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Enfranchisement regimes beyond de-territorialization and post-nationalism: definitions, implications, and public support for different electorates

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ABSTRACT

This article starts from the premise that those who debate and study the expansion of demoi/electorates – from practitioners to empirical scholars and normative theorists – should consider more seriously that migrants are always immigrants and emigrants at the same time. Doing so implies, first, that states can regulate their electorates through four distinct “enfranchisement regimes” in times of transnational mobility: (1) national, (2) territorial, (3) generally inclusive, and (4) generally exclusive. Second, because the spread of dual/multiple citizenship is strongly intertwined with the expansion of the electorates beyond residency and/or nationality, various enfranchisement regimes have inherent consequences for the architecture of the international order and for political equality. Arguing that they have been largely overlooked, in this article we systematically tease out these consequences. We then apply our conceptual insights in a public opinion survey conducted among resident citizens across 26 European countries. We ask them about their preferred composition of the electorate, offering them all four regulatory options. Two results stand out. First, generally exclusive and generally inclusive regimes receive unexpectedly strong support. Second, support for different enfranchisement regimes varies strongly across European countries. We conclude by stressing how these insights are relevant to related normative and empirical discourses.

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Introduction and overview

Struggles over the expansion of demoi/electorates¹ have always been crucial to the development of democracy.² The questions of who should have – and who has – the right to vote remains salient in political practice, normative theory, and empirical research.³ Recently, the expansion of voting rights beyond membership/nationality and territory/residency has been influenced on the one hand primarily by migration and mobility and on the other hand by polity building projects (e.g. nation-state building after the collapse of the Soviet bloc, but also Nordic cooperation or European

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integration).⁴ Rainer Bauböck, a prominent scholar in this field, has emphasized (alongside others) that the expansion of voting rights beyond territory and membership impacts not only the bilateral relationship between an individual and a single state but also her/his relationship to at least one additional state.⁵ Consequently, the expansion of the franchise ought to be considered and evaluated in light of this trilateral constellation. Nevertheless, very often the political inclusion of non-naturalized immigrants and their descendants (in the following defined and labelled as non-national residents = nR⁶) is discussed and analysed separately from the granting of voting rights to emigrants, exiled, or external kin minorities (in the following defined and labelled as non-resident nationals = rN).⁷

The first contribution of our article is to reflect on the four principled options that logically exist when considering regulations for the inclusion of nR and rN simultaneously. We complement existing attempts in two ways: (a) by highlighting the importance of the parallel spread of dual/multiple citizenship; and (b) by focusing on the *inherent* consequences of what we call “enfranchisement regimes.” In respect to the latter, we show how “national (all nationals and only nationals),” “territorial (all residents and only residents),” “inclusive (all nationals and all residents),” and “exclusive” (only national residents) enfranchisement regimes undermine core principles of the international order and of democratic equality. At least aspirationally, the Westphalian system of national states and electorates has been discreet (demoi are mutually exclusive) and comprehensive (demoi are jointly inclusive in that all individuals are included in one demos). However, these principles are challenged by the spread of multiple citizenships and by generally inclusive and generally exclusive enfranchisement regimes. Furthermore, we point to the implications of the four enfranchisement regimes for political equality between sedentary and mobile individuals as well as between mono and dual/multiple citizens.

Our second contribution is to explore the citizens’ preferences for enfranchisement regimes. In a recent publication, we presented the results of a survey we conducted among resident citizens in 26 European countries. We analyzed individual and country-level factors linked to the support for including nR in the national electorate and those connected with supporting the granting of national voting rights to rN separately.⁸ In the present contribution, we want to fully exploit the fact that in our main survey question each answer category includes a position towards including nR and towards including rN. Our results show for the first time what European citizens currently think about the right shape of state electorates when they have the opportunity to choose among all four possible options.

A relative majority of European resident nationals (39%) prefers a national regime, which is in line with the regulatory trend in Western countries.⁹ Nevertheless, citizens’ preferences are much less clear-cut than the regulatory trends imply. As many as 28% of our respondents across Europe prefer a generally exclusive regime. Furthermore, a generally inclusive regime is favored by 19%, whereas only 14% prefer the “territorial” regime that many normative theorists support. The second major insight is that the different regulatory regimes receive strongly divergent levels of support across European countries. For example, whereas 67% of Romanian resident citizens prefer the national regime, in Croatia only 12% do so. In our conclusion, we point to the fundamental implications of our findings for the normative discourse and for further empirical studies on enfranchisement.

State of the art

In 2005, Bauböck set the stage for describing, analyzing and evaluating the expansion of democratic electorates beyond membership *in combination* with their expansion beyond territory. Furthermore, he put these two developments into the context of broader transformations of democratic citizenship at the turn of the century.¹⁰ When describing these developments and the motives for expanding electorates, Bauböck deals with the political inclusion of rN separately from the granting of voting rights to nR. It is only when he turns to the normative side of the debate that Bauböck combines the two dimensions and distinguishes four ideal-typical positions by identifying the underlying normative principles. First, Bauböck argued that a “civic republican” understanding of democracy and citizenship – with its emphasis on membership status and participation among people who are present – implies a generally negative stance towards including rN *and* nR. An “ethnic nationalist” stance, by contrast, is in line with support for the inclusion of rN, and with resisting the inclusion of nR. Finally, according to Bauböck, liberal democrats would support either including nR, but not rN, if they adhere to the “all-subjected to law” principle (which he equates with the principle of “territorial inclusion”), or they would support including nR *and* rN if they endorse the “all affected interests” principle.¹¹

In this and further contributions, Bauböck argues that none of these principles is adequate to develop general rules for adjusting the boundaries of the demos to the challenge of migration and mobility.¹² Instead, he proposes “stakeholdership” as a principle that combines republican and liberal considerations as a better alternative. Regarding republican concerns, he argues that voting rights should be generally connected to membership. In line with liberal reasoning, he agrees that migrants often have legitimate stakes in more than one polity. He mentions two options to address the latter aspect: migrants should be granted dual citizenship, or they should receive a combination of expatriate voting rights and denizenship (a broad bundle of civic, political and social rights, excluding voting rights) in the country of residence. Whereas the former option leads to horizontally “overlapping memberships”, the latter is more compatible with Bauböck’s preferred solution in which the subnational, the national, and the supranational (European) level provide vertically “nested memberships”, whereby each membership is assigned by applying different principles and contains complementary (voting) rights.

In a further publication, Bauböck showed together with Arrighi that regulations in Western democracies increasingly tend to be in line with his normative position.¹³ They depict a trend towards a “de-territorialization” of the state demos. Many states grant all nationals voting rights in national elections, irrespective of whether these citizens reside inside or outside the country. For local elections, they diagnose a trend towards “post-national” demoi since often all legal residents are enfranchised irrespective of their nationality.

