The Transnational Vote of the Diasporas of Sub-National States: The Case of the Autonomous Community of Navarre*

[English version]

El voto transnacional de las diásporas de Estados subnacionales: el caso de la Comunidad Foral de Navarra

O voto transnacional das diásporas estaduais subnacionais: o caso da Comunidade Autônoma de Navarra

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Maria Eugenia Cruset** https://orcid.org/0000-0001-9996-5360 Argentina

Abstract

Objective: To analyze the emerging challenges resulting from the introduction of new theoretical frameworks, with a primary focus on transnationalism, as applied to migration studies. In particular, the focus on diasporas as international actors and their political participation in both the origin and destination

countries centers on issues such as citizenship, dual citizenship, and voting. This work focuses on sub-national states, which, by definition, do not possess their own sovereignty and, therefore, cannot grant citizenship or voting rights. **Methodology**: This is a quantitative study based on data provided by state agencies of the Spanish

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^{**} PhD in History from the Universidad del País Vasco (Spain), Master's Degree in International Relations from the Universidad Nacional de La Plata (Argentina). Universidad Gabriela Mistral (Chile) y Universidad del Salvador (Argentina). Email: maria.cruset@usal.edu.ar



government. **Results**: The analysis shows that transnational participation is low, although it is growing. In such a complex electoral system, every vote is crucial, which underscores the importance of ensuring the diaspora's voice is heard. **Conclusions**: The diaspora's vote is important both for the group and for Navarre, as it provides a different perspective and an additional political approach that is enriching.

Keywords: voting; migration; citizenship; nationalism (Inter-American Human Rights Thesaurus).

Resumen

Objetivo: analizar las nuevas problemáticas que surgen de la introducción de nuevos marcos teóricos, principalmente el transnacionalismo, aplicado a los estudios migratorios. Particularmente, el enfoque sobre las diásporas como actores internacionales y su participación política a dos bandas —en origen y en destino—se focalizan en las ciudadanías, dobles ciudadanías y voto. Este trabajo se centra en los casos de los Estados sub-nacionales que, por definición, no detentan soberanías propias y, por lo tanto, no pueden otorgar ciudadanía ni derecho al voto. **Metodología:** es un estudio cuantitativo con base en los guarismos aportados por organismos estatales del Estado español. **Resultados:** el análisis demuestra que la participación transnacional es poca, aunque va creciendo. En un sistema electoral tan complejo, cada voto cuenta y por eso es tan valioso hacer escuchar la voz de la diáspora. **Conclusiones:** el voto desde la diáspora es importante tanto para el grupo como para Navarra, porque aporta otra mirada y otro enfoque político que es enriquecedor.

Palabras clave: voto; migración; ciudadanía; nacionalismo (Tesauro Interamericano de Derechos Humanos).

Resumo

Objetivo: analisar as novas questões decorrentes da introdução de novas estruturas teóricas, principalmente o transnacionalismo, aplicadas aos estudos sobre migração. Em particular, o foco nas diásporas como atores internacionais e sua participação política bilateral - na origem e no destino - concentra-se na cidadania, na dupla cidadania e no voto. Este artigo enfoca os casos de estados subnacionais que, por definição, não possuem soberania própria e, portanto, não podem conceder direitos de cidadania e voto. **Metodologia:** este é um estudo quantitativo baseado em números fornecidos

por órgãos estatais na Espanha. **Resultados:** a análise mostra que a participação transnacional é baixa, embora esteja crescendo. Em um sistema eleitoral tão complexo, cada voto conta e é por isso que é tão importante fazer com que a voz da diáspora seja ouvida. **Conclusões:** o voto da diáspora é importante tanto para o grupo quanto para Navarra, pois oferece outra perspectiva e outra abordagem política que é enriquecedora.

Palavras-chave: voto; migração; cidadania; nacionalismo (Inter-American Human Rights Thesaurus).



Introduction

For the past three decades, academia has increasingly studied migration processes on a scale that extends beyond the framework of the nation-state, aligning with transnationalism theories. This underscores the connection migrants maintain with their places of origin, which may encompass economic, cultural, and even political activities. These individuals, who were compelled to leave their homes, often gather in their new places of settlement and form associations that can be classified as diasporic. When these groups begin to engage in both their places of origin and destination, they can emerge as international actors—secondary and derived from sovereignty—and fit within the classic definition of "diasporas" (Safran, 1991), with their own objectives and agendas.

