American Party Politics: Organizational Asymmetry and Raising Stakes in the Competition for Votes Cast Abroad

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Diaspora¹ Voting: Overview

Enfranchisement of overseas voters has picked up and spread significantly across the globe, in democratic and non-democratic societies alike. Although initially much debated and contested in some countries, the phenomenon has diffused at increasing pace, to the point where countries not allowing it are today the exception, rather than the norm. Opposition to expatriates voting from abroad, usually voiced as concern over foreign influence, or diasporas' lack of patriotic merit, has long faded and been replaced by a discourse supportive of the growing number of expatriate electorates, as an inescapable manifestation of globalization and the wave of global migration it created (Gherghina, Tap and Soare, 2021). Therefore, enfranchisement of overseas voters is now the norm that most countries are eager to display to the world as a bona fide effort at democratization and inclusion (Turcu and Urbatsch, 2014). More so, diasporas have decided the outcomes of several very closely contested national elections, overturning slim national leads, and deciding winners in legislative elections (Italy 2006) and presidential elections (Cameroon 2006; Romania 2009, & 2014), among others.

The United States joined the diaspora enfranchisement wave in 1975, when both parties were in favor of extending the vote to citizens living abroad (Murray, 2012). Registration and administering of the vote abroad was left to individual states, which established extremely variegated deadlines and procedures for both processes, that sometimes amounted to hurdles in the voting process. Politicians in both parties expressed outrage at such hurdles, especially when they amounted to military votes coming from abroad not being included in final ballot counts. These were also the instances when the vote from abroad was given national attention: instances where patriots serving their country were prevented by bureaucracy from exercising one of their

¹ In this paper, the term 'diaspora' denotes citizens living outside their country of (primary) citizenship, either permanently, or for an extended period of time. In the case of the USA, and for the purposes of this paper, the term also encompasses members of the military.

most fundamental rights. Beyond this, however, the American vote abroad did not garner much attention until 2000, when the potential of votes cast abroad to actually tip the vote in national elections made headlines. The same happened in three more elections to follow: the Bush v. Kerry contest in 2004, the Trump v. Clinton contest in 2016, and the Trump v. Bident contest in 2020.

Diaspora voting is a complex phenomenon for any sending state, and parties' electoral calculations often play into the process well beyond support for enfranchisement and campaigning abroad. In fact, parties that officially support enfranchisement, have been shown to otherwise limit voting from abroad, especially when they feel their electoral interest coming under threat because of expatriates' electoral choices (Collyer and Vathi 2007; Gamlen 2008; Lafleur 2011). Such measures, known as 'reactive limits' to diaspora voting, have been documented in the literature in numerous elections across multiple countries and parties (Turcu, 2018).

Here I examine the American case, which is largely overlooked in the diaspora voting literature. Causes and outcomes of party-diaspora electoral engagement will be considered, through a party asymmetry theoretical lens (Grossman and Hopkins, 2015) that will tie into the broader discussion of reactive limits specific to the diaspora voting rights literature.

Diaspora Enfranchisement: The US Case in Global Context

The enfranchisement of diaspora (expatriate) citizens is an ever-expanding practice in countries across the globe, giving tens of millions of emigrants a voice in the politics of their native countries (Turcu and Urbatsch 2015, Arrighi and Lafleur 2019). Diaspora enfranchisement first started in 1902, when Australia gave its citizens abroad the right to vote, was adopted by most Western democracies by the 1970s, and it has really picked up since the 1990s, expanding to both democratic and non-democratic sending states across the globe, to a point where today more countries allow their diasporas to vote in national elections than not.

Rationales for enfranchisement vary across countries, from wanting to keep diasporas close, as allies in foreign policy, or motivated to remit or invest into the sending state's economy, or simply as part of a diaspora voting rights diffusion phenomenon, meant to copy other countries' democratic practices, and to signal one's own commitment to the same (Gamlen, 2006; De Haas 2005; Wucker 2004; Landolt & Goldring, 2011). National parliaments have often adopted diaspora enfranchisement decisions with broad support from political parties. Opposition arose sometimes from nationalist or anti-globalization parties, that questioned the loyalty and citizenship rights of expatriates, or from parties that could foresee that they were not popular with voters abroad and thus deemed their inability to vote as an electoral boon (Verdery, 1998; Bunce and Wolchik, 2006; Rhodes and Harutyunyan, 2010). Even so, the number of countries who have enfranchised their diasporas has increased tremendously: from a couple of dozen in the 1970s, to more than a hundred today (Turcu and Urbatsch, 2014).

