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# Spaces of concern: Parliamentary discourse on Britain's overseas territories.

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## Spaces of concern: Parliamentary Discourse on Britain's Overseas Territories

### Abstract

This article explores discussion of Britain's overseas territories in the United Kingdom Parliament. It provides quantitative and qualitative analyses of *Hansard* from the start of the Coalition Government in 2010 until the prorogation of Parliament in 2017, identifying dominant concerns regarding financial transparency, sovereignty disputes, and whether Parliament should legislate for the territories. The character of debate on the overseas territories suggests firstly that they occupy a particular and equivocal 'space of concern' within the national legislature and secondly that this attention often intersects and overlaps with a focus on other places and spatial scales in which concern for the overseas territories is sometimes secondary or subsumed. This discourse highlights uncertainty and questioning over the nature of the overseas territories relationship with the United Kingdom. The inclusion of the affairs of distant territories within national political discourse provides a rich and unique example of the disjunction between sovereignty, state and territory and highlights the ongoing complexity and ambiguity of the UK's political geography.

### Key words

*UK Parliament*      *Overseas Territories*      *Hansard*      *discourse*      *financial centres*  
*political geography*

### 1 Introduction

In 2017, Hurricane Irma wrought devastation across several of Britain's Caribbean overseas territories. The speed and scale of the UK Government's initial response received criticism from across the political divide (Jones, 2017), particularly in comparison with French and Dutch relief

efforts. Defending the Government, Foreign and Commonwealth Office minister Alan Duncan highlighted the different relationship between France and its overseas territories, that “....are directly governed”, which “is not the case with our Overseas Territories” (Duncan, 2017). While the emergency response was stepped up (Patel, 2017), the debate highlighted the uncertainty, ambiguity and sensitivity surrounding relations between the British state and its non-sovereign overseas territories. The overseas territories present to UK policymakers material obligations but also – constructed as significant spaces of concern – they raise subtle but fundamental questions about the nature and shape of the political geography of the UK itself.

Traditional assumptions about the Westphalian state as the dominant unit of analysis in political geography and cognate disciplines have been questioned by empirical change relating to globalisation, financial, and environmental challenges (Strange, 1999); and also by increasingly sophisticated conceptualisations of the relationship between sovereignty and territory (McConnell, 2009; Mountz, 2013). This is connected to increasing interest in spaces and places outside, or contingent to, the state (McConnell, 2009; Mountz, 2013; Urry, 2014) including offshore detention facilities, refugee camps, governments-in-exile, and non-self-governing territories (Berg & Kuusk, 2010; McConnell, 2009). McConnell summarises these as “contemporary geopolitical anomalies: non-state entities, which in diverse ways challenge, disrupt or reconfigure the relationship between sovereignty and territory” (2009, p.1904). As liminal spaces (McConnell, 2017; McConnell and Dittmer, 2017), where sovereignty, as traditionally conceptualised, is either compromised within, or extended beyond, state boundaries, they subvert the Westphalian notion of state, sovereignty and territory as aligned, and allow for alternative understandings and configurations of the organisation of political community over space (McConnell, 2009). Sometimes ‘offshore’, they may also present governance challenges to states through erosion of national tax bases, evasion of regulations or lack of accountability (Urry, 2014).

One category of 'geopolitical anomaly' which has received increasing scholarly attention, is the non-independent territories of former colonial powers (for example, Adler-Nissen & Gad 2013; Clegg & Killingray, 2012; Clegg & Pantojas-Garcia, 2009; McConnell & Dittmer, 2017; Ramos & Rivera, 2001). Not recognised as states by the United Nations, these entities problematise state-based conceptions of the international system. The UN Special Committee on Decolonization lists ten Non-Self-Governing Territories, administered by the UK (UN, 2017), including all the UK's permanently populated overseas territories - former colonies or territories that for various reasons remain under British sovereignty<sup>1</sup>. The UK Government counts fourteen British overseas territories, adding the British Antarctic Territory, British Indian Ocean Territory, South Georgia and the South Sandwich Islands, and the Sovereign Base Areas in Cyprus (FCO, 1999). The overseas territories as a collective category have in recent years come to a prominence in UK public debate arguably greater than at any previous time. In 2016 Anguilla and the British Virgin Islands (BVI), came under the spotlight following their implication in hosting companies mentioned in the 'Panama Papers' (BBC, 2016). The challenges of air access to remote South Atlantic St Helena, the scandal of the enforced exile of the Chagossians, and the implications for Gibraltar of Brexit have ensured significant public attention to these entities and their relationship with the UK.