However, much like the academic community, nation-states also shifted their focus towards those groups of people who, for various reasons such as economic hardship, political strife, or religious persecution, were compelled to leave their places of origin. Thus, in recent years, various bureaucratic bodies have emerged in countries with high emigration rates—ranging from ministries to small departments, each with varying levels of influence and budgets—aimed at establishing or revitalizing ties with their diasporas. In this way, these "Motherland Mothers" have attempted to compensate this population by offering economic benefits—such as pensions or allowances—or, in the most extreme cases, by allowing integration into the State's Legislative Power. In this way, citizenships are being restored to those who have lost them, as well as to their descendants, with varying degrees of accessibility and scope (Penchaszadeh & Arlettaz, 2022).

What has been studied even less is the relationship between diasporas and states when the state in question is sub-national, and many of the benefits, bureaucratic structures, and citizenship grants are mediated by the nation-state. If, in addition, there are nationalist claims in these countries—whether cultural, such as the right to use one's own language, or political, such as demands for autonomy or full sovereignty, as seen in Spain—the situation becomes even more complex. For this reason, the case of the Autonomous Community of Navarra has been chosen for this research, as it meets two key premises: it is a sub-national state, and therefore lacks the sovereignty to grant citizenship, and it has its own diaspora with distinctive cultural characteristics (Anaut & Garcia, 2013)¹.

¹ Acknowledgments to Fernando Lizarbe, representative of GeroaBai in Argentina, for his assistance.



Figure 1. Autonomous Community of Navarra.

Source: taken from the website of the Ministry of Culture and Sport of Spain.

This article aims to analyze the votes cast by Navarrese citizens with Spanish citizenship from abroad, in order to discern their implications. This work is both descriptive and employs both qualitative and quantitative methods, aiming to serve as a preliminary step in laying the foundation for a more comprehensive study. Initially, it is of interest to analyze the impact of the variable "nationalism," and for this reason, only the data from the regional elections, rather than the general elections of the Spanish State, will be considered. The data was obtained from the Central Electoral Board and the Ministry of the Interior of Spain.

As stated, the concept of "nationalism" is polysemic and does not necessarily imply the political. For this reason, the end of ETA's terrorist activities in 2021 has been used as a chronological framework, as its violent actions distort democracy and the voting process, which are the primary focus of this study.

The Issue of Citizenship and Multiple Citizenship

Although this paper aims to analyze the transnational vote of migrant groups in a sub-national state (the Autonomous Community of Navarre), which by definition lacks the authority to grant citizenship, it is deemed useful to outline some preliminary insights on the subject. This, in order to contextualize the phenomenon, but observing that it is only introductory (González & Luque, 2022).

It is important to mention that the sovereign authority of states determines the obligations and rights of their citizens, either through the adoption of their own regulations or by adhering to international frameworks. In this context,



the Inter-American Court of Human Rights (1999) defined "nationality" as "the legal bond that binds a person to a given State, through which the individual is committed to loyalty and fidelity, and entitled to its diplomatic protection" (Section Eight, p. 36). In addition, Article 20 states that nationality also entails providing a minimum level of legal protection in international relations, regulating nationality, and safeguarding the individual in the exercise of their political rights.

Since 1949, Marshall's pioneering work (Marshall & Bottomore, 1998) on liberal citizenship establishes that it can be expressed in three domains: a) civil (personal freedom and expression, property rights, and access to justice); b) political (the right to participate in the exercise of power); and c) social (social security and economic welfare).

What has occurred in the various studies analyzing this issue is that—given the State's clear priority in this matter—there has been a tendency to overlook the role of civil society, which actively seeks and advocates for these rights. This is especially true for organized migrant groups, referred to as "diasporas," which are often not studied as active agents shaping their own destinies. Until recently, with the introduction of the transnationalism theoretical framework, they were not fully understood as actors influencing both their place of origin and destination.

As Luque (2007) points out, the construction of citizenship is not solely the work of the State but arises from the relationship between the State and civil society.

In this approach, the immigrant has the potential to become an "agency" of citizenship, transforming their political environment through affirmative action, and gradually evolving into a "subject of law" or a "subject in pursuit of rights and civic responsibilities." Transnational citizenship represents a political, social, economic, and cultural space in constant conflict between those excluded from rights and those included who seek to preserve their privileges. It also embodies a longstanding political culture committed to the defense of rights (p. 124).