Some authors who analyse and evaluate the expansion of electorates based on normative foundations diverge with Bauböck’s (conditionalized) preference for a de-territorialized but membership-based enfranchisement regime on the nation-state level. Instead, some assume that in a “globalized society with increasing mobility” democracies should include all residents *and* all nationals, and they analyze the “discrepancy” between those who should be enfranchised and those that are granted voting rights on the state level based on the normative presumption.¹⁴ Others opt for a post-national

and territorial approach when they transfer the debate on the boundary of the demos/electorate to the Varieties of Democracy Project¹⁵ and conceptualize a corresponding “Index of Electoral Residential Inclusiveness”.¹⁶

The perspective from which the expansion of the franchise is studied and evaluated tends to result in specific normative preferences.¹⁷ A “citizenship studies” perspective insists on the link between membership and voting rights, while the “migration/mobility” studies perspective favors regulations that are most conducive to secure the inclusion of mobile people; and a “democracy studies” perspective has a “natural” inclination to follow a strictly territorial (and therefore, in a world of mobility, post-national) line of argumentation. These normative positions are either deduced from abstract principles or derived from the interests of a particular group of citizens (the mobiles/migrants). In the following, we complement these reasonings by highlighting important inherent consequences of the four enfranchisement regimes; consequences which crystallize only when we look at the inclusion of nR and of rN simultaneously.

Towards a meaningful and useful typology of enfranchisement regimes

A typology of enfranchisement regimes should not only be comprehensive in that it takes all four options into account, but it should also be *meaningful and useful*. A typology is meaningful if the divergent types provide orientation, which is only the case when they are conceptualized as internally coherent and externally distinct ideal-types. Usefulness implies that the typology should have instrumental value in as much as the divergent types are intrinsically linked to important consequences when they are applied in individual states and/or are spreading in the interstate system. To this end, in Table 1, we present the four logically possible enfranchisement regimes by clarifying the underlying dimensions and defining each type in the terminology of necessary and sufficient conditions. We also point to important consequences for citizens of democratic states and the relationships among those states. We see the latter as an important addition to the current literature. So far, most empirical studies concentrate on revealing the causes of expanding the electorate¹⁸, and most normative contributions refer primarily to abstract and general principles when they justify or reject the expansion of the demoi.¹⁹

We introduce the term “enfranchisement *regimes*” because each regime type represents an assemblage of two kinds of regulations: those that apply to nR and those that apply to rN. We argue that it is necessary to look at both kinds of regulations simultaneously despite the fact that they often have been developed independently. This is because they have overlapping and interacting consequences for democracies and individuals, as we will lay out in more detail below. Next, the term “regime” implies an interplay between purposeful action among individual actors (in our case, primarily state-level policymakers) and emergent properties on the systemic level (in our case, the interstate level).²⁰

Most importantly, we contend that it is vital to link the conceptual and empirical work on the inclusion of nR and rN to the debates and studies on *dual/multiple citizenship*. First, the spread of (the political acceptance of) dual citizenship is an important context condition that determines the practical relevance of expansions of the electorates beyond territory and/or membership. Empirical studies indicate that the (non-)expansion of electorates is more importantly determined by citizenship and naturalization regulations than by enfranchisement regulations.²¹ Further, the tolerance of multiple citizenship is a crucial element of naturalization requirements and has a

Table 1. Enfranchisement regimes: configurations and consequences

Enfranchising non-resident nationals?	Enfranchising non-national residents?	
	Yes	No
Yes Overcoming residency as a necessary condition for voting rights	Inclusive Regime Residency and nationality as sufficient, but not necessary conditions for voting rights	National Regime Nationality as a necessary and sufficient condition for voting rights
	System of Overlapping Demoi Multiple votes for mobile and multiple citizens Single vote for sedentary citizens	System of De-territorialized Demoi Single vote for sedentary and mobile citizens Multiple votes for multiple citizens
No Defending residency as a necessary condition for voting rights	Territorial Regime Residency as a necessary and sufficient condition for voting rights	Exclusive Regime Residency and nationality as necessary but not sufficient conditions for voting rights
	System of Post-national Demoi Single vote for mobile, multiple, and sedentary citizens	System of Insular Demoi Single vote for sedentary and multiple citizens No vote for mobile citizens

substantial impact on whether migrants actually use the offers they receive from the country of residence and from the country of descent to acquire or to keep the membership and the corresponding voting rights in the corresponding state.²² Finally, the spread of dual citizenship is at the heart of the current transformations of democratic citizenship. Thus, extensive reflection on multiple citizenship allows us to deepen our understanding on the consequences of including nR and rN.²³

States can tolerate multiple citizenship among their rN when these citizens apply for membership in another state, or they can tolerate it for immigrants who are nR and want to naturalize.²⁴ They can also be generally intolerant or generally tolerant. In consequence, multiple citizenship regulations of individual states can correspond to all four enfranchisement regimes. Moreover, there is some evidence that states usually pursue a consistent naturalization *and* enfranchisement policy based on a principled stance towards migration, diasporas or kin minorities. For example, states where political majorities pursue an inclusive policy towards immigrants usually opt for regulations that foster the inclusion of nR by introducing alien voting rights, but also liberal naturalization regulations, including tolerance of dual citizenship. By contrast, states in which an exclusive stance towards immigrants is dominant introduce neither alien voting rights nor liberal naturalization regulations.²⁵ Overall, we contend that debates in the different ways to expand the electorate beyond territory or nationality should consider not only mobile and sedentary citizens, but also the fact that

current societies consist of groups of individuals with a single nationality and others with multiple ones.

Inherent consequences of enfranchisement regimes

The struggle to expand enfranchisement takes place in two major contexts: transformations of (international) political orders (from empires to sovereign nation states to unions, like the EU) and movements of people across boundaries (or the former movement of boundaries across peoples). To create a useful typology of enfranchisement regimes, we focus first on the logical links between divergent citizenship/electoral regimes and the architecture of the international order before we address the consequences for political equality among citizens.

In accordance with the logic of ideal-types, in the following we will lay out the consequences of the four different enfranchisement regimes based on the counterfactual presumption that all involved states apply the same enfranchisement regime. This allows us to present the consequences for democratic states and for different groups of citizens most clearly. Nevertheless, we want to stress that if the current situation in which states decide autonomously which enfranchisement policy to pursue continues, it is very likely that the consequences are much patchier, both for specific groups of individuals and for the structural relations among democratic nation-states.

As detailed in Table 1, a “territorial” regime safeguards the discreteness of each state electorate in times of migration/mobility by insisting on the residency requirement as a necessary condition for inclusion at the expense of the nationality requirement. The “national” regime, by contrast, gives priority to membership in a political community at the expense of the residency requirement. Thus, both regimes do not only safeguard the discreteness of state demoi²⁶, but – when they are applied by all involved states – also secure the comprehensiveness of the system in the sense that all citizens are included in exactly one state electorate.

