Transnationalism in the Pacific Region as a Concept of State Identity

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Abstract

This paper is devoted to the fulfillment of the concept of transnational citizenship achieved by New Zealand toward the Pacific Island countries, mainly through their constitutional relations, and the paper analyzes the fundamental question of what aspects comprise the core of the transnational aspect of this community. The aim here is to put forward the key aspects and steps in the building and development of a functioning model of transnational communities, with emphasis on the legal instrument of regional identity building, namely, the introduction and development of dual citizenship as the adaptation of the historical heritage of the colonial past (British citizenship) to the conditions of a globalized world while taking all the problems that the region faces now into account. We see transnational communities to be an important expression of contemporary globalization, as they have also been historically, as proved by New Zealand and the Pacific Island countries.

Keywords

Introduction

The Pacific region, because of the interesting dynamics of its development in recent decades (since the 70s of the past century, i.e., the change in New Zealand's national policy on minorities), has become the center of investigation by professionals from different fields, who are examining the development of New Zealand's position (i.e., Miller 1995, Perry-Webster 1999, Butcher 2012) as a key player in the region as the country has also declared itself in official documents (Statement of Intent 2008–2009, 12)[1] and even in the nation-branding campaign (Bell 2005, 15, 19; Butcher 2012, 249–273). Officials of New Zealand define the country as a Pacific nation (http://www. mfat.govt.nz), and from the beginnings of formation of its statehood, it has

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1 See more: http://www.mfat.govt.nz/Countries/Pacific/Cook-Islands.php; Pacific Focus Global Reach | 2013 Year in Review: New Zealand Action for International Development. Available online at: http://www.aid.govt.nz/media-and-publications/publications#yir; Annual Reports. NZ Aid. Available at: http://www.aid.govt.nz/media-and-publications/publications/year-review-2012

also been trying to profile itself as a South Pacific nation, as evidenced by the official name of the country, Realm of New Zealand, under which is not just New Zealand but also the islands of Niue, Tokelau, Cook Islands and Ross Dependency as a result, or as a remnant, of the colonial past. In addition to the inhabitants of these Pacific Island Countries (hereinafter referred to as PICs), the ethnic composition comprises the inhabitants of Kiribati, Tuvalu, French Polynesia, Papua New Guinea, and the Solomon Islands (Walrond 2005).

The paper relies not only on the results of the examination of changes in the political system of the country and the direction of its foreign policy instruments but also on interaction with other regional stakeholders in the economic, security, and the sociocultural sector, i.e., a holistic perception of the current state and development. This process of building a multinational regional identity (as discussed in the following sections) is crucial, in our opinion, for maintaining stability in the region and controlling the dynamics of intraregional migration.[2] These subimpacts are not directly in the center of this investigation; however, it is evident that they comprise one of the impulses for strengthening the intraregional dynamics. Therefore, the aim of this paper is to put forward the key aspects and steps in the building and development of a functioning model of transnational communities, with focus on the legal instrument of Pacific regional identity building, namely, the introduction and development of transregional citizenship as the adaptation of the historical heritage of the colonial past (British citizenship) to the conditions of a globalized world while taking all the problems that the region faces now into account. In order to fulfill the given goal, two research questions are set here. The first research question arises from this identity building process of New Zealand after the 1970s, which gradually spread into the whole of the South Pacific region, leading to specifying New Zealand as a Pacific country (as supported by official statements and documents provided herein), i.e., whether New Zealand's transregionalism is a reflection of a nation identity concept? The methodology is based on statistical data analysis on the ethnic diversity of New Zealand's society, with the goal of identifying the most critical starting point of regional identity, thus proving its Polynesian character, supported by governmental policies since the 1970s, expressed latest in the process of

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2 As provided by Statistics New Zealand based on the 2016 Census, the Fijian population is one of the smaller Pacific Island groups in this country, making up 4% of all Pacific Island people in New Zealand, compared to the Samoan population, which represents half of all Pacific people living in New Zealand and as such, is New Zealand's largest Pacific group. The majority (57%) of Samoan people living in New Zealand in 1996 were born in New Zealand. See in "Pacific Islands People (Census 96)" (1996) - Reference Reports.

nation branding, together with strengthening and developing the leading role in some regional groupings, as a key identifier of transregionalism.

Studying the historical and political roots of today's regionalism in the Pacific, as led by New Zealand, a common British heritage due to the colonial past of the region is undoubtedly identified. One of the legal instruments expressing the ties of the Pacific colonies to the colonial mother was British citizenship, identifying the rights and obligations of the British Empire and the recognized British citizens overseas. New Zealand has preserved, as a country having administration over some PICs under UN decision or due to having built close friendship relations with the PICs, this legal instrument of dual citizenship with some of the PICs; therefore, a second research question in the context of the objected transregionalism is whether dual citizenship is a political-legal instrument for developing Pacific transregionalism under New Zealand, while it apparently serves for strengthening regional development and cooperation under New Zealand's (see the role of regional organizations) domestic and foreign politics (as expressed by supporting Polynesian minorities in the country and supporting indigenous aspect of the society, as well as by its active role in development processes in the region via the country's participation in regional organizations) built on the heritage of colonial common citizenship (i.e., the British). I do not state that it was an initial motive of New Zealand to continue with the British role as it may be identified as an outcome of a gradual process since the 1970s. In order to answer this research question, research into the various aspects of this dual citizenship shall be performed, researching the conditions and current state of this dual citizenship and its effects on closer intraregional ties, as, in my opinion, regulated in-regional migration and in-regional citizenship may serve as an effective instrument for the building of transregionalism from the social, political, cultural, economic, and security aspects.