In relation to the issue of dual citizenship or multiple citizenship, it is necessary to indicate that not all nation-states accept them. In the context of the "social contract," the loyalties that citizens must uphold are often viewed with suspicion by countries, as they tend to distrust the possibility of individuals maintaining "multiple loyalties." For example, in a nation with a strong emigration component such as the Republic of Mexico, only since 1998 has the *Nationality Law* allowed it. In the case of Argentina, it is possible to hold multiple citizenships simultaneously with Argentine citizenship (Penchaszadeh & Arlettaz, 2022).

Voting From Abroad in Spain

As Gálvez Muñoz (2010) states, remote voting in Spain is one of the two available methods for voters to cast their ballots, the other being in-person voting at polling stations. Although both have different characteristics, as well as pros and cons, they have the same hierarchy. Remote voting is designed to facilitate voting for all citizens, particularly for Spaniards residing outside their territory or those who face difficulties in attending polling stations in person.

The rationale behind this is rooted in the Spanish Constitution, which mandates that all branches of the State ensure, to the greatest extent possible, that nothing impedes the right to vote. Based on this foundational idea, the same author gives a detailed account of the relevant electoral laws. This is contained in *Organic Law 5/1985* regulating the General Electoral Regime (hereinafter LOREG). Specifically in Articles 75 and 190, it refers to resident-absent electors living abroad.

Unlike other countries, such as Argentina, where voting from abroad is regulated and permitted, this voting must be carried out in person at the country's diplomatic missions. In the case of Spain, the option of using mail to send votes has been adopted. This system, also used by other European states, still presents certain shortcomings, including the loss of correspondence, delays in delivery—even arriving after the election—and, in more extreme cases, fraud.

On October 3, 2022, Organic Law 12/2022 entered into force, which makes amendments to the above. One of these changes is that it eliminates the voter's need to request the ballot, along with everything that this process entailed, such as obtaining the voting papers or the envelope. However, the rule requiring voters to be registered in the CERA (Electoral Census of Absentee Residents) remains in place. With the new technologies available, all voters—whether they have requested them or not—will be able to download the ballots from the internet. In addition, the deadline for depositing your vote at a consular office is extended from 3 to 7 days. Additionally, to account for any unforeseen issues with the mailing process, the period for counting votes arriving from abroad is extended (Ministry of Foreign Affairs, European Union and Cooperation, 2023).

The legislation also considers Spaniards who are temporarily abroad and wish to vote. This particular case will not be addressed in this work, as it is understood that the situation of these individuals is merely circumstantial.



The Issue of Spanish Citizenship

To understand the issue of Spanish citizenship and who is eligible to obtain it, it is necessary to explain the two fundamental concepts of granting nationality. Thus, it can be said that in legal systems, there are two principles: *Ius Sanguinis* (law of blood), through which nationality is transmitted from parents to children, prioritizing ethnicity over civic affiliation. This method is used by most European countries. The other principle is known as *Ius Soli* (law of the soil), which grants citizenship to individuals born in a specific country, regardless of their parents' origin².

Broadly speaking, European countries, which for much of the nineteenth and twentieth centuries were centers of emigration, now view the granting of citizenship to the descendants of those migrants as, in some cases, a form of historical compensation or reparation. The paradigmatic case is the Italian one (Cruset, 2011b), but also other countries such as Croatia have very broad legislation on this subject.

Spain, as a State, has recently started with this same line. Originally only children of Spaniards born abroad could aspire to be considered Spaniards. In 2007, the *Historical Memory Law* (Law 52/2007) was enacted. This legislation is primarily aimed at establishing measures to support those who were forced into exile due to the Civil War and the Franco Dictatorship.

These reasons include affiliation, collaboration, or association with political parties, trade unions, religious or military organizations, ethnic minorities, secret societies, Masonic lodges, and resistance groups, as well as behaviors related to cultural, linguistic, or sexual orientation. Through this Declaration, Spanish democracy pays tribute to the citizens who directly endured the injustices and grievances stemming from the Civil War and the Franco dictatorship. To those who lost their lives or their freedom as a result of imprisonment, deportation, confiscation of property, forced labor, or internment in concentration camps, both within and beyond our borders. Likewise, those who lost their homeland when they were exiled are recognized.

