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# „Non armis, sed vī suffragiōrum...”

By the authority of the ballot, not the force of the bullet...



Handbook on  
youth voters' education



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**Handbook on youth voters' education**

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The Association of European Election Officials welcomes the Reader! This handbook is published in the framework of our project 'Non armis, sed vi suffragiorum' ('By the authority of the ballot, not the force of the bullet') supported by the European Commission. From the beginning of 2006 we started our work jointly with Latvian, Lithuanian, German, Spanish and Slovakian NGOs with the purpose of calling the attention of young people to the importance of active participation in the democratic life of the European Union, with special regard to the electoral participation.

The fact that electoral participation is not of great popularity for the youth, may not be interpreted solely as a peculiarity of their age, and does not prove their inactivity and neutrality towards public affairs. It is undoubted that young people will always be more willing to read the movie-programmes than to examine the electoral laws and campaign platforms of the political parties, however, at

the same time there are certain methods and means, by the application of which it is possible to arouse the interest of the youth for the elections as well.

The education and training of the youth in the field of elections are joint duties of various organizations and institutions: the electoral bodies, NGOs, schools, politicians and the media are all needed to take an active part in this work. Why? Thence the activities of the aforementioned complement and strengthen each other, and a common effort is required in order to make young people understand the importance of democratic elections, to let them recognize and understand the actual political processes and to enable them to make a conscious choice between the existing alternatives.

In our opinion, the education of youth should have a triple effect, in three main directions. It is important that they get acquainted with the basic concepts of the elections and understand the electoral systems of their own countries, since in lack of this knowledge they will not be able to understand what politicians and experts may talk about during the election period. Young people undoubtedly have to possess a certain practical knowledge, but it is at least as much important that they should be able to make conscious decisions. What is needed? Self –recognition, critical thinking, the knowledge of their own needs and interests. At last but not least, they may need assistance in the cognition and interpretation of the actual programmes of the political parties and candidates.

We propose this handbook for those teachers and trainers who devoted themselves to the democratic education of youth. It may

be used as a compass during the lessons, out-of-school classes and trainings for the electoral preparation of young people. We intend to provide an overall picture of the world of elections, introduce the elements of the election process, the most important events of the election-day and make the basic connections understood. On the CD attached, you may find the relevant electoral laws and outlines to facilitate the education.

The election process must be placed into a wider context, its role in the democratic institutional framework and its importance in the shaping of our everyday life and our closest environment has to be demonstrated. Our conviction is that the youth must be given a clear picture about the importance of the prevailing of democratic values in small communities, schools and families and that it is a kind of precondition for the consolidation of democracy in the entire society and on the level of politics. Therefore we found it important to introduce the experiences and suggestions of those European NGOs who have taken part in our project.

We hope that this handbook will give a good guideline, practical ideas and motivation for the electoral education of young people. We wish a great success for using this handbook!

# I. THE ROLE OF ELECTIONS IN DEMOCRACY

## What is this chapter about?

During the elections, the electorate determines by voting the group of people who will exercise the state power. In this chapter we introduce the best-known types of election, its functions and the criteria of democratic elections. We also intend to provide an answer for the question: where does the lack of democratic elections lead to?

## Whom do we elect?

The best-known types of election

- The parliamentary election – the electorate decides it by voting, who will exercise the powers on the behalf and in the name of the people during the parliamentary term.
- Election of local governments – the electorate decides it by voting, who will manage the public affairs of the settlement (county, region) on their behalf and in the name of them during the term. The voters elect mayors and representatives of local governments.
- Presidential election – In Hungary, the President of the Republic is elected by the members of the Parliament. In countries with presidential form of government (for example in France or Russia) the President is elected by the people.
- Election of the Prime Minister - in Hungary, the Prime Minister is elected by the members of the Parliament. In countries with a presidential system (for example in France and Russia) the Prime Minister is appointed by the President of the Republic from



among the representatives of the party with a majority in the Parliament. In Israel the prime Minister is elected directly by the people.

The citizens of the 25 member states of the European Union elect the members of the European Parliament as well. For the time being, the European Parliament is the only directly elected international parliamentary assembly that handles the representation of interests of the citizens on a community level.

The chiefs and officers of political parties, NGOs, trade unions, associations, companies and partnerships also gain their posts through elections. In Anglo-Saxon countries a number of posts are as well filled by elections that differ from European traditions: they elect the sheriff, the coroner and the members of the school boards.

## **Why do we elect?**

The quintessence of elections is that the individual (the voter) has a direct influence on the persons of those who exercise the state powers. In lack of elections, a country may not be considered democratic. The main point of the states governed by monarchs (kings, emperors, dictators) is that the political and economic power is inherited according to the ties of blood or other exclusivities. (In parliamentary monarchies like England, the royalty is only formal and the state power is exercised by the freely elected Parliament and the government.) In states governed by monarchs, the individuals are not empowered to change the regime peacefully: other

social groups may only rise to power as a result of armed fights or revolution.

Elections play a decisive role both in the legitimacy of the peaceful change of regime and in the shaping of the representational government structure. The result of the elections establishes the structure of the representational and governmental bodies that exercise the power, and has a great effect on the character of the governmental activity. The elections decide the composition of the Parliament and how fractions are formed, and make it clear if the majority is of a single party, or a coalition of more parties is needed for governance.

We may attribute the following functions to the elections. During the parliamentary elections, the entire electorate is entitled to choose by voting between candidates and parties, through which they decide on the allocation of the legislative and government powers. The constitutive function that establishes the representational body invested with a legislative authority, prevails as one of the most important functions of elections in a parliamentary democracy.

In modern democracies the majority will formed as a result of the elections has a legitimating function as well, since it is what the political power and the social acceptance of the government are attached to. The special appreciation of the legitimating function, moreover – right in the non-democratic states – its exclusivity, is explained by its adequacy for justifying the authority. Therefore, in those countries where the conditions and criteria for free elections are missing, the formally conducted elections may only have

an authority-legitimizing function. Elections principally in the authoritarian regimes, serve for the legitimate visualization of the authority on the level of international relations, making it presentable. The latter are the so-called non-competitive elections where the outcome is already known, since the majority of the electors are not in the position to reject the persons nominated by the government, not even if the possibility for election is formally given. The referendum-like, authority affirming 'election' – that rests on manipulation or threat – indeed does not legitimate the regime.

Elections based on the free competition of candidates and parties play an important role in the regulated, peaceful change of the government as well. The takeover of power, the democratic acquiring and transferring of the governmental authority may be realized as a result of the elections. In the modern representational democracies the periodically conducted elections select between the various political forces competing for governmental power.

## How do we elect?

It is essential that the conduction of elections should never be only formal or theatrical, but should actually contribute to the fulfilment of democracy, namely the sovereignty of the people. The democratic election system has certain principles: universal and equal suffrage, direct and secret voting<sup>1</sup>.

<sup>1</sup> Suffrage is a fundamental political right that enables a person to take part in the election of representatives. Active suffrage signifies the right to nominate, the right to participate in the campaign and in the work of the electoral bodies, and the right to elect. Passive suffrage covers the right to be elected as a representative.

### 1) *Universal suffrage*

The universality of suffrage reflects that every major citizen – except for those disqualified by natural excluding reasons – has the right to vote.

Natural excluding reasons in Hungary:

- Mental disease, as persons with excluded or limited ability to act are not able to form and declare their own will that is required for the election;
- Perpetration of crime generally entails the deprivation of suffrage, on the basis of a judgement at law.

**Did you know that in Italy, those persons who reach the age of 100 are no longer entitled to vote?**

During the initial period of the development of suffrage, it was natural that suffrage was determined primarily on the basis of the property status. For more than a century, a certain property or tax payment had to be certified in order to gain the right to vote. The word 'census' itself means the estimation of property or tax, which refers to the latter context. As for electoral law, census means the conditions required for obtaining the right to vote (for example when suffrage is bound to property, gender, nationality, and race, level of education or place of residence). Censuses may have appeared in various versions in the course of history, however their field of application – especially from the last third of the past cen-

tury, namely from the strengthening of the demand for universal suffrage – gradually narrowed. The extension of suffrage to women took place only in the middle of the 20th century, even in the great western democracies. For example, women are entitled to vote – or vote under the same conditions with men - from 1948 in France and Italy, 1967 in Australia and from 1971 in Switzerland. On the grounds of the aforesaid it is obvious that the universality of suffrage as a right to vote for every major citizen became an accepted and effective principle in the recent past.

**Did you know that women were given the right to vote at first in New Zealand in 1893? In Kuwait, women obtained active and passive suffrage in 2005.**

## *2) Equal suffrage*

The principle of equality concerns that every person entitled to vote participates in the elections with equal rights. Plural suffrage is a brutal violation of the equality of the right to vote. According to our present norms it is unacceptable if anyone for any reasons (proprietary position, university degree, etc.) should have two or more votes whilst others have only one.

The requirement of equal suffrage also means that each and every voter should have votes of equivalent value, namely that the votes cast are considered with the same weight when distributing the mandates.

### *3) Direct voting*

The principle of direct suffrage means that voters vote directly for the candidates and party lists in the course of the elections. Direct voting is undoubtedly a typical form of election; however we may find examples for the various methods of indirect elections in democratic countries as well. One of the best-known indirect election forms is the election by electors. The electorate in such cases votes for electoral commissioners, the so-called 'electors', as a result of which the electors become entitled to vote in the actual election. (This method is rather applied for the election of heads of states or second chambers.)

**Did you know that the President of the United States of America is elected indirectly as well?**

In case of indirect elections by representational bodies, the lower level bodies elect the higher ones. Herein only the first, basic level election is direct, following that the representational bodies substitute the direct votes of the electorate.

### *4) The secrecy of voting*

The secrecy of voting is an important principle, which means that the voter may cast his/her vote secretly, without making the content of the vote public. The secrecy of voting is guaranteed by law in every democratic system (for example by the security of polling-stations, sealed ballot-boxes).

## **When may we talk about democratic and fair elections?**

We consider an election democratic and fair if the following internationally accepted criteria are realized:

- guarantee of the right to vote for the major population without substantial restrictions (universal suffrage);
- regular elections, organized in prescribed periods;
- freedom of party establishment and candidate-nomination;
- free competition for the electoral mandates in the supreme legislative body ;
- fair electoral campaign, during which the candidates may freely express their views and become renowned to the voters;
- freedom and secrecy of election;
- fair establishment of the electoral result;
- secured mandates for legally elected representatives during the term, until the conduction of the next elections.

## **What are the guarantees for the democratic conduction of elections?**

It is important that such electoral laws and legal acts shall be adopted in each country, the provisions of which ensure the fulfilment of the aforementioned election principles and democratic election criteria during the electoral process. On a world-wide scale, a number of practices have been developed concerning the operation of the election management body. In some countries permanent election committees are established, while in other states, occasionally sitting electoral committees and permanent election

offices share the responsibility for preparing and conducting the elections. In certain countries, a department of the competent ministry organizes the elections. In any case, it is a requirement that the electoral body shall perform an independent, non-partisan activity and conduct the electoral process according to the laws.

Ideally, the operation of the election committees is public. The publicity of the election process is increased when the representatives of the press are allowed to be present at the work of the election committees without special permission; however, they must refrain from disturbing the activity of these bodies.

Another guarantee for the legal conduction of elections is the system of legal redress regulated by the law. Every voter has the right to submit his/her complaint against the presumed violations of law, or unlawful conduction of the elections. Complaints are handled by the election committees as first instance and against their decisions, appeals may be submitted to the court. It also serves as a guarantee rule that after all it is disputable in front of an independent court, who has obtained the mandate and who has been defeated in the elections.

Election observation as well has a role in the monitoring of the democratic conduction of the election.