This article provides new insights into the relationship between the overseas territories and Britain through examining their discussion by UK Parliamentarians. Using the idea of 'spaces of concern'<sup>2</sup>, it explores how parliamentary elites represent "the relational imagination ....the geography of our

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<sup>1</sup> The UN document lists: Anguilla, Bermuda, BVI, Cayman Islands, Falkland Islands (Malvinas), Montserrat, St Helena, Turks and Caicos, Gibraltar, and Pitcairn.  
<http://www.un.org/en/decolonization/nonselvgovterritories.shtml>

<sup>2</sup> This term is used by Shields regarding the ethics guiding inter-relations amongst people, nature and technologies in public built environments Shields (2014). I use the term to signify a diversity of spaces at various scales, in which relationships underpinned by ethical responsibilities between people represented in separate political entities are constructed and discussed.

social and political responsibility....” to those who reside in other places, yet are linked to us through complex historical, political, economic and social networks (Massey, 2004, p.6). Recent decades have seen a burgeoning interest in ‘geographies of care’ (e.g. Conradson, 2003; Lawson, 2007), focusing predominantly on the individual’s health and personal care but expanding to the “spatial extensiveness” of care and responsibility owed “to those who are constructed as distant from us” (Lawson, 2007, pp.6-7). This article explores the ways in which parliamentarians grapple with questions of care and responsibility, identifying the potential for conceptualising the territories as ‘spaces of concern’ in which ‘concern’ conveys attitudes and practices of care (and/or censure) evinced by a structural political-legal relationship between distant political communities. Parliament provides an important site in which concerns from a variety of constituencies (both domestic and overseas) regarding the overseas territories are channelled. This includes concerns of UK constituents, UK-based official representatives of the territories<sup>3</sup>, non-governmental organisations, MPs and Lords, and publics and policymakers in the overseas territories who have no representation in the British Parliament<sup>4</sup>. The Palace of Westminster provides a formal space in which diverse discourses of concern from and about the territories circulate. This article uses quantitative and qualitative analyses of *Hansard* between May 2010 and the end of April 2017. It contributes empirical insights into key current issues raised by Parliamentarians regarding the overseas territories. The ways in which distant territories are incorporated into national parliamentary debate, blurs the divide between domestic and international (Bevir et al., 2013),

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<sup>3</sup> All permanently populated territories have official representation in the UK; the UK Overseas Territories Association (UKOTA) lobbies on behalf of the territories.

<sup>4</sup> There is a lack of research on the views of territories’ electorates regarding representation in the UK Parliament. Territory government evidence to the House of Commons Foreign Affairs Committee, Overseas Territories Session 2007-2008 suggested mixed views with most preferring the *status quo* and representation through local legislatures. More recently, media reports suggest a mixed response to suggestions by MP Andrew Rosindell to extend representation to the territories (see MercoPress, 2015).

emphasising “the mutual constitution of the local and the global” (Massey, 2004, p.7). It underscores the complexity and mutability of the UK’s political geography. This analysis therefore provides new layers to the problematisation of sovereignty as bounded by the territorial extent of the state, and highlights the tensions facing UK politicians deliberating on offshore entities connected through imperial histories and contemporary networks of finance, power and political connection (Urry, 2014).

## 2 Ambiguous entities

The UK overseas territories are generally described as unusual political entities in a state-dominated geopolitical landscape. They are neither independent states, nor colonies in the traditional sense (Aldrich and Connell, 1998; Baldacchino, 2010). The permanently populated territories have institutions including councils and governments, holding varying levels of delegated power. Nonetheless, the UK retains powers over defence and foreign affairs, among other areas. The British Parliament and the Privy Council (through Orders in Council) are empowered to legislate for the territories (Hendry & Dickson, 2011)<sup>5</sup>, and it is this authority that defines them as non-sovereign; as James argues “sovereignty consists of being constitutionally apart, of not being contained, however loosely, within a wider constitutional scheme” (James, 1999, p. 461). Their non-state status has attracted attention from diverse disciplines, with their political and economic agency explored and championed as part of a wider group of ‘subnational island jurisdictions’ by Island Studies scholars (e.g. Baldacchino, 2010; McElroy and Pearce, 2009). Similarly, some overseas territories, conceptualised as ‘Partially Independent Territories’ (PITs) (a category which includes the devolved territories of Northern Ireland, Wales and Scotland), are seen to challenge, empirically and normatively, the dominance of the Westphalian state in

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<sup>5</sup> Bermuda is the only territory where there is no reserved power of the UK to legislate by Order in Council (Hendry and Dickson, 2011).

thinking about the international system (Rezvani, 2015)<sup>6</sup>. The argument that non-sovereign island jurisdictions often thrive from constitutional association with a metropolitan state is also contested, as Androus and Greymorning (2016) argue that it fails to explore differences between indigenous and other populations in non-sovereign islands and privileges economic development over other values. Scholars have also highlighted the tensions between metropolitan and local governments (e.g. Hintjens and Hodge, 2012) and noted the risks (and creative potential) pertaining to their liminal position in the international system (McConnell and Dittmer, 2017). Furthermore, the negative consequences, such as lost tax revenues and the erosion of democracy, of some offshoring activities has also been explored have (Shaxson 2011; Urry, 2014).

