

## Hungarian System for the Nomination of Parliamentary Candidates between the Two Wars in the European Context

Gábor Hollósi

*VERITAS Research Institute for History and Archives*

*Contact e-mail: gabor.hollosi@veritas.gov.hu*

### **Abstract:**

The institution of the nomination of parliamentary candidates was already well known in most European electoral systems between the two wars. Its purpose can be briefly summarized as meaning that the voters can only cast their votes for a person who has previously been nominated as a parliamentary candidate under the conditions specified by law. Within the European field, the contemporary Hungarian nomination system is characterized by its extraordinary intricacy, and the high number of abuses naturally follows from its complexity. However, in our study we do not deal with these abuses but describe the Hungarian rules and regulations while constantly researching its European aspects. Accordingly, we divided our work into three units.

First of all, we classify the continent's nomination systems in order to show where the place of the Hungarian rules and regulations between the two wars were. Thereafter, we review the development of the Hungarian rules based on the Electoral Decree of 1922, the (First) Electoral Act of 1925, the so-called "Nomination" Amendment Act of 1937 and the (Second) Electoral Act of 1938. Finally, using the Explanatory Memorandums to the mentioned acts and the discussion materials of the National Assembly/Parliament, we look for the European (comparative) examples that emerged during their creation. Our study will also show what the Explanatory Memorandums to the acts (which reflect the pro-government standpoint) or the parliamentary opposition considered worth highlighting from the nomination systems of foreign countries.

**Keywords:** nomination of parliamentary candidates; electoral systems; European nomination systems; Hungarian Electoral Decree of 1922; Hungarian Electoral Act of 1925; Hungarian "Nomination" Amendment Act of 1937; Hungarian Electoral Act of 1938

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The institution of the nomination of parliamentary candidates was already well known in most European electoral systems between the two wars. Its purpose can be briefly summarized as meaning that the voters can only cast their votes for a person who has previously been nominated as a parliamentary candidate under the conditions specified by law.<sup>1</sup> Within the European field, the contemporary Hungarian nomination system is characterized by its extraordinary intricacy, and the high number of abuses naturally follows from its complexity. However, in our study we do not deal with these abuses but describe the Hungarian rules and regulations while constantly researching its European aspects. Accordingly, we divided our work into three units.

First of all, we classify the continent's nomination systems in order to show where the place of the Hungarian rules and regulations between the two wars were. Thereafter, we review the development of the Hungarian rules based on the Electoral Decree of 1922,<sup>2</sup> the (First) Electoral Act of 1925,<sup>3</sup> the so-called "Nomination" Amendment Act of 1937<sup>4</sup> and the (Second) Electoral Act of 1938.<sup>5</sup> Finally, using the Explanatory Memorandums to the mentioned acts and the discussion materials of the National Assembly/Parliament,<sup>6</sup> we look for the European (comparative) examples that emerged during their creation. Our study will also show what the Explanatory Memorandums to the acts (which reflect the pro-government standpoint) or the parliamentary opposition considered worth highlighting from the nomination systems of foreign countries.

## European models

For the comparative approach, the most important contemporary Hungarian source for the electoral systems of Europe between the two wars is the book of Sándor Berecz published in 1932, in which the author, of course, also reviewed the nomination system of each state.<sup>7</sup> In his excellent work, Berecz goes from country to country, but here we cannot aim for a comprehensive reconstruction of its relevant chapter. Therefore, we have formed groups

<sup>1</sup> For the contemporary Hungarian dogmatics of the legal institution of the nomination of parliamentary candidates, see ZSEDÉNYI, B. A képviselőjelölés. (Nomination of parliamentary candidates. Available in Hungarian.) *Miskolci jogászélet. Jog- és államtudományi közlöny. A miskolci ev. jogakadémia hivatalos lapja*, 1927, 1, pp. 1–7.

<sup>2</sup> A m. kir. minisztérium 1922. évi 2.200. M. E. számú rendelete, az 1922. évben összeülő nemzetgyűlés tagjainak választásáról (Decree No. 2.200 M. E. of 1922 of the Royal Hungarian Ministry on the election of members of the National Assembly convened in 1922. Hereinafter: Decree No. 2.200/1922). In: *Magyarországi Rendeletek Tára*, Vol. LVI. Budapest: Magyar Kir. Belügyminisztérium, 1923, pp. 14–70.

