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The Challenges to Democracy and Citizenship surrounding the Vote to Italians Overseas

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In 2003, a presidential decree enacted legislation guaranteeing Italian voters overseas the right to postal voting as well as parliamentary representation within their respective electoral constituency. The electoral weight of the overseas-based constituent had a remarkable effect on the 2006 election results. In the tightest vote in the republic’s history, the vote of overseas Italians, which was one of the decisive features of the election, helped provide the winning centre-left coalition with a slender majority in the Senate. Election results notwithstanding, the question of whether to grant the vote to Italians overseas has faced challenges of a procedural, normative, and political nature. What may have been initially seen as a democratic right may well be cast aside, as it poses challenges it poses to overseas electoral relationships with the Italian national polity, Italian citizenship and multi-national allegiances, diasporic identity, electoral participation and political representation in homeland political institutions. The overseas vote to Italians may be contested further in the near future, which could translate into a radical rethink of its validity and democratic global extension.

Keywords: Italian politics; 2006 Italian election; vote to Italians overseas; Italian overseas voting systems; Italian citizenship.
Introduction

In the wake of the 2006 election results (see Tables 1 & 2), former Italian President Carlo Azeglio Ciampi underscored the coming of age of the voto all’estero (‘vote to Italians overseas’). In the first ever election of eighteen overseas-based parliamentarians and in the unprecedented participation of nearly 40% of eligible overseas voters (Gritti & Morcellini 2007, p. 14), he saw ‘a desire by the expatriate community to contribute to the democratic life of Italy’, defining it as ‘a historic turn for the country’ (Cottone 2006). Thanks to new legislation introduced a few years prior to the 2006 election, the large number of overseas voters casting their ballots (nearly 1 million) and the election of expatriates in the national parliament became an historic achievement.

The implementation of the new legislation, however, proved to be a challenging exercise. A string of issues emerged: among others, the complexity of drafting a single electoral roll of eligible voters out of the two lists of Italians resident abroad (maintained by the two different ministerial departments), allegations of electoral fraud and disappearance of ballot papers in some electoral colleges, the exclusion of nine sezioni elettorali (‘electoral divisions’) from the final results because of unresolvable inconsistencies in the counting of the votes, and the several irregularities exposed by Claudio Fancelli, chairman of the Central Office for the Offshore Electorate, in the counting operations and assignation of preferences in Castelnuovo di Porto, where the overseas ballot papers were eventually collected and counted (Tarli Barbieri 2007).

Could normative challenges and political concerns, which all became evident during the 2006 election campaign, bring about a radical rethink of the new legislation governing the vote to Italians overseas, as suggested by Giovanni Tarli Barbieri (2007, p. 158)? This article analyses the challenges and dilemmas posed by the vote of Italians overseas within and beyond electoral terms. It argues that what may have initially been viewed in terms of a democratic right (to facilitate the participation and representation of overseas Italian citizens in the Italian political process) may – sometime in the future – be cast aside in favour of a more balanced relationship between national and diasporic political interests. Following the introduction, the first section of this article will address the history behind the long-standing question of how to facilitate the electoral participation of, and whether to grant full voting rights to, Italian citizens overseas. The results and impact of the overseas vote at the 2006 election will be analysed in the
second section. The third section will look at some of the challenges and dilemmas facing the vote to Italian citizens overseas, before a concluding section.

The long standing question of the vote to Italian citizens overseas

Italian overseas voters were never actually deprived of their (passive) voting rights.\(^1\) In virtue of the fact that voting rights and citizenship rights are, as expressed in the Italian Constitution, intrinsically linked – irrespective of the residence status of the voter – overseas Italians could vote if they physically returned to Italy to do so (La Mesa 1980, p. 69). Throughout the post-war period, the so-called question of the vote to Italian citizens overseas centred on amending l’esercizio del diritto di voto (‘voting procedures’), which required – until 2003 – overseas voters to return to Italy and to vote in their former electoral college on polling day. Such a condition strongly discouraged those Italians who had emigrated permanently abroad from voting in Italy, especially those residing in the Americas and Australia. Data on the overseas voters’ turnout are revealing. In 1972, for example, only 22.3% and 2.3% of eligible Italian overseas voters resident respectively in European and non-European countries voted in the general election (Monferrini 1987, p. 166). In the 1987 election, the respective percentages were even lower, that is 9.7% and 1.7% (SSCNE c1988, p. 51). In the 2001 election, 4.4% or 100,014 eligible overseas Italian voters, primarily resident in European countries, returned to Italy and voted (Agosta 2006, pp. 466-67).