This article shifts the focus from the overseas territories' position to how the continued link influences UK parliamentary discourse. It explores how the overseas territories extend national political debate beyond the territorial border of the state and highlights the UK's asymmetrical and multi-national form to which "extra-territorial connections across the former empire and overseas territories have endured" (Mycock, 2010, p.344).

The focus on Parliament is important as although overseas territories' inhabitants cannot vote in UK elections<sup>7</sup>, Parliament can legislate on issues affecting the territories. Furthermore, the UK's relationship with the territories is largely carried out through government departments, which Parliament has an important role in holding to account. As Mike Gapes, MP (Labour Co-operative) argued in 2010:

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<sup>6</sup> Of the fourteen overseas territories, he counts five 'colonies': Anguilla, Montserrat, South Georgia and South Sandwich Islands, St Helena and Pitcairn (2015), presumably based on the level of development of local political institutions and extent of powers reserved to the UK. Bermuda, Virgin Islands, Cayman Islands, Gibraltar and the Turks and Caicos Islands, however, are categorised as PITs along with the Crown Territories of the Channel Islands and the Isle of Man, Scotland, Wales and Northern Ireland.

<sup>7</sup>.. Voters in Gibraltar take part in elections of MEPs to the European Parliament as part of the Gibraltar and South West Region constituency.

*...it is fundamentally important that we keep an eye on the overseas territories. They do not represent many people, but they are important, and they are the responsibility of the House. It is crucial that we maintain the interest and scrutiny, because the citizens of our overseas territories do not yet have democratic representation in this country—they do not have the right to speak in this Parliament—so we have to speak for them and maintain the relationship with them (26.05.2010).*

To the author's knowledge, analysis of UK Parliamentary discourse on the overseas territories as a category has not been undertaken since that by Drower (1992). He noted particular territories were used for "scoring party points", rather than promoting the well-being of their inhabitants (Drower, 1992, pp.49-50), and discussion largely resulted from individual MPs' interests in particular territories. Constantine (2015) described this informal sponsorship of a territory by Anglesey MP, Cledwyn Hughes (Labour) who, following a fact-finding visit to St Helena in 1958, in effect acted as constituency MP to the island. Aside from individual interest, Parliamentary questions in the Commons in the 1970s mostly concerned Hong Kong and to a lesser extent the Falkland Islands, while Private Members Motions from the sixties until the early 1980s largely focused on territories facing irredentist claims (Drower 1992).

This article updates Drower's research by examining how recent Parliaments have discussed the overseas territories, identifying dominant areas of interest to Parliamentarians. It focuses on the overseas territories as a collective category, allowing a deeper understanding of how this group of highly differentiated entities is viewed, rather than focusing on singular issues relevant only to a particular territory. As such it contributes empirically to understandings of the relationship between the UK and the overseas territories; while by employing the idea of 'spaces of concern' it



highlights how decision-makers' discourse suggests the complexity and changeability of the geopolitical outline of the United Kingdom.

### 3 Methods

Parliamentary debate, “at once public and rarefied; adversarial, confrontational and consensual; partisan and complicated”, affords rich insights into how political elites discursively construct national roles, identities and relationships with other actors (Whittaker, 2017, p. 23). Quantitative methods were used firstly to identify dominant themes, followed by qualitative analysis of contributions to Parliamentary debate by MPs and peers (excluding Government spokespersons) between May 2010 and April 27<sup>th</sup> 2017. The focus was on debates in the main chambers, excluding the specialist focus and partial membership of select committees. Searches of *Hansard* online were conducted using the key words ‘overseas territories’ and also the out-dated term ‘dependent territories’.<sup>8</sup> Searches on the names of individual territories were also conducted as part of a larger ongoing research project but are not reported here as the focus is how the collective category of ‘overseas territories’ is discussed.

The time period was selected to cover the start of the Coalition Government until the general election of 2017. The previous period of Labour Governments of 1997 to 2010 is already well documented in terms of the relationship between Britain and the overseas territories (for example Clegg and Gold, 2011; Hintjens and Hodge, 2012), albeit not focusing predominantly on parliamentary debate. Concentrating on this more recent period allows examination of parliamentary debate at a time when the relationship with the overseas territories received

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<sup>8</sup> The term ‘dependent territories’ was widely used until the late 1990s when a consultation and review of the relationship between Britain and the territories by the Labour Government found support for a name change. The 1999 White Paper *Partnership for Progress and Prosperity: Britain and the Overseas Territories* announced the new nomination of ‘United Kingdom Overseas Territories’ or ‘Overseas Territories’, to express the financial independence of many of the territories and a desire for a more equal and modern partnership.

renewed attention from the Coalition Government through its 2012 White Paper, *The Overseas Territories: Security, Success and Sustainability* (FCO, 2012) and the 2010 *Strategic Defence and Security Review* (Great Britain, 2010) which, although not engendering significant new policy departures, emphasised the territories' strategic importance to the UK, their globally important biodiversity, and the need for greater engagement by departments across government. It also covers the Mossack Fonseca tax revelations, which led to calls for greater financial transparency in some of Britain's overseas territories., and the impacts of the Brexit vote on the territories, particularly Gibraltar. It does not include the period following Hurricane Irma and the 'Paradise Papers' release of offshore financial dealings, which are likely to generate further significant parliamentary attention.

