izmjenama i dopunama zakona o izborima zastupnika u Sabor RH," *Izvešća Hrvatskoga sabora*, October 2, 1995, pgs. 10-28.

<sup>9</sup> *Ibid.* pg. 17.

<sup>10</sup> *Ibid.* pg. 13.

<sup>11</sup> Mirjana Kasapović, "Dr. Franjo Tuđman više neće biti samo predsjednik..." *Globus*, September 22, 1995, pgs. 14-15.

most of the other districts went to the opposition. The diaspora was blamed for tipping a close election in 2007.

The 1995 law was passed without addressing the opposition's objections, but the debate over institutionalized diaspora representation was far from over. It remained one of the key points of contention in the back-and-forth between the HDZ and the opposition parties in the late 1990s. By 1998, an ailing Tuđman (and equally struggling HDZ) faced the likely prospect of losing power soon. This sense of inevitability, backed by discouraging public opinion polls, increased the bargaining power of the opposition.

The opposition's position, moreover, was bolstered by sharp criticism from Western governments and international organizations over the democratic deficiencies of Tuđman's Croatia and the situation for ethnic minorities. The international community did not object to diaspora representation per se, but rather its role in creating a hostile political climate for would-be Croatian Serb returnees. As I discussed in Chapter 4, the Council of Europe, UNHCR, and other organizations expressed concern over the lack of progress in the return of Croatian Serb refugees to Croatia. Not only was it a burden on the governments that funded UNHCR assistance for the hundreds of thousands of Bosnian and Croatian Serb refugees in Serbia, but Western European governments were becoming increasingly reluctant to house refugees from the former Yugoslavia on their territory. Croatia's diaspora constituency, in their view, contributed to a climate of nationalism and valorization of ethnic Croat-ness that made Croatian Serbs reluctant to return (HRW 1995). Moreover, Western powers had a vested interest in a stable, cohesive Bosnia-Herzegovina. The policies of the Croatian government, which allowed hundreds of thousands of Bosnian Croats to acquire Croatian citizenship and vote in Croatian elections, were seen as undermining progress towards building a stable Bosnian state that resident Bosniaks, Serbs, and Croats were invested in (PACE 1999b).

With this increasing overlap in the goals of the opposition and international organizations, the emboldened "Opposition 6" submitted a draft Law on the Election of Representatives in 1998 that would have eliminated the diaspora constituency. At the core was a new partnership between the Social Democratic Party (SDP) and the Croatian Social-Liberal Party (HSLs). The opposition maintained that its proposed changes were in line with what Croatia had agreed to in its negotiations with the Council of Europe in 1996.<sup>12</sup> The opposition argued that its proposal would put diaspora voters on equal footing with homeland voters and correct the inflated representation of the diaspora.<sup>13</sup> The SDP further maintained that, under the new draft, external voters would have influence over the government as a whole, rather than just being represented by delegates who protect their very particularistic interests.<sup>14</sup> As such, added the HSLs, homeland Croats were perfectly capable of representing the interests of overseas Croats.<sup>15</sup> At the same time, an SDP deputy argued that "the presence of the diaspora in elections should be seen as an opportunity [for the diaspora] to share their opinions, but not to significantly impact the content of government."<sup>16</sup> Others pointed out that most countries of

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<sup>12</sup> "Dugotrajna rasprava bez konačne odluke," *Izvešća hrvatskog sabora* br. 227, November 9, 1998, 31-57. When Croatia was admitted to the Council of Europe in 1996, it was conditioned on an agreement to take into consideration the COE's demands for reconsidering the diaspora constituency. They were especially concerned because diaspora representation came at the expense of minority representation.

<sup>13</sup> "Dugotrajna rasprava bez konačne odluke," pg. 31.

<sup>14</sup> *Ibid.* pg. 35.

<sup>15</sup> *Ibid.* pg. 49.

<sup>16</sup> *Ibid.* pg. 38.

emigration do not have institutionalized diaspora representation, and in many cases overseas voters' voting rights are curtailed.<sup>17</sup>

The HDZ leadership in the Sabor vehemently objected to the opposition's draft, countering that the diaspora had earned the right to its special constituency. An HDZ deputy surmised that the draft law's intent was to eliminate the diaspora from political life. The draft was summarily rejected by the HDZ-run legislature.

In 1999, after combined pressure from within (the opposition) and abroad (international organizations), the HDZ caved in to the pressure. Although the opposition, backed by the international community, lobbied to eliminate the diaspora constituency completely, the HDZ reverted to its tried and true tactic of unexpectedly foisting a draft election law on the opposition shortly before the election. Under the HDZ's plan, the diaspora constituency was changed to a non-fixed formula, whereby the number of mandates would be proportional to the turnout of diaspora voters relative to homeland voters. Minorities would select a fixed 5 representatives, of which just one was reserved for Croatian Serbs. In all, the minority seats were far fewer than the 13 representatives they had had under the 1992 law, and less even than the handful of representatives they had had under the 1995 framework.<sup>18</sup> The HDZ was unwilling to pull the trigger on a few of its safe seats without taking a few minority representation seats that would benefit the opposition.

An EU delegation issued a *demarche* to the Croatian government criticizing its new law: The Croatian Government has chosen to ignore most of the EU's views on a new electoral law. This calls into question the Croatian government's commitment to free and fair elections in December...[I]t should be remembered that the current modus of Croatian diaspora voting is working against implementation of the Dayton accords...If the points presented [in this *demarche*] do not receive proper attention of the Croatian Government and Parliament, Croatia risks to hold elections which will not be recognised as 'free and fair'...This would have a crucial impact in a moment when Croatia is already paying a high price for its political self-isolation.<sup>19</sup>

This stern warning had little impact, as the 1999 formula for diaspora representation was used for the 2000, 2003, and 2007 parliamentary elections, yielding 6, 4, and 5 seats for the diaspora, respectively, rather than the fixed 12 seats of the 1995 law. The issue of the diaspora constituency came up several times in debate, including during the 2001 constitutional changes; however, nothing was changed. At the same time, the 1999 Law on Elections was modified before the legislative elections in 2003 to expand minority representation. This was done under the SDP-led governing coalition. Reserved seats for national minority groups increased from 5 to 8, of which ethnic Serbs now had 3 fixed seats rather than just 1. The governing coalition and several other parties supported the amendments. The HDZ, not surprisingly, voted against the amendments (Songstad 2004).

In 2007, Zoran Milanović became leader of the Social Democratic Party. As mentioned in the previous chapter, one of his priorities was to eliminate the diaspora constituency.<sup>20</sup> He spoke out against diaspora voting in the media – and in particular the fraud-prone voting in Bosnia-Herzegovina – on the eve of the 2007 elections, which some see as political misstep because it prompted the HDZ to expend even more energy mobilizing voters in Bosnia-

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<sup>17</sup> Ibid. pg. 49.

<sup>18</sup> Silva Pavić-Stazić, "Hrvatska danas na biralištima," *Vjesnik*, January 3, 2000.

<sup>19</sup> "Text of EU Speaking Note Presented to Croatian Government," *HINA-Croatian News Agency*, October 28, 1999.

<sup>20</sup> Author interview with SDP official, Zagreb, Croatia, June 14, 2010.

Herzegovina.<sup>21</sup> When the HDZ won the victory that many had expected to go to the SDP, the diaspora was blamed for the latter's loss.

The issue of diaspora representation resurfaced in 2009 when the SDP, once again in opposition, used the fact that the HDZ-led governing coalition could not push several constitutional changes necessary for EU accession through parliament without SDP support as leverage to force the HDZ to the bargaining table on the diaspora issue. This was an effective tactic because the HDZ, particularly after Ivo Sanader assumed party leadership in 2000, has made EU accession a core issue. The SDP's position was to eliminate or at the very least reduce the number of diaspora representatives in parliament, and to strictly limit voting to Croatian embassies and consulates. On each point, the SDP pushed hard and threatened to vote against the constitutional changes unless diaspora representation was included as part of the package. Party leaders from the HDZ and the SDP met multiple times in a drawn-out, contentious process, but finally reached an agreement in late May 2010.<sup>22</sup>

The final compromise favored the SDP's position. Rather than the non-fixed quota that had yielded 5-6 diaspora seats per election, the constitutional changes fix the number of seats for diaspora representatives at three. Voting must be in-person at Croatian embassies and consulates.<sup>23</sup> The latter provision will have the most dramatic impact on voting in BiH, where the vast majority of extraterritorial votes have been cast, as voting will now only be permitted at four sites. By comparison, there were 30 polling sites in BiH for Croatia's 2003 elections, and 124 polling sites in 2007. However, now that the number of seats is fixed once again, the level of turnout does not matter.

### **Government Council for Croats Outside of Croatia**

The 2011 Law on Relations between the Republic of Croatia and Croats Outside of the Republic of Croatia (see below) created a new Government Council for Croats Outside of Croatia. Ironically, it bears striking similarities to the Serbian Council for Diaspora, discussed later in this chapter. The Council, which is to meet at least once per year, will be an advisory body of diaspora delegates that provides counsel to the Croatian government on diaspora issues. Its 55 diaspora delegates will be elected to 4-year terms. It remains to be seen how the Council will operate in practice. At the end of 2012, the Office for Croatians Outside of the Republic of Croatia issued a call for candidates for the first Council.

### Substantive Representation

Franjo Tuđman's pre-election promises to Croatian emigrants that his government would cultivate a spiritual synthesis between homeland and diaspora were pursued through the creation of several new institutions.<sup>24</sup> In the first half of the 1990s, three formal institutions served as the primary formal conduits between the Croatian diaspora and the Croatian government. One of these institutions was a public agency, the Croatian Heritage Foundation (*Hrvatska matica iseljenika*), while the others were special ministries: the Ministry for Emigration (*Ministarstvo*

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<sup>21</sup> Author interview with SDP official, Zagreb, Croatia, June 14, 2010.

<sup>22</sup> Vojislav Mazzocco, "Dogovorili se Milanović i Kosor – dijaspori fiksno tri zastupnika," *Večernji list*, May 21, 2010, <http://www.vecernji.hr/vijesti/dogovorili-se-milanovic-kosor-dijaspori-fiksno-tri-zastupnika-clanak-144401>.

<sup>23</sup> Anita Malenica, "Sabor uz potporu većine izglasovao ustavne promjene," *Večernji list*, June 16, 2010, <http://www.vecernji.hr/vijesti/sabor-potporu-vecine-izglasovao-ustavne-promjene-clanak-156373>.

<sup>24</sup> Descriptive representation was furthered through Tuđman's appointment of diasporans to some of the top posts in the government and the state apparatus.

*iseljeništvu*), which existed from 1990-1992, and the Ministry for Return and Immigration (*Ministarstvo povratka i useljeništvu*), which existed from 1996-1999.

### **Ministry for Emigration (1990-1992)**

Shortly after Tuđman's nationalist HDZ won Croatia's founding elections in April of 1990, the new parliament revised the law on republican government structure to add a new Ministry for Emigration (*Ministarstvo iseljeništvu*).<sup>25</sup> Formally, the Ministry was tasked with being the caretaker of state-diaspora relations by "establishing links between emigrants and homeland in order to utilize [the diaspora's] knowledge and capital; [facilitating] the return of emigrants and their reintegration; and carrying out other duties that lie within its jurisdiction."<sup>26</sup> The Ministry contained departments for economic ties, Croatian emigrants and guestworkers, and Croatian minority communities in neighboring countries (Tarle 1992, 8).

In practice, much of the Ministry's activities remained secret: they centered on the war effort. Croatia engaged in state-building at the same time that it engaged in war, and the republic had few resources at its disposal to build an independent army and amass weapons. A former high-ranking official from the Ministry of Foreign Affairs insists that the contributions of the Croatian diaspora to Croatia in the 1990s "cannot be overestimated." During the early 1990s, the Ministry for Emigration played a key role in coordinating this aid.<sup>27</sup> The Ministry's eight highest-ranking employees were concurrently working in other key positions – the Catholic Church, defense, the military – which helped distribute aid accordingly and coordinate government activities.<sup>28</sup>

The Ministry for Emigration was part and parcel of the career trajectory of Gojko Šušak, a pivotal figure in Croatia's first decade of independence. Like many in Tuđman's inner circle, Šušak was from Bosnia-Herzegovina's dry, mountainous region of Western Herzegovina, which has a large concentration of Bosnian Croats. Western Herzegovina has the reputation of being a hotbed for a particularly stringent Croatian nationalism that is anchored in the isolated Franciscan monasteries and religious schools (Toal and Dahlman 2011, 177). It was also a region that, impoverished and repressed by the secret police, experienced extensive political and economic emigration during the socialist Yugoslav era. Šušak, who immigrated to Ottawa in the 1960s, was not well-known on the North American diaspora scene; he certainly could not be counted among the pre-independence diaspora "elite." As the owner of a pizza restaurant, he was perhaps an unlikely future Minister of Emigration and an even unlikelier Minister of Defense. But he met Tuđman during the latter's earliest visits to Canada in the late 1980s, and the two became close associates as they discussed Croatia's future late into the night (Tuđman 2006). By the mid-1990s, Gojko Šušak, the Minister of Defense and one of the key players in the radical faction within the HDZ, was viewed by many as the number two person in Croatia after President Tuđman himself.<sup>29</sup>

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<sup>25</sup> Zakon o izmjenama i dopunama Zakona o organizaciji i djelokrugu republičkih organa uprave i republičkih organizacija. *Narodne novine* br. 31, July 28, 1990; Ukaz o proglašenju Zakona o ustrojstvu republičke uprave, *Narodne novine*, br. 41, October 8, 1990.

<sup>26</sup> Article 9, Zakon o ustrojstvu republičke uprave, *Narodne novine*, br. 41, October 8, 1990.

<sup>27</sup> Author interview with former high-ranking official from the Ministry for Foreign Affairs #1, Zagreb, Croatia, June 2, 2010.

<sup>28</sup> Author interview with former high-ranking official from the Ministry for Emigration, Zagreb, Croatia, July 5, 2010.

<sup>29</sup> Author interview with former high-ranking official in the HDZ, Zagreb, Croatia, June 8, 2010.