Before the new legislation was introduced (see the end of this section), lawmakers and politicians speculated for decades about which legislative measures, voting system and electoral rules would best guarantee the vote to Italians abroad. For Fulco Lanchester, the question of the vote to Italians overseas remained unresolved for so long because of the intricate nature of the question itself. He suggested that the Italian vote overseas ought to be viewed as a three-layer question that would link emotional, juridical, and political issues (Lanchester 1988b, p. 9). Amending the voting procedures of Italians abroad touched the raw nerve of mass migration – millions of Italians had long emigrated and settled abroad by the time of Lanchester’s observation in 1988. Such amendments implied extended parliamentary procedures supported by large bi-partisan party coalitions as well as possible changes to the Constitution. Italian politicians, on the other hand, were conscious and concerned that allowing millions of emigrated
Italian citizens to vote in Italian elections had the potential to significantly influence election results. The question of the vote to Italians overseas was indeed a difficult one to solve. In the end, it was left on the ‘back-burner’ of Italian politics for most of the second half of the twentieth century before a solution was found.

The process of seeking to amend the electoral rules concerning overseas Italian citizens has been, historically, particularly lengthy and tortuous: namely, 48 years of parliamentary debates during which 143 bill proposals and constitutional amendments were tabled and discussed (Tarantino 2007, p. 8). That this extraordinary length of time elapsed was indicative, according to Tarli Barbieri (2007, p. 125), of a persistent perplexity (often not publicly expressed) by the Italian political class regarding the normative and political matters surrounding the question of the vote to Italians overseas.

In 1946, the Constituent Assembly highlighted some of these issues whilst debating the question of the vote to Italians overseas, many of which remain at the fore of the debate today: the need to list an accurate and updated overseas electoral roll, the need to secure the implementation of voting procedures in foreign countries, the need to guarantee the utmost confidentiality throughout the voting procedures, the question of which voting system to adopt, i.e. whether to place polling booths overseas, or to rely on postal or proxy voting.

This inventory of key concerns did not, however, discourage some political parties from lobbying for amendments to the voting rules relating to overseas Italians. Above all, the neo-fascist Italian Social Movement (MSI, renamed National Alliance [AN] in 1995) was the most committed of the political parties requesting policy change in this area of legislation. Although at the margins of Italian politics, the MSI championed the cause of the voto all’estero for decades. More than any other party, it would be MSI politician Mirko Tremaglia who would take the issue to heart. Moved by patriotism and the unshakable conviction that ‘an Italian heart will always remain tied to the motherland’ (Povoledo 2006a), Tremaglia made the issue of amending the voting rules for overseas Italians as well as the need to provide them with parliamentary representation, his raison d’être. The Italian overseas electorate was, in his view, a political ‘resource which [could] no longer be wasted’, and one which could also be ‘mobilised in favour of Italy’s interests’ (Ranzoni 2004, p. 25).
The MSI (later AN) was not the one and only post-war political party to champion the cause of the vote to Italians overseas. In the mid to late 1970s, the Christian Democratic Party (DC) began to pay increased attention to the issue. Once lukewarm about the question of the vote to Italians overseas, the main Italian political party refused to let the marginal MSI be the sole agent of bill proposals in favour of the Italian vote overseas. Moreover, it started viewing Italians abroad as a potential reservoir of moderate votes which might be used against the electoral advance of the left (Lanchester 1988a, p. 19). The change of heart by the DC coincided with a period of its own electoral decline in favour of a swing towards the Italian Communist Party (PCI) (ibid., p. 17). An observation made at the time by influential conservative journalist Indro Montanelli is rather suggestive: ‘Italian democracy can no longer have the luxury to renounce the vote of 5 million votes of which at least 4 million would be channelled in support of those parties which are promoting this initiative’ (Ghini 1980, p. 97).

While the neo-fascists were the most enthusiastic proponents of change as regards the vote to Italians overseas, and as the DC in the 1970s, started to look favourably at such change, the main opposition party, the PCI, remained; for years, adamant by opposed to proposals amending the voting procedures for Italians overseas voters (Monferrini 1987, pp. 165-66). The PCI was not oblivious to the fact that, if postal voting and/or parliamentary representation was to be granted to Italian voters overseas, issues such as electoral propaganda, candidatures, and vote confidentiality in countries led by right wing or military dictatorships would work against its interests. Additionally, a stereotypical image of the Italian emigrant overseas which was, in part, built on the image of the Italian-American immigrants who were perceived to be politically conservative, was rife in left-wing politics (SSCNE c1988, p. 117).