Therefore, the paper is divided into three main sections, starting with an introductory part providing a rather holistic perspective of the region and New Zealand's position in the region. The first section of the article is focused on answering the first research question and therefore the focus is on the cultural basis for the current transnational politics of the country, proving that ethnic diversity is making New Zealand a transnational actor as its Polynesian roots and regional identification make the country a Pacific actor. The second section of the paper presents an argument on the identity aspects of the region, identifying its transregional character, thus providing a link to the second research question analyzed in the next section, namely, dual citizenship, which is identified as one of the instruments for transnationalism

in the examined region from both the political and legal points of view, i.e., it provides argumentation for what makes the Pacific community a transnational one. Research presented in this paper results in the analysis of dual citizenship as an aspect of the transnationalism building exercise under New Zealand resulting from a statement that the main characteristics and features of the dual citizenship applied in this region is a cultural aspect; therefore, it could be denoted a cultural citizenship, as argued in the following sections.

Ethnic Diversity Makes New Zealand a Transnational Actor

New Zealand has anchored its presence and its role in the region in this very fact, namely, ethnic diversity, which was reflected in all areas of life in this region (key selected areas are presented in the following text) through the building of gradual and mostly stable interlinkings of the countries in the region to New Zealand. This is important to create not only awareness but also the practical implementation of the so-called Pacific Diaspora, facilitating the creation of a platform for development of this transnational community while respecting the specificities of the various PICs and emphasizing the importance and respect for their original society and place of residence. Preservation of the essential aspects relevant of these Pacific subcommunities and their links to New Zealand is also reflected in the use of resources of the region and in the reimagining of the community.

In my opinion, the basic starting position of the country in gradually building up its position as a key Pacific player lies in seizing the idea of a joint homeland of Polynesian nations, whose members were the first indigenous people of the country, i.e., the Māori people. In this context of defining the joint Polynesian homeland as an outcome of self-identification within the region and as the main outcome of all transregional policies under New Zealand predominantly, I consider the Māori aspect the most decisive, as expressed by the process of Māori language protection in the past decades, proving that the Māori language (hereinafter referred to as Te Reo Māori) – as an indigenous language in New Zealand – is not the only minority/ethnic language in New Zealand but is considered to be a foundation language of the country and its protection is guaranteed under the fundamental document of New Zealand, the 1840 Treaty of Waitangi (see later). The Māori language thus gives the country its unique language identity. As analyzed in this paper, the Māori language is a rather significant social force for strengthening the Māori youth in their national self-recognition as they represent the most significant element in the Māori language revitalization and protection. Māori language's importance for New Zealand's society and national identity is important

also from the aspect of bicultural society preservation and development, interlinked with linguistic pluralism dependent on ethnic diversity (Kāretu-Waite 1988, 217–227). As stated by the Māori Language Commission, "Māori is the predominant language of New Zealand" (The Statement of Intent 2008–2009).

As provided in the Statement of Intent 2008–2009, New Zealand has a particular responsibility to protect and provide conditions for use of Te Reo Māori because "the distinctiveness and uniqueness of Māori language is one of the defining characteristics of Māori people, and of New Zealanders. Māori language is a thread that binds us together as a nation and sets us apart from any other people or place in the world." (Statement of Intent 2008–2009, 12)

Understanding the "identity" is crucial for performing this research, and defining identity is rather difficult due to theoretical and regional reasons; therefore, this research goes out to the authors devoted to issues other than political aspects of identity defining. The various authors agree essentially (Smith 1991, Heywood 2008, and others) that the nature of a nation is not tangible, so the understanding of the national identity can also differ regionally. They agree that a common feature in determining national identity is psychological bonding, i.e., it is intangible and undefined, which connects people and creates a sense of belonging. This can be supported by a common ideology, whether based on politics, religion, language, or tradition or on other psychological links that are so specific that they differentiate the nation from the neighboring or other nations and states.

Smith writes in *National Identity* (1991) that the national identity is a set of material assumptions of the political community as a territory bounded by boundaries and spiritual, intangible assumptions as a set of rights and obligations in terms of the social space that members of that community identify with, i.e., he highlights the moment of self-identification of members of the community with this politically expressed community, which they call the homeland (Smith, 1991, 9). Smith states that this internal self-identification is extremely important as it is based on an internal experience and identification with the ancestors' place of birth, which comprises a family or national history. In my view, such identification based on the value principle creates a sense of "uniqueness" and co-ownership, which can be continuously linked to the feeling of political coexistence. Smith, in this context, defines the nation as *"... an identified population that shares historical territory, common myths, historical memory... and common rights for all members...."* (Smith 1991, 14). Smith provides these to specify the basic elements of national identity according to the material basis of the already mentioned historical

territories, which are linked to common history and historical myths (Pacific region and common Polynesian ancestry and heritage), which give rise to the emergence of another sign, namely, a common culture. The latter features already reflect the political nature of such a community as specified by the system of rights and obligations and the existence of the right to move to the last sign, namely, the creation of the economic wealth of the community, in our case, expressed by the dual citizenship.

These considerations are followed by Miller (1995), who considers such political institutions as the basis of the perception of the nation as a politically organized group within a territory sharing a common culture, myths, and symbols under existence of a unified system of rights and duties for all members of the community (Miller 1995, 154), which is a very strong aspect, e.g., in Asia or the Pacific.