Under Šušak, the Ministry for Emigration's foci were weapons, money, and medical aid.<sup>30</sup> To this end, he helped establish the Croatian National Fund, a series of Swiss and Austrian bank accounts that were a depository for the tens of millions of francs, deutschmarks, kronas, pounds, pesos, and dollars that Croatian emigrants donated to Croatia. There were only three people authorized to access this fund: Šušak, Tuđman, and Tuđman's Chief of Staff. Nor was the fund subject to parliamentary or government oversight.<sup>31</sup> An estimated 100-150 million deutschmarks were deposited into the Fund in the 1990s. Given the very low transparency of the Fund, it is unclear how all of the deposits were spent. Some monies from the Fund reportedly wound up in the coffers of the HDZ and were pilfered by high-ranking officials.<sup>32</sup>

Stjepan Mesić, who led the moderate HDZ faction that clashed with Šušak's radical faction, and who eventually defected from the party and was elected president in 2000, recalled:

Šušak's myth was created in the position in which he found himself, and that was the position to dispose of budget funds from the Croatian diaspora...[S]uddenly, he became the master of life and death; he decided on everything; everyone came to him; Tuđman [de facto] installed him as the governor of Herzegovina...Šušak's power did not lie in any extraordinary political or organizational skills but in managing the funds... nobody could penetrate this "fortress."<sup>33</sup>

Less than a year after being appointed Minister for Emigration, Šušak was also appointed an Assistant Minister of Defense. In September 1991, he was appointed Minister of Defense. Šušak's replacement in the Ministry was a Venezuelan Croat who, like Šušak, was born in Herzegovina. Despite the Ministry of Emigration's role in the war effort, its formal budgetary basis was modest. In the 1992 budget, the Ministry for Emigration had the smallest account for material expenses out of all ministries, with just 5,400 dinars. Its total budget was just 7,800 dinars, making its total ministerial budget the second-lowest.<sup>34</sup> Nevertheless, given the nontransparency of the budget process in *practice*, it isn't hard to believe that the Croatian National Fund was easily accessed by the Ministry to supplement its formal budget.

Many diaspora Croats were surprised when, in the wake of the 1992 elections in Croatia, the fourth Government of Croatia unexpectedly shuttered the Ministry for Emigration. According to a former official from the Ministry, the reasons for the its dismantling were rooted in political infighting within the ruling HDZ.<sup>35</sup> The two key figures of the moderate faction within the party, Josip Manolić and Stjepan Mesić, assumed important positions in government and parliament after the 1992 elections. Because the Manolić-Mesić faction clashed with Šušak's radical faction, dismantling an institution associated with the diaspora, and that was beyond the government's oversight, was a power move.<sup>36</sup> With the Ministry shuttered, the mandate of the Croatian Heritage Foundation, the agency discussed in the next section, increased.

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<sup>30</sup> Author interview with former high-ranking official from the Ministry for Foreign Affairs #1, Zagreb, Croatia, June 2, 2010.

<sup>31</sup> Darko Hudelist, "Gojko Šušak: crne rupe u političkoj biografiji (part 8)," *Globus*, No. 475, January 14, 2000, pg. 8.

<sup>32</sup> Jasna Babić, "1.8 milijun dolara palo u ocean ili nestalo u avionu?" *Globus*, June 26, 1992, pg. 40; Hudelist "Gojko Šušak: crne rupe u političkoj biografiji (part 8);" Vlado Vurušić and Krešimir Žabec, "Kako je HDZ od 1990. do 2010. skupljao novac za stranku?" *Jurnji List*, November 10, 2010, <http://www.jutarnji.hr/hdz---crni-fondovi--zaklade--stanovi--dijaspora-i-tudmanovi-vitezovi/902546/>.

<sup>33</sup> Quoted in Hudelist "Gojko Šušak: crne rupe u političkoj biografiji (part 8)."

<sup>34</sup> Državni proračun Republike Hrvatske za 1992. godinu, *Narodne novine* br. 18, March 31, 1992.

<sup>35</sup> Author interview with former high-ranking official from the Ministry for Foreign Affairs #2, Zagreb, Croatia, June 8,9, 2010.

<sup>36</sup> Damir Borovčak, "Kome se smetalo Ministarstvo iseljništva?" *Hrvatski svijet*, October 4, 2011, [http://www.hrsvijet.net/index.php?option=com\\_content&view=article&id=17252:kome-je-smetalo-ministarstvo-iseljnistva&catid=9:vijesti-dijaspora&Itemid=290](http://www.hrsvijet.net/index.php?option=com_content&view=article&id=17252:kome-je-smetalo-ministarstvo-iseljnistva&catid=9:vijesti-dijaspora&Itemid=290). Borovčak's belief that politics were behind the Ministry's dismantling were shared by another official from the Ministry. Author interview with former high-ranking official from the Ministry for Emigration, Zagreb, Croatia, July 5, 2010.

### **Croatian Heritage Foundation (1951 – pres.)**

A second diaspora institution that played an important role during the 1990s was the Croatian Heritage Foundation (*Hrvatska matica iseljenika*, HMI), which was briefly introduced in Chapter 2. Unlike the Ministry for Emigration, however, the HMI was not a new institution. It was created in 1951 under socialist Yugoslavia to promote cultural ties between emigrants and the Croatian Socialist Republic of Yugoslavia.<sup>37</sup> In the 1950s and early 1960s, the organization sponsored visits to Yugoslavia from diaspora artists and other cultural figures of Croatian origin. The HMI also assisted the thousands of Croatians who repatriated to Yugoslavia after World War II.<sup>38</sup> Its flagship journal, *Matica*, published articles touting village electrification, new manufacturing plants, and other emblems of progress and development in socialist Yugoslavia.

In the 1960s, economic reforms were introduced in Yugoslavia that opened the doors to legal labor migration to Western Europe. The HMI became the chief intermediary between Croatia and overseas Croats. Its programs were no longer strictly cultural, and part of its activities targeted economic relations and remittances. Concerned that overseas Yugoslavs' views of Yugoslavia were being tarnished by the so-called "hostile" political emigrants of the postwar era, the HMI was also deployed as a public relations corrective in emigrant communities (Kraljević 2009).

However, the organization came under fire in the late 1960s for publishing subversive content by Croatian poets and linguists on the Croatian language; these topics inched too close to the taboo "nationalism card." After the crackdown on the Croatian League of Communists leadership following the 1971 Croatian Spring movement, the HMI stuck with safer topics.

After the HDZ's electoral victory in 1990, the HMI's statutes were revised and its leadership replaced. At the behest of Gojko Šušak, a Law on the Croatian Heritage Foundation was passed in December of 1990. In effect, the law gave the HMI independence in its operation.<sup>39</sup> Its task structure was vaguely specified: carrying out economic and social activities of significance to the position of Croatian emigre communities and autochthonous minorities in adjacent states. It was authorized to publish books and journals, organize emigrant visits to Croatia, and arrange cultural, artistic, and sporting events.<sup>40</sup> The organization's board was to be appointed by the government, and its operations supervised by the Ministry for Emigration.

Boris Maruna, a well-known émigré poet, returned to Croatia in 1990 and was asked by Tuđman to serve as director of the HMI. According to a close associate of Maruna, the poet was "awarded" the HMI directorship in exchange for helping Tuđman organize lectures in the U.S. in the late 1980s.<sup>41</sup>

Like the Ministry for Emigration, the HMI assumed a role in the war effort. As Paul Hockenos (2003, 82) describes it, "Maruna's gun-running operation out of the Croatian Heritage Foundation was a one-man show. The garrulous poet was suddenly the logical go-between for diaspora patriots looking to help the homeland in its hour of need, and police chiefs, paramilitaries, and commanders in the field desperate for supplies."

Boris Maruna, however, proved to be too independent-minded and too critical of the government's policies. According to Hockenos (2003, 84), Maruna drew the line at using the HMI as a conduit to transfer money and weapons to the Bosnian Croat forces in Herzegovina,

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<sup>37</sup> Similar "matica iseljenika" institutions were created for the other Yugoslav republics as well.

<sup>38</sup> This state-sponsored repatriation was a PR move for Tito's Yugoslavia.

<sup>39</sup> "O potrošnji odlučuje sabor," *Večernji list*, December 28, 1990, pg. 5.

<sup>40</sup> Zakon o Hrvatskoj matici iseljenici, *Narodne novine* br. 59, December 31, 1990

<sup>41</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

despite the fact that the HMI “had a natural cover that neither the Interior or Defense Ministries could claim.” He incurred the wrath of Franjo Tuđman, and was sacked from his job in 1992. The position was then handed over to Ante Beljo, a Canadian Croat of Herzegovinian origin. Since the late 1980s, Beljo had proved his value to Tuđman by ably overseeing the creation of hundreds of HDZ branches across North America, and later in his native Bosnia and Herzegovina. After 1990, Beljo became general secretary (*glavni tajnik*) of the HDZ.

In any event, after the opposition won parliamentary elections in 1999, the new government was quick to reinstate Boris Maruna to his former position. Since 2000, the HMI’s activities tend to focus on Croatian language workshops, cultural and artistic events, and publishing.<sup>42</sup> Its budget has been steadily reduced. Although control over the institution has passed back and forth as various governments have come and gone, the institution is decidedly less politicized than it was in the 1990s.<sup>43</sup>

### **Ministry for Return and Immigration (1996 – 1999)**

The HDZ touted the idea of mass diaspora repatriation from its inception, likening Croatia’s agenda to Israel’s Right of Return policy. The party’s 1990 statute listed as one of its goals the cessation of emigration from Croatia and the stimulation of émigrés’ return to Croatia.<sup>44</sup> Tuđman himself constantly made appeals for diaspora return in speeches and public appearances; other members of his cabinet and the party did the same. The Yugoslav period was seen as one of “demographic occupation” of Croatia, wherein non-Croatian (read: Serb) Yugoslavs settled in Croatia, while ethnic Croats disproportionately emigrated. To complicate matters further, emigration from Croatia spiked during the 1990s due to a combination of factors – the war, frustration with the less-than-democratic regime, and economic stagnation. These same factors dampened the birth rate. Croatia faced an aging, shrinking population. This was a near-constant refrain in political debates. The government allegedly had a plan to recruit the descendants of Croatian immigrants in South America and repatriate them to Croatia via chartered ship. Minister for Emigration Šušak visited Croatian communities in Argentina in 1990 to drum up support for the project (Hockenos 2003, 81). However, these types of plans were quickly discarded as the war pushed other policies to the sidelines.

In 1995, the Dayton Accords and Erdut Agreement effectively ended Zagreb’s active role in the wars of Yugoslav succession. Through military operations “Flash” (*Bljesak*) and “Storm” (*Oluja*), the state reasserted control over the Serb-held frontier region of Krajina. In the process, hundreds of thousands of Croatian Serbs fled to Yugoslavia. With the focus now on reconstruction, the demographic question resurfaced. In 1996, parliament approved the National Program of Demographic Development in the Republic of Croatia, which outlined the nature of the problem and proposed several policies to boost the birth-rate and stimulate the immigration of ethnic Croats from the diaspora.<sup>45</sup>

The Ministry for Return and Immigration was created in 1996 to spearhead this initiative. It was the most concerted and protracted effort on the part of the Croatian government to stimulate the mass repatriation of ethnic Croats. The goal was to have young, educated

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<sup>42</sup> Author interview with high-ranking official from the Croatian Heritage Foundation #3, Zagreb, Croatia, June 8, 2010.

<sup>43</sup> Author interview with high-ranking official from the Croatian Heritage Foundation #2, Zagreb, Croatia, June 8, 2010; author interview with high-ranking official from the Croatian Heritage Foundation #4, Zagreb, Croatia, June 8, 2010.

<sup>44</sup> Statut Hrvatske demokratske zajednice. Passed February 24 & 25, 1990 at first general convention.

<sup>45</sup> “Prijedlog nacionalnog programa demografskog razvitka Republike Hrvatske,” *Izvjješća hrvatskoga sabora*, February 13, 1996, pgs. 3-14.

professionals, businessmen, scientists, farmers, and entire families repatriate – even ethnic Croats who might not have been born in Croatia and lacked language skills – to repopulate the regions that had experienced depopulation since independence.

The Ministry would facilitate the immigration and incorporation of ethnic *Croats*.<sup>46</sup> It was touted by the ruling HDZ as the rational concentration of the tasks of multiple agencies and ministries into a single ministry, so that émigrés wishing to return had only to make one stop. In a highly polemical debate, the opposition was apprehensive about the financial burden of creating a new specialized ministry whose work could just as easily be subsumed under existing ministries. A deputy from the Croatian Peasant Party opined that the Ministry was entirely unnecessary, because anyone who had a serious desire and intention to return to Croatia will look for support from relevant agencies.<sup>47</sup> A representative from the Croatian Social-Liberal Party was skeptical that the government could actively stimulate return; emigrants' return depended on their life circumstances and a host of factors that Zagreb could not control. A deputy from the liberal People's Party decried the creation of the Ministry as a ludicrous attempt to base a society on the "farcical" idea of historical reconciliation between homeland and emigrant Croatia. The material indebtedness of the HDZ to the Croatian diaspora for its contributions to the party must not be equated with the indebtedness of the Croatian people to the diaspora. It would be far wiser, he argued, to address the conditions that had driven tens of thousands of young, educated Croats to emigrate in recent years rather than trying to lure established diasporans back. Croatia should welcome back anyone who wanted to return, but for "ordinary members of civil society, and not for the initiators or protagonists of political and social divisions."<sup>48</sup> Here the deputy was pointing his finger at the "extremist emigrants who are too often the central actors in antagonisms in Croatian society" – in other words, figures like Šušak.<sup>49</sup> Another delegate worried that returnees would be greedily motivated by the prospect of plum positions in government ministries and purchasing firms on preferential terms.<sup>50</sup> Despite these objections, the HDZ's solid majority, of course, ensured the law's passage, and the Ministry began operating that year.

The idea of *ethnic* return was inherently nationalist; an influx of ethnic Croatian immigrants would help "purify" a population whose minorities comprised more than 12% in the 1991 census. Diaspora return was a cause that, by many accounts, was genuinely embraced by President Franjo Tuđman. As one former Ministry official recalled, "I [met] with him so many times and he always asked, 'How many people have come back?' ...I remember one time in a single month about ten families came back with six kids. [Tuđman] loved that! He was so happy to hear about it."<sup>51</sup>

The Minister for Return and Immigration was Marijan Petrović, a Canadian Croatian businessman who became active in the HDZ in Canada in the late 1980s. The assistant ministers and staff were almost exclusively returnees from the West. Ministry officials traveled to diaspora communities to give presentations about return and generate interest in return. In practice,

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<sup>46</sup> The Ministry focused on ethnic Croats who had emigrated from Croatia or Bosnia-Herzegovina, or descended from emigrants immigrants, and not on ethnic Croats living in BiH. "Prijedlog Zakona o izmjenama i dopunama Zakona o ustrojstvu i djelokrugu ministarstava i državnih upravnih organizacija," *Izješća hrvatskog sabora* br. 166, April 19, 1996, pg. 3.