## **What is the function of election observation?**

Election observation primarily examines if the election process is conducted according to the constitution and statutory conditions. It



plays an important role in the exploration and prevention of electoral frauds and illegitimacies, by the same token strengthens the public confidence towards the fair conduction of the elections. Therefore, election observation equally serves the interests of the election management bodies (election committee, election office), political parties, candidates and citizens.

The political parties and candidates participating in the elections may as well assign observers who ensure the protection of interests of the given party or candidate. In such cases it is important that the representatives of various parties observe the election process, in order to reveal the grievances of interest of every single party and candidate.

The purpose of non-partisan election observation is to give an independent and detached evaluation of the elections. This monitoring activity may as well be carried out by NGOs and international organizations according to the laws of the given country. By the evaluation of the election process it is an important aspect that the entire electoral procedure shall be observed, not just certain phases, like the polling. Observation shall be focused primarily on the following fields:

- Electoral processes, preparatory arrangements (e.g. do the election professionals receive a thorough preparation?)
- The forming of polling stations
- The compilation of the Register of Voters

- Preparation of information and educational programs
- The nomination of political parties and individual candidates;
- The emergence of the rights for gathering and free movement
- Guarantee for the equal access to the media
- The emergence of the freedom of opinion;
- Election-day activities;
- Vote-counting, establishment of the results;
- Legal redress.

International election observation became widely accepted around the world, and plays an important role in promoting the creation of accurate and non-partisan evaluations concerning the election processes. The long term observation ranges approximately from 90 to 120 days, during which the observers can examine every element of the electoral procedure (see the enumeration above). Short term observation focuses on the day of the election and lasts for 5 to 10 days in general. International observers have the right to talk to any voter, candidate or party, stay continuously at the premises of the election committees – during the establishment of the result as well, and share their experiences with the election bodies, the press, foreign governments, international organizations and the public.

International election observation shall be carried out on the basis of the highest level of impartiality. The observation evaluates the electoral processes in line with the principles of genuine democratic elections and domestic law. However, it also considers that final-

ly it is the people of a country who determines the authenticity and legality of an election. On the basis of the result of the international election observation, the observing organization has the possibility to make proposals for the improvement of the electoral processes. In these days, several international organization carries out election observation activities, among others the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE-ODIHR), the Council of Europe, the Commission of the European Union, the United Nations (UN), the Association of European Election Officials (ACEEEO) and the European Network of Election Monitoring Organizations (ENEMO).

Election is a necessary precondition of democracy; however in itself it is not eligible. The democratic exercising of power in a country is realized along with the fulfilment of other conditions: the functioning of a real multi-party system, emergence of constitutional principles, and rule of law, transparent and fair election process and publicity are all needed for democracy. In case there is no multi-party system in a country, even if elections are held, it may never be considered democratic. Hungary had a single-party system for 40 years, and although elections had been organized, those failed to represent the possibility of changing the government and also failed to express the plurality of values that was inevitable for the people. Since we are not the same, and therefore we don't wish to choose the same way of living in our country.

## Suggestions for lecturing

- Topics for discussions in the classroom:

We have the moral obligation to take part in elections

The only persons who have right in a democracy are the politicians.

- Try to find those articles of the Universal Declaration of Human Rights which concern democratic elections. (Find it in Annex I) (<http://www.un.org/Overview/rights.html>)

- How does the Government affect your Life?

Tell the story of a recent day in your life: Where you went, what you wore, saw, ate, said, learned and did. List whether each thing that you mentioned was affected by government, including national, regional and/or local government. Which of the items would you change? <http://www.streetlaw.org/hrfalession.html>

- Electioneering : Discussion-based activity which takes 45 minutes and has the objectives
  - to consider some of the controversial aspects of a democratic society
  - to practise and develop skills of listening, discussion and persuasion
  - to encourage co-operation..

Description of these activity you can find at [http://www.eycb.coe.int/compass/en/chapter\\_2/print\\_2\\_16.html](http://www.eycb.coe.int/compass/en/chapter_2/print_2_16.html)  
(Source: COMPASS, A manual on human rights education with young people, Council of Europe, May 2002)

## **We introduce:**

### **‘The House’ – Youth Club for the United Europe, Latvia**

Club “The House” has been working with non-formal education for more than 11 years. The main aim of activities is to promote the idea of the United Europe, supporting the integration of Latvia in the EU and promoting the democracy, tolerance and human rights. Club “The House” enhances youth in building united Europe and informs them about different European institutions (European Union, Council of Europe, etc.), European culture, history, traditions, social and political processes, lifestyle. The organization’s aim is to build a better society in Latvia that would be more tolerant and open, better informed and well educated.





Club is providing non-formal education for young people in Latvia. It is one of the most effective education methods that provide youngsters with knowledge and understanding about different important topics through their own experience. Participation in the non-formal youth activities, changes their attitudes, helps to grow up as an active person with a stabile system of values.

The most popular topics in the activities are European values and opportunities, as well as development of political and electoral culture of the youth. The traditional activities of the organization are Tea evenings, where young people meet important people and discuss different topics (i.e. corruption in Latvia) with them. In terms of learning by doing they have been organising summer camps, trainings, international exchange programs and election observations.

## II. DIRECT DEMOCRACY

### What is this chapter about?

In this chapter we provide an overview on the role and best-known forms of direct democracy: referendum, popular initiative and revocation.

### What does direct democracy mean?

The exercising of state power has two basic forms developed in the course of history: representational (indirect) democracy and direct democracy.

The essence of representational democracy is that the citizens bring decisions and participate in the exercising of power through their elected representatives. Contrarily, direct democracy means that the citizens personally exercise the power, namely that in certain issues and cases they bring the decisions directly.

Direct democracy is not an alternative for exercising power through elected representatives, but gives an opportunity for the citizens to decide fundamental constitutional questions and certain legal acts directly affecting their everyday lives.

For the time being, the following three capital forms of direct democracy are known in various countries of the world:

1. **Referendum:** the most prevalent form of direct democracy, through which the voters vote directly in specific political, constitutional or legislative questions.

**2. Popular initiative:** after collecting the adequate number of signatures the citizens may propose the putting on agenda and debate of a given question.

**3. Recall:** after collecting the prescribed number of signatures, the citizens may initiate a voting on the ejection of an elected representative. This form of direct democracy is not applied in parliamentary democracies; it is a special institution of the presidential systems.

The forms of direct democracy operate according to different regulations in each political system. It depends on the political system and historical experiences of a given country how often, in which questions and by whose initiative does the application of the institutions of direct democracy take place.

## 1) Referendum

Contrarily to elections, where citizens vote for parties and candidates, referendum is an express of opinion in a given question that is called in case of issues of high political importance. The voters can decide directly in cases stipulated in the constitution or other legal acts (e.g. on accepting or rejecting the changes issued by the modification of the constitution), and in certain questions (e.g. support or rejection of accession to an international organization, or on a local level against or for on the establishment of a waste deposit). Depending on whether the issue concerns the inhabitants



of a settlement, a region or the whole country, local, regional or national referendums may be called.

The different types of referendums can be categorized according to a number of aspects and criteria.

- One of the most widespread is the systemizing on the ground of legal basis of calling for the referendum that differentiates between obligatory and optional referendums.

The referendum is obligatory when the Constitution requires calling for it on for the passing of a legal act. In questions that are highly important for a country, for example the accession to the European Union or the modification of the Constitution, obligatory referendums may be applied. The decision brought by such referendum, is binding.

We talk about optional referendum if that – bound to certain conditions – can be initiated by a part of the electorate, group of parliamentary representatives, the government or the head of state.

- As for the binding force of the referendum, namely from the aspect of its legal consequences on the legislative body, we differentiate between binding and consultative referendums.

In case of an obligatory referendum, the final decision of the electorate by any means has to be executed, whilst in case of a consultative referendum, the preliminary declaration of the electorate's opinion is not binding.

The binding referendum is always decisive, but a decision brought by a consultative referendum is not always as such. The government may issue referendums in highly important political questions, sometimes under the pressure of the public opinion, or in cases when the legislative or the public is strongly divided in a given question. The decisions brought by consultative referendums issued by the government do not have binding legal effect, but the government would probably face political difficulties if not considering the results.

The regulation of referendums shows great variety in the different countries. However, it is important that the relating legal acts contain stipulations among others on which questions is it a must or an option to call for a referendum and in which cases is the decision binding, who may initiate a referendum and when is it successful.

The Constitution and the relating laws usually define those questions and issues that may never be put on national or local referendum. In Hungary for example, the following questions can never be subjects to referendums: staff and organizational questions under the authority of the Parliament (establishment and liquidation), budgetary issues, tax laws, signed international treaties in force and their contents, the government's programme, and the application of armed forces.

The diversity of the regulation is as well described by the procedural methods in force of the EU member states, when accepting the framework constitution of the European Union. At the end of

2004 and in 2005 the majority of the member states expressed its opinion on the framework of the constitution: in certain states decisive referendum, elsewhere the parliament or the parliament and referendum together decided on accepting or rejecting the constitution.

- The Parliament's decision is eligible in the following countries: Austria, Belgium, Cyprus, Estonia, Finland, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Malta, Sweden, Slovakia and Slovenia.
- The Parliament's consent and a consultative referendum are required in the Netherlands, Luxemburg, Spain and in the United Kingdom. In Luxemburg and Spain, both the Parliament and the citizens gave their assent on the framework constitution. In the Netherlands it has been rejected by the referendum.
- Decisive referendum and parliamentary assent is required in Ireland.
- The calling of a decisive referendum is needed in the Czech Republic, Denmark, France, Poland and Portugal. From among these countries only in France have the referendum been conducted, where it resulted in the rejection of the framework constitution.

## **2) Popular initiative**

In the course of the popular initiative, by the collection of a prescribed number of signatures the citizens may propose that the par-

liament or the local body of representatives debate a question of high importance to them, and bring a decision in connection with that.

Similarly to the referendum, the regulation concerning popular initiative is as well diverse in the different countries. The questions to be regulated include the following: what kind of signature-collecting sheet is required, how long may the signatures be collected and how many authenticated signatures are needed for the subject to be debated by the Parliament.

In Hungary, the Alliance of Free Democrats collected signatures in the beginning of 2000 in order to launch a popular initiative on the issue of abolishing the compulsory military service. In two months they managed to collect 204 thousand signatures, from which the National Election Committee found 150 thousand formally authentic, thus the Parliament put the proposal for abolishing compulsory military service on its agenda. (The Parliament held a 6 hour debate on the issue and voted on the 19th of June, 2000. As the result of the voting the proposal was rejected.)

### **3) Recall**

Recall is the least widespread of the three main forms of direct democracy. In the United States this mechanism is applied in a number of states, but only on state level and not in a federal aspect. It means that revocation may not be used against a federal official like the president of the USA, but it can be applied in case

of a governor of a state. Outside of the United States, the institution of recall is hardly applied, not even in those states that use a wide range of direct democracy methods, e.g. Switzerland.

The institution of recall renders possibility to the citizens to initiate a voting, by the collection of a given number of signatures, on the removal of an elected representative from his/her office. When the adequate number of signatures is collected, the voters concerned cast their votes on whether the person in question should be removed from his/her office, and in certain cases they also decide who will replace him/her in case the recall proves to be successful. In August 2004 a voting was held in Venezuela on the recall of the head of state, Hugo Chavez. According to the decision of the electorate, President Chavez could stay in office.



**Did you know that the former movie star, Arnold Schwarzenegger, was elected as the governor of California in October 2003 through the institution of recall? Simultaneously, the voters decided on the removal of Gray Davis.**

### **Suggestions for lecturing:**

- The opinions of politicians and experts of various fields often differ in how frequently should the different types of direct democracy be applied, mainly in case of referendums. Those in favour of direct democracy reason that by direct democracy the citizens may sense that they can decide in questions affecting their everyday lives not solely on the day of the voting, but between two elections as well. The latter again helps to promote the political participation of the voters, since a solution must be found by all means to the decreasing voter-turnout and general electoral neutrality. The call for referendum may also be helpful in cases when the legislative and the public are strongly divided in a given question. The wider application of referendum is opposed by a number of reasons, one of which is the electorate being inadequately informed on the questions put on referendum. Therefore, in possession of partial information, often they are unable to bring a thorough decision in complex cases like the modification of the constitution for example. A further counter-argument is that in several countries the voter-turnout in referendums is even lower than in national elections, therefore the decision brought by a referendum is not always eligible for legitimating a political decision.