Research on New Zealand's history, concerned mostly with the political development of New Zealand as a traditional nation-state based on the idea of one nation and on patterns of Western societies (mostly of the British colonial mother), has proved the country's development from a colonial entity to a state with a manifestly defined identity of a Pacific nation and leader. In this process, launched in the 70s of the past century, identity building was based on loyalty directed to two entities – the first one is the national identity building based on a Pacific (Polynesian) past and heritage (highlighted by Maoris), and the second loyalty building was centered on the Pacific neighbors interconnected with the region under New Zealand's patronage. This process was interlinked with the in-regional processes mirrored in the growing political and economic intraregional cooperation (see, e.g., the role of the Pacific Islands Forum). New Zealand managed to take advantage of its position and turbulences in domestic politics in the 70s and opened the way for self-definition, self-description, and self-identification in and with the Pacific, as confirmed by the Ministry of Foreign Affairs and Trade in the document called "Strategic Intentions 2016–2020" (2016, 8), when Pacific issues were put into the seven key objectives of New Zealand to be achieved by 2019, saying that the role is to "Maximise the impact of New Zealand's engagement in improving the prosperity, stability and resilience of the Pacific Islands region and its people. What happens in the Pacific has a direct bearing on New Zealand's well-being".[3] As provided by Statistics New Zealand (1996), "the demographic, social and economic characteristics of Cook Islands, Fijian, Niuean, Samoan, Tongan and Tokelauan communities identify their unique position in New Zealand society. Trends in family and

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3 See also: https://www.mfat.govt.nz/en/about-us/our-strategic-direction/

household structures, educational attainment, income, and labour force participation all have significant consequences for their participation in New Zealand society, now and in the future" (Ethnic Groups Census 96)**,** and confirmed by Spoonley in his study "Reinventing Polynesia: The Cultural Politics of Transnational Pacific Communities", these statistics just prove the traditional migratory patterns of the Pacific peoples (Spoonley 2000, 4).[4] Moreover, we have to agree with Spoonley that "the size of the communities in the 'homes abroad' constitute important centres which, because of their size, have an influence on the strategic use of resources in both the location of residence as well as origin, and which are capable of developing new forms of identity and cultural practices" (Spoonley 2000, 4).

This what I call a process of constructing the nation of New Zealand, initiated by Norman Kirk in times when the process of Maori marginalization reached its peak and British access to the European Communities made the country seek a new vision of its future, i.e., identity and place in the world. The colonial past made definition of a New Zealand nation rather problematized, pushing for alternative bases of loyalty and identity building. The notion of a nation-state presupposes some interlinks and defining bounds lost by global developments. Therefore, as one of the most important features of Pacific transregional community building, I consider determination of its national identity as a group of determinants characterizing the state arising from its historical, ethnic, or cultural aspects. Either understanding of national identity, i.e., seizing and representing common underlying motives and expressions of the nation, is an objective factor (i.e., naturally developed over the independent development of the country's internal political environment), or national identity evolved as a subjective response to the globalizing challenges of the country. In this context, analysis of this factor should also consider the tasks of various prime ministers and top political representatives who are actively and knowingly involved in defining and shaping national identity – in accordance with Anholt's definition of national brands such as the set of characteristics that are perceived by people in the country in the six key areas of expression of national identity, such as culture and heritage, residents and migration, government, tourism, investment, and exports) (Anholt 1998, 395–406).

Smith, as one of the most important authors who drafted the concept of national identity (Smith 1991), stated in the *National Identity* that national identity is a set of substantive requirements of the political community (as an

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4 See also: http://www.stats.govt.nz/Census/1996-census-data/pacific-peoples-living-in-nz/largest-pacific-peoples-group-in-nz.aspx

area bounded by boundaries) and spiritual, intangible preconditions, as a set of rights and obligations meant as a social space which the members of this community identify with, i.e., it highlights the self-identification moment of the community members with the political expression of a community that is called a homeland (Smith 1991, 9). Understanding of the homeland, as a basis, and identifying the direction of the nation and its identity are seen by Smith as important because this self-identification remains even at a time when the citizen does not live directly within designated areas.

Smith states that this inner self-identification is particularly important since it is based on internal experience and identification with the place of ancestors who formed a family or national history. In my opinion, just such a determination is based on the value principle of creating a sense of "uniqueness" and belonging that can be seamlessly coupled to a sense of political belonging (Smith 1991, 10). At this point, following Smith, is the core point, in my view, for building and strengthening the Pacific transregionalism via community building and cultural citizenship, since that moment requires the long-term preservation of the existence of political (respective formal and social) institutions that will symbolize the homeland in the material sense, as dual citizenship could be considered in this case. Smith, in this context, defines the nation as an identified population that shares historical territory, common myths, and historical memory with common rights for all members; thus, Smith specifies the essential elements of national identity, based on the fundamental substantive basis, and the already-mentioned historical territory (South Pacific region here), which carries common historical memories and myths that give rise to even further character, to a common culture (Polynesian in this case). The last signs already reflect the political nature of such communities, as specified by a system of rights and obligations and the existence of the right to movement required for the last characteristic, for the creation of economic wealth of the community (Smith 1991, 14), enhanced in this case also by a dual citizenship.

Miller (1995, 153–166) follows on these considerations when such political institutions consider sharing a joint culture, myths, and symbols under the existence of a uniform system of rights and duties of all members of the community (which is a very powerful feature, in particular, in countries of Asia and the Pacific) to be the basis of their perception of the nation as a politically organized group within some territory (Miller 1995, 154). National identity with national or regional identities is then perceived as a very dynamic and multidimensional element.

As stated by Spoonley (2000), "These communities, made up of New Zealand-born Pacific peoples, are developing new cultural forms and identities which are challenging both origin communities or 'homelands', and cultural traditions, and the institutions and beliefs of the society of residence. They are renegotiating the rules of entitlement and belonging, coming as they do from a position of multiple loyalties and identities, and located in a community that maintains strong transnational networks. Maori identity politics have disrupted the colonially-inspired constructions of the New Zealand nation and state from a base of indigeneity. Pacific peoples now pose a new challenge from identities and networks of the Pacific diaspora." (Spoonley 2000, 4)[5]

Studying the history of the country makes it clear that it was the period of its colonial history from which the country learned and also took over some aspects of government and governance (as detailed earlier), and doing so, the country has specified its own place in the world community based on specific principles that can be called national identity, enhanced with sufficient geographic remoteness and isolation from major players. These considerations leave no doubt that this experience was decisive for New Zealand's current reputation as one of the most reforming countries in the world with respect to its domestic politics (and economy; see political development of the country), as well as the determination of the specific and unique position of New Zealand in the world, and the Pacific region in particular, since the adoption of both the Statute of Westminster Adoption Acts.