It was not until the late 1970s that ideological divisions in both the support for the proposal and the opposition against the Italian vote overseas began slowly to weaken. In the course of the 1980s, the PCI began to shed its overriding/underlying scepticism towards this issue and began participating in the debates about the modalities for parliamentary representation for overseas Italians (SSCNE c1988, pp. 81-85). This was a major change for the PCI, but was compatible with other changes occurring in the party policies and to the overall character of the PCI as a political party. Real movement towards achieving a bi-partisan approach to the question of the vote to Italians overseas
occurred in 1979. This coincided with changes to voting procedures in the first European Parliamentary election. Italians could now vote in their respective localities of residence as long as they were within the member states of the European Community. Law no. 40 of 1979 also allowed Italian citizens overseas to maintain their enrolment in the electoral roll without a time limit – unless they renounced Italian citizenship – and allowed those Italian citizens overseas who had meanwhile been taken off the roll (in virtue of a presidential decree of March 1967) to be reintroduced. In the 1980s, some important legislative measures were taken which better defined both the size and the structure of the Italian expatriate community network, including the endowment of some advocacy powers, with the creation of: the Registry of Italian Citizens Resident Abroad (AIRE), the Committees of Italians Abroad (COMITES) and the General Council of Italians Abroad (CGIE). This moreover provided a clearer framework within which the concept of active voting of Italians overseas could be constructed.

In May 1994, a bill by Tremaglia sought to amend the following articles of the Constitution: article 48 (exercising of the right to vote), article 56 (composition of the Chamber) and article 57 (composition of the Senate) envisaging the possibility of introducing voting rules that did not require the voters’ return to Italy, as well as the creation of an offshore constituency. The bill was not successful but paved the way for the possibility of a significant policy change. Eventually, legislative changes to voting procedures affecting Italian citizens overseas were introduced between 2000 and 2003. These legislative changes significantly reformed the voting exercise for overseas Italian citizens. Laws, regulations and ad hoc constitutional changes, including the so called ‘Tremaglia Law’ (Law no. 459 of 27 December 2001), named after Mirko Tremaglia, introduced important alterations to the legislation, such as: a) the creation of an offshore electorate which divided the world outside Italy’s borders into four vast voting districts; b) the granting of active voting rights to overseas Italian voters, which is translated into political representation in the Italian parliament (twelve members in the Chamber of Deputies and six members in the Senate); c) the option for overseas Italian voters to vote by postal (or absentee) ballot—before 2003, eligible overseas Italian voters could vote in Italy’s elections and referendums provided they returned to Italy and on polling day(s) and cast the vote in their former electoral college.
Oversee vote put to the test: the 2006 general election

New voting procedures were first put to the test on the occasion of the 15 June 2003 referendums. Just over one fifth (21.8%) of the total eligible Italian voters overseas (2.3 million) participated in the vote. The referendums’ turnout and results overseas were not surprising: the overseas voter turnout was almost equal to the number of voters in Italy (25.6%), while the results differed noticeably—69.2% and 86.2% of the votes cast respectively overseas and in Italy were in favour (‘yes’ votes) of the proposed amendments on matters pertaining to unfair dismissal and environmental laws. The real issue that emerged from the consultation, however, was of a procedural nature; that is, the alleged inaccuracy of the overseas electoral roll. A complaint was made by Senator Franco Danieli to Tremaglia, then Minister for Italians Abroad, that more than 800,000 eligible voters were denied the option to vote in the referendums by postal ballot because the overseas electoral roll had failed to register the enrolments of a number of overseas citizens. The issue originates from the methodology used in the creation of the list of electors resident permanently abroad (twelve months or more), which essentially makes up the overseas electoral roll. Data was taken from two separate databases: the Ministry of Foreign Affairs (MAE) database, managed by the Italian consular network overseas, and the Ministry of the Interior (AIRE, Registry of Italian Citizens Resident Abroad) database, which in turn refers to the AIRE databases of each comune (‘municipality’) in Italy. In spite of this and related issues, the 2003 referendums were thought to be a test for the overseas electoral machine (Tirabassi [2003]).