Talk about these questions, arguments, and counter-arguments and also about what could be done in order to enable the voters to bring a well-informed decision in the referendums!

- Do you know which questions have been put on referendum in your country or settlement? In your opinion, is there an actual issue on which a referendum should be held?
- Voting may also be held for the students on questions concerning their class, school, and settlement or on any issue of public concern. It is indicated by the following example:

### **School Students' referendum on Lithuania' membership in the European Union**

The Center for Civic Initiatives in cooperation with the Ministry of Science and Education of the Republic of Lithuania, the Lithuanian School Students' Parliament and the School Students' Union have implemented the project "School Students' referendum on Lithuania' membership in the European Union".

The School students' referendum was aimed at promoting school students' interest in the European Union issue and providing school students with the opportunity to express their opinion on the public policy issue. The project had also an educational aspect – school students get acquainted with democratic procedures - the organization and running of the referendum.

While seeking active and broad participation of schools, 60 seminars all over the Lithuania were organized. The participants of the

seminars were instructed on organizing the School students' referendum at their schools and provided with all informational material. An active advertising – information campaign was organized in the mass media both on national and regional levels [TV, radio, internet, newspapers]. The promotional material (stickers, pens, posters, etc.) of the project was published and distributed among students. An active information campaign at schools was executed by the Lithuanian School Students' Parliament - the debates on Lithuania's membership in the European Union were organized and the benefits and disadvantages of the European Unions' membership were discussed. National School Student's Referendum was held on April 29th following the democratic voting procedures similar to those regulated in the Lithuanian Law on Referendum.

The School students' referendum was held in 81,44% [1005 schools] of Lithuanian secondary schools as the participation in the project was on voluntary basis. The poll was heavy enough: 71,15% [236944] of the school students' actually gave their votes. The set polling age was from 5-12th grades of secondary schools. 83,31% of secondary school students said "Yes" to Lithuania's membership in the European Union. 14,82 % of the school students did not support the Lithuania's integration into the ES.

The participation of schools in the project School students referendum on Lithuania' membership in the European Union was on voluntary basis. The project had significantly contributed to the development of the civic society of Lithuania.



### III. THE DIVERSITY OF ELECTION SYSTEMS

#### What is this chapter about?

To these days several forms of election systems have been evolved, that determine what rules should govern the conduction of the election process in the given country. From amongst the election systems currently known around the world, we intend to introduce eleven in this chapter. The form of the election system used in a country in question is determined by the actual social and political conditions.

It is important to know the election system of our own country, because the type of the election system

- strongly influences the result of the election (along with other factors of course);
- may influence the shaping of political processes in a number of aspects;
- may influence the strengthening of larger or smaller political parties;
- may strengthen the role of individual candidates or political parties.

When a new election system or certain modifications are decided to be introduced in a given country, the legislators have to be very careful and must be aware of the short term and long term consequences of the application of the different electoral systems. The actual balance of political forces influences which election system will finally be adopted, since the legislators believe that the chosen system will be favourable for them.

The elements that determine the type of the election system are the following:

- election formula, which determines how the votes turn into mandates;
- vote structure, which determines who the voters may vote for: parties or individual candidates, and how many votes they have: a single vote or they may establish an order of preference;
- structure of constituencies<sup>2</sup>, which determines the number of representatives elected in each electoral district.

### **The types of election systems:**

The election systems are categorized by many in many different ways.

#### **1. As for constituency structure, an election system may be:**

- single-mandate constituency system (in single-mandate constituencies or individual constituencies it is possible to elect only one representative).
- multi-mandate constituency system (in multi-mandate constituencies more representatives can be elected).

#### **2. As for vote structure, an election system may be:**

- single-vote system;
- double or multi-vote system.

<sup>2</sup> The constituency is a geographical territory unit. For the purpose of the elections, the country is divided into such territory units.

### 3. According to the obtaining of mandates, the election system can be:

- majority system;
- proportional system;
- mixed election system;
- other.

In the following we consider the obtaining of mandates as the basis of categorizing and introduce the majority, proportional and mixed election systems. Historically the majority systems evolved first on the basis of the competing of individual candidates. From the end of the 19th century the proportional election systems developed in the majority of the European countries, based on the political parties' competition for the parliamentary seats. The mixed election systems combining the two basic types were established in the second half of the 20th century, the different forms of which are applied outside Europe, on other continents as well.

## Majority systems

### *Relative majority system*

The relative majority system is the oldest and simplest form of election systems. On the basis of the relative majority formula, the candidate who receives the highest number of votes (even if he/she received only a single vote more than the others) obtains the mandate. The winner 'takes it all', namely that with the simple majority of the votes he/she can take the mandate. Therefore in this system the number of votes lost is very high. The basic subtypes of majority systems are as follows:

## 1) 'The winner', or 'First-Past-The Post' system

The candidate who receives the highest number of votes is the winner, regardless of whether he/she obtained the absolute majority. Where this system is applied, the voters cast their votes in single-mandate constituencies and usually vote for individual candidates, not party lists. In England, the relative majority system applied in its original form is joined with a dual party system and stable governance. The elections result in a single-party government which is individually accountable for the election promises, and a constant monitoring by the opposition prevails. This election system is unfavourable for the smaller parties and does not promote their effective representation, but urges their cooperation with bigger parties or their integration into such parties. However, at the same time it excludes the extremist small parties from the parliamentary representation. In the single-mandate constituency system – especially in the United Kingdom –, the representatives have strong connection with their electoral district. It is an important element of the re-election of representatives how the electors evaluate their representative's activity in the constituency.

## 2) Plural or block-voting

The block-voting is applied in multi-mandate constituencies. The voter has the same number of votes as the number of representatives may be elected in the given constituency, but can freely decide how many candidates he/she votes for. Namely: if 3 representatives can be elected in the constituency, then each voter is

allowed to vote for 3 candidates on the ballot-paper (at the same time the voter can freely decide if he/she votes for only one or two candidates). The mandates are obtained by the candidates who received the highest number of votes. Usually individual candidates stand for elections.

### **3) Plural or block-voting for parties**

It is applied in multi-mandate constituencies. The voter has a single vote which he/she can cast for party list, not for an individual candidate. The party list that received the highest number of votes obtains all the mandates in the multi-mandate constituency.

#### *Absolute majority systems*

In the absolute majority system, the candidate who receives more than 50% of the votes cast obtains the mandate. There are two subtypes: the two-round system and the so-called alternative vote system.

### **4) The two-round system**

This system considers it important that the candidate obtains more than half of the votes cast, which happens rarely in the first round due to the high number of candidates; therefore the first round is practically a kind of pre-selection. Accordingly, in the absolute majority system only that candidate can obtain the mandate who receives more than half of the validly cast votes. In case there is no such candidate, a second round must be held where a relative

majority is now eligible for winning the mandate. For the second round those candidates are qualified who received a prescribed percentage of votes – determined by the law – in the first round. The new round offers possibility for the establishment of political alliances, revocation of candidates in favour of one another, and for the polarization of the political forces. The two-round system has another type, in which the absolute majority is required in the second round as well. In this case, only those two candidates qualify for the second round who obtained the highest number of votes in the first round. This version is rather applied for the election of the president of the republic (e.g. in France).

### **5) Alternative vote**

The so-called alternative vote formula is the other form of the absolute majority system, where the ensuring of the absolute majority does not require a second round and the allocation of the mandate is carried out in a single round. In the single-mandate constituency the voters establish an order of preference. If there is no such candidate who receives absolute majority, the candidate who receives the smallest number of votes drops out and the preferences given for him/her is then distributed among the other candidates still in contest. This process is continued until any of the candidates reaches more than 50% of the votes and wins the mandate. This method is applied in Australia and for the presidential elections in Ireland. The political parties often issue political notices for their voters concerning the order of preference.

## Proportional election systems

Similarly to majority systems, the proportional election system also has to basic types (and several combinations). The voting for party lists is a typical form of the proportional system, however the proportional representation may as well be achieved by voting for individual candidates.

### 6) Voting for individual candidates

One solution is – the earlier developed and rarely applied – „transferable vote“ system (STV: Single Transferable Vote), the essence of which is the achievement of proportional representation through the selection between candidates. The process is as follows: the voter has a single vote that he/she casts on a person whom he/she would like to have as his/her representative. However, expecting that the selected person may not win the mandate, the voter indicates the name of further candidates whom he/she would select as second, third or fourth option (continuing it until reaching the maximum number of mandates that can be allocated in the constituency). Although this system is built on the selection between persons, in practice those persons are candidates of different political parties. That is to say, it serves for the selection between parties; indeed, political parties often give instructions to the voters – with respect to their coalition allies – on what order they should establish between the candidates. For the time being, this election system is applied in Ireland.

## 7) Voting for lists – party list system

The other form of proportional systems – more widespread in Europe – is the voting for lists. As for its original form, it had been clearly emphasised that the main purpose of its creation was the selection between political parties. In the so-called ‘closed list’ system the parties select their candidates and determine the order on the list, which is at the same time the order of chance for obtaining the mandates, since the voters cannot modify it. The candidates win the mandates exclusively in the order established by the party; this method guarantees that the party leaders will certainly obtain their seats in the parliament. In case of open or ‘free list’, voters may influence the order of the candidates by indicating their preferences. For the prevention of the extreme increasing of the number of parties and mainly against the decisive role of small parties,





a regulation has been issued in most countries according to which the parties have to achieve a certain limit of votes (generally 3 to 5%) in order to participate at all in the allocation of the parliamentary seats. By the introduction of the election threshold – and by other refined allocation methods – the smallest parties are excluded from the political decisions and are forced to unite.

## **The mixed election system**

A mixed election is created when the two basic types – the majority and the proportional election system – are applied jointly in some kind of combination. That is to say, mandates can be obtained in both ways in the election, according to the specific rules of the different systems. The two subtypes of the mixed system are the combined proportional and the parallel system.

### **8) Combined proportional system**

Each voter has two votes, and the representatives are elected in two different systems. One vote may be cast for a party list and the other for an individual candidate. Namely, a proportion of the parliamentary seats are allocated according to the rules of the party list (proportional) system, whilst the remaining proportion of mandates may be obtained in a majority system. This method can – by using the proportional representation - provide parliamentary seats for those parties that received a significant number of votes cast in the majority election, but failed to obtain mandates.

## **9) Parallel system**

In this system one part of the mandates can be obtained in the majority system, while the other part of the mandates is allocated according to the proportional system, without applying compensational methods.

The following types can not be ranged among majority, proportional or mixed systems:

## **10) Single non-transferable vote system**

It is applied in such multi-mandate electoral district where each voter has a single vote. The candidates who receive the highest number of votes win the mandates. Voters usually vote for individual candidates, not party list.

## **11) Limited vote**

It is applied in multi-mandate constituencies. The voters may vote for more than one candidate on the ballot-paper; however they always have fewer votes to be cast than the number of mandates to be allocated. The candidates receiving the highest number of votes are elected.

### **Suggestions for lecturing:**

- Examine the diversity of election systems with the help of the 'Election systems in the World' map (find it in the Annex II).

## IV. THE ELECTION PROCESS

### **What is this chapter about?**

Prior to the election-day election preparations take place for months in order to ensure that the voters may cast their votes according to the criteria of democratic elections on the assigned

### **Calling the day of the election**

After the expiry of the mandates of elected representatives and officials, within a determined period new elections have to be called. The setting of the day of the election signifies the beginning of the election process and the election campaign as well. Depending on the regulations of the given country, the president or the prime minister announces on which the elections take place.