<sup>47</sup> "Prijedlog Zakona o izmjenama i dopunama Zakona o ustrojstvu i djelokrugu ministarstava...", pg. 6.

<sup>48</sup> "Prijedlog Zakona o izmjenama i dopunama Zakona o ustrojstvu i djelokrugu ministarstava...", pg. 9.

<sup>49</sup> Ibid. pg. 9.

<sup>50</sup> Ibid. pg. 11.

<sup>51</sup> Author interview with former official from Ministry for Return and Emigration, Zagreb, Croatia, November 5, 2009.

officials also spent a considerable amount of time helping returnees deal with bureaucracies and local government to help with seemingly mundane tasks like getting relevant licenses signed, summoning inspectors to do their job, or convincing an electrical company to turn on electricity.<sup>52</sup> The Ministry had roughly 40 employees, but had the smallest budget of all of the government ministries.<sup>53</sup> Croatian diaspora newspapers like Australia's *Hrvatski vjesnik* shared the HDZ's zeal, publishing lengthy articles on jubilant returnees' new lives in Croatia.

The Ministry issued a monthly bulletin that featured stories on returnees, reprinted officials' speeches, and provided information on relevant laws and regulations. According to a former official from the Ministry, they tried to get special laws passed to provide free education for returnees' children, to create regional offices in Croatia's largest cities, and to pass a law on the diaspora. However, the Ministry had a hostile reception from some leaders in parliament, even from the HDZ. He attributed this hostility to the homeland Croats' "communist" mindset and continued belief in the anti-emigre propaganda campaigns of socialist Yugoslavia, which depicted them as fascist extremists. Political elites, meanwhile, were hostile because of their unwillingness to let outsiders go after plum positions in the government and economy.

Eventually, the Ministry was criticized by some in the diaspora. Critics pointed out that many of the "returnees" to Croatia subsequently went back to the diaspora after facing challenges in finding employment, purchasing homes or businesses, battling corruption, and dealing with the extensive bureaucracy.<sup>54</sup> A commentator in Australia expressed disappointment in the Ministry: "What is most tragic of all is that the Ministry still does not have a clear program, let alone clear plans. Minister Petrovic is unable to explain what goals have been set, what will be accomplished... Two years have passed since the Ministry for Return was founded. Much money has been spent, but what has been done? Where are the results?"<sup>55</sup>

Just how successful was the initiative? Although the Minister himself cited a figure of 40,000 returnees, that number was disputed in the press. A more accurate estimate is 10,000-20,000 diasporans.<sup>56</sup> It is unknown how many of them used the Ministry's help, or how many of them wound up "re-returning" to the diaspora (Winland 2007).

In 1999, after less than 3 years of existence, the Ministry fell victim to another restructuring of the government. It was downgraded to an office within the Ministry for Restructuring and Development.<sup>57</sup> In 2008, the Department for Croatian Minorities, Emigration, and Immigration within the Ministry for Foreign Affairs was downgraded to the Autonomous Office for Croats Abroad and Culture, a demotion that was not lost on the Office's administrators.<sup>58</sup> The Croatian Heritage Foundation's budget has been steadily shrinking. Support for diaspora issues has declined even within the HDZ, which has undergone significant changes since Tuđman's death.<sup>59</sup> Attempts in 2009 to come up with a new strategy for the

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<sup>52</sup> Ibid.

<sup>53</sup> Tina Lakić-Prizmić, "Marijan Petrović: Da bih dražavi uštedio novac putovao sam ekonomskom klasom," *Jutarnji list*, April 17, 1999.

<sup>54</sup> Mladen Petravić, "Ukidanje Ministarstva povratka i useljeništva: ima li mjesta za zabrinutost?" *Hrvatski vjesnik/Croatian Herald*, April 30, 1999, pg. 15.

<sup>55</sup> Marijan Bošnjak, "Problemi o kojima je potrebno govoriti," *Hrvatski vjesnik/Croatian Herald*, March 19, 1999, pg. 15.

<sup>56</sup> Author interview with former official from Ministry for Return and Emigration, Zagreb, Croatia, November 5, 2009.

<sup>57</sup> Author interview with officials #1, #2, and #3 from the Independent Service for Croats Abroad and Culture, Ministry for Foreign Affairs and European Integration, Zagreb, Croatia, November 4, 2009.

<sup>58</sup> Ibid.

<sup>59</sup> This sentiment was shared by numerous diaspora returnees who had participated in the HDZ in the diaspora and then in Croatia. (Interviews held Zagreb, Croatia: November 5, November 11, and December 12, 2009; June 29, 2010).

diaspora, under the government of Prime Minister Jadranka Kosor (HDZ), were seen as little more than window dressing.<sup>60</sup>

### **State Office for Croatians Outside of Croatia**

In 2011, on the eve of parliamentary elections that would displace the HDZ after 8 years in power, the Law on Relations Between the Republic of Croatia and Croats Outside of Croatia was passed. Various drafts had been under works in the Sabor's Committee for Croats Outside of Croatia for several years, but had received little attention from the HDZ-led government and was deemed to be insignificant and mostly for show.<sup>61</sup> The law created a new institution, the State Office for Croats Outside of Croatia, which is to play a role in coordinating the activities of state agencies, defend the interests and rights of Croats outside of Croatia, and protect Croatian identity outside of Croatia, among other activities.<sup>62</sup> With the elections quickly following on the heels of this law, and the SDP-led coalition subsequently coming to power, it is too soon to evaluate the implementation of this law in practice. The new institution was criticized in the media for being profligate. It had 59 full-time employees and a budget of several million euros at a time of deep economic crisis and budget deficits in Croatia.<sup>63</sup>

Some diaspora returnees were skeptical of the law, even those who previously had key positions in the HDZ and diaspora institutions. Ante Beljo, the Canadian returnee who was HDZ party secretary and director of the Croatian Heritage Foundation, commented that the law was an empty gesture, “without any concrete and, especially, quality shift in relations towards Croats outside of Croatia...The law, in essence, does not oblige anyone [to do anything] because its provisions have no legal norm. It is a handful of nice wishes, convoluted and foggy ideals, and emotional messages directed at Croats around the world[.]”<sup>64</sup>

## **REMOTE REPRESENTATION IN SERBIA**

Like Croatia, Serbia has used various mechanisms of diaspora representation since 1991, and these policies have changed over time. In the 1990s, representation institutions were a front for Serbia's covert interventionist policies in Bosnia-Herzegovina and Croatia. In the 2000s, a slate of new institutions and initiatives were introduced, but they have by and large had symbolic significance and were a way to satisfy the political ambitions of domestic actors rather than systematically integrate diaspora interests into policymaking and governance. Like Croatian elites, Serbia's elites were concerned about diaspora Serbs competing with them for jobs and coveted positions in government and economy.

### Descriptive Representation

#### **Passive Voting Rights**

As we saw in Chapter 4, Milošević's Serbia did not allow overseas voting. Nor were overseas citizens given passive voting rights. This is hardly surprising; Milošević could scarcely

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<sup>60</sup> Author interview with government adviser, Zagreb, Croatia, December 15, 2009.

<sup>61</sup> Author interviews with members of parliament involved in that legislation: December 2, 2009, June 3, 2010, & June 14, 2010.

<sup>62</sup> Zakon o odnosima Republike Hrvatske s Hrvatima izvan Republike Hrvatske, *Narodne novine* br. 124, November 4, 2011.

<sup>63</sup> Marijana Cvrtila, “Vlada pomaže Hrvatima izvan domovine: Ured za dijasporu zaposlio 59 ljudi,” *Slobodna dalmacija*, August 12, 2012, <http://www.slobodnadalmacija.hr/Hrvatska/tabid/66/articleType/ArticleView/articleId/184013/Default.aspx>.

<sup>64</sup> Tomislav Vuković, “Ante Beljo: Ustavna tužba protiv diskriminacije iseljništva,” *Glas koncila*, October 6, 2011, <http://www.hkv.hr>.

be expected to want to create more competition for himself and his party. His grip on power was occasionally tenuous in the early 1990s. He faced strong opposition – often in the form of mass demonstrations on the streets of Belgrade – from ultra-nationalist parties as well as more centrist and liberal parties. Provisions in the 1990 laws on electing the republican president and representatives to the republican assembly limited eligibility to citizens age 18 and above who had a domicile in the Republic of Serbia.<sup>65</sup>

Restrictions were further tightened in 1992 when Milošević made a strategic error. That summer, faced with yet another wave of protests on the streets of Belgrade, American jets in Sarajevo, fresh U.N. economic sanctions, and dissent within his own party, Milošević did something unexpected: he had the federal Yugoslav parliament appoint the American Serb millionaire Milan Panić as the Prime Minister of Yugoslavia. Panić was the founder of a Southern California pharmaceutical company, and had not set foot in Serbia in more than 35 years. Milošević calculated that the appointment of Panić would soften his image at home and abroad. Major dailies across the United States and Europe reported mistaken “insider accounts” that Milošević saw the writing on the wall and was about to step down from power.<sup>66</sup>

He did not step down from power. In fact, relations between Milošević and the newly-appointed prime minister quickly soured. At the London Peace Conference in August, Panić believed that he should be senior Yugoslav delegate over Milošević since he, Panić, was *federal* prime minister, while Milošević derived his power from the republican level. At Milošević's behest, deputies from the ultra-right Serbian Radical Party force a vote of no confidence against Panić in the Federal Assembly, although the latter ultimately survived thanks to the support of Montenegrin deputies (Thomas 1999, 123).

That fall, Panić declared his intent to compete against Milošević in the early elections for president of the Republic of Serbia. Polls suggested that Panić was the more popular of the two politicians.<sup>67</sup> In response, Milošević's Socialist Party quickly ushered through changes to electoral legislation. Under Article 3 of the revised Law on Electing the President, candidates for the presidency had to be age 18 or older, legally independent, and have residency in the Republic of Serbia for at least one year before the date of the election. Panić had returned to Serbia just six months earlier. The change was a thinly-veiled effort to disqualify Panić. The Republican Electoral Commission rejected Panić's application on December 3, just several weeks before the election was scheduled to take place.<sup>68</sup> The Commission stated that Panić, although a dual U.S.-Yugoslav citizen since the summer of 1992, only had temporary residence, and not permanent residence.<sup>69</sup> After several conflicting rulings from the Commission and the Serbian Constitutional Court, a final decision was made to allow Panić to run only after opposition parties threatened a boycott.<sup>70</sup> In the end, amid widespread reports of vote-vigging, Milošević won the election, and Panić's six months of international fame ended as he stepped down from political life in Serbia and returned to California.

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<sup>65</sup> Article 3, Law on Election of Representatives, 1990; Article 3, Law on Electing the President of the Republic of Serbia, 1990.

<sup>66</sup> See, for example, “Serbian Leader Reported Set to Quit,” *San Francisco Chronicle*, July 14, 1992, NewsBank (73023); Dusan Stojanovic, “Reports Say Milosevic May Quit as New Yugoslav Premier Starts,” Associated Press, July 14, 1992, NewsBank (9202090244).

<sup>67</sup> Tom Gjelten, “Panic Ineligible for Serbian Presidency,” *National Public Radio Morning Edition*, December 4, 1992, NewsBank (199212041010).

<sup>68</sup> “Yugoslav Premier's Election Bid Blocked,” *San Francisco Chronicle*, December 4, 1992, NewsBank (14289).

<sup>69</sup> *Ibid.*

<sup>70</sup> “It's Official – Panic Listed on Serb Ballot,” Reuters, December 11, 1992, NewsBank (13218).

The provisions restricting candidacy eligibility to citizens with Serbian residency remained in place in republican-level election legislation throughout the 1990s. Despite the democratic changes after 2000, and external voting rights were introduced in 2004, passive voting rights are ambiguous. Under the 2004 Law on Parliamentary Elections, candidates must be citizens of Serbia who are registered as permanent residents.<sup>71</sup> However, the 2006 Constitution of Serbia stipulates universal active and passive voting rights for all citizens of Serbia who are of working ability, *in accordance with the law*.<sup>72</sup>

### **Diaspora Assembly**

In 2009, the Serbian parliament approved the Law on the Diaspora and Serbs in the Region.<sup>73</sup> Among other changes, the law created an Assembly of the Diaspora and Serbs in the Region, which was proclaimed the highest representative body of the of the diaspora community.<sup>74</sup> Its overarching task was to highlight the problems faced by diaspora Serbs and identify solutions. The Assembly's work fell under the supervision of the Ministry for the Diaspora. It was comprised of 45 delegates selected in diaspora communities, and the Assembly's proceedings would also be attended by relevant ministers, elected officials, and Serbian Orthodox Church officials. The Assembly was organized into several working committees on economic ties, status questions, and cultural, educational, scientific, and athletic cooperation.<sup>75</sup> The Minister for the Diaspora promised that the Assembly would be independent, and that the diaspora would pick its own delegates without any intervention or manipulation on the part of the state.<sup>76</sup>

In practice, the Assembly has been an ineffective institution that does not have widespread support or legitimacy in the diaspora. The delegate selection process in diaspora communities was unorganized, and in some cases led to conflict.<sup>77</sup> A diaspora journalist likened the process of selecting Germany's 4 allotted delegates to a circus. The hundreds of Serbian clubs and organizations did not coordinate amongst themselves on how, when, and where to pick delegates, and the whole process broke down over infighting, ambition, and blatantly poor coordination on the part of the Ministry for the Diaspora.<sup>78</sup> The nontransparency of elections in Germany was later reviewed by the Serbian government's corruption watchdog agency.<sup>79</sup> A community activist in Stuttgart complained that the Diaspora, Ministry, which was held by the Serbian Renewal Movement Party (SPO) for most of the Ministry's existence (and deemed an SPO "fortress"), intervened in the delegate selection process in a partisan, politicized manner. Her organization's candidate to be one of Germany's delegates was contacted by Ministry for the Diaspora officials and told in no uncertain terms that she wasn't the kind of person they had in mind. The German Serb delegates that the Ministry favored were older diasporans who had been

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<sup>71</sup> Article 10, Law on Parliamentary Elections, *Službeni glasnik Republike Srbije*, br. 18/2004.

<sup>72</sup> Constitution of the Republic of Serbia, 2006, Article 52.

<sup>73</sup> Zakon o dijaspори i Srbima u regionu, *Službeni glasnik Republike Srbije*, 88/2009.

<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

<sup>76</sup> "Skupština dijaspore do kraja juna, *Radio-televizija Srbije*," February 7, 2010, <http://www.rts.rs>.