Across the globe, national governments reach out to diasporas in order to coopt them in lobbying foreign governments, or diasporas are seen as crucial to national economies, through direct remittances or investment in businesses back home (Leblang 2010). Emigrants are perceived as courageous, industrious, innovative and a boon to their sending countries. Therefore, those who live and work abroad are still strongly connected to communities back home and largely perceived in positive light, especially in the context of growing globalization and interconnectivity (Betts 2002; Sejersen 2008). Political parties and national governments are

often interested in maintaining connections with diaspora representatives abroad, some open offices abroad and even campaign there (Østergaard-Nielsen and Ciornei, 2019).

In the U.S., diaspora enfranchisement was authorized by Congress in 1975 and was first put in practice in 1976. Today, nine million Americans residing overseas have the right to vote in federal and state elections. Enfranchisement was a little contested decision, with both parties widely supporting the measure (Jones Correa and Wong 2015). An explanation for this bipartisanship has to do with the unique composition and perceptions of the American voters abroad. Unlike other countries' diasporas, the US lawmakers had to contend with a large population of military personnel who were abroad only temporarily and who are held in high regard by the at-home constituencies of both parties. In the case of enfranchisement, the sentiment of the American public was unequivocally supportive, as the debate on overseas voting was often cast in terms of 'enfranchising the military'. In a country with strong traditions rooted in patriotism and support for the military, no dissent ensued. Still, along with the military personnel, millions of American civilians residing abroad were enfranchised as well (Dark, 2003).

The American diaspora enfranchisement process might have run quite differently had the military vote not been involved, as when it comes to American civilians who have permanently relocated abroad, Americans tend to be ambivalent. The US, the ultimate country of immigration, has a complicated relationship and little understanding for those who choose to leave it behind and emigrate (Hall and Smith, 2011). The visibility of the American civilian diaspora is also quite low and perceptions conflicted, if not outright negative (Smith, 2010). The civilian diaspora is seldomly, if ever, engaged by the government, or contacted by political parties in order to garner economic or foreign policy or for soft power support (Smith, 2010).

The American case is quite unique also when it comes to voting procedures as well, in that American voters participate in national elections quite differently than any other diaspora or expat voters. While most diasporas cast their votes on election day, at embassies and consulates, diaspora churches and social clubs in their host countries, Americans must first register, and then mail their ballots into their most recent state of residence in the United States (Spiro, 2006). This procedure, along with complex requirements for registration quite unique to the US, make voting a cumbersome process, where the voter needs to be aware and meet several deadlines, mail in ballots sometimes weeks before the actual election date, and risk having their ballot lost in the mail (Huefner, 2013; Kalisa, 2019). Also, absentee votes undergo a verification and certification procedure that is quite unique to the US, especially since it is open to (and often subject to) litigation by party lawyers.

Overall, compared to voting in person at a consulate, where votes are then counted and tabulated on the spot and integrated into a national electoral ballot counting system, the American process is far more cumbersome and likely to lead to errors and disenfranchisement. Reform is also hard to achieve, given that each state is allowed to make its own rules and set its own deadlines and procedures. Simple technological solutions, like the adoption of e-voting in the case of Estonia, are quite unattainable for US citizens abroad. As such, the voting process itself, can be more demobilizing and demotivating for Americans than for other diasporas. An exception may come from military voters, who are provided with extensive support, reminders, logistics and assistance by officers and other DOD personnel, to register and cast ballots correctly and on time (Teigen, 2007; Kalisa, 2019; Smith 2010).

Party-Diaspora Interactions and Closely Contested Elections

The literature shows how political parties across the globe have varied incentives when it comes to prioritizing or undermining diaspora voting. Parties that do not benefit from electoral support abroad are sometimes likely to sabotage or undermine the electoral participation of diasporas. Few of them do so outright, when it comes to enfranchisement. This because they are aware of the negative connotations associated with trying to keep citizens (even those living abroad) from voting. Often, the appearance of upholding democratic standards and values takes precedence over electoral goals, and parties rarely oppose diaspora enfranchisement (Turcu and Urbatsch 2014). But, when it comes to campaigning abroad, or, more importantly, implementing the law, organizing elections abroad, ensuring diaspora access to polling stations, or counting their votes, some parties are not nearly as supportive as they were of enfranchisement. On the contrary, they are known to undermine or limit the vote abroad. This can take many forms: from bureaucratic hurdles to organizing elections in embassies and consulates abroad, to requiring a prohibitive number of documents or proof of citizenship as a requirement for voting, to impeding fair counting of votes cast abroad, to opening very few voting locations abroad, which may make travel for casting ballots prohibitive in terms of cost and time, and keep diaspora votes from being cast, or counted (Turcu 2018).