### **The establishment of election bodies and working groups**

The election bodies are the organizations of the citizens bound solely by the laws, with a primary task of ensuring the fairness of the elections, enforcing impartiality, controlling legality and –in case it is required – restoring the legal order of the elections. The election bodies carry out the organizational tasks as well, concerning the preparation and conduction of the elections.

The tasks and authority of the election bodies show significant differences in the countries of the world. While in the USA the Federal Election Commission's authority covers only the campaign financing (registration of campaign funds and establishment of illegitimacies), the Russian Central Election Commission is responsible for the technical conduction of the elections as well, besides the estab-

lishment of the election results. In Hungary, the National Election Committee is the guardian of the legality and fairness of the elections, while the organizational activities belong to the National Election Office, among others the direction of the regional election offices, the preparation of ballot-papers and training materials (professional guidance, educational films), reception of external election observers, planning of the election budget, operation of the national IT network, handing of election data to the press, publication of the national preliminary election results, etc.

The methods for establishing the election committees show a great variety in the different countries of the world. A number of solutions that are considered 'typical' because of certain similarities in the state forms or other reasons: the election committee is an organization under the authority of the president of the republic, to which parliamentary parties delegate their members by consensus opinion (USA, Russia); the members of the election committee are appointed by the Constitutional Court or the Supreme Court from among their own members (Croatia, Poland). The individual solutions are in majority, for example the election committee is the organization of the government, where the appointed civil servants work under the direction of a secretary of state, and every decision brought by them is disputable in front of the court (Canada); the election committee comprises of the representatives (2 persons per party) of the parties putting up party lists (Slovakia). The main point of the existing methods is that the election committee shall be independent from the government and the contesting parties, and the

members should either be non-partisan persons or should equally represent the political forces. Besides the establishment of central election committees and election offices, organizations responsible for the smaller territorial units (constituency, polling district) shall also be formed. During their creation, a similar principle shall be followed as in the case of higher election bodies, namely that the personal conditions required for the non-partisan activity must be guaranteed.

## **The compilation of the Register of Voters**

The Register of Voters comprises the data of those citizens who are entitled to vote; therefore it plays a highly important role in the enforcement of the right to vote as a fundamental constitutional right. The Register of Voters serves as a basis for the formation of polling-stations, for the voting by certificate, for checking double or multiple voting and for the registration of the taking over of ballot-papers as well, that is why the exact compilation of this register is one of the most important task of the election bodies. All over the world different methods have been developed for the compilation of the register of voters.

- The periodic register is always prepared prior to a given election or referendum and the election bodies do not intend to apply the register following the conduction of the election event (e.g. in Germany and Iceland).
- The permanent register of voters is continuously managed and

updated by the election bodies. Accordingly, the citizens reaching the age limit required for exercising the right to vote are automatically admitted, while those who lose their suffrage are automatically deleted from the list (e.g. decease, change of residence) (e.g. in the United Kingdom).

- The population register that – among other data - contains the name, age and address of the citizens, often serves as a basis for the compilation of the Register of Voters (e.g. in Hungary).

Different practices developed concerning how actively should the voter participate in the preparation of the register. In the United Kingdom, the citizens having the right to vote must register themselves by an official letter either personally in the registry offices, or during the 'registry campaign' when the authorized officials visit the voters in their homes. In Hungary the election bodies display the Register of Voters in the mayors' offices prior to the elections, thus anyone may examine its correctness and signify if any of the data is incorrect.

## **Nomination of candidates**

The electoral laws regulate the conditions of candidate nomination as well. Their aim is to provide the legal conditions ensuring the equality of chances, while at the same time they intend to filter out unserious or other nominations that lack real social support. For this reason those who wish to stand for candidacy must fulfil a number of requirements defined by the law, likewise the political parties who intend to set up party lists.

In most countries the legal condition for nomination is the collection of signatures or proposals from a prescribed number of citizens having the right to vote. The numbers required show great differences. In Britain 10 signatures are needed for candidacy in a single-member constituency, while in Germany the signature of at least 200 citizens is required. As for setting up party lists, – e.g. in Austria or Belgium – 200 to 500 supporting signatures are prescribed by the law depending on the size of the electoral district; in Germany 2000 signatures shall be collected by the non-parliamentary parties in order to qualify for the elections. In certain countries the condition of candidate nomination is the deposit of a determined amount of money that is returned in case of reaching a prescribed minimum percentage of the votes cast (e.g. in Britain the deposit is 500?, which is returned if the candidate received more than 5% of the votes). It isn't unusual in Western European election laws that they regulate in details the conditions of candidacy (e.g. Britain, France and Italy). In a number of cases certain functions are indicated as obstacles for nomination – mostly state and civil service posts - that are incompatible with the representational activity (e.g. judges, high rank military officers, heads of public administration and public services, etc.); while in other cases economic aspects motivate the regulation of nomination conditions.

For example in Britain merchants who become bankrupt, or in Italy heads of such enterprises who receive state funds or public service concession shall not be elected.

**Did you know that in a number of countries it is prescribed that a certain percentage of the persons nominated on the parties' list must be women or candidates of other underrepresented groups?**

## **Election campaign**

Election campaign in the 'widest aspect' covers the period between two elections. In a narrow sense the election campaign is the period that last from the day of calling the elections to the day of voting. (In case of a second election round it is further prolonged.) The election campaign is a collective definition that comprises the collection of proposal coupons (where it is required for nomination), the communication of election programs, the popularizing of candidates (press, media and placards), the organization of political gatherings and the collection of grants etc.

This wide range of tools still proves to be insufficient and the parties are eager to use other methods as well. In particular, making use of the data and facts concerning the private lives of the candidate's relatives when campaigning against a candidate; issuing announcements in the name of another party or candidate without their knowledge; deceptively using the symbol of another party or candidate; sticking down, repainting the placards of other parties or making them ridiculous. These behaviours are usually summarized as the so-called 'negative campaign' by the technical literature. In certain countries negative campaign is prohibited by the law, however the sanctions for continuing such activities are miss-



ing. The election campaign is organized by the parties and independent candidates and carried out by them and by the supporting society workers and activists.

### **The preparation of ballot-papers**

As a result of the nominating process it is decided which candidates and parties qualify for the elections. On the ballot-paper exclusively those are indicated who fulfilled the conditions of candidate nomination. The election bodies are responsible for having the ballot-papers printed and delivered to the polling-stations in the appropriate quantity and in a timely manner. Other documents needed for the conduction of the polling, for example the Register of Voters or the protocols for the establishing the result of the vote-counting, shall also be delivered to the polling-stations.

### **The day of thinking**

The 'traditional election campaign' usually ends prior to the election-day and the 1 to 2 days period of campaign silence takes place, in order to allow an adequate time to the voters for thinking. The campaign silence often serves for calming down the moods after the intensive, heated disposition of the election campaign and reduces the chance for tensions and potential conflicts on the election-day. Another reason for the prohibition is that there would be no real chance for the substantial control of false or distorted information revealed in the 'last minute' before the day of the elections. There are different practices as well for the establishment of the violation of campaign silence, and for the potentially applied sanctions.

## Voting

(see Chapter V.)

### Legal redress

If a voter, candidate or party considers that any natural or legal person has violated the election law, he/she/it may apply for legal redress by submitting a reasoned complaint with the proof attached (e.g. witness, document, photograph or data from the Internet) to the election committee. Against the decision of the election committee, appeals may be submitted to the court.

The publication of the final election result and the presentation of the assignment letters to the elected representatives

The closing event of the election process is the announcement of the final result of the election. The election laws determine the number of days from the day of the election in which the result shall be published and appoint the person who presents the assignment letters to the elected representatives or president.

### Suggestions for lecturing:

- Try to identify the different phases of the election process by using the enclosed pictures (calling the day of the election, compilation of the register of voters, preparation of election materials, election campaign, voting and publication of the final result). (pictures: see in the Annex III)

## **We introduce It matters to us**

Campaign of the Civic Eye, Slovakian NGO before the parliamentary elections held in 2002

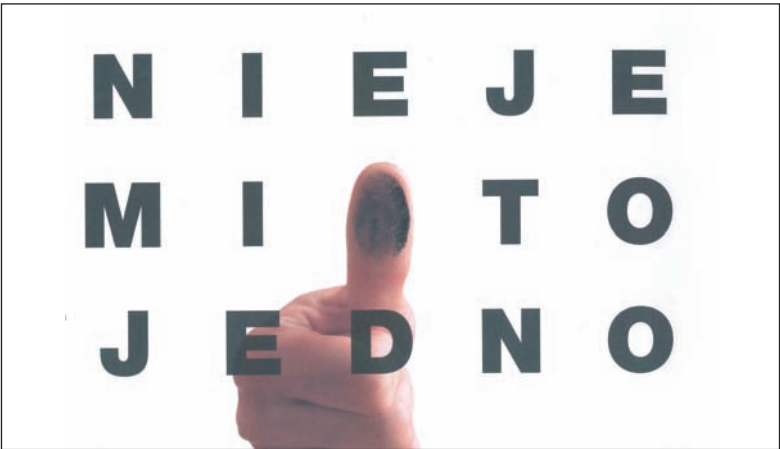
The atmosphere in the Slovak society before 2002 parliamentary elections was characterized by disillusionment of voters and distrust from politics. Especially young, better-educated urban voters were most sceptical. Widespread comments such as: “all parties are the same and corrupt” reflected a lack of interest in and disengagement from the political process. Civic Eye therefore launched the campaign *It matters to us* to motivate young population (especially first-time and second-time voters) to vote in 2002 parliamentary elections

**Target Group** - cooperation with polling agency was instrumental to understand the attitudes and needs of the target group. The 'weird mood' was demonstrated in the discussions with 7600 first-time voters and by the results of focus groups of first- and second-time voters to answer the following questions: Are they affected by the so-called bad mood? Is it an illusion or fact? If so, what are the causes? Are they observing politics enough that they could discuss what they do not like (that bothers them, causes this bad mood), and are there concerns which could be resolved by politicians? Who affects their opinions on politics (whether or not to vote, whether they are leftist or rightist, etc.)? How do they make these

decisions? Do they sense that EU membership may depend on these elections? How important is joining the EU for them? Do they speak among their peers about politics or elections? What are their reasons for voting or not voting?

**Core Message for the Campaign:** The initiative 'It matters to us' was designed to motivate disillusioned, hesitant and undecided young voters to participate in the elections. Name of the initiative expressed the main message It matters to us – we are not indifferent, a positive response to general feeling of frustration with politics and to the common belief that it did not matter which parties would form the future government.

**Planning Campaign Strategy, Tactics and Tools:** The most efficient manner of approaching target group would be by based on per-



sonal examples of people who chose to vote not so much because they saw their vote as a chance to elect a particular party, but mainly as an opportunity to influence the future life of their country and of themselves. The main question was "Are you indifferent to how the country will be after the elections?" Anyone who answered this question "No" had decided to vote. As a way to demonstrate a personal and individual commitment and contribution to the campaign, supporters were asked to mark their fingerprints as well as their signature on the appeal declaration. The fingerprint became a symbol of the initiative. The first to support the appeal were young of cultural and social life, among them student leaders of the 1989 Velvet Revolution.

**Media Campaign:** The start of the campaign at press event was supported by printed in the daily newspapers. Simultaneously campaign leaders helped to instigate a wide public discourse on the issue "to vote or not to vote" in nation-wide media. The first TV spot, appeared under the motto 'If we want to live well, we must do something for it', combined with a thumb raised as a symbol of success making its imprint into the It matters to us logo. In the weeks preceding the elections a large media campaign consisted of 18 TV spots featuring various personalities - from young hip-hop band, animated film maker nominated for the student Oscar, ice-hockey world champion, to the renown writer Vilikovsky, or the 86-year old world-famous historian, Zamarovsky.

