

AUTOMATIC VOTER REGISTRATION:
COMPARATIVE STUDY OF MALAYSIAN SYSTEM AND THE FULLY
AUTOMATED SYSTEM ALREADY IN PLACE IN SWEDEN AND PARTLY
IMPLEMENTED IN THE UNITED STATES OF AMERICA

BY

AIN NAJWA MOHD JAMIN (2009884424)
NUR AMALINA SUHAINY (2009624374)
SHAFIQA NABEERA SHAHRONI (2009480162)

Research is submitted to partial fulfillment of the requirements for the
Bachelor of Legal Studies (Hons)

Mara University of Technology
Faculty of Law

December 2011

Authors/writers confirm that the work submitted is their own and that appropriate credit has
been given with reference that has been made to the work of others

ACKNOWLEDGEMENT

This research project has been carried out by a team which includes Ain Najwa Mohd. Jamin, Nur Amalina Suhainy, and Shafiqah Nabeera Shahroni. Each one of us has contributed to this paper equally with a significant amount of time spent researching and gathering information in completing the paper on the subject.

First of all, we would like to express our gratitude towards Puan Noraini Binti Mad Syah, our supervisor who had guided us throughout the process by providing us with her opinion and suggestion on this paper. She has continuously being helpful and patient in dealing with the stages of completion of this project paper and her advice helps us.

Furthermore, we are grateful for the assistance from Wong Chin Huat who is a Journalism lecturer at Monash University Malaysia Campus, and the Chairman of a non-governmental organization called 'Writers Alliance for Media Independence'. In addition to that, he is also a prominent political scientist and a columnist with the online news portal The Nut Graph. He obtained his Doctorate on Electoral System and Party Politics at the University of Essex. We would like to record our gratitude to him in guiding and aiding us in matters pertinent to this project paper.

Last but not least, we would like to thank our family that has supported us throughout the progress of this paper, and also to all individuals and organizations that had helped us directly or indirectly in completing this Project Paper.

TABLE OF CONTENTS

| | |
|-----------------|----|
| Acknowledgement | i |
| Contents | ii |

CHAPTER ONE: INTRODUCTION

| | | |
|-------|---------------------------|----|
| 1.0 | Introduction | 1 |
| 1.1 | Background of Study | |
| 1.1.1 | The Concept of Democracy | 2 |
| 1.1.2 | Elements of Democracy | 5 |
| 1.1.3 | History of Voting | 6 |
| 1.1.4 | Voter Registration System | 8 |
| 1.2 | Problem Statement | 9 |
| 1.3 | Objective of Study | 10 |
| 1.4 | Methodology | 11 |
| 1.5 | Limitation | 12 |
| 1.6 | Significant of Study | 12 |

CHAPTER TWO: AUTOMATIC VOTER REGISTRATION IN DEMOCRATIC COUNTRIES

| | | |
|-----|---|----|
| 2.0 | Introduction | 14 |
| 2.1 | Background on Automatic Voter Registration | 14 |
| 2.2 | In Depth Analysis of Automatic Voter Registration | 16 |
| 2.3 | Principles of Democracy and the History of Voting | 19 |
| 2.4 | Effect of the System in Election | 20 |
| 2.5 | Views on Automatic Voter Registration | 20 |

CHAPTER THREE: A SCRUTINY OF THE VOTER REGISTRATION SYSTEMS IN MALAYSIA, SWEDEN AND THE UNITED STATES WITH REFERENCE TO THE PRESCRIBED INTERNATIONAL KEY PERFORMANCE CRITERIA

| | | |
|-----|---|----|
| 3.0 | Introduction | 22 |
| 3.1 | A Brief Account on Voter Registration Mechanism in Malaysia, Sweden and the United States of America. | 22 |
| 3.2 | Towards an Ideal Voter Registration System: The International Key Performance Criteria | |
| | 3.2.1 Comprehensiveness | 25 |
| | 3.2.2 Accuracy | 28 |
| | 3.2.3 Currency | 30 |
| 3.3 | Considerations for Reform | 31 |

CHAPTER FOUR : A REVIEW ON THE LEGAL ISSUES SURROUNDING THE PROJECTED IMPLEMENTATION OF THE AUTOMATIC VOTER REGISTRATION SYSTEM IN MALAYSIA

| | | |
|-----|--|----|
| 4.0 | Introduction | 32 |
| 4.1 | The Elections Act 1958 (Act 19) | 32 |
| | 4.1.1 Synthesis Between the National Registration Department Database and the Electoral Roll in Enhancing Efficiency | 34 |
| | 4.1.2 The Election Commission as an Authority Body to Enforce the Registration of Electors | 37 |
| 4.2 | Article 119 of the Federal Constitution : The Right to Vote | 40 |
| | 4.2.1 Technicalities as the Barrier Between the Constitutional Right to Vote and its Rightful Exercise by Citizens | 41 |
| | 4.2.2 Automatic Voter Registration: Does it Really Force Citizens to Vote? | 42 |

CHAPTER ONE : INTRODUCTION TO AUTOMATIC VOTER REGISTRATION

1.0 Introduction

The topic of research in this paper will be divided into five chapters to outline each matter and issue clearly. In the first chapter, a brief preview on the history behind democracy and the subject of voting will be provided. The first chapter will consist of the background of study on our topic, the problem statement, objectives of the research conducted on the subject, the methodology, scope and limitation which exists in carrying out the research, and the significance of the study on automatic voter registration.

Chapter two would outline the literature review on the various materials gathered and used for purposes of the research. Here, comments, views, and important details on the subject would be extracted from authors of books, publication, articles, and reports. This is essential as one of the many sources for this paper. In chapter three, both Sweden and the United States of America are scrutinized as models of the automatic voter registration system as the system had already been implemented wholly in Sweden and partially in the U.S. Here, the steps that Malaysia should undertake are highlighted if the nation should wish to adopt such a system pertaining to the national voter registration system.

Chapter four is where the legal issues pertaining to the implementation of automatic voter registration system are discussed. Here, each issue will be discussed to provide answers and solution to the problem at hand. Finally, chapter five in this project paper will accordingly provide the recommendations to be made on the subject. Matters relating to the methods affecting the system and the sentiments of young voters on the relevance of automatic voter registration in Malaysia are examined in forming our recommendations.