These episodes are less likely to happen when diasporas are ideologically heterogenous and their vote is not quite easy to predict. But in the case of ideologically homogeneous diasporas, parties that know they are not favored have a strong incentive to sabotage the external vote. Especially when such parties are in power at the time of the election, such instances of sabotage, undermining or undercounting the diaspora vote have occurred numerous times (Nyamnjoh, 2002; Brand, 2010; Turcu, 2018).

The incentive for parties undermining the diaspora vote is greatly increased in cases where this vote may hold major sway in the outcome of national elections. This can happen when a large section of the electorate lives abroad (as in the case with the Armenian diaspora), or when the electorate abroad is extremely ideologically homogenous, supportive of one party, and elections at home are extremely close. As mentioned above, instances of the external vote tipping elections in favor of a party or candidate that had not won at the national level, have occurred numerous times. In the past 15 years, diasporas have cast decisive ballots, overturning national election results: twice in Italy and Romania, as well as in Croatia, Hungary, Turkey, Cote d'Ivoire, and Moldova, among others. This happened for presidential, and legislative elections, as well as referenda on constitutional changes (Baubock 2007; Gamlen 2015, Monforte and Morales 2018).

Despite its unique diaspora composition and voting procedures, the United States has come close to the diaspora playing a decisive role in the outcome of national elections, on several occasions. Four of the most notable occurred in the past two decades, starting with the 2000 presidential election, which was decided by about 500 votes cast in Florida, a state where numerous votes arriving from overseas had been the subject of lengthy court battles (Imai and King, 2004). The importance of the same diaspora vote came into national focus again in the 2004 elections (Teigen, 2007), in 2016 (Chase 2016, Jones and Andelic, 2016) and, more notably, in 2020, when votes cast abroad by Georgia expats, especially military voters, were suddenly perceived as potentially decisive in the race. Major news outlets emphasized the surprising outcome of said vote, with uniformed voters supporting the Democratic candidate, which was a break with their past electoral preferences (Newsweek 2020). More so, votes abroad were deemed likely to have a major impact on the presidential election and on the state's important Senate race of January 2021 (WSJ 2020).

These developments showed that a global phenomenon had reached America's shores: diaspora voters were increasingly likely to shape national election results here, as they had already done in several countries around the world. And, similar to other countries', American political parties became increasingly incentivized to pay more attention to the diaspora vote.

Theories of US Party Asymmetry and US Party-Diaspora Engagement

As such, in the American case, attention to diaspora voters translated into two very distinct sets of actions: one is party mobilization and increased interactions with diaspora voters, seeking to get more citizens abroad to vote and to support a party. Another effort, more subtle and pernicious to the democratic process, is that of vote or voter suppression, or reactive limits (mentioned above) on the diaspora vote, often manifested in stealth bureaucratic maneuvers that give a party unfair advantage, and lead to the suppression of votes cast. In the US case, the Democratic party seems to have adopted the first approach, while the Republican is geared toward the second.

Both major US parties have engaged with the American diaspora: through Democrats Abroad, Republicans Abroad (until 2013) and Democrats Abroad and Republicans Overseas (since 2014). But Democrats are known to be a lot more proactive in engaging overseas voters directly and mobilizing them to register and vote. Democrats were first to organize clubs abroad, and are the only US party to this day to hold primaries abroad, starting with the Global Presidential Primary, in 2008 (Schonheyder, 2011). The number of DA committees has increased from 21 twenty years ago, to 54 today (Kalu and Scarrow, 2020). This increased mobilization and effort to create a primary abroad, which entailed a new set of rules for Democratic voters abroad, as well as a real organizational challenge, showed that Democrats Abroad has only strengthened as an organization over the past decade. This was also reflected in the numbers of primary voters abroad, which almost doubled from 2008 to 2020 (Sexton 2016; Democrats Abroad 2020). When it came to actual representation through delegates at the national convention, those arriving from abroad were allotted 13 delegates, only one less than Wyoming and North Dakota. Both in 2016 and 2020, these delegates supported Bernie Sanders.