**Concert Tour:** Fifteen concerts were held in the main squares of cities throughout Slovakia. The message delivered to the audiences, was 'It matters to those of us, who came here and prepared this show'. We hope it will matter to you on E-day too. The concerts featured popular artists and young bands. Before and during the concerts information stands were staffed with activists handing out information leaflets, T-shirts and stickers, and collecting fingerprints on the petition sheets. While the bands were playing, TV spots ran on a large projection screen above.

**Activists Groundwork:** Building on Civic Eye network of volunteers, this initiative was particularly succesful in bringing large numbers of active young people to support and publicize this campaign. Just having so many activists in the streets, passing out materials and discussing directly with citizens the importance of voting, became a source of motivation for many voters.

The first to sign the petition were well-known personalities from cultural and social life and NGO activists. Throughout the campaign activists gathered more than 15,000 fingerprints – among them, for example, the fingerprint of the World Ice-Hockey Champion Miroslav Satan.

**Campaign Materials:** The emotional aspect of the campaign was supported by image-building materials: stickers, T-shirts, boomerang cards and leaflets with the campaign logo and three successive dates (the September parliamentary elections, the No-

vember NATO summit and the December EU summit). The initiative disseminated leaflets 'Myths and facts about the elections', which contained rational arguments summarized as follows:

- By not voting, we let others choose for us. Thus, our vote may strengthen those parties for whom we would never vote.
- Although there are no ideal political parties, it is always possible to choose one that represents us better than the others.
- Moreover, these elections are extremely important – because we are really deciding whether we will have the opportunity to join the EU and NATO.

**Outcome and Impact:** The campaign addressed the target group in a comprehensive and professional manner. It delivered rational arguments on the importance of the elections and Slovakia's accession to the EU and NATO, but also had a strong emotional impact through the personal examples of well-known people. Thousands of citizens were approached directly by activists and marked their fingerprints under the appeal. According to opinion surveys half of the electorate noticed the campaign. Voter turnout reached 70%, still relatively high compared with Czech Republic (58%) and Poland (46%). Turnout of first-time voters was estimated at 70% reaching the average for all other age groups in society. The campaign **It MATTERS TO US** received award as the Best Campaign in Slovakia in 2002.

## V. WHAT HAPPENS ON THE ELECTION-DAY?

### **What is this chapter about?**

The voting is a procedural method in the framework of which the voters elect a person for a certain function, office or rank. In the following we intend to provide a brief overview on the process and methods of voting and the way of filling in of the ballot-paper. This way, those young people who personally have not yet experienced the feeling of voting can also get to know what happens actually in the polling-station.

### **About the methods of voting**

The most widespread method of voting is that the voters personally appear in the polling-station on the election-day and cast their votes on the candidate and party they prefer. What happens if someone is out of his/her residence on the day of the election or for some reason he/she is unable to show up in the polling-station? In order to enable as much people as possible to exercise their right to vote, different methods were developed concerning the casting of votes.

- In certain countries voting is possible exclusively on the day of the election and voters may cast their votes only personally. It may happen that the voter is unable to go to the assigned polling station on the election-day. In such cases the voter may ask for a certificate to vote in another settlement where he/she will stay on the day of voting. The certificate has to be issued according to the laws of the given country; the authorized election body then modifies the Register of Voters in order to avoid multiple voting.



- Elsewhere the votes may be cast also on determined days prior to the election-day in the polling-stations (e.g. in the US on the election-day and the 10 days prior to that; practically it means that the voters can cast their votes for two weeks, however it is prohibited to publish partial election results during this period).
- Voters may use the postal way of voting (e.g. in Lithuania)
- Voting by representative may be permitted (e.g. in France).
- Voting from abroad is a widespread practice, among others in Hungary as well. It means that polling-stations are established in the foreign representations of Hungary (embassy, consulate) where the Hungarian citizens residing or staying in the given country may cast their votes.
- The mobile ballot-box helps those voters who are not able to attend the assigned polling station personally for some kind of illness or deficiency. This fact shall be signified to the members of the competent election body who will then arrange that, according to the regulations the members of the polling-station committee visit the voter in his/her home and guarantee that he/she can cast the vote. The secrecy of voting shall be enforced in such cases as well.

**Did you know that in some countries the voting is compulsory?  
For example in Belgium or Luxemburg those who fail to cast  
their votes have to face certain sanctions?**

## About the polling-station

The polling-stations are generally located in schools or other public institutions. The polling-station– if possible – shall be near to the residences of the voters or placed on a route easily accessible to them. It may not be established in a building which is occupied by a political party. The reason for it is that even the appearance has to be avoided that the allocation of the polling-station – in an indirect way - may influence the voters to cast their votes on a given party. It happens mostly in smaller settlements that actually there are no such public institutions that could be assigned for the purpose of voting. In those cases the polling-station can be allocated in other non-public buildings (e.g. the hall of a privately owned restaurant or cinema). It is highly important to note that the buildings assigned in such cases shall not be in the property of any of the candidates or his/her relatives, and may not serve the purpose of religious practice.

In the polling station – for the secret conduction of voting – polling booths and ballot-boxes have to be provided, one extra ballot-box for the mobile voting must be guaranteed, and in addition, pens filled with ink for filling in the ballot-papers. The polling-station committee has those election documents and supporting materials that are essential for the conduction of the voting (register of voters, ballot-papers, envelopes, forms, protocols, stamps, pens and a collection of election laws).

At the entrance of the polling-station (at the entrance of the building) such notices shall be placed that promote the orientation of voters (e.g. the number and address of the polling-station). The informing of voters is well supported if the committee places information leaflets, instructional placards about the way of voting or displays an enlarged copy of the ballot-paper in the polling-station. The polling-station election committee shall pay attention of course, that the voters may not mark any of the parties or candidates on the sample ballot-paper. In case that would happen, the polling-station committee must immediately remove the poster.

## **The process of voting**

When a voter arrives at the polling-station, the polling-station committee establishes his/her identity as a first step. Following the identification, the voter receives the ballot-paper and signs the receipt on the Register of Voters (in case of absentee voting he/she also presents the certificate).

The ballot-paper has various forms. In some of the countries (Latvia, France and in the parliamentary elections in Sweden) the voters receive the same number of ballot papers as the number of parties they can vote for, and place the ballot-paper of the preferred party into an envelope and then throw it into the ballot-box. In other countries (Hungary, Austria, Poland and the Netherlands) the voters receive a single ballot-paper that contains the name of all contesting parties (candidates), and they have to mark the name of

the candidate or party they prefer. As a result of the nomination procedure, it is determined which candidates and parties may stand for the elections. Only those are indicated on the ballot-paper who have successfully fulfilled the requirements for nomination.

After receiving the ballot-paper – in order to ensure the secrecy of voting - the voter casts his/her vote in the polling-booth. Legally the voter may not be obliged to use the polling-booth. In developed democracies the voters usually take the advantage of the booth; however it may not be disputed if they don't. Yet the voting outside the polling-booth shall never provide a possibility for the voter to influence others while casting their votes, not even for others to influence the voter in his/her preference.

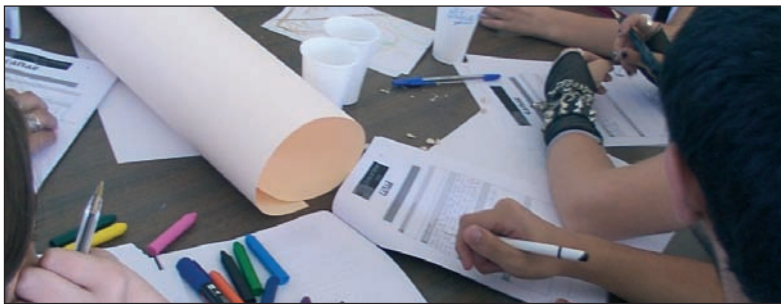
**Did you know that in Afghanistan separate polling-stations are established for men and women? Women may never enter the premises established for men while men are allowed to enter the places where women vote (e.g. as polling-station committee members).**

In the election law the time of closing the ballot-boxes (the end of voting) is as well determined. Following this, the vote-counting begins which is carried out – depending on the practices of the different countries- in the polling-station or special vote-counting centres (e.g. in Belgium, Ireland and the United Kingdom). According

to the generally accepted practice the main elements of vote-counting are the following:

- counting and registering blank and spoiled ballot-papers<sup>3</sup>;
- establishing the number of voters casting their votes on the basis of the signatures in the Register of Voters;
- opening the ballot-boxes;
- categorizing the ballot-papers according to the preferred parties and candidates;
- counting the ballot papers per parties and candidates;
- counting the invalid<sup>4</sup> ballot-papers;
- recording the result in a protocol;
- forwarding the result to the competent, higher level election committee.

The votes cast from abroad are in certain cases counted in the foreign representations' polling-stations (embassy, consulate, commercial representation) and the results are then forwarded to the



<sup>3</sup> If the voter makes an error while filling in the ballot-paper, and he/she has not yet placed it into the ballot-box, he/she may ask for another; at the same time this event must be recorded in a protocol.

<sup>4</sup> For example the vote is invalid if cast on a non-official ballot-paper, or filled in with pencil or when the voters failed to indicate their preferences properly.

competent election committees, while the ballot-papers are delivered to the home country at a later stage. There is a kind of practice according to which the ballot-papers are delivered to the home country for counting. Following the counting of votes, summation of partial results and adjudication of legal complaints takes place the official announcement of the final election result.

### **Suggestions for lecturing:**

- game (better to play in groups of 5 to 7persons)

### **Preparations:**

1. Prepare the cards following the sample (separate question and answer cards shall be made; Annex IV)
2. Prepare the board following the given sample (Annex IV)
3. Get some dice.



**The course of the play:** The person who starts the game in the group is the one who has thrown the highest number by the dice. When the players step on the ballot-box field, they pull a card and try to answer it. Another player checks the answer with the help of the answer-card. The players may only proceed when properly answering the question.

- Organise a mock elections in your class (school) - Hints for organising elections (i.e. for school parliament, student's council)
- Compile timetable for running the elections
- Create an election management body
- Decide what election system are you going to use (It is more practical to use the system which is used at national/presidential elections but you can choose also an other system);
- Decide criteria for eligibility to take part in the elections and compile voters list
- Design your ballot paper;
- Create clear procedures for nomination of candidates;
- You can take steps to ensure gender balance and make provision for election of both male and female candidates;
- Enrol polling officials among students to assist with the running of the elections and vote counting. You can organise a brief training for the polling officials.
- Ensure voting site and enough furniture for the polling officials
- Think about campaigning
- Print out ballot papers and sheets containing eligible voters
- After voting takes place and votes are counted announce the result at the relevant school forum (class, school assembly).

## We introduce

### **Electoral education for the youth- Examples from Germany**

The largest institution dealing with civic education in Germany is the Federal Agency for Civic Education (Bundeszentrale für politische Bildung/bpb). Its work concentrates on promoting awareness for democracy and participation in politics. It takes up topical and historical subjects by issuing publications, organising seminars, events, study trips, exhibitions and competitions, providing extension training for journalists, and offering films and on-line products. One of the most successful education tools in the context of voter education is the Wahl-O-Mat. Developed in 1985 by the dutch “Instituut voor Publiek en Politiek/IPP”, the online tool “Wahl-O-Mat” was brought to Germany by the bpb and a students team of Politikfabrik during the election of the Bundestag in 2002. Used by over 3.6 Million voters it became a success and since then the bpb publishes a new “Wahl-O-Mat” for every upcoming federal and national election in Germany. The concept of “Wahl-O-Mat” is simple but efficient: About 25-30 theses are presented one after the other to the user via either an online-platform or a device such as a cell phone or a pda. The theses reflect the issues of the actual election campaign. The user can choose whether he agrees or disagrees with each thesis or he can chose the option “neutral”. After answering all theses the result shows similarities between the user’s choices and the parties’ positions regarding these topics. The main objectives of the “Wahl-O-Mat” are:



- to provide information about the programmatic orientation of the main parties
- to encourage political communication within social groups like families, in school and at work
- to foster close reading of political programs and activation of a political attitude.