The searches produced 1054 spoken references to 'overseas territories' and a further 85 to 'dependent territories'. These included each separate interjection by speakers during one debate, even if their speech was interrupted only briefly. The author combined contributions by each parliamentarian made during one debate so that individual's contributions were counted only once for each debate. Answers by Government spokespersons were excluded as they represent official government policy. Contributions were coded for the year, political party, Commons or Lords, name of debate and substantive issues raised. Simple descriptive statistics were used to quantify the contributions for each category. Thematic qualitative analysis was also then applied in order to explore concerns and discourses further.

#### 4 Spotlight on financial regulation

The number of debates and interventions on the 'overseas territories' between May 2010 and April 2017 suggests that this grouping represents a significant space of concern to parliamentarians of all political parties and in both Houses. Analysis of *Hansard* contained twelve

debates with ‘overseas territories’ in the title, six in the Commons and six in the Lords, and 545 spoken references by Parliamentarians to either ‘overseas territories’ or ‘dependent territories’ (Table 1.).

[Table 1. Here]

**Table 1. Debates in the UK Parliament on the ‘Overseas Territories’ between May 2010 and end of April 2017**

Just under two-thirds (65%) of interventions were in the Commons and just over a third (35%) in the Lords, split relatively evenly between parliamentarians (both MPs and peers) from the Labour and Conservative Parties, with Labour providing 221 interventions, Conservatives 199, the Liberal Democrats 52 interventions, Scottish National Party (SNP) 27, and Crossbench peers 27. In the Lords, there were also seven contributions from Bishops and two by non-affiliated Lords, with the smaller parties providing far fewer interventions, reflecting their smaller number of MPs.

Moreover, the analysis shows that interest in the overseas territories was not confined to a few MPs and Lords with a special interest in the overseas territories. Rather, these places were on the political radar of numerous parliamentarians with 161 MPs and peers asking one, and a further 104 asking two or more questions during the period. Several parliamentarians, well known advocates of the territories such as Conservative MP Andrew Rosindell, Chair of the Overseas Territories All-Party Parliamentary Group<sup>9</sup>, discussed the overseas territories during 35 separate debates (Table 2.). These ranged from the resettlement of the Chagos Islands, overseas territories’ input to the Paris Climate Change Conference, the EU referendum, representation within the British Parliamentary system, and calls for symbolic representation of the territories in British

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<sup>9</sup> The UK Overseas Territories All-Party Parliamentary Group exists “To foster good relations between the British Overseas Territories and Parliament” and in April 2016 had officers representing the main political parties.

public life, such as flying of flags or placing of wreaths at official ceremonies. Another frequent contributor was Conservative MP Henry Smith who has lobbied on behalf of the Chagos Islander community in his Crawley constituency but who also asked questions or commented on a range of issues, including the Falkland Islands and air passenger duty. However, the vast majority of interventions were one-off contributions on a wide range of topics, many of which related to the relationship between the overseas territories and the financial services sector (Table.3).

**[Table. 2 here]**

**Table 2. Parliamentarians making six or more interventions**

**[Table 3. here].**

**Table 3. Interventions by topic**

The data shows a noticeable peak in interest or concern during 2016. Of 146 questions asked during this year, 95 concerned regulation of and greater transparency in the financial services sector, many occurring either during debates on the Criminal Finances Bill, following the Anti-Corruption Summit held in London in May 2016, or following disclosures relating to tax evasion in the so-called 'Panama Papers' in 2016. However, concerns over financial regulation also preceded the Panama Papers, with by far the largest proportion of the 547 interventions over the seven years analysed (257), concerned with questions of financial transparency. This included discussion of measures to combat tax evasion and money laundering, and the freezing of terrorist assets and reflects the extent to which tax issues have become prominent on the political agenda, with a range of actors highlighting the scale and impacts of tax dodging (Urry, 2014).