This is not the case for the “exclusive” regime, which clearly prioritizes securing the discreteness of state electorates over their joint comprehensiveness. Such a regime implies a system of state electorates in which distinct sedentary citizens form exclusive islands surrounded by mobile people, who have no solid anchor point as political actors since they have no national voting rights. The “inclusive” regime exhibits the opposite features. It contains the most robust safeguards that not only sedentary but also moving individuals have voting rights in state elections. Furthermore, it creates overlapping electorates, which undermines or overcomes (depending on the interpretation of the phenomenon) a fundamental principle of the Westphalian order: the mutual exclusivity of national demoi. In the literature on dual citizenship we find a debate on whether the acceptance of multiple citizenship undermines one of the most fundamental achievements of political justice in representative democracies: equal voting rights, expressed in the slogan: “one person, one vote”.²⁷

In this article, we cannot dig deep into the normative debate on whether voting rights in multiple countries are justified for migrants/mobiles and/or dual/multiple citizens, but we want to point to one important aspect. The more the relationships between the involved states are characterized by cross-border flows (people, but also information, capital, services, as well as goods and “bads” like pollution and viruses), and the more these states have set up intergovernmental institutions to stimulate and/or to regulate these flows through joint decision-making, the more it seems problematic that

multiple/mobile citizens can influence the positions of multiple governments by having voting rights in more than one state as long as sedentary mono citizens cannot.

How do the divergent ways to include nR and/or rN fare in this respect? The “territorial” regime is the only one that safeguards equal voting rights in its traditional form: sedentary mono-citizens have one vote in one national election, but so do mobile citizens and citizens with multiple nationalities (see Table 1). This could be an additional argument for the democratic theorists who support a “territorial” enfranchisement regime.²⁸ A narrow focus on including nR and/or rN might lead to the conclusion that a “national” regime can also secure such a result in times of increased mobility. Yet, this conclusion does not hold anymore when we consider that the spread of multiple citizenship and the expansions of state electorates are strongly intertwined. A “national” enfranchisement regime leads to a situation in which multi-national citizens can vote in multiplicity of states, whereas (sedentary and mobile) mono-nationals have a national franchise in one state only. Through an “exclusive” regime, states can safeguard the formal political equality among mono and dual citizens, but at the expense of moving citizens. The spread of an “inclusive” regime, by contrast, would accommodate and equalize mobile and multiple citizens, since both groups receive voting rights in all the states in which they are either residents or citizens. Nevertheless, this takes place at the expense of sedentary mono-citizens, who are left behind with one vote in one country.

In principle, states can address equality concerns by complementing expanding strategies with containment strategies in order to try to avoid the unjustified spread of unequal voting rights (e.g. by demanding from dual citizens that they vote in one country only) or by reducing the use and impact of voting rights for some groups (as is often the case for rN²⁹). Nevertheless, containment strategies are often difficult to implement since they demand robust information exchange among polities.³⁰

Furthermore, enfranchisement regimes do not have only regulatory consequences but also diffuse symbolic relevance. They signify political priorities in respect to securing political equality among particular groups. Opting for an “exclusive” regime simultaneously symbolizes the equality among mono and multiple citizens and the exclusion of mobile citizens. With a “national” regime, states highlight the equality among sedentary and mobile citizens and tolerate unequal political rights among mono and multiple citizens. Through an “inclusive” regime, they contribute to equalizing the political rights of mobile and multiple citizens but do so at the expense of sedentary mono-nationals. By contrast, adhering to a “territorial” regime attempts to safeguard formal political equality among all individuals in times of mobility and multilevel polity building. Nevertheless, the emphasis on safeguarding formal equality can be interpreted as an attempt to cope with, without really adjusting to, a world that is increasingly characterized by cross-border flows (not only of people), political (inter)dependencies and vertically/horizontally overlapping forms of government and governance. It tries to defend a major achievement of representative democracies that was slowly eked out during the Westphalian order of sovereign nation-states. However, it does not contribute to creating new forms of citizenships and electorates that are actually conducive for democratizing a Post-Westphalian order.³¹

After having laid out the wider implications of expanding electorates – implications that only become clear when we look at the potential inclusion of nR and rN simultaneously and in combination with the spread of dual citizenship – we apply these insights when we turn to citizens’ preferences in the next section.

Studying citizens' preferences: configurational answers and European scope

Normative debates and empirical studies on the expansion of electorates share a major lacuna: the opinion of citizens is usually not considered. We do not contend that the opinions of the currently included citizens should fully determine the regulations by which a state determines its electorate, nor do we assume that the citizens' attitudes are the dominant factor in explaining state regulations. Nevertheless, we are convinced that citizens' preferences should not be entirely ignored in normative contexts and that they should be included in explaining the politics of expanding the electorate. Furthermore, and most importantly, based on our reasoning in the previous section, we find it necessary to contribute to the formation of public opinion that takes all regulatory options and their consequences into account.

Thus far, the available evidence indicates that most resident nationals are rather reluctant to grant voting rights to immigrants as rN. In almost all situations where citizens had the opportunity to decide on the inclusion of rN through direct-democratic means, they have rejected such an expansion of the electorate.³² Similar evidence on what they think about granting voting rights to emigrants and external kin minorities as rN does not exist since (as far as we know) these expansions of the national electorate have always been legislated without any direct participation of resident citizens. In Hungary in 2004, resident citizens were given the opportunity to decide on whether dual citizenship – including voting rights – should be granted to kin minorities in neighbouring states, and dismissed it (by abstaining from the vote). Nevertheless, it seems that the main reason for rejecting the initiative launched by those external kin minorities was the fear that these new citizens would flood the labor market rather than a general resistance to expanding the electorate. In 2010, when the Orbán government fulfilled the wish of the external kin minorities anyway in order to avoid being outflanked by the nationalist Jobbik party, surveys indicated that this was done against the will of a clear majority of the resident citizens.³³

When it comes to survey information, we are not aware of any other multi-national survey that sheds a comprehensive and comparative light on citizens' preferences on the topic. A recent study with Finnish respondents indicates that citizens' support of voting rights for rN is lower among residents than non-resident citizens.³⁴ Only one single study considers the *simultaneous inclusion* of rN AND rN y by tracing the attitudes of young (national and non-national) residents in Austria in a qualitative analysis of focus groups.³⁵

We concentrate on voting rights on the level of the nation-state for two reasons. First, we are convinced that currently (and in the foreseeable future) this level is the most consequential both for individuals and for the (inter)national system. Second, we presume that the struggles to expand electorates are taking place in a broader and more diverse discursive context on this level compared to the local level. Whereas the struggles to expand the electorate on the local level is overwhelmingly embedded in the discourse on immigration, debates on the state level can refer to both immigrants and emigrants, but also to neighbouring kin minorities, and to polity building projects (e.g. sovereign states versus political unions).³⁶

We conducted a survey among resident citizens in 26 European countries (25 EU countries³⁷ and Switzerland) between May 8 and May 15, 2019.³⁸ Over 16,000 European resident nationals told us which enfranchisement regimes they prefer. The

survey comprised n = 16,555 respondents, varying from n = 501 to n = 1006 in each country (see Appendix A for a description of the survey). Specifically, respondents were asked whether to grant voting rights to nR and/or rN in elections on the level of the nation-state. Thus, the respondents were all drawn from the population of resident nationals. Principled and practical reasons warrant this sampling method. First, it ensures that only respondents with an indisputable right to vote are included. Second, to cover non-resident nationals in those countries where they reside, we would have to conduct a separate survey.