At the same time, the Democrats have been more proactive and more successful when it came to fundraising abroad. Both Hillary Clinton and Barak Obama held numerous fundraisers abroad, most notably in the United Kingdom, contrasted with only a few on behalf or Romney and none for Trump (Swan, 2016). When it comes to overall fundraising, for presidential and other candidates, Democrats outraised Republicans abroad almost 2:1 in 2016, while Democrats Abroad outraised Republicans Overseas by more than 4:1 during the same year (Open Secrets 2019a; Open Secrets 2019b).

Republicans Overseas have quite a different status than Democrats Abroad. For one, they reorganized in 2013 from Republicans Abroad. They had operated as a non-profit association (legally designated as a social welfare group) that received funding from the RNC. This in stark contrast from DA, which is registered as a party sub-organization and is not funded by the DNC (Kalu and Scarrow, 2020). Donations to RO are not subject to the same limits as donations to political parties or organizations, but this officially limits what RO can do. In fact, RO is depicted as an organization in pursuit of single-issue objectives or policies, such as lobbying in order to obtain tax exempt status for US citizens living abroad. Since its creation in 2013, RO has decreased ties with the RNC, and, unlike RA before it, no longer receives funding from the RNC, but relies on donations from Americans living abroad. Structurally, RO is not nearly as well established and organized abroad as the DA, not does it have nearly as many registered members (Anderson, 2017; Brennan 2019). At the same time, the organization is broadly

constructed along the lines of Americans' participation in policy making and advocacy but does not state voter mobilization as one of its goals (Republicans Overseas 2020). In the months preceding the 2020 presidential election, while the DA was organizing its Global Primary, and organizing registration and 'get out the vote' campaigns and information sessions for voters abroad, the RO website listed no voting or campaign related events (Kalu and Scarrow, 2020).

From this description, a stark contrast emerges between parties. Democrats engage in electoral politics and seek to mobilize diasporas to vote, participate in primaries, fundraise and help engage other voters as well. DA actions abroad are greatly focused on electoral politics. On the contrary, Republicans are not focused on electoral politics abroad, but on issue advocacy, such as filing a lawsuit against the Foreign Account Tax Compliance Act, in 2015. Most of their other activities are also advocacy based, such as challenging the Foreign Bank Account Report. Under both instances listed here, RO engaged in litigation with the federal government, which is also a trait predominant in the organization, which mostly pursues goals through lawsuits, while voter mobilization or other form of broader engagement with voters overseas does not come across as an important goal for the group (Republicans Overseas 2019a and 2019b).

The stark differences in party operations abroad described above reflect the growing asymmetry of American party politics, where Republicans have evolved into an ideological party focused on doctrinal purity, while Democrats tend to be less ideologically cohesive, but more inclined to promote inclusion of various groups under the party's umbrella (Grossman and Hopkins 2015). Party asymmetry literature points to "important and underappreciated" differences between America's two largest parties, when it comes to a plethora of policy goals, but also to parties' modus operandi. The same can be said about party asymmetry between Democrats and Republicans when it comes from interactions with diaspora voters.

For one, as noted above, Democrats are a lot more active and engaged in mobilizing voters abroad, facilitating their registration and voting procedures, fundraising and having them participate actively in primaries. Republicans overseas do not share into these electoral pursuits but focus on single issue advocacy and lawsuits as their most important goals. These behaviors very much mirror the idea of Democrats operating as an organization that seeks to bring together diverse groups and organize them under the party umbrella (Masket, Heaney, and Strolovitch 2014). Participation in elections is Democrats Abroad's main goal, along with fundraising for candidates. This shows a complex party organization which is carefully constructed along the idea of coalition building, consensus and cooperation among groups of voters with diverse backgrounds and goals (Klekowski von Koppenfels 2020).

Republicans, on the contrary, have evolved in recent decades more and more into a monolithic "agent of an ideological movement" that tends to focus only on the "ideological congeniality" of candidates that are evaluated only based on their ideological orthodoxy (Freeman, 1986; Grossman and Hopkins 2015). In this context, lack of compromise and uniformity of thought and behavior are praised as strengths, quite the opposite from the Democratic approach.

Strict adherence to doctrinal purity is more appealing to electorates than coalition building, and than compromise based on a desire to understand complex socio-economic challenges encountered by group that are racially and socio-economically diverse. The ideological purity and conformism of Republicans has attracted a solid number of American voters over the years, who would never consider a vote for another party. And this is why the compromises and complexities of policy-driven campaigning has meant Democrats have been losing voters and elections increasingly over the past two decades (Grossman and Hopkins 2015).