The data show that interventions on financial transparency were made by members of all the main political parties, with the majority (129) being raised by Labour MPs or Lords. This was followed by

52 by Conservatives, 29 by Liberal Democrats, and 21 by SNP members. Questions were also asked, or comments on the issue made, by 15 crossbenchers and six Bishops, three by the Social Democratic Labour Party in the Lords, and one each from a Democratic Unionist Party (DUP) MP, one non-affiliated Lord, and a Plaid Cymru MP. As Vleck (2012) has highlighted, UK concerns over contingent liabilities in respect of some territories' financial services sectors have run through the UK/territories relationship over past decades. These were raised in a National Audit Office Report (1997) which provided one impetus for the Labour Government's 1999 White Paper on the territories (Clegg and Gold, 2011) and in the subsequent Foot Review of British offshore financial centres (2009). The issue has re-surfaced periodically through parliamentary debates since 2010, but came to prominence following the Panama Papers disclosures in 2016 and in discussion of the Criminal Finances Bill in 2016 and 2017. During these debates, the overseas territories were cited frequently by speakers from various political parties in relation to the financial services sectors of some of their number<sup>10</sup>. For instance, in October 2016 Diane Abbott MP (Labour) noted that the BVI was mentioned 113,000 times in the Panama Papers and despite a small population, hosts 452,000 international businesses. Similarly, Dame Margaret Hodge (Labour) noted a World Bank report in which of 213 corruption cases between 1980 and 2010, 70% involved shell entities, many in the UK Crown dependencies and overseas territories (28.06.2016). Numerous MPs and Lords from across the main political parties argued that unexplained wealth orders and publicly available registers of beneficial ownership should cover the overseas territories (for example, Baroness Stern, 03.04.2017; Caroline Flint 21.02.2017; Nick Herbert, 21.02.17)

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<sup>10</sup> According to the Foot report on offshore financial centres (2009) Anguilla, Bermuda, BVI, the Cayman Islands, Turks and Caicos Islands and Gibraltar hosted financial service sectors. Montserrat is listed by the Tax Justice Network (2015) as having a tiny offshore financial services sector.

The next most popular issue was whether the UK Government should impose legislation on the territories – an issue usually linked to creating greater transparency in the financial services industries. A significant number of interventions (38) regarded ongoing sovereignty disputes over the Falkland Islands and Gibraltar. This reflected concerns raised by Conservative peer Baroness Hooper (10.03.2011) about worsening relations between the Falkland Islands and Argentina in 2011. Conversely, in the same debate Lord Luce (Crossbench) welcomed improvements to relations between Gibraltar, Spain and the UK following the establishment of the Trilateral Forum, although incidents over territorial waters around the Rock were also raised. Other significant numbers of interventions clustered around the referendum on the political status of the Falkland Islands in 2013, and more recently on the implications of the 2016 EU referendum vote on Gibraltar.

The issue of Brexit also raised a similar number of interventions in the period under analysis. These both preceded and followed the referendum, with concerns raised by several MPs during debates regarding the lack of representation of overseas territories in the process. During the 2013 European Referendum Bill debate, concern was raised about jeopardising the overseas territories' relationship with Europe, recently strengthened through the EU 'Overseas Association Decision' of 2013 (Clegg, 2015). Concerns were raised about the potential loss of EU leverage on Spain over Gibraltar and reduction of EU trade, freedom of movement, and access to the European Development Fund. Prior to the referendum, Labour's Huw Irranca-Davies argued that the territories should input to the UK's future relations with the EU:

*..... I am thinking of my area of expertise, which is fisheries, maritime issues and so on. Those territories' voices will not be heard..... We must*

*consider how their voice can be heard in any future vote to leave the EU*

*(08.11.2013).*

Representation was raised by MPs including Labour's William Bain and Gareth Thomas (Labour Co-operative) who called for overseas territories' populations to be enfranchised for the EU referendum vote. Benwell and Pinkerton (2016) recently argued that despite some exceptions, political discourses have tended to reduce to narrow strategic and military terms wider questions of overseas territories' security, rather than emphasising the broader economic and political security provided through self-governance and association with the EU. The debate above shows some limited Parliamentary concern for these wider issues and in July 2016, shortly after the Brexit vote, a Commons debate considered the impact of the decision on Gibraltar (where 96% voted to remain in the EU), and on the other overseas territories, leading to a call for some form of representation within the UK legislature (20.07.2016). Receiving fewer but still significant numbers of interventions were discussions of defence, celebrating and conserving the rich biodiversity in the territories and the associated issue of marine protection areas around several overseas territories<sup>11</sup>; the latter two issues were tackled in depth in the House of Commons Environmental Audit Committee report on Sustainability in the UK Overseas Territories 2014, which heard evidence from officials and numerous influential environmental campaign groups regarding UK responsibilities in the territories. Other topics included ongoing challenges concerning air access to St Helena and the possibility of resettlement of the Chagossians.

In summary, quantitative analysis suggests that during the period examined, the overseas territories as a category were discussed largely in relation to the status of some of their number as

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<sup>11</sup> MPAs were created in BIOT (2010); South Georgia and South Sandwich Islands MPA (2013); a UK led, internationally agreed MPA on the Southern Shelf of the South Orkney Islands; Pitcairn Islands (2015); St Helena declared a Sustainable-Use MPA (2016) and the UK Government hoped to have MPAs around Ascension by 2019 and Tristan Da Cunha by 2020.

offshore financial centres, potentially subject to legislation aimed at greater financial transparency. As will be discussed below, the spaces of concern evoked by some of the discourse suggests parliamentarians are troubled by the overseas territories in so far as they are seen to compromise principles, identities or livelihoods either in the UK or at the global scale; but also that there is considerable uncertainty regarding the appropriate extent of Parliament's remit in respect of the territories.