This ongoing and uninterrupted trend shows the traditional migratory patterns of the Pacific peoples in enhancing in-regional migration and community building under New Zealand, supported by its dual citizenship policy (see the following discussion).[6] This development in the region is necessary to consider, especially in the context of the specific and overall characteristics of the region. The Pacific (http:/coombs.anu.au/¼.) is an area with 30 million inhabitants and covers 15 countries, the core of which is made up by Australia and New Zealand. In terms of population, the largest

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5As provided in the website of the Ministry for Pacific Peoples, New Zealand's Pacific peoples are a diverse and dynamic group with the fastest growing young population. By 2026, it is projected that Pacific Peoples will be 10% of the population, compared to 7.4% in 2013. The Pacific Peoples ethnic group was the fourth largest major ethnic group in 2013, behind European, Maori, and Asian ethnic groups. Samoa remains the largest Pacific Peoples ethnic group in 2013, with 48.7% of the Pacific Peoples' population (144,138), Cook Islands Maori 20.9% (61,839 people), Tongan 20.4% (60,333 people), and Niuean 8.1% (23,883 people). Almost two-thirds of Pacific Peoples 62.3% (181,791 people) who identified with at least one Pacific ethnicity were born in New Zealand. The highest proportion of New Zealand-born people included Niuean 78.9%, Cook Islands Maori 77.4%, Tokelauan 73.9%, Samoan 62.7%, and Tongan 59.8%. See more at: http://www.mpp.govt.nz/pacific-people-in-nz

6 See: http://www.stats.govt.nz/Census/1996-census-data/pacific-peoples-living-in-nz/largest-pacific-peoples-group-in-nz.aspx

country is the Papua New Guinea (hereinafter referred to as PNG). Although the land resources are quite limited (especially with regard to Fiji, PNG, and the Solomon Islands), the importance of the Pacific countries is growing because of the fishery resources, since they fall within the exclusive economic zones (EEZs), ranging to 20 million square meters, making this region the richest in fisheries (Campling 2008, 15) This region is rich in other important natural resources and raw materials, such as wood, oil, gas, and minerals. These Pacific countries face many significant challenges currently due to the high level of poverty and poor governance. Year 2005 contributed to solving the problems of the Pacific, bringing a new inclination for cooperation in the Pacific region itself, with the adoption of the so-called Pacific Plan under the Pacific Islands Forum.[7] And this increase in population of the PICs further underlines the importance of the role of New Zealand in the coming decades since initiating building of the so-called residence policy, and therefore I see citizenship as an instrument for regulated intraregional migration too, as the identity will be even more important and will help to manage the complexity of a multicultural society and community in a globalized world.

As already mentioned, one of the defining aspects of cooperation and community building through constitutional ties is the fact that three-quarters of the New Zealand population is of European descent. This has particularly affected the migration wave in the mid-70s of the past century, when immigrants from Europe dominated the structure of migrants. Later, the migrants came from the Pacific Islands and Asia. Equally, children of mixed partnerships increased in number, and according to the results of the population census in 2001, 18% of children aged less than 15 years were included in more than one ethnic group. More than half of these children were raised in a family of mixed European–Maori origin. Research shows that New Zealand is increasingly becoming less "European" (Fleras–Spoonley 1999, 234–235)

The growing ethnic diversity of the country is clearly linked to the process of finding and subsequently expressing the national identity of New Zealand, which defines the Maori people as one of its starting points, and one of its main roles is protecting the heritage of the Pacific and Polynesian people, as already stated.

Based on the 2006 population census, a distinct ethnic minority includes the Pacific Islanders, almost half of which is of Samoan origin, Cook Island Maori and Tongan. A varied ethnic composition involves also inhabitants

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7See: Pacific Plan Annual Process report 2008,. http://www.forumsec.org.fj/_resources/article/files/ PP%20Annual%20Report%202008.pdf

of the islands that were under the administration of New Zealand, such as Niueans and Tokelauans, many of whom are living currently in New Zealand because of better employment opportunities. Recent statistics have shown an interesting fact that many of these residents were born in New Zealand.

The Maori minority remains as the only indigenous people, and Maori culture is seen as a key element of the New Zealand identity and its people; the Maori are perceived by New Zealand as one of its starting points in protecting the heritage of the Pacific and Polynesian people. The Maori element is particularly active in all areas of life of New Zealand's society. It is an expression of understanding the identity of the country by the indigenous Maori population.[8] In contrast to the so-called "new" minorities, only historically indigenous people of the country are entitled to different conditions and treatment, as well as development measures. The growing ethnic diversity in New Zealand was marked by, in addition to the building of its own national identity, participation of the country in both world wars, thus changing its position in international relations as well as the subsequent change in relations with Britain after its accession to the European Communities and the formation of New Zealand as the Pacific countries. These movements in society are linked to a change in the government's approach to tackling Maori "questions" in the 1960s as well as to the changes in the intraregional migration (http://www.stats.govt.nz/census/2006-census-data).

What Makes the Pacific Community Transnational?