However, according to many observers, the first ‘real’ test of the new voting procedures would take place at the scheduled 2006 general election, where higher political interests were at stake. Moreover, the most innovative element of the new legislation – i.e. the first election of eighteen overseas-based parliamentarians – was due to be implemented for the first time at the general polls. Indeed, the changes made to the legislation introduced by the early 2000s had transformed the electoral and political weight of the Italian overseas vote. In the tightest vote in the history of post-war Italy, the 2006 elections would depend heavily on the overseas vote to provide the centre-left coalition a majority in the Senate. Excluding the Valle d’Aosta and the offshore electorate constituencies, the centre-left coalition led by Romano Prodi, L’Unione, and the centre-right coalition led by Silvio Berlusconi, La Casa delle Libertà, received
respectively 49.8% and 49.7% of the votes for the Chamber of Deputies (see Table 1). Thanks to the majority prize introduced in 2005 by amendments to the national electoral law, the thin margin which separated the two coalitions proved to be enough for *L’Unione*, which was awarded 55.1% or 340 seats of the available 630 seats. *L’Unione* obtained eight further seats: one assigned to the Italian Region of Valle d’Aosta and seven from the offshore constituency (out of twelve). In the Chamber of Deputies, the centre-left coalition secured a comfortable majority of 348, which left to the opposition parties the remaining 282 seats of the centre-right coalition (see Table 1). In the Senate, *L’Unione* and *La Casa delle Libertà* received respectively 49.1% and 49.9% of the votes (see Table 2). Due to the different electoral rules that apply to the Senate and thanks to the majority of overseas seats won by the centre-left coalition (four out of six), *L’Unione* secured the majority of seats in the upper house. Prodi’s coalition could count on a total of 158 over 156 seats to Berlusconi’s coalition (see Table 2).

In comparison with its expectations regarding the vote in Italy itself, where even within the ranks of Berlusconi’s government few believed that they would see the return of the electoral support which produced the landslide victory for the centre-right in 2001, the centre-right seemed confident in a victory of its candidates in the offshore election. In the lead up to the election, there was widespread conviction that the overseas vote was going to be in favour of the Italian centre-right, which was flagged up as the long-standing campaigner of legislative change in the policy area of the vote to overseas voters. A few years prior, soon after winning the elections in 2001, Berlusconi had even added the portfolio of the Ministry for Italian Citizens Abroad to his cabinet. Following the belief that the Italian citizens overseas would provide electoral favour to his government, the champion of the vote to overseas Italians *par excellence*, Mirko Tremaglia had been was put in charge of the newly created Ministry. Five years later, the centre-right coalition led by Berlusconi thought it could politically capitalize on Italy’s expatriate community when he went to the polls in April 2006 (Pasquino 2006, p. 150).

The overseas seats are assigned according to a proportional system which uses the natural number quotient and highest remainders method (Tarli Barbieri 2007, p. 143). Voters can cast one or two preference votes only, depending on the number of seats available in that electoral division, respectively for one or two seats. Due to the limited
number of seats allocated in each of the four electoral divisions that comprise the offshore constituency (at least one deputy and one senator are elected in each division, while the remaining seats are distributed among the sectors in proportion to the number of residents), the effect of such a system is more reminiscent of ‘first-past-the-post’ than the proportional representation system (Tarantino 2007, p. 9). Consequently, it disadvantages coalition parties that run independently.

This was precisely what happened to the centre-right coalition parties at the 2006 election (see Table 3 & 4). In each of the four electoral divisions overseas, the coalition parties of the outgoing Berlusconi government failed to join under one banner, and hence failed to take full advantage of the electoral system; this in turn marred their chances of winning (Di Virgilio 2007, pp. 235-36). As shown in the break-down of the 2006 overseas vote by electoral division (see Table 3 & 4), the centre-right votes fragmented in no less than six (Chamber of Deputies) and five (Senate) parties. The right was represented by four parties: Tremaglia – Insieme nel Mondo, on behalf of the National Alliance (AN), Fiamma Tricolore, Alternativa Sociale, and Northern League. Moreover, not all the parties presented candidates in each of the four electoral divisions, or both chambers. For example, Alternativa Sociale decided to concentrate its efforts in one electoral division (North and Central America) and in one chamber only (Chamber of Deputies). In opposition, the centre-left coalition parties ran under the L’Unione banner, except for the Di Pietro and Unione Democratici per l’Europa (UDEUR) parties. Tables 3 and 4 show clearly how L’Unione received the majority of the votes in all the electoral divisions and in both chambers, with the exception of South America, where the independent list Associazioni Italiane in Sud America (AISA) elected one MP and one senator. Had the centre-right run under one banner, the election results in the offshore constituency (particularly in the Senate) could have differed significantly, as highlighted in the simulation results elaborated by Di Virgilio (2007, p. 237). Why did the Berlusconi coalition make such a misjudgement in the offshore constituency? In the wake of the election results, the centre-right finger pointed at Tremaglia and his decision to run independently as the main cause for the election defeat. The inflated figures of voters overseas that would naturally gravitate towards the centre right may have been misleading for politicians like Tremaglia. Di Virgilio also suggested that the defeatism of the right, as well as attrition and the infighting of the conservative coalition
may count as possible explanations for the error which possibly cost the Casa delle Libertà the majority of seats in the Senate (2007, pp. 238-39).