<sup>77</sup> In Australia, for example, see: Miladin Ilić, "Propao izbor delegata za Skupštinu Dijaspore u Melburnu," *Novinar Online*, April 21, 2010, <http://www.novinar.de/2010/04/21/propao-izbor-delegata-za-skupstinu-dijaspore-u-melburnu.html>.

<sup>78</sup> B. Popović, "Cirkus od izbora za Skupštinu dijaspore," *Vesti*, March 17, 2010, <http://www.vesti-online.com/Dijaspora/drzava/Nemacka/Vesti/37564/Cirkus-od-izbora-za-Skupstinu-dijaspore>.

<sup>79</sup> "Skupština dijaspore: sudbina i komentari," *Radio-televizija Srbije*, December 11, 2012, <http://www.rts.rs>.

active in overseas SPO branches.<sup>80</sup> An Australian delegate publicly complained that during the Assembly's 2010 vote on who would serve as the body's first president, officials from the Ministry for the Diaspora were sending texts to various delegates ordering them to back the candidate who eventually won.<sup>81</sup>

The first Diaspora Assembly session was held in July 2010, and attended by then-President Boris Tadić, then-Minister for the Diaspora Srđan Srećković, church officials, and most Cabinet ministers. These officials praised the diaspora's economic contributions to Serbia and reiterated goals of bringing together homeland and diaspora. Minister Srećković identified the key tasks of the Assembly as consolidating Serbia's role as the kin state for overseas Serbs, harnessing the diaspora for economic development, and preserving Serbian identity.<sup>82</sup> The Assembly's second session was held in the summer of 2011.

Some of the elected delegates have since criticized the body. In addition to complaints that the election process lacked transparency and regularity, the sessions have been criticized as being unorganized and lacking vision. As a delegate from Chicago complained, "The Ministry for Diaspora and Religion should have laid out some aims for us and clarified what our role was as delegates, and not simply go to the media, have them cover the events and then after three days we simply go home with nothing."<sup>83</sup> According to a delegate from Russia, "Nothing was begun and nothing was finished... There were no results on the issue of amendments to the Law on the Diaspora and Serbs in the Region, nor was there a precise, definitive work agenda... Due to arguments over the daily schedule and the request of a group of delegates to change the presidency of the Assembly... the work was practically blocked."<sup>84</sup> A delegate from Belgium complained that the majority of the Assembly session time was squandered on obsequious addresses from high-ranking Serbian government officials at the expense of focusing on actual policies.<sup>85</sup> Nor did an Austrian delegate think highly of the institution: the Assembly "was not the result of a genuine desire to improve relations with the diaspora and truly remake relations with the diaspora, but rather an attempt to justify and maintain a bloated apparatus of officials in the Ministry [for the Diaspora]."<sup>86</sup> He likewise noted that some of his fellow delegates were motivated more by the prestige of winning the election, but were unambitious when it came to actually tackling issues.

On balance, the Diaspora Assembly is not an effective diaspora representation mechanism. It may have some symbolic importance, but its output was minimal and undermined by the lack of independence and transparency. The process of selecting delegates was nontransparent and, once picked, there were no effective mechanisms to link delegates to their constituents, or to provide open access to the workings of the Assembly through a website. The Assembly sessions were full of platitudes and pomp and circumstance, but little time or energy was devoted to discussing actual issues and developing policies. Instead, the Assembly seems to be an attempt to give a veneer of pluralism and responsiveness to the state's policymaking process. After years of complaints from the diaspora that the Serbian government used and abused the diaspora and only turned to it when it wanted money, it was an attempt to recast the

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<sup>80</sup> Author interview with diaspora activist #9, Stuttgart, Germany, July 15, 2010.

<sup>81</sup> S. Princip, "Milanović: Namešten izbor Gvozdenovića!" *Vesti* June 8, 2011, <http://www.vesti-online.com>.

<sup>82</sup> "First Assembly of Diaspora and Serbs in Region Was Constituted," *JAT New Review*, 2010, pgs. 10-11.

<sup>83</sup> J. Arsenović, "Šou program za dijasporu," *Vesti*, July 24, 2011, <http://www.vesti-online.com>.

<sup>84</sup> R. Lončar, "Otadžbina bez sluha za rasejanje," *Vesti* July 9, 2011, <http://www.vesti-online.com>.

<sup>85</sup> *Ibid.*

<sup>86</sup> "Skupština dijaspore: sudbina i komentari."

relationship as a partnership, but it seems to have failed. In any event, the fate of the Assembly is unclear in the wake of elections in 2012, wherein the Ministry for the Diaspora was eliminated.

## Substantive Representation

### **Ministry for Serbs Outside of Serbia**

Milošević-era Serbia had an institution for external coethnic kin; however, rather than advocating the interest of diaspora Serbs, the Ministry for Relations with Serbs Outside of Serbia claimed to represent and act on behalf of ethnic Serbs in newly independent Croatia and Bosnia-Herzegovina – states that were now ground zero for Europe’s most horrific atrocities since World War II.

The Ministry was established in 1991 and led by a former factory director named Stanko Cvijan. Cvijan described his Ministry’s role as fulfilling the Serbian Constitution’s promise to look after all Serbs, regardless of where they live, and

to convince [governments in Croatia, BiH, and Macedonia] that Serbia has no central authority promoting an uprising by Serbs outside Serbia, but that the Republic of Serbia will do everything in its power to defend its compatriots...When I go out in the field – because I don’t believe in armchair ministers – I will travel openly...In addition, it should be known that the problems of Serbs in Yugoslavia are the [Ministry’s] top priority right now, and that Serbs who live around the world will have their turn at a potential visit much later. It is my opinion, moreover, that the work of this ministry for Serbs in Romania, Hungary, and Albania is more urgent than those in, say, Australia.<sup>87</sup>

This Ministry was an institutional echo of Belgrade’s approach to the war at that time: to directly aid and abet the rebels and paramilitary forces in Croatia and Bosnia-Herzegovina while pretending not to. Outside reports suggest that the Ministry played a role in transferring money, supplies, and weapons from the Serbian government to Serb militia groups in Croatia and Bosnia-Herzegovina. The Croatian press reported meetings held on Croatian territory between Cvijan and Vojislav Šešelj, a Bosnian Serb whose paramilitary forces in Bosnia-Herzegovina and Croatia committed some of the war’s worst atrocities, and who currently is on trial in the Hague.<sup>88</sup> Cvijan and Šešelj, backed by paramilitary forces, allegedly threatened moderate Croatian Serb leaders in the Croatian region of Baranja until they abandoned their posts to the more radical and pro-Belgrade Serbian Democratic Party (Caplan 2005, 118). Minister Cvijan made little effort to hide this: “They use these monies for what they want. We don’t mix into it...[Socialist Yugoslavia’s republican divisions] are administrative borders. They are not based on ethnic or even historic lines. Serbia does not accept them.”<sup>89</sup>

The Ministry survived less than a year after Milošević lost power in 2000. In both Serbia and Croatia, then, the first ministries for the diaspora wound up playing strong roles in the armament process, albeit in different ways. For the Croatian Ministry for Emigration, that role was amassing diaspora money to buy supplies and weapons as the new state mobilized a new army virtually from scratch. Some of these arms were reportedly sent to Croat militants in Bosnia-Herzegovina. In Serbia, which did not have to worry about armament – it retained control over the Yugoslav National Army and federal hard currency reserves – the Ministry for Serbs Outside of Serbia apparently played a role in transferring weapons to Serb paramilitary forces in

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<sup>87</sup> “Minister for Serbian Diaspora Interviewed,” *Foreign Broadcast Information Service*, JPRS-EER-91-931, March 13, 1991.

<sup>88</sup> “Croatian Government Protest Note to Serbia,” *Foreign Broadcast Information Service* JPRS-EER-91-073, May 31, 1991.

<sup>89</sup> Quoted in Stephen Engelberg, “Serbia Sending Supplies to Compatriots in Croatia,” *New York Times*, July 27, 1991.

Bosnia-Herzegovina and Croatia, and apparently had little to no interaction with overseas Serbs.<sup>90</sup>

### **Ministry for the Diaspora**

The Diaspora Ministry (*Ministarstvo za dijasporu*, MZD) was created in 2004, four years after Milošević and the SPS lost power. The Ministry's formal mission was to improve the relationship between emigrants and the Serbian government, inform emigrants of their rights, create conditions for the inclusion of diaspora Serbs, and encourage their migration to the Republic of Serbia.<sup>91</sup>

After decades of strained ties under socialist Yugoslavia (with the partial exception of legal guestworkers to Western Europe), and an even more scarring decade of state-diaspora relations under Milošević, this was a tall order. Shortly after the Ministry's creation, its first minister, the Croatian Serb Vojislav Vukčević, addressed the 14<sup>th</sup> Serbian Unity Congress convention in Washington and stated his belief that the Serbian diaspora “both feeds and protects the mother country. It feeds by donating several billion dollars to families and friends, that is to say to people they know, and protects everyone, including those they do not know.”<sup>92</sup> The newly renovated building housing the Ministry was “your home as well, where you will come not to be guests but hosts.” Referring to state-diaspora relations in the Milošević era, he said: “Those people who forgot you are no longer here. There is only the Fatherland, which is older and more enduring than any of us...What one demands from one's Fatherland is always less than what one gives to it. If a person should demand anything from one's Fatherland it is that they should not be forgotten.”<sup>93</sup>

The Ministry existed through multiple Serbian governments: the portfolio went to the SPO from 2004 – 2007, then briefly to the Democratic Party for little more than a year, and then back to the SPO from July 2008 until the Ministry was closed in 2012. Under the first minister (SPO), the focus was on restoring the diaspora's trust in the Serbian state and in state institutions.<sup>94</sup> Millions of dollars worth of diaspora aid to Serbia went unaccounted for in the 1990s. Worse still, in a surge of patriotism, tens of thousands of diaspora Serbs emptied their savings and retirement accounts to buy up Serbian bonds in the early 1990s, which they were never able to redeem. During Vukčević's tenure (2004-7), the Ministry – despite the fact that it did not have the authority to propose legislation in parliament – pushed for several laws affecting diasporans' status. One important change was the 2004 Law on Citizenship, which was discussed in Chapter 3. Another initiative that it pushed for was a Law on Amnesty that ceased legal prosecution against 8,000 youth who had dodged the draft during the 1990s, and many of whom fled into emigration and were unable to return to the country until the threat of arrest was lifted. The Ministry also pushed to have taxes on humanitarian aid lifted, as well as taxation of imported household items belonging to those who moved back to Serbia. A draft Law on the Diaspora, as well as a draft law on doing a diaspora census, were less successful.<sup>95</sup> However, the

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<sup>90</sup> “Croatian Government Protest Note to Serbia.”

<sup>91</sup> *Informativni priručnik*, 2009, Ministarstvo za Dijasporu, Republika Srbija; *Informator o radu*, mzd.gov.rs.

<sup>92</sup> Vojislav Vukčević, Minister for Diaspora, speech at 14<sup>th</sup> Convention of the Serbian Unity Congress, Washington, D.C., October 22, 2004.

<sup>93</sup> *Ibid.*

<sup>94</sup> This concern was echoed by high-ranking officials under subsequent portfolios for the Ministry. Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

<sup>95</sup> Author interview with former high-ranking official from the Ministry for the Diaspora #3, Belgrade, Serbia, April 11, 2011; Vojislav Vukčević, “Otađzbini i rasejanju,” *Internet Novine Serbske*, May 13, 2006, <http://www.srpskadijaspora.info>.

Ministry was not alone here. Several diaspora members of the defunct Diaspora Council created in 2001 vented their frustration in the Serbian media.<sup>96</sup>

Under the subsequent two ministers, the Ministry became more goal-oriented. This included, for example, projects on developing a standard Serbian language curriculum for diaspora youth, and setting up a network to pair diaspora investors with firms in Serbia at the local level.<sup>97</sup> The Ministry had a small budget to reallocate to diaspora organizations and NGOs, although in practice these resources were allegedly used as an additional source of political patronage.<sup>98</sup> Ministry officials also attempted to simplify overseas voting procedures, albeit with fewer results.<sup>99</sup> The third minister, while seen as ambitious and very competent, was depicted by some (including the media) as using his position to advance his political career within his SPO party and within Serbian political circles. High-profile yet superficial policies (such as the 2009 Law on the Diaspora) and speeches were used to keep his name in the media, according to these critics.<sup>100</sup>

By almost all accounts the Ministry was a weak, marginal player in Serbian politics. This assessment was confirmed by almost all interviewees who discussed the Ministry's efficacy, including former employees of the Ministry, former government ministers, and political party strategists from the SPO and the DS. It would be unfair to place the blame for this squarely on the leadership and staff within the Ministry, for the institution was never intended to be robust. It was not endowed with the resources or the authority necessary to effect major policy change on its own. This is evident in Chapter 3's discussion of the Ministry's attempts to put a new citizenship law on the political agenda. It lacked the power to propose legislation.

It was, by multiple accounts, created for political reasons rather than to improve policymaking in that sphere of diaspora affairs. A former official from that Ministry explained that the Ministry was created when the Democratic Party and the SPO hashed out a coalition government after the 2004 parliamentary elections. The SPO wanted more portfolios than the few that it was assigned, but the Democratic Party did not want to relinquish any "important" ministries to its junior partner. The Ministry for the Diaspora was created as a compromise: it was given to the SPO to be run as the party's own little fiefdom, and it was seen as the SPO's "fortress" or "playground" – something to keep it occupied. As modest as the SPO's prize was, it became an institution that it jealously regarded as its own.<sup>101</sup> In sum the Ministry was perceived to be the least coveted ministerial portfolio, and was something of a joke among officials in more prestigious ministries.<sup>102</sup>

Much like Croatia's second ministry-level diaspora institution, Serbia's second ministry for diaspora affairs has gradually had its wings clipped. In 2011, the ministries for religion and diaspora were merged together, which in official discourse was touted as a cost-cutting measure. In July 2012, after parliamentary elections produced a new governing coalition comprised of the

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<sup>96</sup> Author interview with diaspora activist #10, U.S., March 6, 2013.

<sup>97</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010; author interview with high-ranking Ministry for the Diaspora official #1, Belgrade, Serbia, March 8, 2010; author interview with high-ranking Ministry for the Diaspora official #2, Belgrade, Serbia, March 8, 2010.

