CONTENTS

page xi

List of figures

	List of tables xii	
	Preface and acknowledgments xiii	
	PART I Electoral rights in legal and political context 1	
1	Introduction: electoral rights and the boundaries of the suffrage 3	
2	Political membership in and beyond the state I Introduction 18 II Citizenship as membership 18 III Citizens and aliens 20 IV Evolving polities: tensions and pressures 25 V Towards post-national citizenship? 33	
	VI Citizenship and the European Union: market or polis? VII Interpreting citizenship of the Union 40	
	VIII Union citizenship and electoral rights for non-nationals 48	
3	Electoral rights for non-nationals: theoretical, legal and political accounts 52 I Introduction 52	
	II The nature of the principle of alien suffrage 53III Voting and elections 58IV Voting rights and human rights 61	
	V The role of international law in relation to electoral rights VI Conceptualising electoral rights as migrants' rights 69 VII How widespread are electoral rights for non-nationals at	
	the present time? 76 VIII Electoral rights and the transformation of citizenship: the approach of this book 82	
	IX An outline of the issues to be discussed 87	

PART II The past, present and future of EU electoral rights 91

4	The	emerging constitutional framework for electoral
	righ	ts in the era of European citizenship 93
	Ι	Introduction 93
	II	The emergence of a (distinctively legal) discourse of
		citizenship in European Community law 96
	III	From a legal to a political discourse of citizenship 99
	IV	Linking the suffrage in European and local
		elections 101
	V	From stagnation to action via market-making 108
	VI	The negotiations leading to the Treaty on
		European Union 113
	VII	Conclusions 119
5	EU	electoral rights since 1993 122
	I	Introduction 122
	II	The impact and significance of EU electoral
		rights 123
	III	The implementation of Article 19 EC 129
	IV	Directive 93/109/EC and electoral rights in European
		Parliament elections 131
	V	The application of Directive 93/109/EC 133
	VI	Directive 94/80/EC and electoral rights in local
		elections 142
		The application of Directive 94/80/EC 147
		Political freedoms 153
	IX	The Charter of Fundamental Rights and the Treaty
		establishing a Constitution for Europe 156
	X	Conclusions: limited impacts, hyphenated reforms and the
		impact of enlargement 162
6	Elec	ctoral rights for Union citizens: looking
	to t	he future 168
	I	Introduction 168
	II	The scope and nature of the 'right to vote' for the
		European Parliament 172
	III	The extension of the electoral rights granted to
		EU citizens 189

7	Electoral rights for third country nationals: what role for the European Union? 209 I Introduction 209 II Third country nationals and the European Union 210 III Union policies and third country nationals 214 IV The question of political participation 222 V The case of the Directive on the status of long-term resident third country nationals 228 VI Conclusions 232
	Member States of the European Union 239
8	National politics of immigrant inclusion: the extension of electoral rights to resident non-nationals I Introduction 241 II Immigration, integration and electoral rights 244 III The boundaries of political citizenship and the boundaries of suffrage 251 IV Electoral rights and political parties 263 V After the vote: elections, electors, candidates and parties 269 VI Creating a space for migration and integration within the polity 272 VII Conclusions 283
9	Electoral exclusion, models of citizenship and the contestation of belonging 285 I Introduction 285 II Constitution, citizenship and integration: the case of Germany 290 III Electoral rights against the backdrop of radical right politics: the case of Austria 307 IV Conclusions 317
10	Out of Empire: electoral rights, enlargement and the wider Europe 320 I Introduction 320 II 'National minorities' and international law in the European political space 325

III State re-formation and electoral rights: the case of the Baltic states 329

349

IV Slovenia and the case of 'the erased'

343

V Conclusions

PART IV Conclusions

11 Conclusions: citizenship and electoral rights in the multi-level 'euro-polity' 351

347

Bibliography

366

Index

387