In the 2006 election, the overseas electoral machine was also put to the test. It had to face several challenges and solve a number of issues, such as the currency and accuracy of the overseas electoral roll, the delivery of postal ballot papers by means of different postal services around the world, the allegations of electoral irregularities, and the wrongdoings denounced by Fancelli in the final counting of votes in the Castelnuovo di Porto electoral facilities.

The challenge to the authorities to keep the overseas electoral roll accurate and up-to-date had a big impact on overseas voters, due to exclusion factors that prevented thousands of potential overseas Italians from voting. This issue had remained long unresolved and had manifested itself on the occasion of the 2003 referendums. As mentioned, two databases helped to formulate the voters’ lists in each electoral division overseas: the MAE (managed by the Ministry of Foreign Affairs) and AIRE (managed by the Ministry of the Interior). The former was arguably more accurate than the latter as the average overseas resident might be more involved in dealings with consular officials than with officials of his or her former municipality in Italy (Tarantino 2007, p. 11). The accuracy of the roll was compromised by discrepancies found in cross-matching the MAE and AIRE databases. In Argentina, for instance, the MAE database recorded 640,418 overseas Italian citizens resident in the country, whereas the AIRE database recorded 454,039 (-186,379), as of July 2005 (ibid., pp. 11, 13). According to the 2003 Presidential decree (D.P.R. no. 104 of 2 April 2003), eligible voters are those whose details can be found in both the MAE and AIRE databases. The so-called posizioni non allineate (literally ‘non-aligned positions’), that is, potential eligible voters who were present in either the MAE or AIRE databases but not in both, translated into the exclusion of a number of Italian citizens from the overseas electoral roll. The study carried out by Tarantino focused on the difficulties in implementing the vote to Italians overseas in Argentina from 2003 onwards, revealing the effect of this problem in a particularly large Italian community overseas; Argentina has the biggest Italian consular network in the world (Buenos Aires has 345,483 citizens enrolled) (ibid., p. 12). For the 2003 referendums, 301,944 and a staggering 2.8 million voters were in a posizioni non allineate in Argentina and worldwide respectively (ibid., p. 20).
The failed accuracy of the overseas electoral roll and the on-going effort to keep it up-to-date in turn affected the number of eligible voters. In Argentina, for the 2006 election, only 37% of the ‘non-aligned positions’ (128,148), which corresponded to as many voters, were successfully included in the electoral roll.

The turnout of the overseas voters depended, first and foremost, on the mailing procedures used to distribute the ballot papers. According to the official data of the Ministry of Foreign Affairs, 42.1% of the ballot papers posted by the consular networks around the world were received (See Table 5). The electoral division of South America recorded the highest number of ballot papers returned (51.8%), while the Central and North America had the lowest (37.3%). Surprisingly, only 38.4% of ballot papers posted in Europe were returned to the consulates. However, 9.2% (or 247,978) of ballot papers of the total number of 2,699,421 posted failed to be delivered to the addressees and were returned to the local Italian Consular offices for various reasons (Tarli Barbieri 2007, p. 152). In Argentina, for example, where the posting of the ballot papers was contracted to private couriers, 19.4% of the overall ballot papers posted were returned back to the local Italian authorities; mainly because of ‘errors and imprecise data on the electors’ (68.9%) and ‘causes pertaining to failure or refusal to counter-sign for the collection of ballot delivery’ (30.5%) (Tarantino 2007, p. 41). The actual turnout of overseas voters should thus be calculated according to the number of ballot papers effectively delivered to the address indicated by the voters (see Table 6). In this case, Argentina’s turnout would be 70.7% instead of 56.1% (ibid., p. 37).

The overseas votes’ operazioni di scrutinio (‘counting of votes’), which took place in Castelnuovo di Porto, attracted criticism for the way in which it was conducted (Tarli Barbieri 2007, p. 153). The vote counting procedures were complicated by side operations conducted by vote-counters, including opening the envelopes which contained the voter’s coupon of identification and also the inside envelope containing the ballot papers. Telling is one deposition made to the Election Committee of the Senate in November 2006: ‘Amid voted ballots, informal ballots, annulled ballots, and pre-annulled ballots those poor [vote counting] officers lost it and in the end their final counting was approximate’ (ibid., p. 154). In the end, nine electoral divisions were excluded from the final results as a consequence of unresolvable inconsistencies in vote counting procedures.
Challenges and dilemmas facing the vote to Italians overseas

Alastair Davidson saw an important political innovation in the Italian-made model of electoral participation and representation by overseas voters: ‘Italy … has reacted to the novelty of a globalised world, where unprecedented mass migration has led to significant proportions of many national populations living far from the countries where they were born’ (2006). ‘The notion of a homesick diaspora’ – continued Davidson – ‘is being replaced by dreams of a world citizenship’ (2006), as Italian Senator Nino Randazzo, elected from the Africa-Asia-Oceania-Antarctica electoral division, sought to explain the novelty of the vote to Italian citizens overseas as the creation of some form of ‘global citizenship’ (ABC 2006).