<sup>98</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.; Author interview with diaspora activist #9, Stuttgart, Germany, July 15, 2010

<sup>101</sup> Author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

<sup>102</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010; author interview with former high-ranking Ministry for the Diaspora official #3, Belgrade, Serbia, March 30, 2010; author interview with former high-ranking Ministry for the Diaspora official #4, Belgrade, Serbia, March 31, 2010.

nationalist Serbian Forward Party and the Socialist Party of Serbia, the Ministry was eliminated.<sup>103</sup>

It would be unfair to characterize the Ministry for the Diaspora as a Potemkin institution. It did play a role in getting citizenship legislation changed in 2004. It had modest successes in facilitating economic and cultural cooperation between homeland and diasporas. The Ministry was arguably more effective when it partnered with a party or when working with a diaspora organization (which was the case with the 2004 introduction of overseas voting rights). Given its limited base, the Ministry was more effective when focused on enacting specific legislative changes than it was in trying to introduce ambitious programs (economic investment partnerships) or new institutions to redirect diaspora affairs (the Assembly). An additional problem is that the institution was never wholeheartedly embraced by the entire diaspora. The symbols and appeals made by the first minister appealed to older political émigrés, but were viewed by more recent emigrants as out of touch and fixated on the dividing lines of Yugoslavia's WWII-era civil war. The second Minister, under the DS, was viewed by the older political emigrants as too liberal and pro-West, even if her younger age and cosmopolitanism appealed to younger, more recent emigrants.<sup>104</sup> The third Minister was accused of using his tenure in the Ministry as a sort of personal vanity plate – a means to promote his position in the SPO party and keep his name in the media.<sup>105</sup>

As this section shows, once again, diaspora issues in Serbia do not evoke the fierce debate that they do in Croatia or Armenia. According to a member of the Democratic Party leadership (a moderate centrist party), neither for that party nor for Serbia's political elite in general are diaspora issues deemed important; elites lack the will and resources to engage the diaspora.<sup>106</sup> The party that has been the most successful in the diaspora – the SPO – has been a marginal political player since the late 1990s. Moreover, the subset of the diaspora that it courted most heavily was the older generations of political emigrants. But the oldest stalwarts in the diaspora are a shrinking pool, and the stock of educated professional emigres – the generation that fled in the 1990s – is the group most likely to participate in politics of the homeland. Yet for Serbian political elites, the political preferences of the cohorts that have left since 1990 are still unknown. Rather than being a bloc voting on “diaspora” interests, they are seen as likely to vote as their demographic and socioeconomic counterparts would – a microcosm of voters in the regions, professions, and age brackets that they come from.

## REMOTE REPRESENTATION IN ARMENIA

Successive governments in post-Soviet Armenia have had strong interest in preventing diaspora influence in homeland affairs. This has meant, in practice, that governments have undercut diaspora representation by limiting competition from diaspora candidates, and creating institutions that are pliable and able to buffer diaspora input.

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<sup>103</sup> “Dijaspora: Ministarstvo dijaspore ne sme da se ukine,” *Politika* June 27, 2012, <http://www.politika.rs/vesti/najnovije-vesti/Dijaspora-Ministarstvo-dijaspore-ne-sme-da-se-ukine.lt.html>.

<sup>104</sup> Author interview with former high-ranking Ministry for the Diaspora official #5, Belgrade, Serbia, April 11, 2010.

<sup>105</sup> *Ibid.*; author interview with diaspora activist #9, Stuttgart, Germany, July 15, 2010; author interview with diaspora activist #15, U.S. March 6, 2013.

<sup>106</sup> Author interview with Democratic Party official #3, Belgrade, Serbia, April 9, 2010.

## Descriptive Representation

### **Passive Voting Rights**

Like Croatia, Armenia has had prominent politicians with diaspora backgrounds. Levon Ter-Petrossian appointed the American Armenian Gerard Libaridian as Director of the Department of Research and Analysis in the President's office, and later as a senior adviser (Panossian 1998, 168). Raffi Hovanissian, a young Armenian American lawyer, was Armenia's inaugural foreign minister.<sup>107</sup> However, while this selective recruitment of diasporans to serve in government could be interpreted as an olive branch of sorts to the diaspora, this mechanism – appointment – is something that domestic elite can exert control.

As we saw in chapters 3 and 4, policies on membership and participation have worked in tandem to eliminate the diaspora as a source of political competition. Until 2007, Armenia's restrictive citizenship law did not allow diasporans to acquire citizenship without sacrificing their existing citizenship and repatriating to Armenia. Active voting rights, in turn, were based on citizenship *and* residence in Armenia for a prescribed period of time. As discussed in Chapter 4, the 1991 Law on Civic and Political Organizations banned Armenian parties from having foreign members. Since parties are the primary mechanism of elite recruitment, this was one way to cut off the diaspora from the upper echelons of power. When all else failed, as the case of the American-born former foreign minister Raffi Hovanissian demonstrates, the authorities could simply make it as difficult as possible for would-be candidates with a diaspora background to acquire Armenian citizenship.

These measures might seem to insulate access to the political elite from the diaspora, but successive Armenian governments have gone further still. Of the three countries examined in this study, Armenia's approach to the passive voting rights of its diaspora population is by far the most restrictive. Under the 1995 Law on the Election of Deputies to the National Assembly, candidates for office had to permanently reside in Armenia for at least three years by the date of the election.<sup>108</sup> Similarly, the 1996 Law on Electing the President required at least 10 years of residence in Armenia. This effectively made it impossible for diaspora Armenians to run for the presidency during the 1990s and early 2000s (OSCE 1996).

Even when the acute acrimony of state-diaspora relations eased after Ter-Petrossian's ouster in 1998, passive voting rights remained restricted. The 2007 election law, which came on the heels of dual citizenship's introduction, eliminated overseas voting and adapted passive voting rights to the new context of a potentially expanded citizenry. Dual citizens were barred from running for parliament or the presidency. The 10-year residence period was still in place in order to run for the presidency, and a candidate could not have had dual citizenship for 10 years prior to running for office. In other words, a diasporan from the U.S. would need to move to Armenia, acquire Armenian citizenship, renounce her American citizenship, and wait ten years before she would be eligible. Similarly, candidates to the National Assembly needed 5 years of residence, and likewise could not be dual citizens for 5 years prior to running for office (Venice Commission and OSCE 2008, 8). The restrictions to active and passive voting rights were reportedly included in order to bring the reluctant Republican Party, the largest member of the

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<sup>107</sup> Hovanissian's resignation in October of 1992, just one year after his appointment, likewise symbolized the erosion of state-diaspora goodwill (Panossian 1998, 170).

<sup>108</sup> Law on the Election of Deputies to the National Assembly, Article 3 (1995).

governing coalition, on board with the dual citizenship legislation. As additional “insurance,” these restrictions to candidacy are enshrined in articles 50 and 64 of the Constitution.<sup>109</sup>

As Makaryan (2010) notes, the Armenian government and state apparatus have frequently used citizenship and residency criteria to eliminate political competition or opposition from the diaspora. The most notable example of this is Raffi Hovannisian, the minister of foreign affairs from 1991-1992. He claims to have first applied for Armenian citizenship in 1991, but he did not receive it for another decade. His supporters allege that the government – even under Robert Kocharian’s presidency – delayed his citizenship application to prevent him from running for president. Hovannisian tried to run for president of Armenia in 2003 and 2008, but since he had not been a citizen of Armenia for 10 years, he was deemed to be ineligible. His attempt to have the records on his naturalization dated earlier were spurned since an associate of President Kocharian testified before the court that no citizenship application had been filed for Hovannisian until 1997 (Makaryan 2010).

The Venice Commission deemed the restrictions to candidacy to be excessive, but the Armenian government only partly responded. In changes to the law in 2011, the requirement of having *only* Armenian citizenship for the previous 5 (parliament) or 10 (president) years was removed, but candidates still had to have resided in Armenia for 5 (parliament) or 10 (president) years and could not have dual citizenship at the time of candidacy. The difference was that candidates who met the citizenship length and residence criteria could now simply renounce their non-Armenian citizenship and run for office without waiting. The Venice Commission noted that this only “very partially addressed” its recommendations: “None of the issues for presidential candidacy related to age or permanent residence have been addressed, despite international standards and recommendations of the Venice Commission and OSCE/ODIHR...[The] requirement of 10 years residence and 5- years citizenship is disproportionate. Except in very specific situations, which do not appear to be present in Armenia, these restrictions are not justified by the need to protect national or democratic interests” (Venice Commission and OSCE 2011a, 9). However, this external pressure was insufficient to prompt the legislative changes; it was a fundamental political interest, and domestic elites were unwilling to yield.

## Substantive Representation

The Armenian government has created several institutions to nominally incorporate diaspora interests into policymaking.<sup>110</sup> In the 1990s, several minor initiatives were launched that had little lasting impact. These initiatives included a State Council for Diaspora Relations under President Levon Ter-Petrossian, and several diaspora conferences organized under the Kocharian administration. The Armenian Diaspora Ministry was created in 2008.

### **Early Initiatives**

In 1997, President Ter-Petrossian issued a decree that established the State Council for Relations with the Diaspora. The Council was tasked with coordinating relations between state and diaspora and reformulating diaspora policy.<sup>111</sup> It was headed by then-prime minister Robert Kocharian. The Council also included the ministers for foreign affairs, education and science,

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<sup>109</sup> Constitution of Armenia (with amendments), <http://www.parliament.am/parliament.php?id=constitution&lang=eng#3>.

<sup>110</sup> One of the most important nodes of diaspora-state relations has been the creation of humanitarian aid institutions. Although agencies like the *Hayastan* All-Armenian Fund are important organizations, I do not discuss them here because they are not integral to the political incorporation process.

<sup>111</sup> “Armenia Creates Top Body for Diaspora Relations,” *Jamestown Foundation Monitor*, May 8, 1997.

culture, and privatization and FDI.<sup>112</sup> In practice, the Council did little (Panossian 1998, 178). More informally, the chief architect of Ter-Petrosian's policies towards the diaspora was the American Armenian historian Gerard Libaridian, who served as a close adviser to Ter-Petrosian in the 1990s. Libaridian had previously held high-ranking positions in the ARF organization in the United States, and served as editor of the ARF's *Armenian Review*. In 1988 he quit the ARF in protest of the party's opposition to the national movement in Armenia (Policy Forum Armenia 2010). He drew the ire of the Dashnaks later on when he advocated negotiations with Turkey in order to improve Armenia's economic health and force Azerbaijan to the negotiating table.

Once Kocharian was in power in 1998, he made repeated promises to bring homeland and diaspora closer together. Arguably the most popular among diasporans of Armenia's three presidents since 1991, Kocharian nevertheless left little in the way of diaspora institutions during his two terms in office. The extent of diaspora institution-building under Kocharian was a trio of state-diaspora conferences held in the late 1990s and early 2000s. These were enormous, high-profile affairs with over 1,000 participants. However, those who were present at the conference recalled that it was by and large a display of pomp and condescension. Diaspora delegates lectured their compatriots from behind a podium without venturing far from the 5 star hotel where the conference was held.<sup>113</sup> Similar to the Serbian Diaspora Assembly, the three conferences were filled with high profile, media-friendly speeches and appearances from Armenia's top political figures. These three conferences focused on thematic issues, such as economic development, but had limited output in terms of identifying core issues and coming up with coherent policy proposals (Policy Forum Armenia 2010, 30-31).

### **Ministry for the Diaspora**

In recent years, a more permanent, high-level institutional framework for diaspora relations has taken shape. Armenia's Ministry of Foreign Affairs housed a Diaspora Department with three regional subdivisions, but "largely failed in building institutional bridges with the Diaspora" (Policy Forum Armenia 2010, 17).

In 2008, in the wake of the disputed victory of Serzh Sargisian in the presidential elections, a Ministry for Diaspora Affairs was created.<sup>114</sup> According to an analyst in Yerevan, it is not at all coincidental that Sargisian created this Ministry in the aftermath of the violent crackdown on post-election protests. Its creation "reflected a decision by this [new] Armenian president to at least institutionalize some kind of government mechanism to both manage and deal with the diaspora."<sup>115</sup> As Sargisian pursued a foreign policy course of negotiating with Turkey over normalizing relations – something that prompted severe criticism from diaspora circles – it was also a way to channel the diaspora backlash into a buffer institution rather than having it weaken government resolve. As Panossian (1998, pg. 177) argues, governments in countries of emigration may be motivated to establish new institutions in order to "take direct politics out of the relationship" with the diaspora; that is, to engage the diaspora through a neutral institution rather than a political party or an organization that belonged to the diaspora.

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<sup>112</sup> "New Diaspora Armenia Committee Formed," *Noyan Tapan*, May 6, 1997, <http://asbarez.com/33570/new-diaspora-armenia-committee-formed/>.

<sup>113</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

<sup>114</sup> Large demonstrations in Yerevan, as well as parallel solidarity demonstrations in Moscow, Los Angeles, and a few other cities, went largely unreported in the diaspora press (Policy Forum Armenia 2010, 15).

<sup>115</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

The Diaspora Minister, Hranush Hakobian, was a long-serving Republican Party (the party to which Sargisian himself belonged) member of parliament who did not have a diaspora background herself. She identified the key tasks of the Ministry as 1) the preservation of Armenian identity (culture, religion, language), 2) harnessing diaspora knowledge and capital for homeland development, and 3) fostering repatriation.<sup>116</sup> The Ministry's role was to develop policies and programs aimed at bridging homeland and diaspora. Some of these programs, however, were mocked in diaspora media.<sup>117</sup> The Ministry is broken down into 9 departments by region and function. There is also an advisory board, of which 14 members are homeland Armenians, and just 4 are diaspora Armenians.<sup>118</sup>

Like its counterparts in Croatia and Serbia, the Diaspora Ministry was seen as a marginal political player, and one of the least-coveted portfolios. As one analyst viewed it, "Every ministry [in Armenia], in terms of the current power politics, has its own fiefdom, its own share of corruption, and its own share of political power. The Diaspora Ministry is like the Culture Ministry. No pool of [patronage sources], no power."<sup>119</sup>

After the Syrian Civil War began in early 2011, the Ministry initially faced criticism for not doing enough to assist Syria's 100,000-strong Armenian population, most of which is concentrated in Aleppo.<sup>120</sup> The several thousand refugees who fled to Armenia reportedly had little support in securing documents and transportation to Armenia, and little assistance in accessing housing and employment once they arrived. This criticism was voiced by Vartan Oskanian, a former foreign minister who himself is a native of Aleppo: "[Aleppo's Armenians] do not feel the support of their homeland at all."<sup>121</sup> The Minister countered that she had been in regular contact with Armenian organization heads in Syria, and was coordinating with Armenian government officials to support refugees.<sup>122</sup>

In sum, Armenia's representation initiatives (or lack thereof) are consistent with its policies on membership and participation: keep the diaspora out of the homeland political community, at least as full-fledged stakeholders. As Chapter 2 discussed, although diaspora-homeland tensions were a hallmark of the Soviet period of Armenian history, it was the 1988 statement of the three Armenian diaspora exile parties that went *against* the pan-national movement that set the stage for the tensions that have persisted in the period since independence.