As already indicated, the current development of the region in the context of building a transnational community through implementation of the concept of transnational citizenship is not just an expression of the contemporary globalization, but rather a continuation and development of the concept of political citizenship from the colonial past and its gradual transformation to the so-called cultural citizenship, urged by the ongoing process of globalization as cultural citizenship (Pakulski 2007, Beaman 2016) because Polynesian heritage is a proper term for specifying this kind of legal instrument. Moreover, a common Polynesian origin of the PICs makes it a regionwide accepted and respected instrument for developing and managing the region.

Globalization of this process could be seen as a process of promoting the application of this concept in practice as it provides tools for development and stabilization due to increasing availability of communications or

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8 New Zealand is strongly committed to maintenance of the minorities' rights, in particular the respect and protection of the rights of indigenous people of Polynesian origin, which is related to developments in the country itself and from which self-reflection and self-identification as a Pacific country do spring.

transportation. These aspects should be, in my opinion, seen as the key to maintaining the dynamic development of the region and to the concept of transregionalism. I agree with Spoonley (2000, 12) that transnationalism signals that significant networks exist and are maintained across borders, and, by virtue of their intensity and importance, these actually challenge the very nature of nation-states, as in my view, it is impossible for transregionalism to be developed without any gradual establishment of communication channels, whether the technical means or (in my opinion, more fundamental and important) the building and "nourishing" of living and effective links among the various stakeholders in the region. This is noticeable not only in the politics of New Zealand (see the examples that follow), but also in the activities of, e.g., the Pacific Islands Forum organization, the main idea of which could be represented by the Leaders Vision in the Auckland Declaration, April 2004, saying "Leaders believe the Pacific region can, should and will be a region of peace, harmony, security and economic prosperity, so that all of its people can lead free and worthwhile lives. We treasure the diversity of the Pacific and seek a future in which its cultures, traditions and religious beliefs are valued, honoured and developed. We seek a Pacific region that is respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values and for its defence and promotion of human rights. We seek partnerships with our neighbours and beyond to develop our knowledge, to improve our communications and to ensure a sustainable economic existence for all." (http://www.forumsec.org/pages. cfm....) These words confirm the relevance and significance of the cultural aspect of the whole intraregion linking processes, expressed also by the instrument of dual citizenship being specified rather as a cultural citizenship. The ideas expressed here are politically reflected in the development assistance provided to the PICs by New Zealand and Australia.

This makes it clear that the development of the region while maintaining its specific characters is generally accepted as a common target crossing the boundaries of a single nation-state (in this case, of New Zealand), and it is apparent that the current pro-Pacific politics and position of New Zealand are logical consequences of understanding the spirit of community enhancing and enabling, thus enabling mutual contributions to its development. The multicultural characteristics of the region should be, in my opinion, seen as the initial impulse for building transregionalism and as one of the reasons due to which this form of transnational cooperation is widely considered to be one of the most effective. In discrepancy with Spoonley (Fleras–Spoonley, 1999), I do not think that transnationalism, however going over the national boundaries, is clashing and even disrupting the idea of the national state. I

do see national state as a unique space of each nation for experiencing and developing one's own truly specific identity and providing the tools and instruments for also being a valued partner transnationally. I rather agree with Davis (1999, 27), who while giving arguments for those settled in Latin America and the Caribbean region, says that transnationalism is a product of evolution bringing new social and geographical spheres by making modern technologies and traveling easily available worldwide (Davis 1999, 28), which are undoubtedly critical for the development of any region nowadays from the aspect of movement of goods, labor power, and capital.

I see transnationalism as a gradually built and intensified networking across the national borders initiated by economical and sociocultural needs brought about by globalization enhanced with the proregional feelings regionwide, i.e., community building based on loyalty built regionally (despite the homeland and the place of current residence) (Spoonley 2000, 2) while keeping in mind that according to Börzel (2016, 4), regionalism is ultimately still analyzed as interstate institution building at the regional, interregional, and transregional levels, supported by Fawcet's opinion (2005, 24) that so-called new varieties of regionalism are explored where "the state is no longer regionalism's only gatekeeper". Based on Börzel (2016), Pacific community processes may be classified as transregional as "there are more spontaneous and endogenous processes which involve a variety of state-, market and civil society actors organized in formal and informal networks are categorized as regionalization or "cross-border micro-level regionalism" Börzel (2016, 4).

Therefore, while answering the first research question, I see transregionalism building in the Pacific as a result of circumstances and dynamics of New Zealand as a regional power, while the ongoing development of the individual PICs is a natural result of collaboration between the actors using the working aspects of colonial administration. I do emphasize that the definite unifying element between the actors of the Pacific transregionalism is composed of regional proximity; similarity of economic, social, and security problems; and above all, cultural proximity in terms of recognition of one common homeland culture, and Polynesian culture. (Spoonley 2000, 12; Kennedy 2000, 2) Furthermore, therefore, it is possible here to reflect the perception of transnational citizenship as a so-called cultural citizenship, i.e., understanding of citizenship that goes above the nation–state borders not only in geographical but also in legal terms.

Constitutional relations, namely, special transnational relations between New Zealand and the PIC countries, can be specified in six cases as follows. There is no constitutional relationship between New Zealand and the islands of Fiji

and Tonga; they could be rather specified as transnational relations of friendly neighboring sovereign states. In the case of the island of Samoa, a special relationship can be stated (see the following section) (Official Record of the General Assembly 1974, 76).