A growing number of democratic countries have indeed relaxed or abandoned restrictions to citizenship and voting rights for citizens who live permanently abroad, with some countries such as France, Portugal, and Columbia also reserving parliamentary seats (Bauböck 2005, p. 683). Such a trend ‘is symptomatic for a broader transformation of the territorial and membership boundaries that circumscribe democratic citizenship’ (ibid.). In Italy, a bipartisan majority endorsed the important changes to the legislation, which paved the way for the extraordinary model of Italian overseas voters’ political participation and representation—a model of diasporic political engagement with homeland politics that is both unique and unprecedented in Italian history. The bipartisan approval of the Tremaglia Law in 2001, which was only opposed by the Northern League and the Communist Refoundation Party, epitomises the general consensus that was needed across the Italian political spectrum for the new legislation to come about and the will to politically engage with Italians overseas in an innovative way.

Bipartisanship in parliament notwithstanding, the 2006 vote was so close that the nature and the consequences of the rules of the Italian voting system(s) have assumed greater importance than any other election of recent times (D’Alimonte 2007; Fusaro 2007). Before and after the legislation was amended, the electoral rules for the offshore constituency were a source of intense debate, both within and outside of Italian politics (Sartori 1999; Fusaro 2002; Vigevani 2002; Grosso 2002; Romano 2006; Troncino 2007). Another a source of debate has been the Law no. 270 of 21 December 2005, which amended the national electoral law which, in turn, among other changes, re-
introduced the proportionality system with a majority prize (D’Alimonte & Vassallo 2006; Gritti 2007; Fusaro 2007). Both laws are currently under debate for possible revision. The so called ‘bozza Bianco’, a bill proposal for a new set of electoral rules named after the Chair of the Constitutional Affairs Commission, Enzo Bianco, is now under discussion in parliament, while a legislative referendum which seeks to abrogate in part the law no. 270 of 2005 may be held in 2008 (Galluzzo 2008).

It was, however, challenges and dilemmas embedded in the rules governing the voting of Italian voters overseas which were emphasised in the outcome of the 2006 election, leading Tarli Barbieri to suggest that the overseas voting system had not been thought through in a detailed manner (2007, pp. 157-58). Performing constituency service for the offshore-elected MPs and senators is, for example, an extraordinary challenge; no extra resources have been allocated for this cohort of representatives by the Italian parliament. The idea of representation and the relationship between elected and electors is also put to the test, as the offshore electoral colleges (i.e. Africa-Asia-Oceania-Antarctica) cover numerous countries, vast distances, several continents and different realities in which Italian voters and communities live. Unlike the Italy-based representatives, offshore-elected MPs and senators may find themselves confronting work and family commitments, which imply long periods spent in Rome and swift visits to their constituencies and home, thus adding pressure to their duties as public figures and private citizens. For the abovementioned reasons, for instance, Morocco in 1993, suppressed its quota of five MPs which had been reserved for overseas Moroccans (Pastore 2004, p. 36).

Other challenges seem even harder to overcome. A traditional notion of citizenship ‘refers to the rights and responsibilities that become attached to people by virtue of their having been born as, or having become, recognised or certified members of a state community’ (Renshon 2005, p. 7). Voting also ‘reflects and gives voice to an individual’s stake in the community, while at the same time symbolizing his or her membership in it’ (ibid., p. 9). The participation and representation of expatriate communities in the homeland country undoubtedly raises questions concerning citizenship rights and responsibilities. Dual votes do not necessarily translate into dual responsibilities. Renshon reminds us that it is the homeland community – not the
foreign voters – which ultimately bears (and must live with) the consequences of the foreign votes (ibid., p. 14).

