

Cambridge University Press

978-0-521-86070-3 - The Transformation of Citizenship in the European Union: Electoral Rights and the Restructuring of Political Space

Jo Shaw

Table of Contents

[More information](#)

CONTENTS

<i>List of figures</i>	<i>page xi</i>	
<i>List of tables</i>	xii	
<i>Preface and acknowledgments</i>	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		18
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?		36
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	53	
III Voting and elections	58	
IV Voting rights and human rights	61	
V The role of international law in relation to electoral rights		63
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	

Cambridge University Press

978-0-521-86070-3 - The Transformation of Citizenship in the European Union: Electoral Rights and the Restructuring of Political Space

Jo Shaw

Table of Contents

[More information](#)

viii

CONTENTS

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

- 4 The emerging constitutional framework for electoral rights in the era of European citizenship 93
- I 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
 - VII The application of Directive 94/80/EC 147
 - VIII 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 Electoral rights for Union citizens: looking to the 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

Cambridge University Press

978-0-521-86070-3 - The Transformation of Citizenship in the European Union: Electoral Rights and the Restructuring of Political Space

Jo Shaw

Table of Contents

[More information](#)

CONTENTS

ix

- 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
- PART III The contestation of electoral rights in the Member States of the European Union 239**
- 8 National politics of immigrant inclusion: the extension of electoral rights to resident non-nationals 241
- 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

Cambridge University Press

978-0-521-86070-3 - The Transformation of Citizenship in the European Union: Electoral Rights and the Restructuring of Political Space

Jo Shaw

Table of Contents

[More information](#)

x

CONTENTS

III	State re-formation and electoral rights: the case of the Baltic states	329
IV	Slovenia and the case of 'the erased'	343
V	Conclusions	347
PART IV Conclusions		349
11	Conclusions: citizenship and electoral rights in the multi-level 'euro-polity'	351
	<i>Bibliography</i>	366
	<i>Index</i>	387