### 5 Parliamentary perceptions of overseas territories

Qualitative thematic analysis of the data suggests a degree of uncertainty, tension and ambiguity running through parliamentarians' perceptions of the relationship between the territories and the UK. Many of the contributions signalled that the territories represented liminal spaces (McConnell, 2017) for parliamentarians, not entirely within the remit or responsibility of the UK, nor yet treated as foreign entities (Hintjens & Hodge, 2012). The articulation of concern around these spaces was manifold and complex. At times, the space of concern was the territories themselves, but often the discourse suggested the territories were of concern because of what they represent in terms of principles, processes, or impacts bearing on other spaces and scales – either in the UK, developing countries, or globally.

Language provides an insight into perceptions of places and relationships between political actors.

For instance, in 2016, Labour MP Chris Bryant joked:

*"...I have even heard rumours of new government postings to overseas territories being planned. Boris is off to St Helena to cultivate his Napoleon complex and Whitto to the Falklands, and for the Health Secretary there is Inaccessible Island, in the south*



*Atlantic, which is probably where the junior doctors want to send him anyway” (28.04.2016).*

Clearly playful, and contributing to the “narrative of absurdity that underpin liminal situations” (McConnell, 2017, p.148), this language constructs the territories as places over which the government may extend its reach and authority, and which are of interest primarily as they relate to the internal political dynamics of the state. Dodds and Kirby (2013: 55) remind us that “Who and what we choose to laugh with (and at) can never be entirely innocent” and the humour here works in part by contrasting powerful UK political figures with remote and less powerful entities. By re-locating Government ministers to the overseas territories, they are reduced; but the territories are also belittled and constructed as places accessible to the extension overseas of British power.

If Bryant uses the territories as a metaphor for political exile, for MP Stephen Doughty (Labour Co-operative) they are a synecdoche for ‘tax haven’. Discussing concerns over deregulation in the UK following Brexit he argued that the people of Wales: “.....did not vote for a race to the bottom or for us turning into some sort of Gibraltar or one of our overseas territories on the fringes of Europe” (17.01.2017). Here the overseas territories as a category become a metaphor for avoidance or evasion of revenues due to the state, despite the fact that many do not host financial services sectors.

Discussion of representation of the territories within the UK legislature also serves to draw the overseas territories in to the body politic of the UK figuratively. The issue was raised by Lord Foulkes of Cumnock (Labour Co-operative), echoing suggestions that the Overseas Territories be given representation similar to French départements et régions d’outre-mer through inclusion in English constituencies (20.01.2011). Similarly, former Conservative MP Oliver Colvile proposed

their representation in a reformed House of Lords (13.06.2012). Following the Scottish Referendum, Andrew Rosindell went further, proposing a bill, (supported by several MPs from across the political divide<sup>12</sup>) which argued for “a British-style federal model of Parliaments and Governments” in which a “Parliament of the Kingdom” would deal with state-wide issues of defence and security, international relations, currency and other areas, while national Parliaments would legislate on individual national affairs. Rosindell suggested that such “democratic rights” should also incorporate “the wider British family” of the territories and dependencies (25.11.2014). As Brysk et al. argue, the use of familial language “constructs post-colonial relationships as domestic, paternalistic and dedicated to reproduction” (2002, p.270). Following the Brexit vote, Rosindell reiterated the argument for representation in regard to Gibraltar, his language drawing parallels between the territory and the devolved nations of the UK:

*I do not see any arguments why Gibraltar should not have its own Member of Parliament. We now have a devolved United Kingdom, with a lot of powers devolved to Governments in Scotland, Wales and Northern Ireland. (20.07.2016).*

The analogy between the territories and the devolved nations serves to delineate an enlarged territorial/political imaginary of the UK in which the overseas territories would be more formally included within the official space of concern of the UK Parliament.

Discussion of whether the UK should impose legislation on overseas territories in order to achieve transparency in the financial services sector further underscores the uncertain position of the overseas territories with respect to the UK state. Many MPs and Lords argued robustly that the

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<sup>12</sup> Frank Field, Kate Hoey, Douglas Carswell, Greg Mulholland, Elfyn Llwyd, Angus Brendan MacNeil, Sir William Cash, John Redwood, Jim Shannon, Martin Vickers, and Graham Brady presented the Bill.