Have Italians abroad (that is, Italian citizens) the right to claim full political rights in their former country of residence? Since Italians overseas have been granted full voting rights, the issue of whether they are really part of the Italian polity is becoming a source of debate. Interestingly, *la titolarità del voto* (‘voting rights’) of Italians overseas even for those living permanently or being born overseas, was hardly ever a matter of debate in Italian politics (La Mesa 1980, p. 69, Grosso 2001, pp. 130, 150), nor was the voter’s place of residence or dual citizenship status. Paraphrasing Tremaglia, there is no such thing as ‘two types of Italian citizenship’ (Lanchester 1988a, p.37) but only a universal reading of the notion of citizenship as inclusive of loose ties to the motherland, or even non-existent ties (as in the case of Italians naturalised by means of ancestry citizenship). In view of the fact that residence status never alienated the citizenship rights of Italian citizens and that the right of Italian citizens overseas to participate in the polls in Italy has never been called into question, the long-standing debate surrounding the question of the Italian vote overseas has centred on the *l’esercizio del diritto di voto*, as previously mentioned. Arguments by those who were opposed to giving Italian voters abroad the postal vote and/or parliamentary representations such as whether he or she would ever return to (in the case of migrants) or ever set foot in (in the case of migrants’ descendents) Italy, or the very legitimacy of an offshore constituency seem never to have been strong enough. The left, which, for years opposed any policy change to the overseas voting system, dropped its scepticism in the course of the 1980s and 1990s. It came to sacrifice principles, such as the confidentiality of the vote for expediency and not wanting to risk alienating a potentially significant electoral force. The left-wing parties’ support in amending the overseas voting system in the early 2000s was therefore a key development.

Furthermore, access to and the transmission of Italian citizenship did anything but encourage the concession of full voting rights to Italian emigrants and their descendents overseas. Law no. 91 of 1992, which amended the previous citizenship law, also reinforced the key concept of transmission of citizenship by recognizable blood ties (*jus sanguinis*) among generations of Italians, irrespective of whether such ties grow and replicate outside Italy’s borders. The law also recognised multiple and/or dual
citizenship. Since the 1990s, there have been a growing number of Italians applying for citizenship based on the right of ancestry. These recent changes to Italian citizenship laws have assisted many current and former Italian nationals, along with their descendents, to retain or resume, as well as to transmit their citizenship rights to their offspring (Gallo & Tintori 2006, pp. 126-133). It is important to underscore the total number of citizenship certificates issued between 1998 and 2004 by Italy’s consular offices around the world and to observe the reasons behind their issuing. Of around 570,000 citizenship certificates granted, the overwhelming majority (94.3%) concerned foreign-born people who lawfully claimed to be the descendents of an Italian ancestor (ibid., p. 128). In addition, more than 160,000 former Italian citizens reclaimed their citizenship between 1992 and 1997.

Some 30 million are believed to be potential ‘Italians’ overseas, should they resume their rights to Italian citizenship via ancestry (Gallo & Tintori 2006, p. 131). The 2.7 million overseas Italians who were deemed eligible to vote in the 2006 election make up just a fraction of a bigger Italian overseas ‘community’, unfolded over roughly a century of emigration from the homeland. It is unclear – and difficult to calculate – exactly how many Italians make up the Italian expatriate community in the world today. It is argued that millions worldwide lay claim to be the descendents of Italian immigrants, especially in the American continent. In 1994, Italy’s Ministry of Foreign Affairs argued that as many as 60 million worldwide could claim some Italian heritage one way or another (ibid., p. 132). Even though the number of eligible Italian overseas voters is likely to be around a few million and might stabilise over time, the number of ‘potential’ voters is unknown, due to the relaxed Italian citizenship laws.

Many overseas Italian dual citizenship holders who acquired their Italian citizenship via ancestry or marriage had hardly ever engaged with contemporary Italian politics and society, nor had they ever set foot in the country. Many, especially in South America, have been seeking to obtain Italian citizenship for reasons which seem more related to their condition of socio-economic hardship and a desire to seek better opportunities elsewhere than anything else. In Argentina, since the 2001 economic crisis, many descendents of Italian migrants sought to obtain the Italian passaporte comunitario (‘European Union passport’) which would allow them to enter and settle in the European Union (EU) area as lawful citizens of a member state (Tarantino 2007, p. 12).
It goes without saying that overseas Italians engage in Italian politics and society in a fashion hardly comparable to those residing in Italy, even though cheap air fares along with improved and modern communication mediums grant overseas Italians a better level of contact and greater access to information with their country of origin than decades ago.