## CONCLUSION

This chapter has discussed the third and final dimension of diaspora political incorporation: representation. Citizenship confers participatory rights, which in turn allow diasporans to influence the selection of government and legislative officials. But the links between overseas citizens and homeland delegates are weak by default.

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<sup>116</sup> Vincent Lima, "An Interview With the New Minister," *The Armenian Reporter*, November 21, 2008, <http://reporter.am>.

<sup>117</sup> For example, a virtual Armenian diaspora website that was launched by the Ministry in 2012 was much derided by Western diaspora journalists for its Borat-like English translations and poor user interface. See Ara Khachatourian, "Diaspora Ministry's Affront to the Diaspora," *Asbarez*, March 13, 2012, [asbarez.com/101597/diaspora-ministrys-affront-to-the-diaspora/](http://asbarez.com/101597/diaspora-ministrys-affront-to-the-diaspora/).

<sup>118</sup> Advisory Board under the RA Ministry of the Diaspora, [www.mindiaspora.am/en/Atean\\_team](http://www.mindiaspora.am/en/Atean_team).

<sup>119</sup> Author interview with political analyst #2, Yerevan, Armenia, August 3, 2010.

<sup>120</sup> Marianna Grigoryan, "Armenia: An Uncertain 'Homecoming' for Syria's Diaspora," *EurasiaNet*, July 31, 2012, [eurasianet.org/node/65728](http://eurasianet.org/node/65728).

<sup>121</sup> *Ibid.* Further complicating matters is Armenia's close ties to Russia, which has largely sided with the Assad regime, as well as Yerevan's generally good relations with the Assad regime.

<sup>122</sup> "Armenia's Diaspora Ministry Calls for Restraint," *Armenian News*, July 30, 2012, <http://www.tert.am/>.

Governments in Armenia, Croatia, and Serbia have created mechanisms that superficially would seem to enhance diaspora representation. The simplest, most basic policy that shapes descriptive representation in an emigration context is the right to run for office. This right was the least constrained in Croatia, where a host of diaspora returnees have served as members of parliament, cabinet officials, prime minister, and have even run for the presidency. In Serbia, passive voting rights were restricted during the 1990s. If anything, the Milan Panić fiasco must have convinced Slobodan Milošević of the dangers of a wealthy diaspora political aspirant from the West. Passive voting rights were ambiguously introduced in 2004, but the ambiguity of wording reflects deep ambivalence on the part of Serbia's political elites. Armenia has been the most cautious about extending passive voting rights. Successive governments have placed barriers to these rights through citizenship and electoral legislation, as chapters 3 and 4 discussed, as well as through additional restraints.

A second mechanism of descriptive representation is to create institutions whose members have a diaspora background and are selected by the diaspora itself. Armenia has not had this mechanism, but the Croatian and Serbian examples – Croatia's diaspora constituency in parliament and Serbia's Diaspora Council – cast doubt on the efficacy of these institutions in advocating diaspora interests. In Croatia, most of the delegates to this constituency have been Bosnian Croats, who are not seen to be "diaspora" at all. If anything, by segregating diaspora voters into a fixed number of seats, all parties are relieved of the "burden" of taking diaspora interests into account. Diaspora deputies were loyal HDZ deputies first and foremost. By the mid-1990s, all domestic political parties were thoroughly convinced that the diaspora was solidly pro-HDZ. None of the other parties bothered to court overseas voters, and the fact that there were designated representatives for the diaspora meant that they did not have to pay much attention to their concerns. This impression has been reinforced by every single election outcome. When the diaspora demobilized after 1995, the HDZ could rely on overseas support by inertia alone. Nor is there evidence that, aside from a few particularly active deputies, these delegates have represented their diaspora constituents' substantive interests. One of the key tenets behind the idea of descriptive representation is that officials who "resemble" their constituents are more sensitive to the latter's needs and concerns. In practice, most of these delegates have been Bosnian Croats. Many of the returnees from the diaspora who have served as representatives, many of them originally hailed from Bosnia-Herzegovina. Some delegates have also been homeland Croats with familial ties to Bosnia. One former representative from this constituency was still in awe that "they" (the HDZ party to which he belonged) put him on the diaspora list. Despite being born in Bosnia-Herzegovina, he grew up in Croatia proper, and identified as such.<sup>123</sup>

The Serbian Diaspora Council is even less effective. The process of selecting its members was nontransparent and seen by many in the diaspora as manipulated. This in turn undermined the institution's legitimacy. Moreover, the goals and agenda of the Council were never clear, and it became something closer to public theater than an actual advisory council. Finally, there was nothing linking the council's output to the policymaking process, or to diaspora Serbs in general.

In all three countries, institutional experiments have been undertaken to enhance diaspora representation indirectly through the creation of special ministries and agencies. These institutions are the most politically palatable for homeland elites. The strongest evidence that the creation of diaspora ministries and similar institutions is the very low level of prestige and

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<sup>123</sup> Author interview with member of parliament (HDZ), Zagreb, Croatia, June 29, 2010.

resources that they receive. With the exception of Croatia's Ministry for Emigration and Ministry for Return and Immigration, most of the staff in these institutions do not have a diaspora background. Nor do the ministries have clear linkages to the diaspora at large, which clearly undermines the very idea that they are advocating diaspora interests. The policy success of diaspora ministries in the three countries is also dubious. The use of these institutions is mostly pomp and circumstance, with occasional efforts to come up with economic policies to generate diaspora investments.

## Conclusion

This study began with a simple question. Why do some countries that experience mass emigration create opportunities for overseas kin to be included in homeland political life, while other emigration states try to insulate homeland politics from diaspora influence? It then developed a new way to frame and operationalize the dependent variable. Adapting the political incorporation lens from research literatures on immigration and racial and ethnic politics, this study frames diaspora inclusion in homeland politics as *political incorporation*, a process that rests on the dimensions of membership, participation, and representation. The focus of the study is not on the process per se (that is, whether overseas kin become part of the homeland political community through their own actions, as mediated by homeland institutions), but rather on the policies that shape and constrain the incorporation process. These emigration state initiatives are termed *diaspora political incorporation policies*, and the policy indicators that correspond to the dimensions of membership, participation, and representation are citizenship, overseas voting rights, and institutionalized policymaking access points, respectively.

The postcommunist region is a compelling site to study diaspora political incorporation policymaking. Nearly 30 states exited communism at the same time, and their many similarities include the structural and societal legacies of communism, the challenges of party-building from scratch, the pains of economic and political transition, the concern with identity-building and ideology beyond the shadow of Marxism-Leninism, and exposure to similar regional ideas and pressures. The enormous challenges of transition from communism, as well as the desire to build viable and competitive parties, created strong incentives for homeland actors to court diaspora populations and overcome the hostility that undermined state-diaspora relations in the communist period. While some countries in the region introduced expansive diaspora political incorporation policies, other countries designed policies on citizenship, voting rights, and policy-making access in such a way as to keep the diaspora out of homeland politics. Moreover, individual countries' diaspora incorporation policies were dramatically revised across time, adding another layer of variation. Thus, despite a host of similarities in structural factors and temporal context that might suggest convergence in policies towards the diaspora's incorporation, in fact the region showcases a rich array of diaspora political incorporation policies.

While existing accounts of sending state policies towards the diaspora highlight the country of origin's economic and foreign policy interests, the diaspora's ability to lobby the homeland, or the diffusion of norms and models, I argue that these interests and ideas are secondary to domestic electoral incentives. In countries of emigration, the political stakes of incorporation are high. Changes in the boundaries of the citizenry, electorate, and community of stakeholders can deeply impact the distribution of resources and votes among homeland parties. Diaspora incorporation, in short, creates winners and losers.

This study then revisited an aspect of communism's collapse that tends to be overlooked by scholars – the transnational ties that formed between homeland opposition and overseas diaspora groups during the late 1980s and early 1990s. As the barriers to international travel eased in the communist bloc, many dissidents began traveling to North America, Western Europe, and even South America and Australia to court diaspora support. Through their lecture tours, diaspora-brokered meetings with Western government officials, fundraisers, and banquets, these dissidents helped drum up diaspora support for homeland political factions. The scale and

intensity of these ties varied, but the key distinctions are variations in the cohesiveness of the diaspora (the extent to which the diaspora concentrates its support in one or very few homeland groups), and whether or not the diaspora acted as an auxiliary by assisting homeland parties, or as a competitor by directly vying for power in the homeland.

These new linkages mattered because they conveyed important information to homeland elites about the political orientation of a population that until then was rather shrouded in mystery. Decades of propaganda depicting emigrants as fascists, revisionists, or treasonous villains had distorted homeland societies' perceptions of the diaspora populations. In a different way, the contacts between diaspora and homeland actors during the late 1980s also distorted homeland perceptions. After all, the diasporans who actively attended lectures and fundraisers or joined diaspora chapters of homeland parties were not necessarily representative of the broader diaspora. Nevertheless, even if these links were a poor sample of the entire diaspora's political orientations, they mattered because homeland actors deemed them to be important and used them as information shortcuts. Those who were politically active at this stage were arguably the same individuals who would be most active down the road in acquiring citizenship, participating in elections, and accessing homeland political institutions. The linkages were, in short, an expedient way to improve the legibility of an inherently unknowable population.

In the period after the founding elections, new governments in the postcommunist region tackled crucial state-building legislation and political reforms. Citizenship was one such piece of pressing legislation, particularly for those countries that were newly independent rather than simply newly freed from Moscow's yoke. Electoral codes and representation mechanisms were also hammered out relatively soon after the founding elections. Because these legislative decisions fundamentally shaped the size of the citizenry, the electorate, and the community of stakeholders, parties in power took particular care when constructing them. The political consequences of this legislation, as well as its importance in defining national identity, led to strong debates in newly minted parliaments and executive offices.

Parties that anticipated an electoral payoff from diaspora incorporation were, not surprisingly, the staunchest supporters of expansive policies, particularly during periods when they faced electoral uncertainties. In Croatia, all parties viewed the ruling HDZ as the primary beneficiary of diaspora political incorporation. The ruling HDZ devised policies on citizenship, voting, and representation to boost the party's electoral prospects in the lead-in to pivotal and/or close elections in 1992, 1995, and 2007. In the first two instances, the party designed legislation to facilitate broad overseas voting and amplify the diaspora's clout in parliament, respectively. In 2007, the party responded to its seemingly likely second-place place finish among homeland voters by dramatically amplifying the party's get-out-the-vote drive in neighboring Bosnia-Herzegovina. More than twice as many temporary voting sites were arranged for the 2007 election than in the 2003 election. The HDZ won a narrow plurality of the votes and was able to form a governing coalition, but not without accusations from other parties (and the broader public in Croatia) that the diaspora had tipped the election. This outcome likely convinced the SDP leadership, especially Zoran Milanović, of the need to push harder to scale back diaspora incorporation policies.

In Armenia, where leaders of the three exile parties reestablished the parties in 1990, it was these erstwhile diaspora-based parties that were the strongest supporters of expansive policies. The ARF party, which is the largest and has the strongest diaspora support by far, has been the most vocal in agitating for inclusive citizenship and electoral legislation, as well as for representation mechanisms. However, this party has never been dominant in parliament or the

executive. It was only in the 2000s, when the ARF was part of the governing coalition *and* had the strong support of President Robert Kocharian, who was not a member of *any* party, that it was able to secure the grudging support of the other coalition partners and introduce dual citizenship. Interestingly, we also saw that in Armenia, the other strongest supporters of expansive diaspora incorporation policies were small parties that had no diaspora ties. This was the case because these small parties shared a common foe with the diaspora: the ruling elites. By small party logic, allowing an enemy's enemy to swoop in and undermine ruling elites would create an opportunity for the small party to potentially expand its influence.

In Serbia, the "winners" of diaspora incorporation were far less predictable. Like Armenia, several small, very marginal parties were the most vocally supportive of overseas voting rights in the roundtable negotiations between Milosevic and the opposition prior to the 1990 founding election. While the major opposition parties were not willing to resort to a boycott over the issue of overseas voting, several small parties did make this threat. The SPO, a major opposition party during the 1990s, and undoubtedly the party with the strongest organizational presence in the diaspora, was not the staunch advocate of expansive citizenship, voting rights, and representation for the diaspora that one might have expected. On the one hand, the opposition – including the SPO – had larger concerns about the fundamental unfairness of the electoral playing field. Expending energy on lobbying for overseas voting rights may have seemed like a moot point in comparison to having opposition party representation on electoral commissions and guaranteed media time allotments. Additionally, the opposition parties may have worried that, as nontransparent as the domestic electoral process was, it was sure to be cloaked in even more secrecy in consulates and embassies that were controlled by SPS officials. Nevertheless, the SPO's party program and rhetoric in the 1990s, while far from silent on the issue of diaspora inclusion in homeland politics, was certainly nowhere near the HDZ's near-constant appeals to national synthesis and diaspora return. No party "commanded" the support of the diaspora's politically active subset. A strong share remained supportive of Milošević, others were primarily concerned with introducing a constitutional monarchy, and others still backed the opposition in its entirety rather than picking and choosing individual parties as allies.

In a similar vein, the parties that viewed themselves as the losers of diaspora incorporation also shaped the temporal development of policies on citizenship, elections, and access points. Their influence was strongest when they were in power and when they had strong bargaining power vis-à-vis the ruling party. In Croatia, the clear loser of diaspora political incorporation was and is the Social Democratic Party. As the successor to the Croatian League of Communists, the SDP clearly had the weakest potential support overseas from the outset. The SDP did not do any overseas organizing or genuinely try to improve its standing in the diaspora. Nor did it organize in neighboring Bosnia-Herzegovina. Thus, for the SDP, diaspora political incorporation was clearly not in the party's electoral interest. As the Croatian party system evolved from a single-party (HDZ) dominant in the early and mid-1990s to a system dominated by two major parties, the HDZ and the SDP, any changes to the incorporation framework were interpreted as being a boon for one and a bust for the other. The same logic applied to the incorporation of Serbian Croats, whose integration into political life was seen as a gain for the Social Democrats and a loss for the HDZ. The SDP was the party that was the most strongly and consistently opposed to externally inclusive citizenship, expansive overseas voting, and amplified diaspora representation in parliament. The party was able to pressure the HDZ to change the representation formula on the eve of the 2000 parliamentary elections, when the HDZ's popularity was tanking and its founding leader was increasingly ill. The HDZ's

leadership struggle after Tuđman's death resulted in a more moderate party with near-singular focus on EU accession. The SDP was again able to force through legislation that scaled back diaspora incorporation policies in 2010 and 2011.