As evident in this text, the original intent is not to grant citizenship, but rather, it becomes a direct consequence of the legislation itself. Keep in mind that those who were forced to flee the country hastily, fearing repercussions that endangered their lives, often lost or never possessed the necessary documentation to emigrate. In other cases, these individuals left with passports issued by the

² To deepen this topic: Stolcke (2000) «La 'naturaleza' de la nacionalidad». To delve into the logic of these routes in national constructions: Cruset et al. (2021).

Republic, which had already ceased to exist as a legal entity, automatically rendering them stateless. This law had a term of validity until 2011.

Law 20 of 2022 seems to continue with the line of the regulations to which reference was made. In fact, its official name is the Law of Democratic Memory, although it is colloquially referred to as the "Law of Grandchildren". Its term of validity is two years, counted from October 21, 2022.

Those born outside Spain to a father, mother, grandfather, or grandmother who were originally Spanish are eligible. Additionally, this applies to those born outside Spain to a father, mother, grandfather, or grandmother who were originally Spanish but lost or renounced their nationality. This loss or renunciation may have occurred as a result of political or ideological persecution, personal beliefs, or due to sexual orientation and identity. Such individuals may regain or claim Spanish nationality under (Law 20, 2022, Disp. Ad. Eight).

Citizenship is also indirectly extended to adult children whose parents were previously granted citizenship under the earlier legislation mentioned.

Subnational States and the Spanish Legal System

When Spain transitioned back to democracy following the lengthy dictatorship, the political framework and territorial organization were grounded in the 1978 Constitution. This text was sanctioned by the Cortes Generales, the Congress of Deputies and the Senate, on October 31 of that year. Approved by referendum on 6 December and finally sanctioned by the King on 27 December. Two modifications have been made in 1992 and 2011. These reforms were enacted solely by the decision of the Cortes Generales and the ratification of the monarch, bypassing the need for more complex mechanisms.

This constitution has two articles that are fundamental to understanding this work:

Article 1. The political form of the Spanish State is the parliamentary monarchy (Const. 1978).

And likewise:

Article 2. The Constitution is founded on the indissoluble unity of the Spanish nation, the common and indivisible fatherland of all Spaniards. It recognizes and



guarantees the right to autonomy of the nationalities and regions it comprises and the solidarity among them all (Const. 1978).

This system of regional organization is complex, as it is neither truly centralist nor entirely a federal system. Fundamentally, a significant distinction exists between the "non-historical" autonomies, which refer to those that had not reached the point of plebiscite on a statute of autonomy during the Second Republic. The regions considered historical include Catalonia, Galicia, and the Basque Country.

Historically, although the Basque Country (Euskadi) was part of the Kingdom of Navarre, and they share the same language and cultural traditions, politically they are two separate entities. The first, having a Statute signed in 1936, soon achieved the same with the return to democracy in 1979. Navarra, on the other hand, will only achieve its Statute of Autonomy years later, in 1982.

For this reason, this work analyzes the vote of migrant diasporas in the Autonomous Community³ of Navarre, leaving the Basque Country for future study⁴.

Another point to consider is that the Autonomies maintain the Spanish parliamentary system and indirect voting by citizens. This means that the governing party is not necessarily the one with the most votes, as it may not secure a majority of the seats. Consequently, it must form coalitions and negotiate to achieve investiture.

Autonomous Elections

To continue this analysis, it is essential to note that within the imposed time frame, there were four such elections in the Basque Country: October 21, 2012, September 25, 2016, April 5, 2020, and July 12, 2020. In the case of Navarre: 22 May 2011, 24 May 2015, 26 May 2019 and 28 May 2023 (Central Electoral Board, 2024).

³ The term "Foral" pertains to jurisdictions, laws, and privileges that predate the formation of the Spanish State. Only Navarre, Álava, Bizkaia and Gipuzkoa (the last three belonging to the Basque Country) have this status.

⁴ Historically, the Kingdom of Navarre was a political entity that stood on two modern nation-states: Spain and France. In the latter country, Navarre is referred to as Baja Navarra and is part of the Atlantic Pyrenees department. This territorial administration does not align with what is known as the French Basque Country, the Northern or Continental Basque Country, or Iparralde in the Basque language. This is due to its entirely different situation compared to the Autonomous Community, and therefore it will not be considered in this work.

Autonomous Elections in Navarre.

As previously mentioned, Spaniards abroad who wish to vote must register in the census (CERA). Although the exact composition of this census is unknown, it is known that the majority consists of Argentines with dual nationality. This is partly due to Argentina being the country that has received the largest number of immigrants in the world, leading to the largest diaspora. However, as shown in the table below, although the number of registered voters is relatively large, those who actually vote in these regional elections are very few.