The survey builds on our typology of enfranchisement regimes (Table 1). Instead of asking respondents separate questions on their preferences for including nR and whether they would grant voting rights to rN, our survey combined the two directions of expanding the electorate. It provided citizens with all four logically possible options in a single question. We asked: “Who should generally be allowed to elect representatives in the [national] parliament”? The four presented answer categories combine positions towards enfranchising both nR and rN (see Table 2).

Consequently, each corresponds to one of the four enfranchisement regimes for national elections: all nationals; all residents; only people who are nationals and residents; and all nationals and all residents. In doing so, we allow citizens to opt for regulatory configurations that often remain overlooked – namely exclusive and inclusive regimes.

Citizens’ preferences in Europe: aggregate results

Figure 1 shows that a relative majority of European resident nationals prefers to grant all nationals – residents and non-residents – voting rights in elections on the nation-state level. This strong support mirrors the regulatory trend in Western countries, as more and more democracies have reached out to their external citizens and grant them voting rights on the national level.³⁹

Nevertheless, citizen preferences are much less clear-cut than the regulatory trend implies. Only 39% support the enfranchisement regime in line with the regulatory trend – namely, limiting the expansion of the national electorate to rN. A slightly larger group, 42% of our respondents, prefer regulations that directly contradict such a de-territorialized, but still purely national electorate on the nation-state level (the 14% supporting a territorial regime plus the 28% preferring an exclusive regime). Another 19% prefer regulations that expand the state electorate not only towards rN, but to nR at the same time.

Given our insight that the territorial regime is the only one that safeguards equal voting rights in times of mobility and multiple citizenships (and the fact that many normative theorists endorse this regime), it is striking that it is supported by only

Table 2. Enfranchisement regimes and corresponding survey answers.

Enfranchisement regime	Who should generally be allowed to elect representatives in the [national] parliament?
National	All [national] citizens – independent of whether they live in the [nation] or abroad.
Territorial	All legal and long-term residents included in the [nation] – independent of whether they are [national] citizens or not.
Exclusive	Only [national] citizens who currently reside in the [nation].
Inclusive	All [national] citizens AND all legal and long-term residents in the [nation].

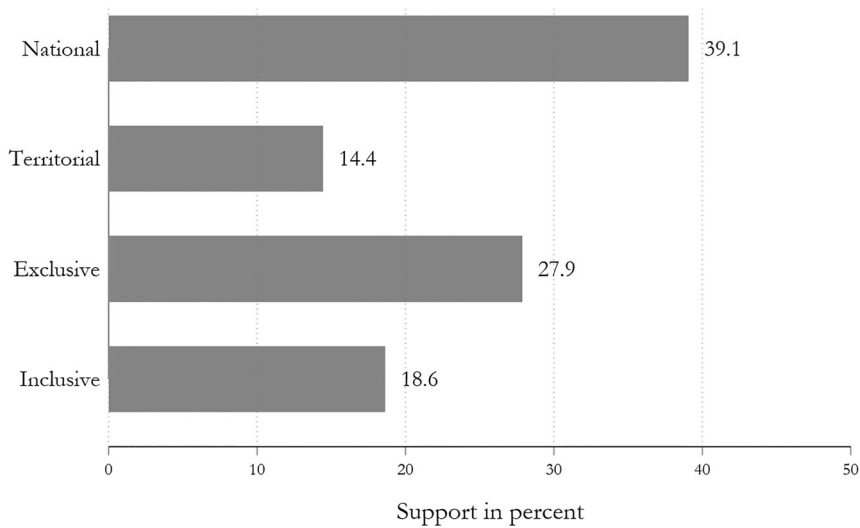


Figure 1. Support for enfranchisement regimes among Europeans. Note N = 16'555; more information about the survey data in in Appendix A.

14% of European citizens. Indeed, among citizens who favor including immigrants and their descendants as nR (33%), most prefer a generally inclusive regime that grants national voting rights to both nR and rN (19%) rather than keeping this expansion of the national electorate limited to nR (14%).

Finally, as many as 28% of European resident nationals prefer a generally exclusive regime in the form of regulations that grant national voting rights *neither* to nR *nor* to rN. This is quite remarkable since such a position finds no support among normative theorists, and it seems to be outdated in a world characterized by international mobility and migration. Such a preference has been interpreted as a “traditional” stance which is based on the classic modern understandings of citizenship, the nation-state and democracy.⁴⁰ Nevertheless, it could also be a reaction of resident nationals to either the demand of cosmopolitan elites to expand the electorate or to the strategic and self-serving use of expanding electorates by political parties and governments. Existing case studies provide some evidence that the latter suppositions hold at least in countries like in Hungary, where we find an extremely high level of support for an exclusive regime, despite – or perhaps *because of* – the existence of a national enfranchisement regime that is geared towards including kin minorities in neighbouring countries.⁴¹

Citizens’ preferences across Europe: cross-national variation

The most remarkable finding of our survey is the degree of variation in the level of support for the four distinct enfranchisement regimes among different European countries (see Table 3). Support for a national or an exclusive regime varies tremendously; the standard deviation is 11% for the former and 10% for the latter (see Tables 3 and 4).

Table 3. Average support among resident citizens for enfranchisement regulations in European countries.

National		Territorial		Exclusive		Inclusive	
Romania	67	Ireland	24	Hungary	55	Portugal	28
Estonia	55	Italy	24	Croatia	47	Greece	26
Slovakia	51	Latvia	20	Denmark	41	Croatia	25
Sweden	50	Spain	19	Belgium	35	Belgium	24
Spain	48	Sweden	19	Bulgaria	34	Lithuania	23
Bulgaria	45	Netherlands	18	UK	33	Spain	22
Poland	44	UK	18	Netherlands	32	Ireland	22
Portugal	44	Germany	18	France	32	Slovenia	22
Lithuania	44	Switzerland	18	Slovenia	31	Slovakia	21
Finland	44	Austria	17	Finland	30	Estonia	21
Greece	40	Greece	16	Czech	29	Switzerland	20
Total	39	Croatia	16	Germany	29	Czech	20
Latvia	39	Total	14	Poland	28	Total	19
Austria	38	Poland	14	Switzerland	28	Netherlands	19
Germany	38	Portugal	14	Total	28	Italy	18
France	38	Czech	13	Austria	27	Austria	17
Czech	38	France	13	Sweden	26	France	17
Slovenia	37	Belgium	12	Ireland	26	Latvia	16
Italy	36	Estonia	12	Latvia	25	Sweden	16
Denmark	35	Finland	11	Lithuania	25	Finland	16
Switzerland	34	Slovenia	11	Italy	23	UK	15
Netherlands	31	Denmark	10	Slovakia	19	Bulgaria	15
UK	30	Lithuania	9	Greece	18	Germany	15
Belgium	29	Hungary	9	Romania	15	Denmark	15
Ireland	29	Slovakia	8	Portugal	14	Romania	14
Hungary	26	Bulgaria	6	Estonia	12	Poland	14
Croatia	12	Romania	4	Spain	11	Hungary	10

Note Entries are percentages; more information about the survey data in Appendix A.