Today the “Wahl-O-Mat” is used by a number of stakeholders in political education. Teachers use it in class.

Verein zur Förderung politischen Handelns e.V. ( v.f.h.) / Association for the Advancement of Political Action is a non-partisan, non-profit, non-public institution. It offers seminars and trainings in civic education for young people - mainly high school and university students. Its goal is to motivate and qualify young people for political. It organizes more than 100 courses a year, reaching about 2.000 participants. Members of the Association are young, committed and non-partisan. They place great emphasis on representing all political opinions within the democratic spectrum and to argue beyond partisan boundaries. We might disagree on many political issues, but we share these beliefs:

- Young people are able to influence political agendas
- Getting involved in politics and society is rewarding and fun
- A sound democracy requires active participation of all citizens

Since our work centres on empowering young people for participation in politics, voter education is only one field in which we offer seminars and courses. The Politikfabrik is a Berlin based agency carried by students only, which are studying politics or a related

subject. It was founded in 2002 to provide students of the humanities in and around Berlin with the possibility to gain work experience during their studies. Students are in charge of managing real projects in the sector of political communication. One core objective of Politikfabrik is to fight the disenchantment with politics with new innovative means of political communication especially in the field of young voter education

One of their main activities is called “die WAHL GANG”. It is a cross media campaign with the objective to raise the turnout of the young-voters, which is traditionally lower compared to the overall voter participation in Germany. The main strategy of “die WAHL GANG” is the direct dialog with young voters. Since traditional one-way communication is not working any longer in terms of a significant change of attitude, it is necessary to get into immediate contact with first voters and keep the feedback channel always open. The integrated campaign consist of a road tour through schoolyards, sport events, an interactive online platform with its famous “Wahl-O-Mat”, a young voters lounge in the centre of Berlin, an advertising spot, first voters parties, workshops, etc... The objective is to take young voters seriously and encourage discussion among them by using their means of communication. Stereotypes about politics are dismantled and interest in participation is revived. What makes it easy for their message to get through is their own proximity to young voters. As a matter of fact, most of them are young voters, too.

## VI. ELECTORAL FRAUDS

### **What is this chapter about?**

The result of the election assigns the group of people who will exercise the public (presidential, parliamentary or local governmental) authority in a given state. For the “sweet fruit” of power the parties resort to any permitted – or in some cases- prohibited tools. In every country of the world electoral frauds are committed during the course of the election: regardless of the number of population, size of territory and form of government there are certain electoral abuses. Moreover, it may as well happen in democratic states that the number of votes cast and the data of the official protocol differ from each other. Naturally there is a higher chance for committing electoral frauds in countries under dictatorship than in those states where democratic conditions and circumstances prevail. There isn't a single country in the world where a lower or higher number of people who intend to cheat would be lacking. In this chapter we introduce the different types of electoral fraud, and also deal with the guarantees and methods applied in order to prevent and explore the frauds.

### **The definition of electoral fraud**

The definition of electoral fraud covers all those behaviours that cause deviation between the actual will of the electorate, and the official result. The electoral frauds undermine the trust in the election procedure, elected representatives and in the overall functioning of the democratic system, therefore it is essential to find solutions concerning this problem.

## Who is the perpetrator?

The fundamental question of electoral frauds: who may be the perpetrator? The most serious case is when the fraud is organized institutionally by the government or the governing party. In this case the result of the election may not be considered as having legitimating effect, and usually the foreign states contest the election result. The most dangerous form of institutionalized electoral fraud is when the top level election body or election committee is the perpetrator.

It should be examined separately when the government fails to provide for the legal conditions required for the fair conduction of the election. In such case there is no intentional fraud; however the lack of required conditions still makes the election results questionable. For example the state registers serving the identification of the voters are missing; the organizational and personal conditions needed in the public administration are not established; the government fails to appropriate enough money for the guaranteeing of the material conditions (ballot-boxes, ballot-papers, IT control and transport expenditures).

It belongs under another social judgement, if the perpetrator is one or more natural persons. This kind of electoral fraud generally does not affect the election result, since those individuals who commit fraud for personal ambition or officiously for some political party do not have the power to influence the result established on the basis of millions of votes cast. (The situation is quite different when a settlement of a hundred inhabitants elects its mayor, and the fraud is committed there). The fraud perpetrated by individuals does not

affect the election result primarily, but rather the public confidence and the trust invested in the rule of law. It may decrease the legitimacy of the election result.

The citizens and the members of the election bodies are usually aware of the election regulations and if they breach any of those incautiously, the election result may still be re-enacted. Naturally, the unintentionally committed 'electoral fraud' shall be judged differently when the perpetrator is a citizen or the member of an electoral body. The voter cannot commit an electoral fraud unintentionally. The reason of it is that the voter is not in the position to influence the election result with his/her behaviour. Such situation may only occur in the activity of the member of the election body. The mistakes (e.g. numerical errors in the summation of protocols) by no means establish the electoral fraud; however another question to be considered whether it should result in a moral or – in case of employment – disciplinary action.

## **Types and methods**

- Electoral abuses committable prior to the election-day

### **1. Campaign financing**

The financing of the campaign of political parties is problematic in every country of the world. Naturally the financial possibilities of the parties greatly influence the methods and the efficiency of the presentation of election platforms and candidates. When parties receive campaign funds secretly or 'illegally', the principle of equal

chances becomes fundamentally questionable. In a democracy – even if it can never actually be guaranteed – attempts shall be made in order to enforce the equality of chances, otherwise the wealthy would easily buy the representatives and the entire election procedure would turn meaningless, what is worse, this democratic institution itself would become false. It is a well-known historical fact that the parties offer certain state offices to the donors – in case of winning the elections - in return for their financial support during the election campaign. (The reception hall of a hotel is called ‘lobby’, because in the US the parties received the money from the donors in that place). It would be a very unusual but legally applicable way to forbid the parties to recruit donors for their election campaigns. The voter has the right to be informed – prior to and following the election as well – on the origin of the representatives’ financial resources (which natural person or company did it come from).

## 2. Media

The most effective campaign tool is the television. By the mass nature and intensity of its effect on the voters it is strongest to influence the citizens’ will and thus the result of the election as well. A part of the media is of public service nature, while the other part is in private ownership. The equality of chances between the candidates and the parties is hindered if they have access to the media with different conditions and proportions. As for televisions with public service nature, the election laws usually aspire to promote

the equality of chances between the contesting political parties. A separate problem is the making use of local televisions in the election campaign. In addition to the national party politics, the local televisions are also pressed by the local powers. It is undoubtedly an electoral fraud if it is the mayor who decides which candidates may appear in the television; however it is disputable whether it is a fraud or not if the mayor by his public appearances strongly surpasses the other candidate-mayors.

### **3. They give us food and drink today as well?**

Some campaign methods became well known from the novel by Kálmán Mikszáth 'Two elections in Hungary', which were used for influencing the citizens to vote for the representatives of the governing party. Mór Jókai as a representative of the government had noted in one of his novels: we also distributed food and drink. Such electoral frauds were facilitated by two things. One thing was that the number of citizens entitled to vote had been very low (3-8% of the population), the other was the method of voting in public, furthermore the money spent on food, drink and transport could be legally accounted amongst the campaign expenditures (since at that time in Hungary it was governed by the law). The application of this campaigning method was promoted by the fact that the elections were not held on a single day but lasted for 2 or 3 weeks, or sometimes for months. By the establishment of the universal suffrage, the single election-day, the prohibition of selling alcohol on the day of voting (from 1945 to 1989), and after the initiation of

secret voting, the number of this type of electoral fraud radically decreased. However, when the elections of mayors take place 'distribution of food and drink' is a generally emerging complaint that is supplemented by the mayor's promises of social (aid) support to his voters.

**Did you know that in the Philippines it is prohibited to consume alcoholic drinks on the election-day?**

#### **4. Electoral frauds concerning the Register of Voters**

There isn't a country in the world where voting would be possible without establishing the voters identity or the number of citizens who are entitled to vote. The Register of Voters shall be continuously updated and the required modifications must be accomplished (change of address, decease, acquiring the right to vote etc.) in order to ensure that everyone may exercise his/her suffrage according to the real circumstances. (It is known from the short story 'Dead souls' by Gogol, that in the name of the deceased other citizens exercised the right to vote).

A refined method of the abuses concerning the Register of Voters is when a certain group of voters is handled separately (e.g. military polling-stations) and the result generated in such polling-station is only added to the election results if it proves to be necessary in order to secure the position of the government. The situation is especially adequate for the falsifying of the election result if in the given country the register of voters is lacking (e.g. for the country is



split into several parts) and the suffrage is based on other registries (e.g. bank registry on the changing of the currency). A well-known method of election fraud is when a part of the voters 'migrate' from their constituencies to other electoral districts in order to be entitled to vote for the candidate nominated there, or to cast their pre-determined votes in the locally organized referendum. A more developed form of the latter, if following the acceptance to the voter registry in another constituency, the voters stay away from the voting with the purpose of causing the invalidity of the election, due to the low turnout. Therefore it is especially important that the competent bodies handling the Registers of Voters shall monitor the shaping of the number of changed addresses, and make certain organizational measures to prevent the development of extreme trends. In such cases the fraud is undoubted if following the election-day the 'newcomers' move back to their former residences.

## **Electoral frauds committable on the election-day**

Those methods that focus directly on the falsification of the election results are called primitive frauds

### **1. Falsifying the vote-counting or protocol**

The simplest electoral fraud is when the election result in the polling-station is established regardless of the ballot-papers cast by the voters (or deviated from that): different data are entered in the protocol than the result indicated by the ballot-papers. The pre-condition of applying this method is that the intentions of the elec-

tion committee members should be in accordance. As if any of the members reveals the case (denounces the others) the fact of electoral fraud may be exactly established, especially because the ballot-papers are secured for a prescribed period of time within which the actual result can be restored. Another method may be when during the summation of the election protocols, the election committee establishes a result that differs from the result of the proper summation of votes.

It may be a further possible method when the protocol containing the correct result of the election is falsified; however this method also requires the accordance of the members of the election committee. The legal guarantee for the prevention of such electoral abuses is that the composition of the election committee should be established in a way that allows the participation of the opposite parties. In case the different candidates have their own delegates in the polling-station committees (or other committees) the chance for committing a fraud is practically eliminated. For example in certain member states of the US and in Great Britain the candidates are not allowed to send delegates to the polling-station committees and it often happens that the tasks of the committees are carried out by only one or two persons – still they refrain from committing electoral frauds. Obviously, in these countries the political culture is quite different and the level of moral and financial appreciation of civil servants is higher. The majority of the civil servants may not even think of cheating during the vote-counting process,

since the social honour of the civil service is attractive and the sanctions for abuses are serious. However, apart from the accountability of civil servants, other not legal but social guarantees exist for the prevention of frauds. For example like publicity or the freedom of press, which ensure that anyone may be present at the counting of votes. In case this right is infringed, the social consequence is more serious than that of the potential legal impeachment. Naturally, this method may only function successfully in those states where the social and public authority relations are well balanced. In other countries where the public confidence is lacking and the political forces are sharply divided, only such vote-counting method can be established that allows the simultaneous participation of the representatives of the contesting candidates.

## **2. Abuses concerning the ballot-papers**

The most primitive form of abuse is when one or more members of the election committee make the ballot-paper invalid subsequently (for example by marking another 'X' on the ballot). This way of perpetration can also be explored. It is interesting that every legislator puts great emphasis on the regulation according to which the voters must use pens and not pencils while casting their votes in the polling-station. This conviction probably comes from the time when the traces of erasing were not assessable. For the time being, every condition is given for the tracing of such abuses. The replacement or removing of ballot-papers can easily be prevented if the ballot-papers are strictly accountable prints.