Although beyond the scope of this article, one cannot fail but to note that, paradoxically, current legislation regarding Italian naturalisation discourages non-EU immigrants in Italy to apply for and obtain Italian citizenship. In her book on Italian citizenship and *familismo legale* (literally, ‘legal familism’), Giovanna Zincone stresses that Italian citizenship rights are still a ‘family business’ in which one becomes an Italian citizen through the process of marrying (Zincone 2006, p. 10). This act continues to be the preferable way to become an Italian citizen in Italy (Povoledo 2006b). Such a concept of legal familism, which lessens the right to citizenship by land ties (*jus soli*), is supported by data from Italy’s Ministry of Internal Affairs on the number of citizenship certificates issued in Italy from 1991 to 2004; data indicates that nine out of ten naturalised, ‘new’ Italians (immigrants in Italy) became so via marriage (Gallo & Tintori 2006, p. 119). The paradox of current Italian legislation is even more evident if one bears in mind that non-citizen residents (immigrants) in Italy are not included in the electoral roll for local council elections, despite fully engaging with Italian society at the local community level. Conversely, the Italian state has been keen on promoting policies and legislation which aim to permit its citizens and their descendents abroad to be part of the world wide Italian community. This paradox (that is inclusion of overseas citizens and exclusion of non-citizen residents in the Italian polity) validates ethnic conceptions of nationhood (Bauböck 2005, p. 685).

Calls to revise the Tremaglia Law and related legislation have increased, especially in light of the alleged electoral deceit which occurred during the 2006 election—allegations of voting fraud in Argentina and Australia highlighted the fact that the overseas voting rules are potentially far from being immune from electoral manoeuvring (Telese 2006, O’Grady & Guerrera 2007). On whether emigrants should formally belong to and vote in their country of origin, Bauböck suggests that, as a general rule, extra-territorial voting rights should expire with the first generation, and the
transmission of formal membership itself should be stopped in the third generation’ (Bauböck 2003, p. 714). In the Italian case, neither rule applies.

Changes to the existing legislation regulating the emigrant vote seem, however, difficult in terms of attracting the same bipartisan majority of the period 2000-2003. The Prodi centre-left coalition government, which maintained the majority in the Senate until the vote of no confidence of January 2008, was supported by the centre-left senators elected overseas, including the crucial vote of the independent senator Pallaro from Argentina. The centre-right coalition parties in opposition seem quite unlikely to revise legislation that is strongly supported by Tremaglia and the National Alliance (AN). Pressures from local (overseas) and national (Italian) politics concerning the offshore elected may also play a part in a possible revision of the overseas electoral rules, as proved to be the case on the occasion of the so called ‘Pallaro amendment’ in the 2007 budget (€52 million allocated to multi-purpose activities for the Italian communities overseas for the years 2007-2009) and the emphasis placed on the politiche degli italiani nel mondo (‘policies for Italians resident abroad’) which was the first of the twelve point agenda that resolved the government crisis of February 2007 (Tarli Barbieri 2007, pp. 158-59).

Conclusion
The amendments made to the electoral rules concerning overseas Italian voters have marked a turning point in Italian politics, and in the process by which Italian overseas voters engage in national and local Italian community politics. Eventually, the ‘emigrant vote’ validates, with its novelty and impact, a traditional view of political community as one in which legal citizenship – and not physical attachment and engagement with the polity as is the case of non-citizen residents living in Italy – defines the boundaries of what constitutes the Italian community. Diasporic identity processes that stretch across territorial boundaries and transnational political practices (e.g. external voting rights and dual citizenship) among certain immigrant populations pose, as highlighted by Bauböck (2003, pp. 711-18), a set of normative challenges and concerns. In the case of the Italian model of diasporic political participation and parliamentary representation, what may have passed by without fanfare in the past – the creation of an offshore constituency and the bestowing of full voting right to overseas Italians – will not do so in the future.
References


O’Grady, D. & Guerrera, O. 2007. Video claims local Italian vote was corrupted. *The Age*, July 12.


Notes

Unless otherwise indicated, translations from Italian are by the author.

[1] Restrictions applied during the period 1967-1979 to Italians who had emigrated permanently, that is, they were taken off the electoral roll after a period of six years (Grosso 2001, p. 147; Tarli Barbieri 2007, p. 133).


[3] The four voting districts of the overseas electorate are: 1) Europe, including the Russian Federation and Turkey, 2) South America, 3) Central and North America, and 4) Africa-Asia-Oceania-Antarctica.

[4] However, eligible Italian overseas voters for local, provincial, and regional elections and referendums cannot opt for vote by postal (absentee) ballot and must cast their vote in Italy (Tarantino 2007, pp. 9-10).


[6] The number of overseas Italians, according to the MAE and AIRE databases, as of March 2002, was respectively: 3,990,000 and 2,891,416. See M. Tirabassi ([2003]).

[7] Note that current legislation regarding Italian naturalization in fact places a set of restrictions (that is ten years of residency) for non European Union immigrants. In August 2006, however, the centre-left coalition government proposed measures which aim to modernize the current restrictive sections of the citizenship law. If approved, eventually, the new legislation will halve the time it takes for non-EU immigrants to become citizens and grant automatic citizenship, via \textit{ius soli}, to children born of immigrants residing legally in the country.