Debate: safeguarding democracy during pandemics. Social distancing, postal, or internet voting—*the good, the bad or the ugly*?

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Debate: safeguarding democracy during pandemics. Social distancing, postal, or internet voting—*the good, the bad or the ugly*?

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During a pandemic, many countries and organizations must decide whether to postpone upcoming elections or to hold them (Krimmer et al., 2020a). If the decision is made to hold the election, three main scenarios come to mind: continue using the existing system but include measures to ensure the health of participants; or look for alternatives among remote voting channels which could ensure social distancing is guaranteed either by postal voting, or internet voting.

Scenario 1: Carry on but add health protection

The dilemma with this scenario is maintaining normal turnout. Recommendations from the International IDEA relate to implementing routines for safeguarding health and safety based on the South Korean experience (see IDEA, 2020). Measures taken range from ensuring social distancing or deploying hand sanitizer, to allocating specialized teams to deal with vulnerable groups or asking voters to bring their own pen along when voting (see Electoral Commission Queensland, 2020). Although this option is less challenging for electoral administrations, it carries two important risks:

- The election could increase the number of infections in the population by fostering social interaction in closed environments.
- . Turnout will decrease. This problem particularly affects vulnerable groups (older voters in the case of COVID-19) and may unbalance the results.

Scenario 2: Postal voting

A shift to postal voting would decrease the risks of voters and election administrators becoming infected, but it might expose postal workers to additional risk, given the increased workload which an all-postal election would bring. This scenario relies on the assumptions that the postal services would function normally during a pandemic, ballots would reach voters abroad, and voters could trust the postal services in their home country and abroad.

Implementation of this scenario would require changes to the legal framework and a thorough assessment of the postal service's capacity to cope with such a task. It would take time: some countries

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have had legal debates for 30 years (Austria), or taken 30 years to implement it and still considered it under development (Switzerland). As postal voting occurs in an uncontrolled environment, vote-buying and voter coercion may occur. There are instruments that help to mitigate these risks, such as a witness signature requirement (Finland; Wisconsin, USA), although this might be less attractive during a pandemic, due to the health risks it might impose on witnesses. The administration of postal voting would require employee training and providing additional resources. The challenges for implementation would include the availability of up-to-date databases with voters' postal addresses, the risk of errors being produced in the postal voting materials (Austria, see OSCE/ODIHR, 2017), theft of voting materials (disenfranchisement), and postal ballots arriving late on return to polling stations. Little research exists regarding the costs for administration of postal elections, but some countries report all-postal elections were more expensive than conventional ones (UK, see House of Commons, 2004).

Scenario 3: Internet voting

Our third scenario would be to hold the election using a remote voting channel via the internet. Remote electronic voting was first implemented during the 1990s (Gibson et al., 2016). While it promised a great future, so far it has generally been restricted to private associations. Next to limited use in some countries (for example Canada, Australia, Switzerland, Norway), just one country stands out—Estonia—where it is included as a viable voting channel in all elections. Internet voting shares problems common to postal voting, including voter coercion and vote buying (Krimmer & Volkamer, 2005). However, in the Estonian setup it does offer one mitigating strategy: allowing voters to vote electronically as often as they wish during an extended period of voting ahead of the election day, with only the last vote counting (Vinkel & Krimmer, 2016).

Internet voting also solves the issues with postal delivery, as digital transactions automatically provide confirmations of receiving a vote. While procurement for IT projects is always complex and there is the risk of failure, running internet voting seems to have a lower cost base compared to other voting channels (Krimmer et al. 2020). We should not neglect one significant challenge—internet voting cannot be easily integrated into existing legislation, as legislation is often prescriptive, with paper-based procedures in mind. In addition, legislation changing legislation can be a slow process—alongside the time required for drafting and editing, (political) agreements need to be reached. When drafting the legal text for electronic elections, there is also an issue of what to do about the technology: draft a technology-neutral text or refine the text once the technical system has been selected (OSCE/ODIHR, 2013). Last, but not least, in line with the Venice Commission's recommendations, any changes to electoral frameworks should be concluded at least 12 months before the intended election day (Venice Commission, 2002).

Ways forward

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COVID-19 placed elections between a rock and a hard place: there is no easy 'quick fix' to deal with this challenge.

The good?

The fastest way to deal with electoral management has proven to be establishing hygienic measures to avoid breaking with established electoral routines and consequently running elections as normally as possible. This option may be good for electoral administration in the short term, but would require providing additional measures and facing uncertain impacts.

The bad?

Introducing postal voting would require wider resources and very swift revision of electoral legislation, as well as transforming the administrative processes for organizing elections. Even if being a bad option in the short term, in a slightly wider timespan, it may prove to be a suitable option to keep electoral systems working and functional, even if we take the limitations postal voting involves into account.

The ugly?

Creating an internet based remote voting system is clearly an ugly, and infeasible, option in the short term but it does represent a good system for consideration for a long-lasting solution. It is safe for participants and mitigates the effects of low voter turnout, but requires adaptations to electoral law and administration and, especially, developing secure and reliable systems. These elements mean that e-systems cannot proved a rapid response; however, they do provide solutions for future crisis management. Nevertheless, in order to adopt either of the two remote voting channels under consideration here, many countries would not need to start from scratch, since discussions, trials and developments in both postal and internet voting have already taken place.

References

Electoral Commission Queensland. (2020). 2020 Local Government elections – Covid-19 Protection Measures. Retrieved on May 2, 2020 from https://www.ecq.qld.gov.au/elections/election-events/2020-local-governmentelections-covid-19-protection-measures

Gibson, J. P., Krimmer, R., Teague, V., & Pomares, J. (2016). A review of e-voting: The past, present and future. Annals of Telecommunications, 71(7-8), 279–286.

House of Commons. (2004). Postal voting. Retrieved on May 2, 2020 from https://publications.parliament.uk/pa/cm200304/cmselect/cmodpm/400/400.pdf

Find the original article in: https://www.tandfonline.com/doi/full/10.1080/09540962.2020.1766222

IDEA. (2020). How to proceed with caution on elections during COVID-19. Retrieved on May 2, 2020 from https://www.idea.int/news-media/news/elections-during-covid-19-considerations-how-proceed-caution.

Krimmer, R., Duenas-Cid, D., & Krivonosova, I. (2020a). Why the Pandemic may pave the way for online voting? Retrieved on May 2, 2020 from https://apolitical.co/en/solution_article/why-the-pandemic-may-pave-the-wayfor-online-voting

Krimmer, R., & Volkamer, M. (2005). Bits or Paper? Comparing remote electronic voting to postal voting. In EGOV (Workshops and Posters) (pp. 225–232).

Krimmer, R., Duenas-Cid, D., & Krivonosova, I. (2020b). New methodology for calculating cost-efficiency of different ways of voting: Is internet voting cheaper? Public Money & Management, 1–10.

OSCE/ODIHR. (2013). Handbook for the observation of new voting technologies. Warsaw. Retrieved on May 2, from https://www.osce.org/odihr/elections/104939?download=true.

OSCE/ODIHR. (2017). Election expert team final report on presidential election repeat second round 4 December 2016. Warsaw. Retrieved on May 2, 2020 from https://www.osce.org/odihr/elections/austria/305766?download=true

Venice Commission. (2002). Code of good practice in electoral matters. Opinion 190/2002: Retrieved May 2, 2020 from https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2002)023rev2-cor-e.

Vinkel, P., & Krimmer, R. (eds.). (2016, October). The how and why to internet voting an attempt to explain E-Stonia. In International joint conference on electronic voting (pp. 178–191). Springer, Cham.

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