3 Dual Citizenship as an Aspect of Transnationalism Building Under New Zealand

Concerning the center of my research, it is significant that the Pacific islands, now in some administration or other formal/constitutional relations to New Zealand, were included in the British colonial realm and their inhabitants – inhabitants of Cook Island, Niue, and Tokelau – were also British subjects just before both Westminster Statute Adoption Acts were accepted. Therefore, Cook Islands and Niue remain in free association with New Zealand on the basis of the Free Association of 1901 and thus became New Zealand territory, based on which the New Zealand Government provides significant financial support to the governments of these countries as well as New Zealand citizenship. Their citizens were British subjects, and New Zealand assumes the obligations resulting from the colonial past, as already mentioned. Tokelau remains a non-self-governing territory of New Zealand from 2012, while Samoa (under New Zealand administration in 1920–1962) acquired the status of a fully independent state. [9]

With respect to the Cook Islands, Niue, and Tokelau (formally annexed by New Zealand in 1948, and then the Tokelauans, were British subjects since 1916), however, there are various reasons that make them suitable to describe the relationship as a relationship with constitutional elements. In particular, it is necessary to understand the basic concepts of the historical development of the British Empire. Tokelauans, along with Cook Islanders and Niueans, were New Zealand citizens from January 1, 1949, when the British Nationality and New Zealand Citizenship Act of 1948 came into force (New Zealand Citizenship Act of 1948, Art.15).

As the Cook Islands and Niue are self-governing states in free association with New Zealand, in accordance with their constitutions (Cook Islands Constitution Act 1964 (sect. 3), No. 69; Niue Constitution Act 1974, No. 42), all legislative powers were vested exclusively in the hands of their legislatures and the Parliament of New Zealand lost all decision-making power for the Cook Islands and Niue.

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9 See the relevant treaties on: https://treaties.un.org/pages/historicalinfo.aspx#Niue. See also: http://www.teara.govt.nz/en/pacific-islands-and-new-zealand.

In the above context, it should be noted that the constitutional relationship does remain with New Zealand and continues in the following matters. Firstly, the Queen of New Zealand remains the Head of State of the Cook Islands and Niue Island, represented by Her representative on the Cook Islands and Niue.

Secondly, as mentioned above, it is New Zealand citizenship that is in my view more significant to the indigenous population of the island as it brings the island residents full rights.

Thirdly, specific provisions in the constitutions of the two associated countries (such as Section 5 of the Constitution of the Cook Islands of 1965) lay down that issues in the field of external relations and defense remain in the responsibility of Her Majesty, transferred to individual legislatures (http://www.justice.govt.nz/publications/.....). In terms of analyzing the transnational citizenship, paragraph 6 of the Constitution of the Cook Islands Act 1965 states that nothing in the Constitution does affect the status of citizens as the citizens of New Zealand (Cook Islands Constitution Act 1964).[10]

Similar can be noted in the later adoption of the Constitution of the Niue Island (effective since 1974), which confirms the free association with New Zealand and contains, as with the Cook Islands Constitution, provision on sustaining New Zealand citizenship and all the rights arising from it (see paragraph 5 of the Constitution), saying (Section 5) "Nothing in this Act or in the Constitution shall affect the status quo of any person as a New Zealand citizen."[11]

Other provisions demonstrate the persistence and responsibility of New Zealand for the defense of the Niue and representation in international relations. Extremely important for the future of the island is a provision (section 7), under which the New Zealand government has committed to continue to provide economic and administrative assistance to the country, and which currently has influenced the steps taken with New Zealand's development assistance (it was, e.g., one of the reasons why inhabitants of Tokelau repeatedly rejected withdrawal from the union with New Zealand despite UN pressure). The Cook Islands joined New Zealand on the basis

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10 Section 6: Nothing in this Act or in the Constitution shall affect the status of any person as a...New Zealand citizen...

11 Section 6: Nothing in this Act or in the Constitution shall affect the responsibilities of Her Majesty the Queen in right of New Zealand for the external affairs and defence of Niue. Section 7: It shall be a continuing responsibility of the Government of New Zealand to provide necessary economic and administrative assistance to Niue. In: Implementation of the international covenant on economic, social and cultural rights. Report Submitted to the Government of Niue. UN Economic and social council. 23.9.1992. Part 1, Sect. 5-8. See also at: http://www.niuegov-premiersoffice.com/archive.html

of strong historic ties in 1901, and the Constitution of 1965 allowed them to be transformed into a free association with New Zealand on the basis of which they govern their own affairs indep.endently, but being allowed to retain New Zealand citizenship (http://www.mfat.govt.nz/Countries/Pacific/ Cook-Islands.php). For the purpose of acquiring the citizenship, the Cook Islands, Niue, Ross Dependency, and Tokelau are perceived and treated as part of New Zealand (e.g., a child born to a resident of Niue may acquire New Zealand citizenship).

In the context of analyzing the institution of transnational citizenship, attention must be paid to the special relations between Samoa and New Zealand on the issue of right to New Zealand citizenship by the Samoan residents, as another of the PICs, which due to close relations with New Zealand retained citizenship as Western Samoa (Samoa since 1997). The 1962 constitution meant the emergence of Western Samoa as an independent and sovereign state, but in 1982, the Privy Council (Supreme Court of Appeal of New Zealand) issued a decision in the Lesa v Attorney-General [1982] 1 NZLR 165. The dispute concerned the preservation and granting New Zealand citizenship to the inhabitants of Western Samoa born in Western Samoa between 1928 and 1949, which covered approximately 100,000 inhabitants. Following this decision, the Privy Council in London was that those citizens could enter and stay in New Zealand as full citizens of New Zealand. [12]

When the 1949 Law on citizenship came into force, the residents of the Cook Islands, Niue, and Tokelau, as well as of Western Samoa, who were previously British citizens, became New Zealand citizens. Western Samoa achieved independence in 1962; the Citizenship Act defines "New Zealand" as New Zealand, Cook Islands, Niue, Tokelau, and the Ross Dependency, whereas the Law on Citizenship of 1977 of the Samoa island defined it as only New Zealand; precisely due to the entry of New Zealand citizenship, which cannot be acquired by "residents" of one of its parts, for use in New Zealand itself.