Thus, for example, about two thirds (67%) of resident citizens in Romania prefer a *national* regime, while absolute majorities do so in Estonia and Slovakia. In Croatia, by contrast, only about one in eight (12%) citizens shares this national preference. Furthermore, in Hungary, Ireland, Belgium, the UK, and the Netherlands, the national regime is preferred by less than a third of the respondents. A majority of Hungarian respondents support the *exclusive* regulation (55%), and this regime also receives much support in Croatia and Denmark. On the other hand, only 11% of Spaniards share such a preference, and the exclusive regime receives less than 20% support in many divergent countries: Estonia, Portugal, Romania, Greece, and Slovakia.

The cross-country variance is smaller (in absolute terms) when it comes to the support for the territorial and inclusive regimes. However, we still find strong differences. While about one in four Irish and Italian (24%) resident citizens supports the *territorial* regulation, only 4% of Romanians and 6% of Bulgarians do so. Over a quarter of Portuguese and Greece resident citizens support an *inclusive* regulation, but only one in ten resident citizens share this preference in Hungary.

Table 4. Cross-national variation in the levels of support for enfranchisement regimes.

	National	Territorial	Exclusive	Inclusive
Average	39	14	28	19
Standard Deviation	11	5	10	4
Min.	12	4	11	10
Max.	67	24	55	28

Note Entries are percentages; more information about the survey data in Appendix A.

Such a substantial variance in the level of support for divergent enfranchisement regimes across European countries provides strong evidence that country-specific contexts are highly salient in shaping the preferences of the resident citizenry. We might expect to see significant differences emerge between Western/Northern, Southern and Central/Eastern Europe. Migration has arguably been the sole or major driver of debating the expansion of electorates in both Western/Northern and Southern Europe in recent decades, whereas nation-state building and kin minorities in neighbouring states play a similarly decisive role in Central and Eastern Europe. Furthermore, in Western/Northern Europe, enfranchising migrants is linked – at least in the public discourse – primarily to immigration, whereas in Southern and Eastern Europe, it is also strongly linked to emigration. Nevertheless, there is no clear-cut clustering and variation along these lines. The national regime receives strong support among Eastern Europeans (in Romania and Estonia, for example) but also among Northern and Western Europeans (especially among Swedes and Spaniards). Among the countries with the lowest level of support for the national regime, there are Eastern and South-Eastern European countries (Hungary and Croatia), but also Western European countries such as Ireland, Belgium, and the Netherlands. The same types of variation can be observed for the other three regime types (Table 3).

Finally, we checked whether the citizens' preferences are in line with the policies (enfranchisement regulations) that the countries applied in recent years. A first look at the GLOBALCIT Conditions for Electoral Rights Database 2019⁴² shows that in most countries with national enfranchisement regimes we can observe a relative majority in favor of this legislation (Appendix B). Among those, Romania is the only country whose enfranchisement regime is backed by an absolute majority of respondents. The only other country where a regime coincides with a relative majority is Portugal, which has an inclusive regime. A second look at more fine-grained data on state regulations from 2015⁴³ allows us to analyse correlations between preferences and policies (Appendix C). The plots and calculations show that the correlations are weak and not statistically significant. Discrepancies between citizens' preferences and state policies can emerge for different reasons, for instance when governing parties expand the electorate despite large oppositions in the citizenry out of ideological or strategic reasons⁴⁴, or when the citizenry react adversely to a specific expansion of the electorate (implying a reverse cause–effect relationship between policies and preferences).

Summary and conclusions

Most public discourses, normative evaluations, and empirical studies have failed to consider *jointly* the electoral inclusion of immigrants (nR) and the electoral inclusion of emigrants or external kin minorities (rN). Accordingly, no adequate picture of the implications of expanding the boundaries of electorates for individuals and the interstate system currently exists, despite earlier pleas to do so and its evident value. In this article, we make a two-fold contribution to filling this gap. First, on the conceptual level, we highlight the strong interdependence between the explicit expansions of state electorates and the tolerance of multiple citizenship. Furthermore, we provide not only precise set-theoretic definitions and illuminating labels of the four regulatory options but outline the inherent implications of the four corresponding enfranchisement regimes for the architecture of the interstate/inter-democratic order and for political equality among divergent groups of citizens.

Empirically, we apply our typology in a survey of European citizens' preferences for enfranchisement regimes. The data show several surprising results that may inspire further studies. First, it indicates that a relative majority of Europeans support the regulatory trend towards including rN, but not nR on the state level. Nevertheless, the support for such a national regime is much less clear-cut than the regulatory trend implies; only a relative majority of 39% support this enfranchisement regime. Generally inclusive and exclusive regimes receive surprisingly strong support, whereas the territorial regime that many normative theorists prefer receives the lowest support. Beyond these general results, preferences for all four enfranchisement regimes vary strongly across countries.

The main implication of our conceptual reflections and empirical insights for the normative discourse is to overcome the debate about whether the definition of the boundary of *demos* should be based primarily on the criterion of residence (territory) or on the criterion of nationality (membership). A large part of European citizens (almost 47%) prefers an electoral regime that combines both criteria in a consistent way. They support either a generally *exclusive* or a generally *inclusive* regime.⁴⁵

Proponents of an inclusive regime aim to safeguard the most fundamental political right – voting rights in national elections – for mobile people. However, it is important that they recognize a principled problem of the inclusive enfranchisement regime. It protects the equal rights of mobile and dual citizens and makes an important step to align the system of national electorates with the existing system of multi-lateral governance by granting citizens voting rights in multiple countries; but it does so at the expense of the sedentary mono-national citizens who are left behind with voting rights in a single country. As argued elsewhere, we think that democracies should not address this problem by trying to limit the voting rights of mobile and multiple citizens to a single state. Instead, they should understand the spread of dual citizenship, and the inclusion of nR and rN as the first steps in an even larger expansion of the electorate. Affiliated democratic states should establish reciprocal arrangements granting all citizens (including mono-national and sedentary citizens) voting rights in their national elections so that all citizens have multiple voting rights (and a carefully specified number of representatives) in divergent states.⁴⁶

Our conceptual innovations and empirical insights imply a similar message for empirical scholars. They should overcome the single-minded focus on studying either the reasons (as principled justifications) or causes (as triggers or difference makers) for the inclusion of rN *or* the reasons or causes for granting voting rights to nR. Instead, they should take both directions to expand the electorate simultaneously into account. When it comes to studying how the support for particular enfranchisement regimes is justified by citizens and in the public discourse, we suggest focusing on the following question: Why does a majority of those favouring including migrants as nR not limit their openness to nR but also support granting voting rights to rN?

This article and its original dataset provide the basis for various future research avenues. Those who strive for causal explanations might find our results helpful since they allow researchers to select country cases based on public opinion rather than public policies. Such a study would not ask what factors facilitate regulations that expand electorates towards nR and/or rN. Instead, it would examine which conditions lead to strong public support for a particular enfranchisement regime.

Concerning the latter question, regulations/public policies are no longer the explained outcome but a potential explanatory factor for public opinion.