Table 1. External voting (CERA) for the Parliament of Navarra in 2015 and 2019.

	2015	2019
Census	23156	27462
Votes	814	1028
%	3,5	3,7

Source: own elaboration based on data from the Central Electoral Board

Next, an analysis will be conducted on the most voted political parties in these elections:

Table 2. Parties Voted in 2015.

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Party	Votes
UPN	168
PP	86
PSOE	94
GEROA-BAI	76
BILDU	132
PODEMOS	148
COALICION I-E	0

Source: own elaboration based on data from the Central Electoral Board.



The UPN (Unión del Pueblo Navarro) is a regional, center-right party founded in 1979, characterized by its "Navarrista" stance. This implies a differentiation from traditional Basque nationalism. One of its objectives is to maintain the political differentiation and separation of the two autonomies: its own and that of the Basque Country. Other parties, such as the Partido Popular (PP), Partido Socialista Obrero Español (PSOE) and PODEMOS, are parties with a national reach.

GEROA-BAI is also a political party in Navarre. They define themselves as progressive, center-left and is the union of the Socialverdes and the Partido Nacionalista Vasco (PNV). Nationalism also plays a strong role here, but in this case, it can be described as "Pan-Basqueism." Its president, Uxue Barkos, presided over the Government of Navarre between 2015-2019.

As for BILDU, it is a left-to-far-left coalition of the pro-sovereignty group that seeks independence from Spain. It is a controversial party, especially among right-wing sectors and groups of terrorism victims, due to its association with ETA and having convicted members of this group as candidates. However, in the last elections in Navarre it was the third most voted political force. The mayor of its capital -along with other municipalities- belongs to this group.

Table 3. Parties voted in 2019.

Party	Votes
UPN	O
PP	0
PSOE	195
GEROA-BAI	146
BILDU	99
PODEMOS	102
COALICION I-E	32

Source: own elaboration based on data from the Central Electoral Board.

The I-E coalition, Izquierda-Ezkerra, was an alliance of Navarrese left-wing parties that lasted from 2011 to 2023, when it merged with Zurekin.

Table 4. Parties Voted in 2023.

Party	Votes
UPN	507
PP	405
PSN/PSOE	509
GEROA-BAI	189
EH BILDU	239
VOX	187
ZUREKIN	178

Source: own elaboration based on data from the Central Electoral Board.⁵

There were 32 blank votes and 13 void votes; only for these elections are blank or void votes available.

The coalition for this vote incorporates Zurekin as a broad left front. It is a regional force that is created to fight in the elections to the Navarrese parliament.

Below are the results, taking into account the percentage of voter turnout from the last elections:

Table 5. Percentage of voters.

2015	2019	2023
3,5	3,7	7,94

Expressed graphically:

⁵ Other minority parties with fewer than 100 votes each include: For a Fairer World, Ciudadanos, Euguzkilore (a flower in Basque mythology believed to protect the home), and Voluntad Foral.



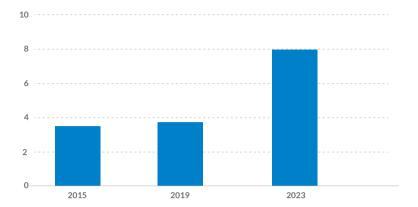


Figure 2. Percentage of voters.

As shown, there is a significant increase in the number of voters on the census. This increase is due to the legislative change that facilitated the practical aspects of the election, transitioning from *Organic Law 2/2011*, which used the concept of the "begged vote," to *Organic Law 12/2022*, as previously mentioned.

Thus, the system of parties and coalitions in Spain in general and, in Navarre in particular, is very complex. On the one hand, some denominations are changing in the same way as the alliances that are interwoven. On the other hand, the issue of strong national identities is a cross-cutting matter that significantly influences and extends to diasporas.

If we consider all the variables of political parties with some level of nationalism in their platforms, such as Geroa Bai and EH Bildu (noting their significant differences), the percentage of votes from the diaspora is always relatively significant, given the parliamentary system. If it were a presidential system, as in American countries, this data would be negligible. This can be noted in the following table⁶:

Table 6. Percentage of Nationalist Parties.