Thus, the Western Samoans in New Zealand had uncertain citizenship status and during the 1970s, many Western Samoans entered New Zealand on temporary work permits; therefore, the New Zealand and Western Samoan governments negotiated a compromise, which was the Citizenship (Western Samoa) Act 1982. All Western Samoan citizens became entitled to New Zealand citizenship but only those residing in New Zealand on September 14, 1982 (http://www.teara.govt.nz/en/citizenship/page-3). Nowadays, the Samoans (i.e., citizens of Samoa) are governed by a specially granted New

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12 The case is still not closed; in 2007, it was made as a dispute to the UN Committee on Human Rights.

Zealand citizenship under specified conditions (linked mostly to the time of their residence in New Zealand); however, they do not need to pass the procedure of obtaining citizenship as non-Pacific immigrants, i.e., proving evidence of their residence, language, etc.

The historical cultural and economic ties in the Pacific now take on new dimensions due to increased movements of the PIC people into the country. It is granting the citizenship to these islands as well as granting the right of residence that has contributed to an increased and controlled migration to New Zealand (mainly from the Cook Islands, Niue, and Tokelau). In addition, by regularly depending on the current composition of the government (i.e., the ruling party) and its direction on this issue, inhabitants of the islands of Samoa, Fiji, and Tonga significantly contributed to migration, but they are not New Zealand citizens and for that very reason, they were more responsive to the recent migration measures introduced by governments.

Considering the above facts, I may state that the perception of the country as a Pacific actor, either as self-reflection or by other actors in world politics, is based on several defining moments. The base is already a referred common colonial past, which has far-reaching impact on other aspects, including economic relations, especially in trade development (whether in goods, services, or capital) primarily directed to this area.

Conclusion

The main goal of the submitted paper, as indicated in the Introduction, was to put forward the key aspects and defining moments of building and developing a functioning model of transnational communities with focus on the legal instrument of regional identity building, namely, the introduction and development of transregional citizenship. In order to fulfill the given goal, two research questions were set here. The first research question was focused on the issue of whether New Zealand's transregionalism is a reflection of a nation identity concept interconnected to the second research question in the context of the objected transregionalism, which was whether dual citizenship is a politicolegal instrument for developing Pacific transregionalism under New Zealand. The methodology of the paper was thus focused on identifying the most critical aspects of the researched issue, as nation identity, regional identity, role of ethnic diversity of New Zealand and the region itself, as well as in identifying the role of legal aspects of regional development via dual citizenship. The argumentation was therefore based on statistical data, as well as statements of the country's officials, and supported by expert literature. Therefore, the submitted paper was divided into three main sections, wherein

the first section of the paper was focused on the first research question with the main focus of interest on the cultural base for the current transnational politics of the country. This section proved that ethnic diversity has made New Zealand a transnational actor because of its Polynesian ancestry and regional self-identification. The second section of the paper continued with identification of the ethnic aspects of the region and provided argumentation for what makes the Pacific community a transnational one. This section answered the second research question on dual citizenship, analyzed in the third section, which was identified as one of the instruments for transnationalism, while the dual citizenship applied in this region was identified as a cultural one, proved herein and summarized in the following argumentation.

Exploring the development of the region over the past decades (through an analysis of the supporting stakeholders, development, and the position and role of major regional organizations as well as migratory flows linked to the ethnic structure of New Zealand) showed that New Zealand – after completion of the process of forming and building of its national identity (since the time of Prime Minister Norman Kirk) – is undergoing a particularly important stage in the identity building of the region.

Basic assumptions for this process have been a long-term building of the above-mentioned national identity of the country, accompanied by a renaissance in the status of the Maori population, which can be considered the first phase of construction of the transnational identity. An acknowledgment of its Polynesian roots through qualitative and legislative changes in all spheres of life of New Zealand's society has opened the way for building identities, which I call community identity and regional identity based on my research.

Colonial relations between the PICs and European (colonial) powers ushered the current relations between New Zealand and its Pacific neighbors, while the most intense are currently with those countries being colonized by the same country, the United Kingdom. Nevertheless, it would not be correct to designate an essential aspect of the current relations as a common colonial past. Direction of the New Zealand foreign policy in the spirit as the Pacific actor being directly responsible for development and prosperity of the region derives from strong cultural and economic–political relations. As already mentioned, the ethnic composition of New Zealand fully reflects this aspect and thus mingles internal political decision-making process and the whole society, thus greatly determining the perception of their country's national identity. For example, Auckland is conventionally known as the largest Polynesian city in the world because of the high representation of the population of Polynesian origin (I mean not only the population of Maori origin, but Polynesians

totally). This moment marked the process of deciding the electoral reform in 1993, as well as the current composition of the Parliament of the country, or the establishment and operation of the Ministry for Pacific countries having a wide range of issues in its portfolio (economic problems, as well as social and cultural aspects). [13]

As already mentioned, New Zealand has historically and constitutionally closer ties with the islands of the Pacific (e.g., Tokelau under the New Zealand administration – in two referendums– rejected the UN initiative on gaining full independence), but also ethnically, since most of its population is of Polynesian origin.

New Zealand, e.g., refused efforts to establish a republic (called up by the republican campaign in Australia), arguing that membership in the British Commonwealth does not interfere with the independence and unity of the country and this is an important moment for the people of New Zealand in their national heritage and national identity. The second level of argumentation for maintaining the status quo clearly has a regional dimension as it relates to the Pacific relations because this decision would have very serious constitutional consequences for Tokelau, Niue, and the Cook Islands because these states have formally historical as well as current constitutional links with the Realm of New Zealand.