There is some evidence that the way in which countries expand their electorate does not only have consequences for their inclusiveness, but that these processes of re-constituting state demoï also have a deeper impact on the functioning of democracies and on their relationships with other countries. However, studies that provide such evidence have so far been confined to Central/Eastern Europe, where many countries expanded their electorates towards kin minorities in neighbouring countries.⁴⁷ Therefore, further studies are needed to investigate both the broader causes and the consequences of expanded state electorates more systematically across different contexts. This will help us to further advance our knowledge about this core aspect of democratic development.

Notes

1. We use the terms “demoï” and “electorates” synonymously. Normative theorists prefer the former, whereas empiricists usually apply the latter. We want to contribute to both debates.
2. Przeworski, “Conquered or Granted?”
3. Normative contributions include Lopez-Guerra, “Should Expatriates Vote?”; Owen, “Transnational Citizenship and the Democratic State”; Song, “Democracy and Noncitizen Voting Rights”; Beckman and Rosenberg, “Freedom as Non-Domination and Democratic Inclusion”. Special Issues that incorporate empirical studies include Caramani and Grotz, “Beyond Citizenship and Residence? Exploring the Extension of Voting Rights in the Age of Globalization”; Barker and McMillan, “Introduction”.
4. Caramani and Grotz, “Beyond Citizenship and Residence?”
5. Bauböck, “Studying Citizenship Constellations”; Bauböck, “Morphing the Demos into the Right Shape”; Finn, “Migrant Voting”; Pedroza and Palop-García, “The Grey Area between Nationality and Citizenship”.
6. These acronyms are in line with set theoretical conventions with small letters signalling negative and capital letter positive membership in a set. Since set theory is the most adequate way of conceptualizing memberships in electorates, we follow these conventions not only in our acronyms, but also when we define our core concepts in Table 1 (in terms of necessary and sufficient conditions).
7. Examples of normative contributions that focus only on nR are Rubio-Marin, *Immigration as a Democratic Challenge*, and Lenard, “Residence and the Right to Vote”. For normative publications that focus only on rN see e.g., Bauböck, “The Rights and Duties of External Citizenship”, Lopez-Guerra, “Should Expatriates Vote?”. For an overview of empirical studies that focus on nR see Ferris et al., “Noncitizen Voting Rights in the Global Era” and Kayran and Erdilmen, “When Do States Give Voting Rights to Non-Citizens?”. Empirical studies that focus only on rN are Lafleur, “The Enfranchisement of Citizens Abroad”, Rhodes and Harutyunyan, “Extending Citizenship to Emigrants”; Dumbrava, “External Citizenship in EU Countries”; Turcu and Urbatsch, “Diffusion of Diaspora Enfranchisement Norms”. In the Special Issue edited by Barker and McMillan, “Introduction”, only one contribution considered the voting of migrants in the country of residence *and* the country of descent. An exception is Finn, “Migrant Voting” who takes a similar comprehensive approach to study voting practices of migrants.
8. Michel and Blatter, “Enfranchising Immigrants and/or Emigrants?”.
9. Arrighi and Bauböck, “A Multilevel Puzzle”.
10. Bauböck, “Expansive Citizenship”.
11. Bauböck, “Expansive Citizenship”, 685–86.
12. Bauböck, “Democratic Inclusion”.
13. Arrighi and Bauböck, “A Multilevel Puzzle”.
14. Caramani and Strijbis, “Discrepant Electorates”.
15. The V-Dem Project is the most recent and ambitious attempt to measure the development and quality of democracies globally see Lindberg et al., “V-Dem”.

16. Altman, "Voting Rights of Denizens and Expats".
17. We have found no publication that adopts systematic empirical research based on a normative position implicitly or explicitly supporting the forth position: excluding nR and tN.
18. Lafleur, "The Enfranchisement of Citizens Abroad"; Wellman, "Emigrant Inclusion in Home Country Elections"; Kayran and Erdilmen, "When Do States Give Voting Rights to Non-Citizens?"
19. Bauböck, "Democratic Inclusion"; Beckman and Rosenberg, "Freedom as Non-Domination and Democratic Inclusion", 2018.
20. Rass and Wolff, "What Is in a Migration Regime?"
21. Caramani and Strijbis, "Discrepant Electorates".
22. Jones-Correa, "Under Two Flags"; Dronkers and Vink, "Explaining Access to Citizenship in Europe".
23. Dual/multiple citizenship occupies a central place in conceptual reflections on emerging forms of citizenship (Schlenker and Blatter, "Conceptualizing and Evaluating (New) Forms of Citizenship between Nationalism and Cosmopolitanism").
24. A recent overview over the acceptance of expatriate dual citizenship in Vink et al., "Double Standards?" reveals the strong word-wide trend towards tolerating/accepting this form of dual citizenship. For a synthesis of earlier overviews which do not only focus on the acceptance of multiple citizenships for external citizens, see Blatter, Erdmann, and Schwanke, "Acceptance of Dual Citizenship".
25. Blatter et al., "Democratic Deficits in Europe".
26. The national regulations can uphold discreteness only as long as it is not accompanied by the tolerance of dual citizenship.
27. Bauböck, "Stakeholder Citizenship and Transnational Political Participation"; Blatter, "Dual Citizenship and Theories of Democracy"; Goodin and Tanasoca, "Double Voting".
28. Song, "Democracy and Noncitizen Voting Rights"; Beckman and Rosenberg, "Freedom as Non-Domination and Democratic Inclusion".
29. Hutcheson and Arrighi, "Keeping Pandora's (Ballot) Box Half Shut".
30. Blatter, "Dual Citizenship and Theories of Democracy".
31. Blatter, "Dual Citizenship and Theories of Democracy".
32. A prominent example is the 07 June 2015 referendum in Luxembourg: citizens were asked "Do you approve the idea that non-Luxembourgish residents may, if they wish so, be allowed to register for elections, in view of participating as voters for the elections to the Chamber of Deputies, upon the dual condition that they have resided at least ten years in Luxembourg and that they have participated in previous communal or European elections in Luxembourg". The proposal was rejected by 78% of the citizens (with an 87% turnout rate). However, most direct democratic decisions have taken place on the cantonal level in Switzerland. Voters have accepted the inclusion of nR usually only when the expansion was embedded in a broader constitutional reform Veri, "Explaining Foreigners" Political Rights in the Context of Direct Democracy".
33. Pogonyi, *Extra-Territorial Ethnic Politics, Discourses and Identities in Hungary*, 2017.
34. Himmelroos and Peltoniemi, "External Voting Rights from a Citizen Perspective".
35. Walter, Rosenberger, and Ptaszynska, "Challenging the Boundaries of Democratic Inclusion?"
36. Waterbury, "Internal Exclusion, External Inclusion"; Pogonyi, *Extra-Territorial Ethnic Politics, Discourses and Identities in Hungary*, 2017.
37. At the time of the survey, the UK was still a member of the EU.
38. Michel and Blatter, *Citizens Preferences for Voting Rights*.
39. Arrighi and Bauböck, "A Multilevel Puzzle".
40. Bauböck, "Expansive Citizenship -Voting Beyond Territory and Membership"; Arrighi and Bauböck, "A Multilevel Puzzle".
41. Waterbury, "Internal Exclusion, External Inclusion"; Pogonyi, *Extra-Territorial Ethnic Politics, Discourses and Identities in Hungary*, 2017.
42. Piccoli et al., "Explanatory Note".
43. Schmid, Piccoli, and Arrighi. "Non-universal suffrage".
44. Waterbury, "Internal Exclusion, External Inclusion"; Pogonyi, *Extra-Territorial Ethnic Politics, Discourses and Identities in Hungary*, 2017; Østergaard-Nielsen and Ciornei, "Political Parties and the Transnational Mobilisation of the Emigrant Vote".