A refined organization of the fraud is required when taking out the blank ballot-paper from the polling-station and smuggling it back yet in a filled in state. An important element of this method is that the organizers are unsure whether the bribed voters indeed vote for that very party which they received the money for. The organization starts with the collection of 'black money' then continues in a car or flat near by the polling-station. The voters involved through the 'whispering propaganda' are aware that they receive money (or consumer durables) for casting their votes. The first trustee places an empty envelope into the ballot-box and hands over the blank ballot-paper to the organizers. The organizers fill in the ballot-paper and the next bribed voter throws that one into the ballot-box, at the same time takes out the blank ballot-paper he/she received from the polling-station committee and gives it to the organizers. The payment is only made after the handover of the blank ballot-paper.

### **3. Multiple voting**

In lack of adequate guarantees and organizational measures the absentee voting is especially suitable for committing electoral frauds. In 1947 the election laws in Hungary specified and made it possible for persons staying away from their residences on the election-day to cast their votes in other settlements. The legal regulation on the controlling of multiple voting was lacking. Therefore the public administration bodies failed to organize the checking of double or multiple voters. In excuse of the civil servants of that peri-

od, the electoral frauds had been organized institutionally by the parties and in lack of an IT system the manual checking would have meant an extreme workload.

#### 4. Mobile voting

A similar but lower chance for fraud may be provided by the mobile voting as well. Its danger may occur when the polling-station committee does not have enough members to guarantee that the mobile ballot-box is delivered to the voter's residence by the representatives of at least two contesting candidates. Furthermore, the mobile voting creates a potentially dangerous situation since the voters asking for it are usually old or ill, who are able to express their electoral will, but may easily be influenced through the application of certain methods (threats, promises). The only way of prevention is that the mobile ballot-box shall be delivered jointly by the representatives of the contesting parties.

**5. Anyone who hinders another person in exercising his/her right to vote or prevents someone from casting his/her vote perpetrates an electoral fraud.** The hindrance may be accomplished by various attitudes, e.g. force or threat.

One part of the public opinion holds that the possibility of committing electoral frauds roots on the application of IT. It is possible of course to commit electoral fraud during the computerized processing of votes, for example by data entry, software, connection to the

network or by generating hardware error. (In a northern European country, according to the IT system, an extremist radical party topped the list for 30 minutes). The fear from new and the lack of adequate guarantees reasonably arise the feeling in the electorate, that the computer may be a suitable tool for committing electoral fraud. The computerized electoral fraud may only be organized in a truly dangerous form, if the person or organization who intends to commit the fraud invests at least as much in its own IT system as the amount invested in the system processing the election data.

Probably, in such cases the computerized frauds cannot be prevented. Therefore it is regulated for security reasons that besides entering the data in the IT system, the result has to be established manually as well. The consistent application of this method theoretically eliminates the sense of influencing the IT system processing the election results. As following the day of the election – on the basis of the manual summation of the protocols – the fraud will certainly turn out. Therefore the disturbing or misleading of the computerised election system may at best result in the deceit of the public opinion or the foreign governments during a couple of days following the elections.

The elimination of electoral frauds is theoretically impossible. The frauds are preventable and traceable by the established legal guarantees, the consistent inquiry of legal complaints, the ensuring

of the personal, financial and organizational conditions required for the fair conduction of the elections, the impartiality of the election officials; as well by the establishment of a transparent and public electoral procedure, by guaranteeing the practical accessibility of data of public concern and by the application of up-to-date IT methods. However, the correctness of the election law and the conduction of the election are not eligible in itself. The stability of the political institution system and the proper functioning of the state organs make the fair elections complete.

## VII. THE EUROPEAN PARLIAMENT

### **What is this chapter about?**

For the time being, the European Parliament is the only directly elected international parliamentary body that serves for the representation of the interests of citizens on a community level. In the followings a brief overview may be found on the history, functioning, authority and election of the European Parliament. Originally the European Parliament (EP) had a solely advisory-consultative role, but its significance in the functioning of the Union is gradually increasing. The European Parliament operates in a structure similar to that of national parliaments. The President of the EP is elected by the representatives by secret voting, every second and a half year. The Parliament has 20 committees that handle different fields falling within the competence of the Union. The official headquarter of the EP is in Strasbourg where the monthly held, one-week long plenary sessions take place. Between the monthly sessions, regarding the permanent special committees' work and the sitting of political groups Brussels plays an important role, while the administrative apparatus of approximately 6000 officials is seated in Luxembourg. The latter also gives place to the Secretariat of the Parliament. In the EP all the official languages of the EU may be used as working languages, thus every representative may rise to speak in his/her mother tongue. The number of working languages is 20 at present.

### **A taste of history**

The predecessor of the EP had been the General Assembly of the European Coal and Steel Community established in 1952, the mem-



bers of which were delegated by the national parliaments of the member states. The General Assembly was renamed 'European Parliament' in 1962, but it functioned only as a forum of debate. The role and significance of the EP increased when, according to a decision of 1970, the representatives were entitled not only to debate the budget, but they had to give their assent as well. However, still it couldn't pass laws or exercise such power as national parliaments. Yet by gaining competence in the financial affairs of the European Communities, it came into an actual decisive position. From 1979 the members of the EP were no longer delegated by the national parliaments, but elected directly by the citizens of the member states. The constantly increasing significance of the EP was further strengthened by the treaties according to which it could yet fulfil a co-legislative role (the Single European Act in 1986, the Maastricht Treaty in 1992, the Amsterdam Treaty in 1997 and the Treaty of Nice in 2001). The development of the EP is slow, but points into a definite direction; it becomes a more and more determining institution besides the Council and the European Commission. By the Amsterdam Treaty the EP achieved the right of control over the activity of the Commission (that is the most important decision-preparation forum); moreover the assignment of the president and the members of the Commission may not happen in lack of the EP's assent. The shaping of the competencies of the EP has lasted for many years until it was finally given the role of actual control over the Commission's preparatory work. Even so the EP is still not considered as having the powers like that of a national parliament, although its competency has been gradually

widening since 1987. However, for the time being it does not have an own legislative authority (similar to that of the national parliaments), since it is only entitled to legislate jointly with the Council of the European Union. In any case, it indicates the increasing power of the EP that it is becoming a more and more unavoidable factor besides the Council of the European Union.

## **The role of the EP in the current decision-making process of the EU**

The role of the EP can be described with the following keywords: opinion, consultation, co-decision, assent, budget and supervisory authority. The opinion and consultation means that during the procedure the EP may discuss the subject of the proposal, may share its opinion with the other institutions, and even has the right to reject that. The importance of this procedural element is high, as it is the precondition of the further proceedings of the Council. It has no legal effect; however because of the right to reject, its political momentum is significant.

According to the co-decision procedure the European Parliament and the Council<sup>5</sup>, on an equal footing, jointly adopts the legal provisions recommended by the Commission<sup>6</sup>. The final decision is the right of the Parliament. Co-decision procedure is applied for the questions

<sup>5</sup> The Council of the European Union comprises of the Ministers (or representatives) of the member states. It holds its meetings periodically in Brussels or Luxembourg to pass the Community acts, often together with the European Parliament in the framework of the co-decision procedure. The Presidency of the Council is held in turn by each member states in six-month periods, on a rotational basis. The composition of the Council depends on the actual issue (finance, agriculture, external relations, etc.).

<sup>6</sup> The European Commission initiates the community acts, operates the common policies of the EU, executes the budget and provides for the fulfilment of the Treaties. It consists of 25 independent members. The Commission is elected for a five-year term with the assent of the European Parliament, and reports to the EP.

falling within the fields of free movement of labour, establishment of the internal market, research and technological development, environment, consumer protection, education, culture and healthcare.

The institution of assent means that the consent of the Parliament is required for the acceptance of new member states, the signing of international treaties, the most important decisions of material aspects and for fundamental constitutional questions. The refusal of giving the assent is considered as veto. The budget authority is also divided between the Parliament and the Council. The budget is signed by the President of the Parliament, although there are a number of questions in which the Parliament itself may only make recommendations (e.g. agriculture). As for the adoption of the budget the Parliament may exercise its right of veto. The supervising authority provides democratic control over every measure of the community. The EP can establish ad hoc investigation committees, appoint and supervise the European Commission and may submit the motion of no confidence. In addition, the EP reports on the six-month programme of the current presidency, receives information on the preparation for EU summits, results and legislative conceptions.

### **About the election of the members of the European Parliament**

Since 1979 the member states of the EU elect the representatives directly, according to the local election regulations. The unification of the suffrage and the establishment of the 'European Election System' have been constantly on the agenda for decades. Each of the member states elects a given number of representatives based on the size

of its population. The members of the Parliament are elected for a five-year term and they perform their activities within the political (and not national) factions according to their party-affiliation. Every citizen of the European Union may elect and be elected in that very country where he/she resides during the elections.

**Did you know that the smallest EU member state, Malta elects 5 representatives, while the largest state, Germany has 99 seats in the European Parliament?**

The European parliamentary elections are not organized by the European Union, but the by member states, who may bring independent decisions on the different elements of the election procedure. The representatives of the EP are elected in proportional systems on regional levels (e.g. in Belgium, Italy and the United Kingdom), on national level (e.g. Austria, Denmark, Spain, France, Luxembourg, etc.), or in a mixed system (e.g. Germany). From amongst the member states only Malta and Ireland apply the transferable vote system, which is a less widespread type of proportional systems.

**Did you know that in most of the member states the electoral participation is voluntary while in Belgium, Greece and Luxemburg it is compulsory?**

In order that the European legislation - that is more powerful than the national legislation – is not carried through without our opinion, it is

important to take part in the European parliamentary elections. Due to its scope of authority described above, the EP cannot be considered as an empty forum of debate, since in several cases the passing or rejection of a European act depends on its decision.

### Suggestions for lecturing:

- Make a comparison between the voter-turnouts of the local, national and European parliamentary election and discuss:
  - What happens if the citizens don't cast their votes?
  - Why is the participation less active in case of local and EP elections, than during the parliamentary elections?
- Find those articles of the EU Charter of Fundamental Rights, which concern the democratic participation. ([http://ec.europa.eu/justice\\_home/unit/charte/index\\_en.html](http://ec.europa.eu/justice_home/unit/charte/index_en.html))



## **We introduce**

### **Enhancing the democratic participation of youth in Spain**

Among the purposes of the Federation of Student Associations of the Region of Murcia FEMAE there is one that we consider fundamental and that is basic in our daily work: Stimulate the student participation of the young students, and it is closely joined to the participation of them in the democratic processes of the society.

The goals of the Student Associations are aimed to stand and represent all the students of the school, participate in the solving of conflicts and make the voice of the students hear where it is necessary. Normally, the Student Associations work in a local level, working with the students of their town and with their local government. If we want to work in a higher level we have to join and create a Federation (Regional level) and those can create a Confederation (National level). This is the best example of real participation of young students, who make their own decisions, debating with other students of all around their town, region, and country or the European Union.

The participation of the students in the Student Associations probably is the first example of “taking the floor in democracy” where the students participate because, as exposed before, it is where they make their own decisions, design and execute their own activities, they have to find the necessary financial support both for the activities and the daily work of the Association, and they also elect dem-



ocratically their representatives and the members of the board of the organisation.

The chain of control in the organizations that the youth know is, the "pyramidal structure" where there is a head that gives the orders and the persons who are below obey and execute the instructions. With this structure, the youth will never believe that their voice is heard. In FEMAIE we use the "reversed pyramid" where the base are the students who make the decisions in the Association. With this structure we obtain:

1. The decisions are made in a democratic form with the participation of all those persons that want to take part.
2. The opinion of the students always will be worth more than that of the presidency of the Confederation.
3. They all feel represented because their opinions go to the highest level and the decisions are made democratically.

