

Absentee Voting – Pros and Cons

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On Feb. 3 Minister of the Interior Jiang Yi-huah declared that the ministry is considering the introduction of absentee voting in future elections to safeguard citizens' rights to political participation. He said the law would be amended to allow for the transfer of votes "from the place of domicile to the place of work," which would mean that people, who are not able to return to their place of household registration on voting day because of work or studies, may apply for permission to vote in another county or city. On Oct. 30 the Ministry of the Interior convened a meeting on the amendment of the Presidential and Vice Presidential Election and Recall Act, inviting officials from various cabinet agencies including the Executive Yuan Secretariat and the Central Election Commission to discuss articles on absentee voting. After the meeting Chien Tai-lang, administrative vice minister of the interior, stated that the draft amendment adopted at the meeting contains three major types of absentee voting, one being "transfer voting" by ordinary citizens in a county or city other than their place of household registration. Second "voting in designated polling stations" namely inside correctional institutions for prison and jail inmates. And

third "voting at the place of work," which may be used by election workers. Moreover he said absentee voting will only apply to citizens inside Taiwan and not to overseas Chinese or Taiwanese businesspeople living abroad.

Absentee voting has two major advantages: First, based on the constitutionally guaranteed right to vote, absentee voting in democratic states is considered a basic service that the government needs to provide to voters to make it more convenient for them to realize their right to vote and to political participation. Under a simple legalistic approach, Article 17 of the Constitution of the Republic of China grants the people the right to vote. And Article 17, Paragraph 1 of the Civil Servants Election and Recall Act stipulates that "an elector shall vote at the polling station at the place of domicile unless otherwise prescribed." So an absentee voting system has per se its legitimate basis in the Constitution and the law.

Second, absentee voting can make it more convenient for voters to fulfill their right to vote. Therefore scholars also call it "convenience voting." Its goal is to raise people's willingness to follow politics and participate in them, and to effectively raise

voter turnout, which in return will give central government and local government leaders as well as people's representatives stronger democratic credentials. Based on these two arguments absentee voting can be endorsed in principle.

But in Taiwan today the biggest violation of citizens' voting rights, legally and practically, and the major concern with regard to undermining citizens' political participation is definitely not the absence of an absentee voting system. If the Ministry of the Interior truly cares about expanding avenues of political participation, yet places its focus on planning absentee voting, then it has probably misunderstood the current situation and misjudged what is important, urgent and has priority in electoral reform. In other words, Taiwan's present electoral system and practice differ from that of advanced countries in two points. And these two points have nothing to do with the two major purposes of absentee voting.

First, other countries with low voter turnout rates have introduced absentee voting in a bid to raise turnout. But Taiwan's voter turnout has been quite high all along, therefore there is no immediate need to implement absentee voting. In recent elections for public office such as the three-in-one elections in 2005 (elections of

county magistrates and county-level city mayors, county assembly and city council representatives as well as township mayors) and the 2008 presidential election voter turnout stood between 58.72% and 76.33%. Given that turnout in major elections soars to between 70% and 80%, the situation in Taiwan starkly differs from the political apathy seen in the industrialized nations. Therefore if the Ministry of the Interior truly wants to safeguard citizens' right to vote and to political participation then there are other more proactive ways of achieving this such as amending the hurdles (against initiating a referendum) in the Referendum Act. Under the Referendum Act a referendum requires the participation of at least half of all eligible voters, which essentially is an unconstitutional requirement. Amending this hurdle is more important than absentee voting and would do more for the protection of basic human rights. Besides that, voting time could be prolonged, if opportunities for citizens to exercise their right to vote are to be expanded. Except for Belgium, where votes must be cast within the short span of seven hours, polling stations in other countries are open more than ten hours, and not just eight hours like here in Taiwan. Moreover the majority of the public usually supports an extension of voting hours.

Second, presently the severe disparity in the weight of votes cast in parliamentary elections constitutes the biggest infringement of citizens' voting rights. Based on the current number of legislators per electoral district and the current delineation of these districts, the some 9,000 inhabitants of the offshore island of Matsu can elect one lawmaker. But Yilan County and Hsinchu County, which both have a population of more than 400,000 people, can also elect only one lawmaker. This means that a vote in the hands of eligible voters on Matsu is worth 50 times as much as a vote cast by voters in Hsinchu or Ilan counties. There could hardly be a substantial violation of voting rights that is more severe than this.

Therefore we are basically not opposed to partially implementing an absentee voting system, particularly so-called "transfer voting" inside Taiwan. But we need to underline that an absentee voting system is not the most urgent task when it comes to meeting the need for stronger political participation and fair and equal voting representation. We also need to give careful consideration to Taiwan's particular situation described above before we can design an absentee voting system that is more suitable and fair. **B**