45. We hope that our main survey question will be included in regular European-wide data collection efforts to test the cross-temporal and cross-national stability of our findings.
46. Blatter, *Transnationalizing Democracy Properly*.
47. Pogonyi, “Four Patterns of Non-Resident Voting Rights”; Pogonyi, *Extra-Territorial Ethnic Politics, Discourses and Identities in Hungary*, 2017; Waterbury, “Kin-State Politics”; Waterbury, “Divided Nationhood and Multiple Membership”.
48. Michel and Blatter, Citizens Preferences for Voting Rights.
49. Schmid, Piccoli, and Arrighi. “Non-universal suffrage”.

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APPENDIX

A Survey data

The data used in this article stem from a computer-assisted web interviewing (CAWI) survey that we conducted between May 8 and May 15, 2019 in 26 European countries.⁴⁸ The survey includes only respondents who are both nationals and residents of the country in which they are surveyed. This sampling method ensures that the survey only includes respondents who have the right to vote in that country. Table A1 shows the sample composition indicating the number of respondents in each country.

Table A1. Sample composition.

Country	N	Country	N
Austria	501	Italy	1,001
Belgium	502	Latvia	505
Bulgaria	502	Lithuania	504
Croatia	501	Netherlands	501
Czech	506	Poland	1,001
Denmark	1,004	Portugal	502
Estonia	502	Romania	500
Finland	500	Slovakia	502
France	1,003	Slovenia	502
Germany	1,003	Spain	501
Greece	1,002	Sweden	500
Hungary	503	Switzerland	1,006
Ireland	501	UK	500
		Total	16,555

B Enfranchisement regimes and popular support

Table B1 displays qualitative descriptions of electoral laws, the resulting regime types, and the percentage of respondents in the survey that expressed their preference for this regime type.

Table B1. Enfranchisement regimes and popular support across countries.

Country	rN national	rN local	nR national	nR local	Regime	Support
Bulgaria	Yes	Non-Universal	No	Non-Universal	National	45
France	Yes	Non-Universal	No	Non-Universal	National	38
Italy	Yes	Non-Universal	No	Non-Universal	National	36
Latvia	Yes	Non-Universal	No	Non-Universal	National	44
Switzerland	Yes	Non-Universal	No	Non-Universal	National	34
Belgium	Yes	No	No	Non-Universal	National	29
Croatia	Yes	No	No	Non-Universal	National	11
Czechia	Yes	No	No	Non-Universal	National	38
Germany	Yes	No	No	Non-Universal	National	38
Greece	Yes	No	No	Non-Universal	National	40
Poland	Yes	No	No	Non-Universal	National	44
Romania	Yes	No	No	Non-Universal	National	67
Spain	Yes	No	No	Non-Universal	National	48
Austria	Yes	Not applicable	No	Non-Universal	National	38
United Kingdom	Yes	No	Commonwealth and Irish	Non-Universal	Inclusive	15
Portugal	Yes	No	Brazilians	Non-Universal	Inclusive	27
Estonia	Yes	Non-Universal	No	Yes	Inclusive	21
Lithuania	Yes	Non-Universal	No	Yes	Inclusive	23
Hungary	Yes	No	No	Yes	Inclusive	10

(Continued)

⁴⁸Michel and Blatter, Citizens Preferences for Voting Rights.

Table B1. Continued.

Country	rN national	rN local	nR national	nR local	Regime	Support
Finland	Yes	No	No	Yes	Inclusive	16
Netherlands	Yes	No	No	Yes	Inclusive	19
Slovakia	Yes	No	No	Yes	Inclusive	21
Slovenia	Yes	No	No	Yes	Inclusive	22
Sweden	Yes	No	No	Yes	Inclusive	16
Ireland	No	Non-Universal	British	Yes	Territorial	24
Denmark	No	Non-Universal	No	Yes	Territorial	10

Notes Entries are countries and enfranchisement regimes as well as popular support in percent, ordered according to regime type and ideal-type membership; relative majorities are marked bold; the entry “non-universal” means that not all nationalities are enfranchised or that there is sub-national variation (applies only to Switzerland); data source for electoral regulations: Arrighi Jean Thomas, Bauböck Rainer, Hutcheson Derek, Ostling Alina, Piccoli Lorenzo (2019), Conditions for Electoral Rights 2019, GLOBALCIT Observatory, San Domenico di Fiesole: European University Institute.

National regimes are most frequent and would be even more frequent if we did not consider the local level for nR. Only the United Kingdom and Portugal enfranchise nR on the national level and thus have more full-fledged yet still incomplete national regimes because the national franchise for nR is non-universal. Furthermore, while there are two territorial regimes, exclusive regimes cannot be observed in this sample.

The relationship between regime type and popular support varies mostly across regime type. While all but one national enfranchisement regime are supported by relative majorities, only Portugal with its inclusive regime crosses this threshold. Romania is the only country for which there is a corresponding absolute majority. Finally, Ireland barely crosses the threshold for a relative majority that would support its territorial regime.

We further investigate the co-variation between enfranchisement regimes and popular support by using quantitative data that measure regimes in a more fine-grained way. The degree of inclusion of rN is measured with the composite national level indicator from the ELECLAW⁴⁹ dataset, which covers not only legislative but also executive elections and referenda (if applicable). For the degree of inclusion of nR, we use both the indicators on the national and local levels because the variation on the national level is minimal. We aggregate these two dimensions using multiplications that yield the degree of membership in the four ideal-types. The higher the score, the more similar the country is to the ideal-type under scrutiny. We then examine the correlation of this score (which depicts the legal situation in 2015) with the popular support for the regime type in 2019. We find that all correlations are weak and statistically insignificant. Thus, the two variables are disconnected: legal rules in 2015 do not predict public opinion in 2019.

⁴⁹Schmid, Piccoli, and Arrighi. “Non-universal suffrage”.