Another important manifestation of transregionalism building is the fact that New Zealand has also, during the implementation of its foreign policy, clearly developed into a Pacific actor, i.e., the primary area of its foreign policy is considered just this geographic region, as evidenced not only in the successful administration of the territories delegated by the United Nations (e.g., as already mentioned, Tokelau), but also the fact that the country held an important role in the peace process on Bougainville, and New Zealand was, after Australia, the second largest player in the Regional Assistance Mission to Solomon Islands (i.e., RAMSI). As the key area of cooperation of New Zealand with the other actors is geographic, mainly restricted to the Pacific, its foreign policy objectives are achieved through its active membership in numerous international organizations and associations, such as APEC, the Association of Southeast Asian Nations (ASEAN), or the WTO (here, e.g., New Zealand acceded to a joint development agenda, namely, the Doha Development Agenda) or the Pacific Islands Forum. Other issues arising in this regard to be picked up as manifestations of the practical implementation of its pro-Pacific orientation, is the fact that New Zealand and Australia have adopted a joint strategy for regional development and maintaining

13 Activities and areas under the Ministry, see at: http://www.mpia.govt.nz/

its stability in the economic sphere (e.g., stabilization of the situation in the Solomon Islands, supporting an independent governance on PNG and Tokelau, promoting regional cooperation between different actors in the political area, Port Moresby Declaration. and other initiatives). These foreign policy objectives and development goals are implemented by New Zealand also through peacekeeping operations, under which the country provides an assistance to the so-called failed states (such as the above-mentioned Solomon Islands) or in the postconflict reconstruction under UN, which expresses its strong commitments to the security and development of the region.

It is now possible to specify another aspect, namely, the provision of development assistance[14] involving not only the provision of direct financial and material aid, but also steps taken by the New Zealand government for preserving the region as a nuclear-free zone or to assist in resolving the serious political crisis escalation, which would have serious implications for the region.

The underlying and fundamental objective of the governments of New Zealand has been to direct its activities in order to preserve its stability (not only political but also economic or environmental) and to support its development. As follows from the document called "New Zealand Action for International Development", New Zealand, in the past decade, devoted more than half of the funds dedicated for development aid to assist the PICs (i.e., 96 million New Zealand dollars have been invested in the implementation of a number of projects that focus on areas such as the fight against poverty, support for the economy to achieve sustainable development)) (Pacific Focus Global Reach 2013, 26, 6, 8).

The above data and information given, in my opinion, prove the developing transregional nature of the region and New Zealand's significant role in preserving, developing, and deepening the intraregional identity. As proved in this paper, one of the legal instruments for enhancing the regionwide participation of the Pacific peoples in New Zealand is the institution of dual citizenship, which should be seen, however, as an initiative instrument for today's ongoing transregionalism.

As for conclusion, it is necessary to underline that this kind of transregionalism, understood as developed intraregional community building, built also on dual citizenship, shows rather different features and characteristics than that of the European Union, however also recognizing and applying dual citizenship

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14 As already mentioned above, the period just after Norman Kirk (1972–1975) was thus a period when the country defined its relationship with the countries of the Pacific, which in practice meant a significant increase in the volume of aid granted to this area of the South Pacific.

based on ideas of commonly shared European identity. The main discrepancy lines could be seen in the fact that dual citizenship governed by the Treaty on European Union is limited not regionally and culturally as in case of the Pacific, but mainly by the fact that this process of transregional cooperation limited by the boundaries of the EU as an intergovernmental organization set by the EU members' borders (as stressed by Ďurfina, related mostly to free movement of persons and goods) (Ďurfina 2014, 63-69). Moreover, dual citizenship, however possibly projected as enhancing the European identity, was intended to legitimize ongoing European integration processes through providing the EU citizens a way of direct participation in the EU processes, i.e., diplomatic/consular advantages given by dual citizenship (Commission of the European Communities: Third Report from the Commission on Citizenship of the Union 2001, 7).

From the national identity-based line of argumentation, it is necessary to state that based on statistical reports in the 2006 Census in New Zealand, I may see positive benefits of New Zealand's dual citizenship politics for some groups, such as Cook Islanders, Niueans, and Tokelauans, as their numbers in residence in New Zealand continue to exceed, however, still keeping their residence also in the societies of their origin. The Samoan population comprises the largest Pacific community, as based on statistics, it represents half of all Pacific people living in New Zealand (see the Samoan case also below), followed by the Tongans (http://www.stats.govt.nz/Census/1996-census-data/........).

And finally, I am of the same opinion as Macpherson (1998), who in his study "Would the Real Samoans Please Stand Up? Issues in Diasporic Samoan Identity", points out that the identity of the region as a Pacific identity does not mean any disappearance of the specific identities with their internal differentiation, which started to manifest visibly around the 80s of the 20th century and which clearly built on the specifics of history (colonialism), geography (island countries), and economy (e.g., the level of economy or possession of resources).

Reform processes of the 1980s and 1990s revealed some Pacific determinations and, in my opinion, thus brought up a space for today's intraregional communication, reflected not only in an intraregional migration but also by the gradual multilevel regionwide networking mirrored in today's strong linkages within the Pacific Rim communities and New Zealand, stressed and legally expressed by the introduction and application of dual citizenship politics. I see a dual citizenship guaranteed and provided by New Zealand to a group of its Pacific neighbors as one of the most effective, visible, and

enhancing instruments in the regional identity building when understood as a legal tool that enables some person (after being granted) to hold full rights and obligations in these countries (in case of a multiple citizenship in more countries) provided that both the countries recognize this legal institution. From my research point of view, it is important to underline that dual citizenship increases mobility of the passport holders (Goodman 2014) and thus, in my opinion, enables expatriates to maintain their connections with their homeland alive even when building on cultural proximity, as I see the case of Pacific transregionalism.

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