

Introduction

The reader is presented with the 20th anniversary compendium of the “Białostockie Studia Prawnicze” [Białystok Legal Studies]. As we face dynamic change, the editorial team, constantly striving to improve the contents and appearance of the publication, has decided to change the graphic design of the cover, which we sincerely hope will be well received by our readership.

Journal No. 20 consists of two parts – Election Law and Alternative Forms of Voting (Part A) and the position of the executive in the [political] system in the modern world (Part B).

Election law is nowadays one of the key elements of a well and fully functioning democratic system. Universality and equality of election law guarantee participation in the election system by all those entitled to vote. According to the sovereignty principle, the nation exercises its power indirectly – that is through elected representatives as Members of Parliament, or directly, through a referendum process or a ‘people’s initiative’. In the vast majority of democratic countries the model of exercising power is based on representative democracy. Encouraging voters’ participation has, for many years, been one of the most important tasks implemented with varying success by the authorities. Based on available statistical data it is very obvious that more and more democratic countries are struggling with the issue of low election turnout. The diminishing participation of the electorate is worrying. Successively diminishing turnout affects local and parliamentary elections equally, including European Parliamentary elections, as well as presidential elections.

A number of countries have introduced a range of means aiming to reverse this perturbing trend. Simplifying election law, running elections on a non-working day and making voting mandatory are just some of the solutions deployed. The condition of the fundamental elements of a democratic country is therefore worth discussing. A number of papers are therefore devoted to the methods of electing the government bodies and authorities in various countries (the parliament, president, the head of the European Commission, judges and magistrates).

This issue of the “Białostockie Studia Prawnicze” also contains analysis of the issues raised by compulsory elections, the electoral system of Iran and immigrants’ voting rights.

The procedure of selecting members for the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has also been scrutinised. It is worth paying particular attention to the opinions of Poles concerning proposed changes to the election law which form the basis for the research presented in one of the papers within this volume. The issue of gender parity, that is the criteria determining the minimum or maximum requirement for the participation of women on the electoral lists of candidates, has also been subject to detailed analysis in light of the provisions of the 2011 Polish electoral code. Observations based on the example of the election of a head of state in the context of potential links between the required electoral deposit and the material wealth status [of candidates] are thought-provoking.

Alternative voting methods are also considered. E-voting, postal vote or voting by proxy are solutions aiming not to replace but to support the traditional voting method, and to increase electoral turnout. Consideration of the articles devoted to postal voting in Poland and Switzerland will allow readers to gain a comparative perspective on this important issue. It is worth noting the issue of electoral crimes against elections and referenda in Poland are also contained in this volume.

Because of the evolving position of the executive power in the political system it was essential to include in the analysis those factors influencing the role, the functioning and the extent of the executive in developed countries.

We remain hopeful that the issues raised in the journal will meet with a lively reception and encourage further debate, also in other scientific journals. The evolution of electoral law is an on-going and irreversible process which is of interest to many research fields.

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