In Serbia, the party that was by far the most concerned about being the loser of diaspora political incorporation during the 1990s was the ruling party – Slobodan Milošević and his Socialist Party of Serbia (SPS). A sizable share of the diaspora had vocally positioned itself in opposition to Milošević. Given the very close electoral margins during the first half of the 1990s, particularly in 1991, when Milošević faced mass demonstrations against his rule in Belgrade, and in 1992, when his experiment of appointing a diaspora Serb to the position of Yugoslav Prime Minister (see Chapter 5) backfired. The more general volatility of the electorate made Milošević reluctant to introduce new, unpredictable voters from the diaspora.

In Armenia, too, ruling elites were the perceived losers of diaspora incorporation. This was all the more so as relations between President Ter-Petrossian and the erstwhile diaspora party (ARF) became highly acrimonious. Their relations, which got off to a poor start when the three diaspora parties called on Ter-Petrossian's then-opposition ANM to refrain from provocative, pro-independence behavior, grew far worse in the early 1990s as the ARF became highly critical of Ter-Petrossian's policies. The ARF's electoral successes in neighboring Nagorno-Karabakh seemed to augur the ARF's heightened electoral prospects in Armenia itself. Clearly, when the most vocal and combative opponent to ruling elites was a diaspora-backed party, diaspora incorporation was not in the ruling party's interest. Even after Ter-Petrossian's rule ended in 1998 and his ANM was in the opposition, ruling parties remained highly wary of diaspora incorporation. This is particularly true of the Republican Party, which was the largest of the governing parties during the 2000s, and which would only support the introduction of dual citizenship if external voting rights were simultaneously eliminated.

## **THE CONSEQUENCES OF DIASPORA POLITICAL INCORPORATION**

Thus far, this study has not discussed the implications of diaspora political incorporation. This final section offers a brief discussion of diaspora political incorporation's relationship to democratization and party competition. It first describes several ways in which diasporas, and in particular political exiles and refugees, impact homeland politics even when policies facilitating membership, participation, and representation are weak or absent. It then looks at the potential second-order consequences of incorporation when these policies are in place.

### **The Menu of Options for Unincorporated Diasporas**

Diasporas need not be incorporated into their homeland political communities to influence homeland politics. However, the *tactics* and *opportunities* at their disposal differ from those available to diasporas when a political incorporation framework is in place.

Political exiles almost always have the goal of overthrowing or undermining the homeland government or some aspect of homeland political authority (Bowyer Bell 1971). They may train guerilla forces and plot invasions to seize power from afar, as the most radical elements of the Croatian and Serbian diasporas did, or they may work indirectly through their host state governments, as the more moderate Armenian, Croatian, and Serbian diaspora organizations did. Alternatively, they may provide material support to opposition movements in the homeland, as the Polish diaspora did for Poland's Solidarity movement during the 1980s, and

as Croats abroad did for the HDZ in the late 1980s.

The first type of action is unaided intervention. This is when exiles organize without cooperation or assistance from their host state governments. The Croatian Revolutionary Brotherhood, which slipped into Yugoslav territory in 1971 with the hopes of starting an insurrection, is one such example. Australia and West Germany, the host states of these self-styled commandos, clearly did not help them plan or execute their invasion.<sup>1</sup>

Conflict-generated diasporas in particular may remain involved in their homeland conflicts in ways that perpetuate or ameliorate them (Brinkerhoff 2006; Sheffer 2003, Wayland 2004.) As Lyons (2007, 530) argues, “Conflict-generated diasporas frequently have a prominent role in framing conflict issues and defining what is politically acceptable. Diaspora groups created by conflict and sustained by traumatic memories tend to compromise less and therefore reinforce and exacerbate the protracted nature of conflicts.”

There have also been numerous instances of exiles collaborating with host state governments to expel their homeland government. The Cold War period is replete with examples, from American and British support for Albanian exiles’ ill-fated attempt to oust the communist government in Tirana in 1949 (Shain 1989, 125) to the CIA’s collaboration with Cuban exiles in the botched Bay of Pigs invasion. The Soviet Union harbored leftist exiles from non-communist countries, particularly before 1942 when Comintern provided none-too-subtle direct support, and helped them train and prepare to bring socialism to their homelands.

A more pacifist tactic is to lobby host state government to discontinue supporting a homeland autocrat. South Korean and Filipino émigrés in the United States took this approach in the 1970s and 1980s (Shain 1989, 127). During the socialist Yugoslav period, moderate Armenian, Croatian, and Serbian diaspora groups avoided the direct action tactics of the radicals and instead tried to lobby the governments of their host states to sever their warm ties to Tito.

Next, political exiles, closer to the ear of decision-makers in Washington, London, and Paris, have been used to provide intelligence on the political and military situation in their homelands, or have even served as a government-in-waiting. In the march to the 2003 war against Iraq, CIA analysts reportedly clashed with Department of Defense officials when the latter relied on “questionable information...from Iraqi exiles long regarded with suspicion by CIA professionals” in order to make the case for preemptive war.<sup>2</sup> The exile Ahmad Chalabi’s Iraqi National Congress was at one point the Pentagon’s preferred successor to Saddam Hussein, even though Chalabi himself was “intensely unpopular” among many in Iraq.<sup>3</sup> Thus, diaspora informants providing “local” knowledge can filter information in non-neutral ways to further their own agendas.

Finally, unincorporated diasporas can intervene by backing certain opposition movements or parties in the homeland, whether to further nation-building (e.g. the HDZ’s support from many diaspora Croats in the late 1980s), or regime change (e.g. some diaspora Serbs’ attempts to help unify Serbia’s fractious opposition parties in 2000).

## The Implications of Diaspora Political Incorporation

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<sup>1</sup> In fact, German Chancellor Willy Brandt, who was in office at the time, had very good relations with Tito’s Yugoslavia, cooperating with the Udba in some cases to monitor political émigrés in Germany.

<sup>2</sup> Robert Dreyfuss, “The Pentagon Muzzles the CIA: Devising Bad Intelligence to Promote Bad Policy,” *The American Prospect*, 13(22), December 16, 2002.

<sup>3</sup> Seymour M. Hersh, “The Debate Within,” *The New Yorker*, March 11, 2002, pg. 36.

*Our diaspora is already participating in the political, economic, and cultural life of Croatia. We have ministers, we have officers and generals, high-ranking diplomats, we have owners of companies and entire factories.<sup>4</sup>*

-- Croatian President Franjo Tudman  
2<sup>nd</sup> HDZ General Convention, 1993

Tactics in the above-listed menu of options largely bypass homeland institutions. Homeland governments cannot create legal institutions to shelter domestic politics from guerilla invasions or the diaspora-massaged foreign policy of external states. Even legal restrictions to foreign funding of domestic parties can often be bypassed in practice.<sup>5</sup>

Diaspora political incorporation policies are fundamental to understanding the migration-politics nexus because they directly shape the opportunities and means through which diasporas (and not just exiles) participate in homeland politics and access policy-making. As such, diaspora political incorporation policies play a crucial role in mediating the effects of diaspora participation on democratization and election outcomes, a research subject that is increasingly important as the global migrant stock continues to grow, and digital technology facilitates novel forms of participation, such as e-voting and direct, instantaneous access to homeland media and social networking platforms.

The rather limited research on the relationship between diasporas and democratization offers a mixed picture. Some scholars view diasporas as potentially undermining homeland democracy. Political émigrés (or those who identify as political émigrés), they argue, remain fixated on the political issues that were prominent in the homeland at the time that they left or that motivated their diasporic activism to begin with. Isolated from evolving political debates and public opinion in the homeland, their attitudes and priorities may be out-of-touch with contemporary issues and discourse in the homeland, particularly if the issues that are dear to them relate to the nation or collective identity (Anderson 1992). From the safety of their host states, political émigrés can afford to take more extreme positions on homeland political issues than elites in the homeland. Moreover, they not subjected to the moderating effects of being forced to work and negotiate with political rivals to keep the state functioning. They do not have to worry about the everyday effects of the goals that they are pursuing, such as the economic impact on everyday life of a closed Turkish-Armenian border.

Other scholars are more optimistic of diaspora impact on homeland politics, and view diasporans living in liberal democracies as potential exporters of democratization to their homelands. There are two assumptions that underpin this view. The first assumption is that immigrants absorb the values and attitudes of their host state societies, such as human rights, individual liberties, and democracy. The second assumption is that these attitudes can be remitted to the homeland. Shain (1999), for instance, argues that diasporans can in fact remit liberal values and attitudes to their homelands. Looking at the case study of Mexico, Pérez-Armendáriz and Crow (2010, 120) concur that emigrants “absorb attitudes of democracy in the host country” and remit these attitudes to their compatriots by relaying information from abroad.

Aside from several case studies, assertions that diasporas remit liberal values have not

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<sup>4</sup> Franjo Tudman, keynote address delivered at the HDZ's second general congress. Quoted in, “Na putu slabode i slave hrvatskog naroda,” *Glasnik HDZ-a*, October 28, 1993, pg. 23.

<sup>5</sup> This was certainly the case in Armenia in the 1990s.

been rigorously tested. Several anecdotal examples from Armenia, Croatia, and Serbia suggest that this isn't always the case. For instance, the extremist Croatian Party of Rights, which in the early 1990s openly revered Croatia's WWII-era fascist regime and had a program centered on forcibly retaking "traditional" Croatian lands, fared much better among overseas voters than among homeland voters in the 1992 elections.<sup>6</sup> Some Serbian diaspora groups in North America became highly critical of Milosevic in the mid- and late-1990s because he "sold out" Serbdom at the Dayton Agreements. Some homeland Armenians were outraged when many diaspora Armenians, who never failed to voice their complaints when it came to government policy on Turkey and Nagorno-Karabakh, were virtually silent on the harsh repression of protests against electoral fraud in the 2008 elections.<sup>7</sup> In all three cases, and for each of the three examples, the diaspora was itself variegated in terms of its political remittances.

This is not to say that emigrants will blindly support nationalist causes and ignore violations of political freedoms and civil liberties, but rather to suggest that a third view of diasporas' impact on democratization, although less satisfying, is ultimately the one that seems to be the most accurate – diaspora impact on democratization can be positive, neutral, or negative, and depends on the context (Koinova 2009). Most overseas Croats voted for the HSP and HDZ in the 1990s, but there were still some who voted for more moderate parties like the HSLS and HNS. Some overseas Serbs did focus their ire on the democratic shortcomings of the Milosevic regime, and organized solidarity protests with homeland opposition demonstrations. And some diaspora Armenians did speak out against the post-election violence.

Rather than aiming to measure diaspora impact on democratization at the macro-level, it may be more fruitful to identify mechanisms or modes of diaspora influence on homeland politics. These mechanisms are often shaped by diaspora incorporation policies. The following factors constitute a suggestive rather than an exhaustive list of mechanisms: 1) influence on party competition, 2) electoral participation, and 3) patronage and governance. I draw on the Croatian case in particular because, as the case with the strongest diaspora incorporation policies by far, it best showcases some of the potential consequences of incorporation.

### **Influence on Party Development**

Diaspora support for homeland parties has the potential to impact party development and competition by distorting the distribution of resources among parties, shaping party programs, and skewing the development of the party-system.

#### *Material resources*

The politically active subset of the Croatian diaspora concentrated the majority of its support in one homeland party – the HDZ. The party's founder, Franjo Tuđman, had a strong edge over all other homeland dissidents in that he was able to go abroad a full two years earlier. Beginning in 1989 – again, before most other dissidents could even retrieve their passports – the party established some 200 branches in diaspora communities. These diaspora backers helped the HDZ overcome the resource mobilization challenges that all opposition parties in the communist bloc faced. In all, the Croatian diaspora contributed an estimated \$2-8 million to the HDZ for its campaign in the 1990 elections. This allowed the HDZ to outspend other new parties by 10 to 1

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<sup>6</sup> This was an election in which Croatian voters in Bosnia were *not* counted as overseas voters, meaning that the vast majority of overseas ballots for the HSP were cast in liberal democracies in the West.

<sup>7</sup> Some diaspora Armenians also made this criticism of the overall response from the diaspora. Joshua Kucera, "Armenia: The United States is Muted on the Armenian Political Crisis," *EurasiaNet*, March 5, 2008, <http://www.eurasianet.org>.

at a minimum, and possibly by as much as 40 to 1. Thanks in no small part to the HDZ's massive campaign war chest, the party was able to launch a modern election campaign, build a vast support base in and outside of Croatia, and win a commanding victory in the 1990 elections, thus ushering in a decade of its rule.

As we saw in the case of the Serbian Renewal Movement (SPO) in Serbia, material support doesn't only take the form of cold, hard cash. Aid to the mother SPO party came primarily in the form of photocopiers, audio-visual equipment, sound systems, computers, and printers. These supplies were used to help the party compete in the near-annual local, republican and federal elections in Milosevic's Yugoslavia, as well as to organize demonstrations and protests.

Examples of resource contributions abound from other regions of the world as well. In the late 1970s and 1980s, the Dominican Republic's PRD party was reportedly receiving as much as \$40,000 per month in support from emigrants in the United States. In the 1990s, up to a third of the party's operating budget and half of its campaign resources came from emigrants (Levitt 2001). In 1988, Mexican presidential candidate Cuauhtémoc Cárdenas mobilized financial support among Mexican immigrants in the United States with the help of a special U.S. committee devoted to assisting his campaign (Cano and Delano 2007; Goldring 2002). In a survey of Salvadoran immigrants in the United States, more than 15% of respondents reported occasionally or regularly donating money to a homeland party (Guarnizo et al 2003).

Material aid, then, matters because it can distort the resource balance among homeland parties and give an advantage to parties that might not necessarily be more popular among homeland voters. The material edge over other parties can give organizations like the HDZ the chance to improve its standing.

### *Party Program*

Diaspora politics can impact party programs by providing unique resources for political parties to position themselves ideologically vis-à-vis their opponents (Waterbury 2010). In densely populated swatches of the political spectrum, a center-right or ultra-right party might distinguish itself from like-minded competitors by placing special emphasis on diaspora affairs or kin state politics. This not only shapes the party's programmatic appeal, but also diaspora incorporation policies down the road. A party that campaigns on extending rights to the diaspora or "protecting" the diaspora risks losing credibility among voters if it fails to live up to its pre-election pledges and appeals.