UK should make compulsory public registers of beneficial ownership in the overseas territories if territories do not conform voluntarily (see for example the Criminal Finances Bill debate, 21.02.17). For instance, SNP MP Richard Arkless stated:

*I should like the Minister to consider whether there is any way in which we could compel the overseas territories and Crown dependencies to publish registers of beneficial ownership.....(25.10.2016).*

MP Joanna Cherry (SNP) echoed this sentiment, employing historical examples of the use of Orders in Council:

*Does my hon. Friend agree that there is a precedent? The Government have repeatedly legislated in respect of overseas territories—for example, on issues relating to corruption, abolishing the death penalty, pirate radio, and the decriminalisation of homosexuality" (25.10.2016).*

Tommy Sheppard (SNP) also agreed, arguing that because people in the territories had British citizenship and benefitted from “the protection and all the benefits of the Crown”, the territories should not be able to deprive Her Majesty’s Revenue and Customs of taxes due (03.05.2016).

However, support for this argument was not universal, with some claiming that imposition of legislation would be tantamount to colonialism or neo-imperialism. Conservative MP Nigel Mills, for example, argued for public registers of beneficial ownership to prevent illicit financial dealings but suggested it would be out of step with the norms of a postcolonial era for Parliament to legislate for the territories: “.... —those days passed a few decades ago...” he argued. Nonetheless, Mills then frames the relationship between the UK and the overseas territories as contingent on a commonly accepted set of expectations based on the benefits of association:

*... — but it is clearly right for us to send out a strong message that although there are many advantages to being one of our Crown dependencies or overseas territories, those advantages come with obligations, one of which is that we want those places to be beacons of the right way of doing business and investing, and of attracting the right kind of money” (21.02.2017).*

Similarly, Labour’s Dr Rupa Huq walked a fine balance between arguing strongly for the overseas territories to be included in new legislation on tax evasion, while keen to avoid the charge of intervention in the domestic affairs of the territories.

*We do not want to look like neo-imperialists, going into countries and making them do stuff, so what are they doing of their own volition? If offences are committed in UK-governed overseas territories, under what circumstances would prosecutions be possible under this new legislation? (22.11.2016).*

The debate on criminal finances suggests that although there is some wariness about extending direct UK political authority, the territories may nonetheless be seen as occupying a legitimate space of concern to the UK arising from the ongoing constitutional relationship and associated responsibilities and obligations.

The discussion of financial transparency further reveals how parliamentary concern about the territories simultaneously articulates concerns for spaces at other scales, including the devolved nations of the UK. Arguments by some parliamentarians against interference in the domestic affairs of the territories, may be read as underscoring wider political arguments regarding autonomy over devolved areas of governance. Thus Sammy Wilson MP (DUP), argued:

*...either we regard these places as independent territories that make their own laws, and seek to co-operate with and persuade them to do the right thing, or we impose the laws on them, which as far as I am concerned is a form of colonialism.” (13.04.2016).*

SNP MP Patrick Grady, drew parallels between the expulsion of the Chagossians from their Indian Ocean archipelago by the British in the 1960s and 1970s and the Highlands clearances in Scotland, emphasising the principles of self-determination and decolonisation:

*.....certainly the tradition in Scotland is that sovereignty should lie with the people, so irrespective of territorial claims by the United Kingdom, Mauritius or any other third party, the fundamental right to live and work on the Chagos islands should lie with the people who lived there until their forced removal at the hands of a UK Government (28.10.2015).*

Andrew Rosindell MP also argued in support of the resettlement of the Chagos Islanders but connected the principle of self-determination to other UK territories facing competing sovereignty claims:

*How can the Government defend the right of self-determination for the people of the Falkland Islands, Gibraltar and other British overseas territories, while completely denying the same rights to the people of the Chagos Islands? (17.11.2016).*

Here then, while the overseas territories were raised, the spaces of concern in question were multiple, relating at once to the territories, the devolved nations of the UK, or other overseas territories.

Analysis suggests the focus of parliamentarians' concern was sometimes with impacts internationally or within the global south. A significant strand of the discussion on financial transparency in the territories concerned the impacts on developing countries of tax avoidance facilitated by offshore jurisdictions. Joanna Cherry MP shared OECD research, estimating tax havens drained developing countries of funds up to three times the global aid budget and noted her support of Christian Aid's argument that achieving financial transparency in the overseas territories was the most effective way of tackling wider issues of corruption and the financing of terrorism (25.10.2016). Liberal Democrat peer, Lord Thomas of Gresford, also framed the issue as a universal moral imperative, comparing the contemporary campaign against tax avoidance with that of the 18<sup>th</sup> century anti-slavery campaign. He argued:

*We did not wait for global standards to be brought about; we took the lead. I urge the Government to take the lead, along the lines that have been advanced today by the noble Baroness, Lady Stern, who sees not only the importance of having registers in the overseas territories but that there should be something behind it—the possibility of an Order in Council to deal with that moral issue if they do not take up the cudgels in the way that they should. (03.04.2017).*

The concern here is for how activities in the overseas territories reflect on the UK's moral standing and identity and the impact of not acting for the global good. Conservative MP and former Minister for Development Andrew Mitchell supported these concerns:

*.....the effect of our saying that we will not impose the same standards on dependent territories, with all the advantages that they gain from*

*that status, will be to damage our credibility on these matters not only here in Britain but internationally (21.02.2017).*

Here, reputational costs to the UK and the perceived position of obligation of the territories in regards to the relationship with the UK were seen to outweigh considerations of political autonomy within the territories. The overseas territories as a category were represented as of concern in terms of the reputational impacts on the UK they might entail and the effect of financial activities on development in countries worldwide. A minority of parliamentarians argued that measures to increase financial transparency in the overseas territories should be balanced against privacy for wealthy individuals and the need for financial liquidity, while others considered that legislation on international financial reporting might impede the competitiveness of the financial services industry therein. The latter concern was linked by former overseas territories minister Conservative MP Henry Bellingham to avoiding financial dependency of the territories on the UK:

*....What I am very worried about.....is that if new clause 6<sup>13</sup> is passed and territories like the BVI lose their business model, there would be a massive exodus by legal services, accountancy firms, banks and so on. They would have to then rely on tourism, and it could well be that they move back to being dependencies (21.02.17).*

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<sup>13</sup> New Clause 6 of the Criminal Finances Bill proposed the requirement of adoption of public registers of beneficial ownership in the Overseas Territories. Despite widespread cross-party support, this clause was not included in the Criminal Finances Act 2017. However, on May 1 2018 the UK Parliament voted to require public registers of beneficial ownership in Anguilla, Bermuda, BVI, Cayman Islands, Falkland Islands, Gibraltar, Montserrat and the Turks and Caicos Islands by 2020 (Mance, 2018).

Discourse also expressed parliamentarians' concerns about impacts on constituencies and localities in the UK. This was exemplified in discussion of a Transparency International UK report (2015), which highlighted the role of some overseas territories in providing secrecy for corrupt money used to buy property particularly in London but also in the wider UK (e.g. 03.12.2015; 03.05.2016). Lord Howarth of Newport (Labour), for instance, highlighted the "...huge inflation of house prices in London, which has had very damaging effects on the lives of Londoners who are not rich....." (06.04.2017). Similarly Angus Robertson (SNP) outlined the effect of property owned by wealth held offshore on Scotland:

*"In Scotland, we are confronted by the reality of a small number of landowners owning huge swathes of the country, many through tax havens. From Perthshire to Jura and across Scotland, land is owned through non-transparent firms based in tax havens such as Panama and the British Virgin Islands" (11.04.2016).*

The spaces of concern raised by Parliamentarians, while ostensibly discussing the overseas territories are thus often multiple and range from local constituencies to the devolved nations, the UK, other UK territories or the global south.

## 6 Conclusion

Parliamentary discussion of the overseas territories highlights a growing concern within the national legislature and among politicians from across the political parties over economic, social and political processes and spaces that are at once intimately connected with, and yet lie outside the territorial extent of the sovereign state. The concurrence of political interest in financial crime and tax avoidance, combined with a range of varied issues represented by developments in the overseas territories and internationally, have combined to mean these places have had significant



attention in parliament since 2010. This, it may be argued, was qualitatively different from that which might be given to other independent states; and underpinned by an awareness of the political, economic, moral and reputational entanglement of UK political institutions and the overseas territories. The debates show evidence of an awareness that these spaces, geographically offshore, were nonetheless spaces of concern to UK decision-makers. However, their ambiguous status in relation to the state and parliamentarians' awareness of parallel democratic institutions within the territories, engendered at times a complicated and contentious discourse. MPs and Lords grappled with how to deal with issues of offshoring, while negotiating the sensitivities of a post-colonial relationship and uncertainty about the rights, obligations and responsibilities inherent in the link. While Parliamentarians were concerned for the territories in terms of access, their future relationship with Europe following Brexit, and numerous social, environmental and economic issues, they are often also concerned about what the territories represent, in terms of liabilities, interests or wider political principles, for their own constituents, nations, state or wider cosmopolitan interests. The territories thus complicate an already heterogeneous and evolving UK political geography.

The devastation caused by Hurricanes Irma and Maria in September 2017, focused further public attention on UK ties with the territories. The UK's role in reconstruction will ensure the form and practice of the relationship come under continuing parliamentary scrutiny for the foreseeable future. Moreover, significant, yet still uncertain, future impacts of Brexit on territory economies and access to Europe, and the potential for reform of the financial services sector due to recent legislation are likely to engender both material change within the territories and possible re-evaluation of their relationship with the UK. Similarly, Britain's own uncertain future in terms of its identity as an international actor is likely to influence new appraisals and imaginaries among Parliamentarians of the relationship with the territories in future debate. Political geographers,

sensitive to issues of identity, power and differentiated sovereignty over territorially separate jurisdictions are well placed to contribute to the policy-making agenda through the exploration, evaluation and dissemination of better understandings of these changing spaces of concern going forward.

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