The Spanish Youth Council, thanks of the collaboration of the Ministry of the Interior, made two campaigns to help the young people in the elections: "DemocraciaJoven.org" ("Young Democracy"), and Referendum Plus. These campaigns have animated the young people to inquire the time of voting, to know how the electoral system in Spain works and offered all that extra information they need to exercise their right to vote with all the guarantees and without doubts.

The campaigns always included the edition of a Web Page ([www.democraciajoven.org](http://www.democraciajoven.org) and [www.referendumplus.org](http://www.referendumplus.org)) where you could find answers of your questions responded by an expert on democratic processes, elections and policies, for example how to vote, how to request and vote by mail, how to vote if you are abroad, you could find the Electoral Programs of all the parties, a forum, chat, data on the elections, history, etc. In addition, also stickers were published, pamphlets, posters and other advertising material. In the case of Referendum Extra, all type of information was hanged on the Web about the European Constitution. But the importance of this campaign was that we made thousands of power drink cans, call Referendum Plus (to the style "Red Bull") with the aim "We had to do something to make you vote", that they were distributed in all the rooms of cinemas of Spain. Also teams of young people of "Referendum Plus" were organised (perfectly uniformed), who were in charge to distribute the pamphlets and the cans in those places where the young people were. The campaign was presented to the mass media, but Referendum Plus also



arrived to all the Spanish Deputies and Senators and to the Members of the European Parliament representing Spain. Of course, drinking this power drink did not make us vote, but with the campaign and the Web site it was promoted and we obtained that we, the young people, are also a very important and fundamental part in the democratic processes.

Unfortunately, initiatives like these are not very frequent, and the youth does not find always impartial help at the time of wanting to exert there right to the vote. It is extremely necessary for us, the young people, to find an easy form and dynamic information easy to understand that orients us, that solves our doubts and we can see, since we have said before, that we are more than necessary in the democracy.



## VIII. WHAT IS LEFT OUT...

### **What is this chapter about?**

In this chapter we intend to present briefly three separate issues, making the palette of election knowledge more colourful. One of the most topical issues of our time is the electronic voting, namely the influence of the development of IT technology on the organization and conduction of the elections. Electronic voting may as well facilitate the exercising of the right to vote for disabled people. The HIV/AIDS causes difficulties primarily in the African countries and affects the elections as well; after all it is not pointless to be aware of this phenomenon.

### **Electronic voting**

For the conduction of the different phases of the election process, the Information Technology offers a great assistance. In general these systems facilitate the compilation of the Register of Voters, the establishment of partial and final results, the preparation of statistical analysis, and the data registry.

When the IT concerns the way of vote-casting, or the summation of votes, it is called 'electronic voting'. The realization of electronic voting has several forms of which the most widespread is the touch screen voting terminal in the polling-station, replacing the ballot-box. There are other practices that make it possible to cast the vote through the voting-machines ('kiosks') placed in public places outside the polling-station, connected to the election network. Furthermore, it is possible to vote through the Internet, or by using mobile phones or PDA.

The application of electronic voting has a number of advantages. It speeds up the summation of votes and the establishment of the final result. By providing the methods for voting outside the polling-station it enhances the electoral participation: the disabled may cast their votes more easily and also those who stay away from their residences on the election-day. At the same time, a lot of conditions shall be realized for the security, authenticity and applicability of electronic voting. The mistrust of voters, candidates and parties has to be overcome, as well as the reluctance for technology, and of course the enormous material resources that are required in order to establish and introduce the new system must be provided.

Therefore it is practical to introduce the electronic voting methods step by step, along with the parallel application of paper-based voting. The touch screen terminal is applied in several places in the USA and in Europe, but the voting through the Internet or mobile phones is still exceptional. Usually the reliability and efficiency of these methods are tested in the framework of pilot projects. The pilot project usually concerns a few polling-stations, a group of voters or is applied in non-political elections (e.g. elections in universities, youth parliaments or committees).

In the Netherlands the majority of the polling-stations apply electronic voting solutions, and during the European parliamentary elections of 2004 the Dutch citizens staying abroad and having registered themselves in advance, could cast their votes through the Internet. In 2004 in Madrid, in a local referendum, it was possible

to vote through any computer with Internet connection or by mobile phone SMS. In Germany, Austria, and Switzerland and in the United Kingdom several pilot projects have been launched in order to test the out-of –polling-station e-voting methods. In the local elections of 2005 in Estonia, the voters could cast their votes through the Internet.

### **Exercising the right to vote – people with disabilities**

The disabled persons (with auditory, optical or moving disabilities) often face difficulties when exercising the right to vote or the right to be elected. The disabled are sometimes unable to exercise their fundamental rights like free movement, freedom of information or suffrage, which finally leads to a limited participation in the social and political life. The most frequent problems occurring on the election-day, while casting the vote:

- For people with auditory disabilities the communication is complicated without an interpreter, but the filling in of the ballot-paper is usually not problematic. A written information material on the process of voting and registering may help the orientation.
- The blind persons need assistance while filling in the ballot-paper, however, by the application of special ballot-papers (Braille writing) used in other countries, they could vote independently – it would ensure full secrecy as well.
- Voters with moving disabilities may not be able to approach the polling-station; therefore it is impossible for them to vote together

with the other voters. As for the mobile voting, the delay might appear as a problem, or that the members of the polling-station committee fail to inform the voters about the late delivery of the ballot-box. Such examples make the disabled think that their votes are not important.

Every vote counts. For the fulfilment of this principle and for the strengthening of the democratic values, and in order to ensure the equal chances of the disabled, positive measures are needed to be taken. What does this mean? They shall be supported in receiving adequate information on the election process and the way of voting, with regard to their special needs (audiotape, videocassette with interpreter, Braille writing). It is practical to establish such polling-stations and polling-booths that are accessible for the people with moving disabilities. As for selecting the locations of polling-stations, it is strongly advised to ask for the opinion of the disabled; sometimes the institutions and associations can provide suitable premises for election purposes.

The principle of universal suffrage demands that every citizen having the right to vote, as well as the disabled, shall be granted the possibility to express their opinion on the day of the election.

## **The effect of HIV/AIDS on the electoral process**

At first sight it may seem quite strange to establish a connection between the different aspects of the elections and the challenge of

the 'plague' of our age, the AIDS. However, if we think it over that the election is about the people, and the main actors of it are persons with different roles (as the parties and election bodies comprise of people), it will be obvious that the most devastating disease of mankind can cause serious problems in those countries where the population is enormously affected by this illness. This relation is a further proof for the fact that the elections do not take place in a vacuum, but strongly correlate to our everyday lives.

Since the disease came to light, more than 39.4 million persons have been infected all over the world, and alone in Africa 2.3 million people deceased. AIDS challenges primarily the developing states and affects not only the social or economic development and human welfare, but also the sustainability of the election systems of those countries. Why? AIDS affects all age-groups of a population, and the high mortality rate concerns the electorate and as well hinders the passing on of the specialized knowledge both in the fields of politics and elections. It is not always simple to substitute the experienced professionals and it stands for every sector and field of activity, including elections as well. For the time being, AIDS is most challenging in South-Africa, where 20% of the major population is infected (4.7 million persons).

In the opinion of experts, when selecting of the type of the election system, the high mortality rate caused by the AIDS must be considered. It is noted in a study that the 'First Past the Post' system is mo-

re reactive to the challenges of AIDS than the proportional list system. The reason for this is that in order to substitute the deceased representatives new persons shall be elected in the majority system, while the proportional list system makes it possible to fill the vacant seats from the party lists. The conduction of by-elections causes serious extra costs.

For example in Zambia, that applies the First Past the Post system, 46 by-elections were held between 1964 and 1984 – 14 of which were caused by accident or decease. Whereas between 1985 and 2003 102 by-elections had to be organized (the first AIDS infection was registered in 1985), in 59 cases because of the death of representatives. Between February 1992 and 2003, when the highest number of infections was registered, 39 by-elections took place because of similar reasons.

## **We introduce: role of the ACEEEO in enhancing the electoral activity of young people in Hungary**

A survey was accomplished in the beginning of 2006 on the political awareness of young people. According to the survey more than half of the secondary school students were not able to name any of the major political parties in Hungary, and a significant percentage of the future voters declared that the multi-party system was not an integral part of democracy. The elimination of 'electoral illiteracy' has several methods, tools and interested parties. The educational institutions, election experts, NGOs, the media and the politicians all play an important role in the shaping of the electoral culture of the youth. The Association of European Election Officials (ACEEEO) is a Budapest based NGO that puts a great emphasis also on the widening of the electoral knowledge of young people. During the framing of the projects a great attention is paid for the comprehensible presentation of the world of elections, in order to ensure that the wording and appearance is understandable for the youth. The 'First Voters in the Parliament' project was launched in March 2006. In the course of this project the secondary school students can get acquainted with the Hungarian election system in the framework of a special parliamentary lesson, with the help of a multi-media show. It is important that in the course of the special lesson, direct contact and dialogue can be initiated with the students. During this programme, the students can view the building of the Parliament and the location of the plenary



sessions as well. One reason for the low electoral participation of youth is that they are unable to decide which party or program they should vote for. Therefore, with the involvement of independent experts and political scientists, the Association compiled an online questionnaire (Whom would you choose?) prior to the parliamentary elections of April 2006, that provided assistance for the young voters in establishing their party preferences. The ACEEEO has also launched a project in order to support the local democracy and the popularization of local elections. The quintessence of local democracy is the wording of opinions and proposals concerning the local public affairs, also on the level of the settlement. With this object, a questionnaire has been prepared, which comprises of those questions that principally affect the youth and are applicable in every settlement of our country. With the help of this questionnaire the youth can weigh what kind of institutions, programs and developments shall be made in order to feel themselves comfortable in their settlements. After thinking over and answering the questions they may send the questionnaire to the local body of representatives.

The website that contains writings regarding the elections and democratic participation, and practical information in three languages (Hungarian, Russian and English) is primarily addressing those young people who exercise their right to vote for the first time. It is important to give methodical assistance for the education of election knowledge, not only for the youth but for their teachers as well. Therefore in the short run we are planning to launch a training series for teachers.

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Association of European Election Officials  
<http://www.aceeeo.org>

The ACE Electoral Knowledge Network  
<http://www.aceproject.org/>

Human rights for all / Sample lessons  
<http://www.streetlaw.org/hrfalesson.html>

Organisation for Security and Cooperation in Europe/ Office for Democratic Institutions and Human Rights, Election Section  
<http://www.osce.org/odihr-elections/14207.html>

The Treaty establishing a Constitution for the EU  
[http://europa.eu/constitution/index\\_hu.htm](http://europa.eu/constitution/index_hu.htm)

## **Website of partners cooperated in the project**

**„Non armis, sed vi suffragiorum...”**

### **Association of European Election Officials**

<http://www.aceeeo.org>

### **The House- Youth Club for the United Europe (Latvia)**

<http://www.klubsmaja.lv>

### **The Center for Civic Initiatives (Lithuania)**

<http://www.pic.lt>

### **Politikfabrik- Political communication with youth (Germany)**

<http://www.politikfabrik.de>

### **Association for the Advancement of Political Action (Germany)**

<http://www.vfh-online.de>

### **Federation of Student Association of the Region of Murcia - FEMAE (Spain)**

<http://www.femae.org>

### **The Civic Eye (Slovakia)**

<http://www.obcianskeoko.sk>

### **General Information about the EU**

[http://europa.eu/index\\_en.htm](http://europa.eu/index_en.htm)

### **European Youth Portal**

[http://ec.europa.eu/youth/index\\_en.html](http://ec.europa.eu/youth/index_en.html)

### **European Youth Forum**

<http://www.youthforum.org>



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