Whereas the agency came from homeland party strategists in the preceding examples of party programmatic responses to diaspora concerns, there are also scenarios in which diasporas impact party programs by becoming involved in the party leadership or making material support contingent upon the party pursuing certain policies. Nearly 30% of the members of the HDZ organizing committee for the 1990 Congress were diasporans.<sup>8</sup> This was the committee that selected speakers, organized proceedings, and worked out some of the key themes for the highly public Congress. Nearly 15% of the 63 individuals selected for the party's Central Committee at that Congress had a diaspora background.<sup>9</sup>

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<sup>8</sup> "Predsjedništvo Sabora," *Glasnik HDZ-a*, March 1990, pg. 9. This figure excludes Bosnian Croats without an emigration background.

<sup>9</sup> "Sabor je izabrao," *Glasnik HDZ-a*, March 1990, pg. 11. This figure excludes Bosnian Croats without an emigration background.

The diaspora's imprint can be observed in the HDZ's program as well. Some of the key points of Tuđman's political ideology, including building a state whose borders overlapped with the nation, and the focus on national reconciliation, were at least partly distilled in his lengthy talks with right-leaning political emigrants in Canada in the late 1980s, before the HDZ had even formed (Hockenos 2003; Hudelist 2004). The hardline faction within the HDZ included erstwhile political émigrés like Gojko Šušak, who lobbied for intervention in Bosnia-Herzegovina and the reacquisition of "traditional" Croatian lands in Bosnia-Herzegovina.

The Armenian Revolutionary Federation, as a party that was reintroduced in Armenia in 1990 after decades in exile, likewise made diaspora-state integration and political rights for diaspora Armenians core issues. The party's worldwide leadership bureau continued to include members from foreign countries. Moreover, the ongoing focus on securing Turkish genocide recognition, even if it meant continued paralysis of Armenian-Turkish relations, was consistent with the position long taken by most in the diaspora.

### *Party System*

Closely related to material resources and ideology, diaspora involvement in homeland parties can skew party competition. In the case of Croatia, the diaspora's strong material support for the HDZ relieved the party of the need to cooperate with other new opposition parties. Most of the other new parties, such as the Croatian Social-Liberal Party, the Croatian Democratic Party, the Croatian People's Party, and veteran dissidents or reformists like Vlado Gotovac, Miko Tripalo, and Slavka Dabčević-Kučar, were too small to compete on their own with any success. They joined forces in the moderate Coalition for National Understanding. Their modest financial means and plurality of views forced them to cooperate and take moderate positions on the future of Yugoslavia and relations with the Croatian Serbian minority. The HDZ, by contrast, could afford to compete alone in the 1990 elections, and could afford to take a brazen stance on independence.<sup>10</sup> More importantly, by running alone and winning with a strong plurality, the HDZ was able to *govern* alone. What if the HDZ hadn't had the resource advantage from the diaspora? We cannot know for certain, but it may have been forced to compete as part of the Coalition for National Understanding. A coalition government, in turn, might have forced the party to take more cautious positions on the future of Yugoslavia, and moderate its tone and usage of symbols concerning national membership and relations with Croatian Serbs. Moreover, a coalition government might have avoided the single-party dominant party system that emerged because of the HDZ's commanding win in 1990, and its ability to rule heavy-handedly and insinuate itself into the structures of state administration, government, and economy.

An active subset of the diaspora helped fund and shape the ideology of the party that overwhelmingly won the founding election, and that then ruled the country for the next decade, a period of rule that cannot be classified as democratic.<sup>11</sup> Without the enormous financial contributions of the diaspora, it is unlikely that the HDZ would have won as decisively as it did. The diaspora's aid led to an extreme resource imbalance among the fledgling opposition parties, which in turn had a profound effect on party competition. Without this external cash, the HDZ might have joined the remaining opposition parties in the Coalition for National Understanding, a scenario more akin to the Czech Civic Forum, in which dissidents and several loose opposition formations banded together to compete in Czechoslovakia's founding election. A coalition

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<sup>10</sup> Technically the HDZ was in a coalition with several minor parties in 1990, but in effect it ran alone.

<sup>11</sup> Croatia was classified as "partly free" by Freedom House for each of its evaluations in the 1990s.

government would have been less able to coopt the state and exert politicized, partisan control over the state administration and institutions.

### **Electoral Participation**

The most self-evident way in which diasporas impact homeland political outcomes is through their electoral participation. This is also a mode of influence where diaspora incorporation policies matter immensely. The two primary mechanisms of this influence are voting and running for office.

#### *Voting*

If overseas voters exhibited the same distribution of preferences as the homeland electorate, then we wouldn't expect the overseas vote to have much of an impact on election results. However, as Chapter 2 showed, the diaspora population includes emigrants who left at various time periods and for varying reasons, the descendants of émigrés who grew up in and were politically socialized in a foreign country, and other ethnic kin who grew up exposed to a different country's political debates, system, and attitudes.

Thus, diaspora voters often do not look like their homeland counterparts (Fidrmuc and Doyle 2004). We see this on display in both Croatia and Serbia. Croatia's external voters have supported the HDZ by much larger margins than homeland voters in all elections since 1992. In some elections, such as Croatia's 2007 parliamentary elections, external voters were seen as the decisive factor in the HDZ's ability to form another governing coalition. Serbia's overseas voters have supported the Democratic Party by larger margins than homeland voters, but the population of overseas voters is so small that even the Democratic Party is still cautious about its relative support overseas.

Romania's external voters were credited with (or blamed for) tipping the presidential election results in 2009, when they disproportionately supported incumbent President *Băsescu* in the runoff. When exit polls came in from homeland voters, his opponent had a narrow lead. When overseas votes were tallied the next day, however, *Băsescu* eked out a narrow win with just 50.3% of the vote (Burean 2011). The election results for Italy's diaspora seats in parliament were seen as allowing Romano Prodi to (barely) form a governing coalition in 2006. A more extreme example comes from Cape Verde's 2001 presidential election, where the victor won by a margin of just 12 votes. Disproportionately favored by overseas voters, his victory would not have been possible without them. His extremely narrow reelection margin in 2006 again hinged on the overseas vote.<sup>12</sup>

#### *Candidacy*

A second mode of electoral influence is when diaspora candidates run for office themselves. There are numerous examples of successful or near-successful presidential bids of diaspora candidates in Lithuania, Latvia, Poland, Armenia, Georgia, the Czech Republic, Croatia, Serbia, and Slovenia, to list just a few examples from Eastern Europe alone. Farther afield, diasporans and exiles have run for the presidency in Kenya, Pakistan, Madagascar, the Dominican Republic, Haiti, Iraq, and Iran.

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<sup>12</sup> "Cape Verde's Diaspora Vote Gives Outgoing President Election Win," Agence France-Presse, February 14, 2006, NewsBank (10FCC2D2D4378598).

## Patronage and Governance

A common refrain among the dozens of returnees in Armenia, Croatia, and Serbia that I interviewed was the following: ministry officials, civil servants, lower-level party leaders, and the managers of public enterprises did not “want” the diaspora there because they did not want competition for the plum assignments in government, party, the civil service, and the economy. In all three countries, assignments to many of these positions constitute a source of patronage for political parties.

The HDZ’s use of patronage to reward diaspora backers is quite striking. As the chief architect of the state renovation project, the HDZ was in a position to reward its supporters and donors and plunder state assets and accounts for the party’s benefit. A longtime diaspora journalist observed, “Those [diasporans] who were most active in bringing money [to the HDZ in the 1980s] were the people who got good positions [back in Croatia].”<sup>13</sup> Wealthy émigrés were able to buy up five star hotels, prime real estate, and state-owned enterprises at bargain basement prices. Emigrants who worked blue collar jobs abroad might now be assistant ministers. As mentioned earlier, the late Croatian Defense Minister Šušak owned a pizza restaurant in Canada before returning. One former high-ranking ministerial official, a Croat who became involved in the HDZ in the diaspora in the late 1980s, marveled at his career trajectory upon returning to Croatia: “I’m a welder. I didn’t expect to work over here as a [high-ranking official in this ministry]! That was an honor that President Tuđman [bestowed on me].”<sup>14</sup>

In the early 1990s, the HDZ purged the existing civil service at the central and local levels, as personnel went through a rigorous screening process targeting their political loyalty and ethnicity. Kopic (2009) estimates that roughly 20% of Croatia’s civil servants were purged during this period, along with about 10% of public services employees. The state administration became a source of reward and employment to diaspora Croats, particularly those who had helped the HDZ in the late 1980s.<sup>15</sup> The key domains of patronage that served as selective benefits to party activists (including diaspora party members) were the party (discussed above), the government, and the diplomatic corps.

During the 1990s, diaspora Croats were appointed to key positions in government, including: Minister of Information, Minister of Emigration, Minister of Sea and Tourism, Minister of Defense, Minister for Return and Immigration, personal secretary of the President, president of the Croatian Government, head of the President’s Office, and other key posts (Čizmić et al 2005). Countless more held positions as assistant ministers and department heads. A number of Croatian returnees also headed various state agencies and public organizations, including the Croatian Heritage Foundation and the Croatian Fund for Privatization.

The state administration was also filled with diaspora Croats. This was, according to one U.S.-born Croatian returnee, just one way through which the diaspora came to influence government and politics in the 1990s. He noted that it was easier for diaspora Croats to find employment in Croatia in 1992, at the height of the war and economic decline, than it is now.<sup>16</sup> Government in the 1990s was “filled” with Croatian returnees.<sup>17</sup> In their 1996 sample of elites in

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<sup>13</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009.

<sup>14</sup> Author interview with diaspora returnee, former high-ranking ministerial official, Zagreb, Croatia, November 5, 2009. The nature of his skilled trade while living abroad has been changed to preserve his anonymity.

<sup>15</sup> Author interview with former diaspora journalist, Zagreb, Croatia, December 10, 2009. See also discussions of this in Hudelist (2004) and Meštrović and Zlatar (2007).

<sup>16</sup> Author interview with diaspora returnee from the United States, Zagreb, Croatia, December 15, 2009.

<sup>17</sup> Author interview with diaspora returnee from Australia, Zagreb, Croatia, November 3, 2009.

Croatia, Sekulic and Sporer (2002, 98) found that nearly 15% of respondents had an emigration background, a more than threefold increase from the percentage who reported an emigration background in 1984.

The diplomatic corps was particularly heavily populated with diaspora Croats. From foreign service officers to consuls and ambassadors, many of them were diaspora Croats who had been active in the party in the late 1980s. At one point, an estimated 20% of personnel in the Ministry of Foreign Affairs were diaspora Croats (Čizmić et al 2005).

## CONCLUSION

This study has shown how and why states create platforms to politically incorporate their diasporas. The research on the emigration state is relatively new, but – and this study is not an exception – it tends to focus on the state and its policies at the expense of how migrants themselves utilize the channels and opportunities that the states create. Much like the earlier literature had a bottom-up bias, this literature’s lens is too top-down.

Future research might look at the ways in which migrants utilize the opportunities to participate in homeland politics, and how their political behavior changes in the diaspora. How “out of sync” are overseas voting results in comparison to the homeland? Why do some states’ overseas voters vote less in line with homeland voters than other states’ overseas voters? A similar topic is the determinants of emigrants’ voting behavior. What homeland issues do they prioritize, and what factors shape overseas voter turnout? Future research could further explore the representation aspect of diaspora political incorporation. This study has identified several policies that shape and constrain representation opportunities, but do they translate into actual substantive representation?

Another research subject that has been sorely neglected is the transnational behavior of political parties. This phenomenon, while not unique to the current era, is nevertheless becoming more common thanks to the Internet. The transnationalism of parties examined in this study were largely of a pre-digital era. How has the Internet changed parties’ overseas organization? Why do some parties “transnationalize” but not others?

Finally, and perhaps most importantly, future research should address the relationship between homeland incorporation and host state incorporation. Are these processes complementary? Are they contradictory? How does simultaneous engagement of two countries’ political communities affect the nature of participation and the salient mobilizing issues for participation in each? Is a Serbian immigrant who votes on the basis of party identification in Canadian elections also going to be motivated by partisan identification in Serbian elections? Do bread and butter economic issues matter as much for overseas voters as they do for homeland voters? These questions loom large in an era marked by increasing mobility and globalization.

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**APPENDIX A: Breakdown of Diaspora Political Incorporation Policies by Case and Time Period**

		MEMBERSHIP		PARTICIPATION		REPRESENTATION	
		Citizenship		External Voting		Descriptive Representation	
		Restrictive		Partial		Restrictive	
		-1996 citizenship law bans dual citizenship; requires residence in Armenia for naturalization.		-In-person voting at diplomatic offices, but restrictiveness of the citizenship law strongly limits eligibility.		-Citizens must reside in Armenia for 3 and 10 years before eligible to run for legislature and president, respectively.	
		Partial		Restrictive		Partial	
		-Dual citizenship allowed per 2007 citizenship law, but includes obligations that limit its appeal.		-External voting barred when dual citizenship is introduced in 2007.		- Must reside in Armenia for 3 & 10 years before eligible to run for legislature or president, respectively. Dual citizens ineligible	
		Expansive		Expansive		Expansive	
		-1991 citizenship law has highly permissive criteria for ethnic Croats' naturalization. De facto allows dual citizenship for ethnic Croats who naturalize.		-1990 constitution guarantees external voting rights. -Temporary voting sites set up on election day in diaspora communities.		-1995 revision to electoral law reserves nearly 10% of parliament seats for diaspora constituency -No candidacy restrictions.	
		Expansive		Partial		Partial	
		-Provisions on naturalization for descendants of emigrants, former citizens, and ethnic kin are tightened.		-2010 law and constitutional changes limit personal voting to diplomatic sites.		-Diaspora representation decreased after changes to electoral law in 1999 and 2010. -No candidacy restrictions.	
		Partial		Restrictive		Restrictive	
		-Dual citizenship allowed for individuals with descent-based ties to Yugoslavia, but citizenship difficult to obtain in practice.		-No external voting.		-Candidates for republican legislature and presidency have established residency.	
		Expansive		Partial		Restrictive	
		-2004 citizenship law allows dual citizenship. Allows preferential naturalization based on ethnic heritage and descent.		-External voting allowed at diplomatic sites in 2004, but onerous registration procedures limit turnout.		-2009 Law on the Diaspora creates an elective Council for the Diaspora. Future uncertain as of 2012 elimination of Diaspora Ministry	
1990 - 1998	ARMENIA						
1999 - 2011							
1990 - 1999							
2000 - 2011	CROATIA						
1990 - 2000							
2000 - 2011	SERBIA						