2015	2019	2023
25,5%	23,8%	12,89%

⁶ The subject of Basque nationalism is very complex, to go deeper into the subject: Pablo et al. (2001). El Péndulo Patriótico.

For the complex issue of party alliances in Navarre: Caspistegui (2021), El Laberinto de la representación; Partidos y cultura política en el País Vasco y Navarra (1875-2020).

This can have several interpretations. One might consider it a more sophisticated vote, seeking or accessing information beyond what is typically found in the mass media, which primarily refers to national parties. On the other hand, while not exclusively explaining the previous point, it complements it to some extent. The people who vote in regional elections mostly belong to diasporas organized in community institutions.

Although the Basque Centres are, by definition, apolitical, this does not imply that their members are apolitical. They can provide information that may also serve as political proselytism.

Another factor to consider is the regional diversity of Basque immigration, particularly in Argentina, where community centres were distinguished by the immigrants' places of origin. Very early on, the Navarrese distinguished themselves from the Basques by founding their own centre in Buenos Aires in 1895. Later, they were also founded in Rosario in 1913, Mar del Plata in 1942, and finally, in Mendoza and Bolívar in the province of Buenos Aires. These centers form a Federation, and it is estimated that there are around 40,000 natives and descendants of Navarre in Argentina. These centers receive annual financial aid from the Government of Navarre to support their operations.

2011 Elections.

The introduction proposes 2011 as a significant starting point for this analysis, marking the moment when the terrorist organization Euskadi Ta Askatasuna (ETA) unilaterally ceased its armed activities. This occurred on October 20 of that year. However, when measuring this fact electorally, it is not possible for the regional elections in Navarre, as they took place earlier that year, on May 22.

Nevertheless, to evaluate this significant event from a political perspective and its impact on the country's peaceful coexistence, below are some data and results of the vote from abroad for the general elections that took place in November.

Table 7. Parties voted in 2011, in percentages.

Party	Votes
UPN-PP	51%
PSN-PSOE	33%
AMAIUR	9,48%



GEROA-BAI 6,41%

Source: own elaboration based on data from the Central Electoral Board.

It could be said that in this election, particularly for Navarrese abroad, national distinctive identification was more significant. Understood, in this particular case, as something that pertains to the cultural aspect.

Although it is beyond the scope of this work to define all the political coalitions and parties that are emerging and disappearing, it is relevant to briefly mention AMAIUR. This left-wing sovereign coalition was established with the aim of defending the national interests of the Basque Country and Navarre in the National Congress. In this case, the votes from abroad and those from the peninsula coincide, with AMAIUR coming third in Navarra in both. This group of parties advocated for the "Gernika Agreement," a proposal by the *abertzale* left⁷ requesting ETA to cease its activities (the organization had already proposed a ceasefire on September 5, 2010) and urging the government to repeal the *Political Parties Act of 2002*, which banned groups perceived to be close to ETA. This led many of these outlawed parties to rename themselves or form new coalitions to evade this regulation.

This situation complicates voting for both local and overseas voters. Additionally, at that time, it hindered a negotiated solution to the conflict by preventing the existence of an interlocutor to serve as a negotiator, similar to what happened in Northern Ireland with Sinn Féin (Cruset, 2011a).

Conclusions

Often, votes from abroad are evaluated negatively because they are assumed to be uninformed, leading to criticism and belittlement. However, in many cases, the information they receive to vote comes from alternative sources. In cases where the press faces censorship or self-censorship, citizens abroad can bypass it by using alternative channels, such as international news agencies or more informal media like direct contact with family, friends, and co-religionists who reside in the area. Therefore, instead of underestimating this vote, it should be valued as enriching for providing a different perspective, and considered complementary and beneficial.

^{7 &}quot;Patriota" in Basque.

In the case of voters from abroad in the Navarrese regional elections, their participation has not been numerous or defining. However, it has been growing due to the Spanish state's legislation on the matter and the efforts of political parties to raise awareness and mobilize members of the diaspora. As participation increases and becomes more significant, interest in the external vote will also grow, creating a virtuous cycle that benefits everyone. As the diaspora gains more influence, various political groups will incorporate some of their objectives into their agendas and electoral platforms to secure their support. Subsequently, the State will follow suit. This has been seen and studied for other national cases, and has always been for the better in all of them. Citizens within the national territory and those in the diasporas are two sides of the same coin. Their efficiency increases the more coordinated they become. Those abroad and those at home need to collaborate to create the best outcomes for everyone, striving for the common good.

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