These same defining traits of the two parties, that make up the asymmetry discussed above, explain their different approach to voters abroad. As a purist ideological party, the GOP does not need to work hard to build coalitions and sell new ideas on policies to voters abroad, just like they do not need to do it at home. At the same time, beyond ideological simplicity, they also enjoy a much simpler process when it comes to getting their voters abroad to cast the vote. As discussed above, a large number of American voters abroad are military personnel, a long-time stronghold of the Republican party. These voters have much better access to voting infrastructure (registration, casting ballots) than regular US civilians living abroad. This simply because military voters receive assistance from the Department of Defense when it comes to organizing to vote (Klekowski von Koppenfels 2020). Thus, the GOP does not need to mobilize its base abroad. On the contrary, the Democrats, whose votes come mostly from non-military emigrants (students, academics, NGO workers), need to spend a lot more effort and money in organizing and mobilizing the vote abroad (Dark 2003).

Therefore, the GOP has a straight road ahead when it comes to the overseas vote: a dedicated electorate, mobilized by ideological conformity, and (when it comes to military voters, the bulk of Republican voters abroad) assisted by the DOD in registering and casting votes. This means that the GOP lacks incentives to become involved with any aspect of overseas registration, mobilization or voting. On the contrary, the many hurdles Democrats encounter in coalition building, motivating voters abroad, and facilitating their access to registration and to the ballot box, means high levels of involvement with voters abroad in the years and months before the elections. Democrats have a harder time mobilizing voters because they are not as structured in their organization as the Department of Defense, and they are also ideologically diverse. This can be seen in the broad coalition building by Democrats abroad, an organization that reaches out to

American diaspora voters across multiple countries and is much more far reaching and expansive in seeking to include various populations and bring them out to vote, than Republicans, who have very pared down operations abroad significantly in recent years (Klekowski von Koppenfels 2015).

Party asymmetry can also be observed when it comes to examining party behavior after ballots from overseas are cast. In fact, differences are quite stark when it comes to ballots being verified, validated/ certified, and counted. This because Republican involvement with diaspora votes increases exponentially post-election, when votes are counted, and litigation and decertification of overseas or absentee ballots become the focus of the Republican Party in certain areas with close/ contested elections. In studies of closely contested elections, Republicans have been found to be much more involved in monitoring and contesting votes coming from abroad, than Democrats. Be it through county officials who certify or do not certify such votes, or through party officials who lobby the interest of the party in voter certification, or simply through lawyers who sue for party's advantage when votes from abroad are to be counted or discarded (Teigen 2007; Imai and King, 2004). This type of behavior amounts to what in this paper I have discussed as 'reactive limits' to diaspora voting. Parties that fear they lost the diaspora vote, undertake post-vote maneuvers to undermine said diaspora's electoral choices, discard or undercount their votes. Diaspora voting literature has discussed several such instances occurring across the globe in elections recent and old. Large, influential parties, tend to undermine diaspora votes quite often and without much afterthought or consequences, if they find such votes threaten their electoral interests (Baubock, 2007; Burgess 2010; Burean 2018; Turcu 2018). In the case of the US, Republicans have an easier time than Democrats when it comes to suing post-election when they want to discredit absentee voting, because they are not traditionally

perceived as the anti-military party, so suing does nor draw attention to them. Democrats are sensitive about being called anti-military and they are known for having withdrawn their lawsuits focused on decertifying military ballots in Florida in the 2000 election (Klekowski von Koppenfels 2020; Teigen 2007).

Actions taken by party lawyers to discredit or disqualify ballots coming from abroad have been used disproportionately by Republican lawyers in most presidential elections, starting with the 2000 election, as documented by Imai and King (2002). More interestingly, Republican cherry picking of ballots went in so far as to fight for the disqualification of votes arriving from abroad that were predictably Democratic, for the same shortcomings, they argued courts needed to disregard when it came to votes arriving from abroad that were predictably Republican. This tactic was widely documented by the New York Times and other media outlets and, arguably, bolstered George W. Bush's 537 vote margin over Al Gore.

The findings in this paper tie into a broader national and international phenomenon. Nationally, Republican efforts to undermine or undercount unfavorable diaspora votes fit in quite well with other numerous legislative hurdles adopted by various GOP dominated US state legislatures, and aimed at sabotaging the vote of minorities and other groups that traditionally do not vote Republican. Internationally, Republican adoption of reactive limits to diaspora voting fit the pattern of democratic backsliding and sabotage of democratic norms, behaviors and values promoted by parties that have increasingly become ideological monoliths and agents of illiberalism, in their increasing quest for power without accountability.

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