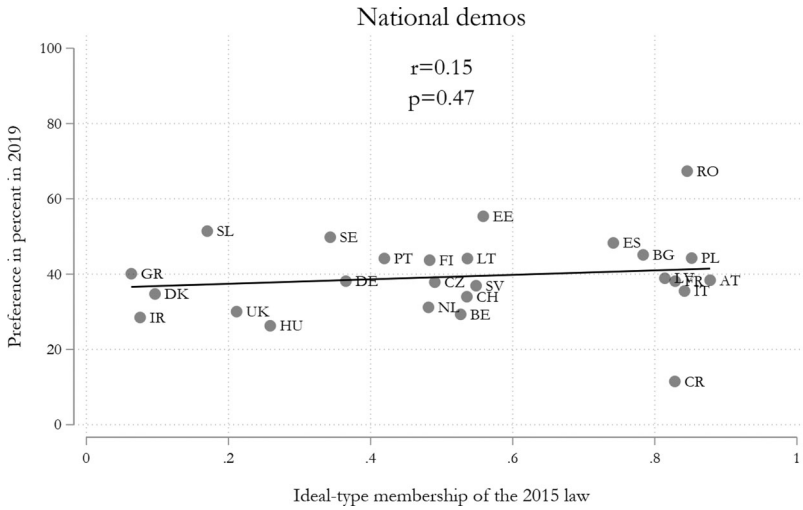


Figure B1. National demos: correlation between the law and public opinion. Notes r = Pearson's r ; p = p -value; legal indicators are drawn from the ELECLAW dataset; the degree of ideal-type membership for national regimes results from a multiplication of the following indicators in the following way: degree of ideal-type membership = $VNR-NA \times (1 - (VNC-NA + VNC-LO))$; abbreviations according to ELECLAW: VNR-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-LO = degree of electoral inclusion of nR in local elections and referenda.

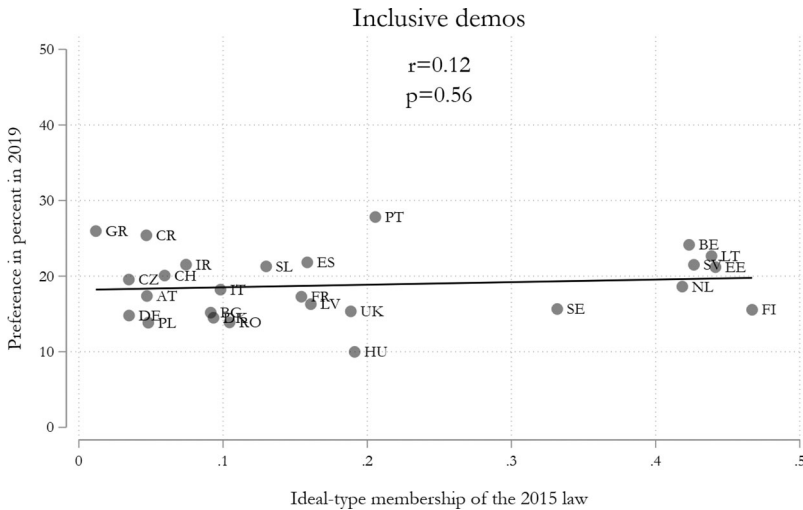


Figure B2. Inclusive demos: correlation between the law and public opinion. Notes r = Pearson's r ; p = p -value; legal indicators are drawn from the ELECLAW dataset; the degree of ideal-type membership for inclusive regimes results from a multiplication of the following indicators in the following way: degree of ideal-type membership = $VNR-NA \times (VNC-NA + VNC-LO)$; abbreviations according to ELECLAW: VNR-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-LO = degree of electoral inclusion of nR in local elections and referenda.

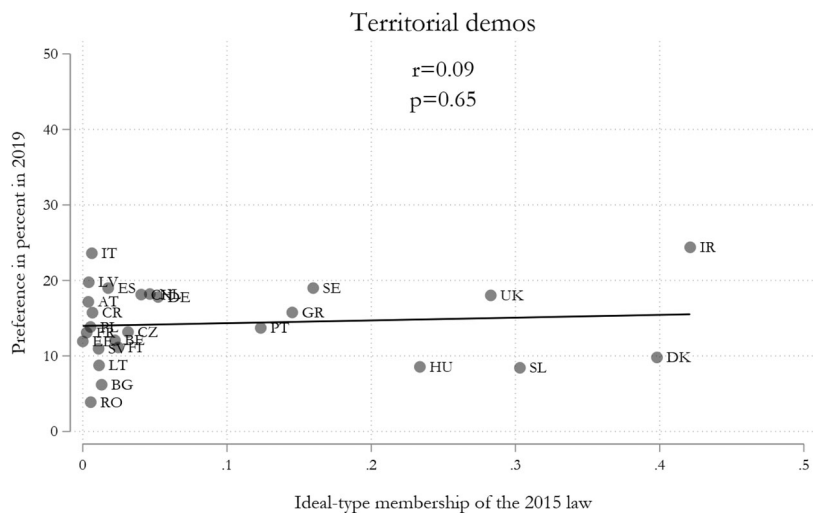


Figure B3. Territorial demos: correlation between the law and public opinion. Notes r = Pearson's r ; p = p -value; legal indicators are drawn from the ELECLAW dataset; the degree of ideal-type membership for territorial regimes results from a multiplication of the following indicators in the following way: degree of ideal-type membership = $(1 - \text{VNR-NA}) * (\text{VNC-NA} + \text{VNC-LO})$; abbreviations according to ELECLAW: VNR-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-LO = degree of electoral inclusion of nR in local elections and referenda.

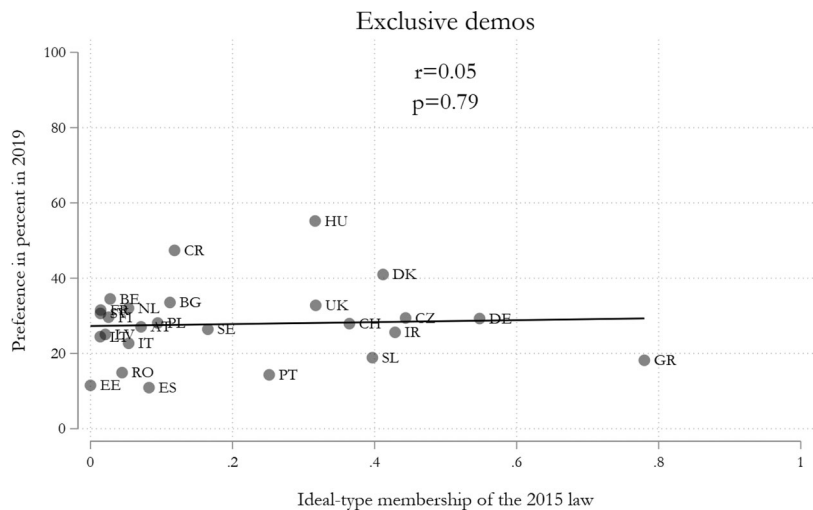


Figure B4. Exclusive demos: correlation between the law and public opinion. Notes r = Pearson's r ; p = p -value; legal indicators are drawn from the ELECLAW dataset; the degree of ideal-type membership for exclusive regimes results from a multiplication of the following indicators in the following way: degree of ideal-type membership = $(1 - \text{VNR-NA}) * (1 - (\text{VNC-NA} + \text{VNC-LO}))$; abbreviations according to ELECLAW: VNR-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-NA = degree of electoral inclusion of nR in national elections and referenda; VNC-LO = degree of electoral inclusion of nR in local elections and referenda.