<sup>3</sup> 1925. évi XXVI. törvénycikk az országgyűlési képviselők választásáról (Act No. XXIV of 1925 on the Election of Members of Parliament. Hereinafter: Act No. XXVI of 1925). Available at: <https://net.jogtar.hu/>.

<sup>4</sup> 1937. évi VIII. törvénycikk az országgyűlési képviselőjelölés újabb szabályozásáról (Act No. VIII of 1937 on the newer rules and regulations of the nomination of Members of Parliament. Hereinafter: Act No. VIII of 1937). Available at: <https://net.jogtar.hu/>.

<sup>5</sup> 1938. évi XIX. törvénycikk az országgyűlési képviselők választásáról (Act No. XIX of 1938 on the Election of Members of Parliament. Hereinafter: Act No. 19 of 1938). Available at: <https://net.jogtar.hu/>.

<sup>6</sup> Between 1920 and 1926, a unicameral National Assembly, between 1927 and 1944, a bicameral Parliament functioned in Hungary.

<sup>7</sup> BEREZ, S. *A tökéletes választójog* (The Perfect Suffrage). Budapest: Egyetemi Nyomda, 1932, pp. 106–130. The most important source of Berecz's book is the German-language work of Karl Braunias, which was also published in reprint in 2020. BRAUNIAS, K. *Das parlamentarische Wahlrecht. Das Wahlrecht in den einzelnen Staaten*. Berlin – Leipzig: De Gruyter, 1932.

from the European states, and from the various groups we highlight some of the countries that we consider to be more important only by way of example.

The institution of nomination was not known in the Swedish electoral legislation, nor was in the Wirth-Kaisenberg draft, the German electoral reform, adopted by the German Reichsrat in 1931. (Hitler only came to power in 1933, so the draft preceded the Nazi rule.) Although there was a formal nomination procedure in France, it all consisted of a candidate submitting a certified statement of action to the competent prefect.

In view of the fact that the aim of nomination is to facilitate the election, that is, to pre-select individuals who are supported by a major group of voters, the nomination procedure was used by most European countries. However, the fascist (Mussolini's) Italy and Soviet Russia were special in this respect, where not the voters nominated. In Italy, specific economic, cultural, educational and aid organizations recommended the candidates, and the candidates were elected from among them, but even taking into account other persons, by the Fascist Grand Council. Citizens could only vote to accept or reject the candidates so designated. Even in the Soviet system, only party organizations and trade unions could nominate candidates at election rallies, who were voted (by exclamation) publicly. Berecz emphasized in both cases that such solutions were not desirable in Hungary. According to him, for example, the Italian system was "utterly foreign to the spirit and provisions of our Hungarian basic constitutional laws".<sup>8</sup>

However, he was all the more in favour of adopting the English model, where the recommendation of only ten voters was needed, but at the same time a £ 150 electoral deposit was required. The candidate received his money back only, if at least one-eighth of the votes cast in the election fell on him. Although many Hungarian politicians saw this solution as excluding the less wealthy candidates from the competition, Berecz argued that it cost much more to maintain a number of party offices and recruit an entire canvasser army to collect signatures, so it was still the most suitable way to keep "wannabes" away. Between the two wars, Estonia essentially operated a list version of the English system: it required the authenticated signatures of only five voters, while the party list submitter had to provide a deposit of 500 Estonian crowns. This amount was not reimbursed only in the case when the list did not win any seats. We note that in Estonia (but also in Finland) the state order was already defended at the recommendations: recommendation list could not be submitted by organizations that sought to forcibly change the state order or the existing social order.

The fourth group includes European countries with a higher number of signatures required for a valid nomination. For example, the recommendations of a hundred voters were demanded in Belgium, Austria or Czechoslovakia. It should be emphasized, however, that these countries typically had list electoral systems.

The last category is made up of states that essentially tied the running of a candidate to a mass recommendation. For example, the "old" Italian law (1923) stipulated that a minimum of 300 and a maximum of 500 signatures were required. In Poland, a list of recommendations was only valid if it contained the signatures of at least 650 voters. Contemporaries considered the Yugoslav election law to be the most notorious: there, a party needed more than sixty thousand signatures to recommend its national list.

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<sup>8</sup> BEREZ, *op. cit.*, p. 117.

## Hungarian regulation of the nomination of candidates

The Hungarian system of the time was mostly related to the Polish, so, together with the Polish system, it belonged to the last of the mentioned groups. The table below shows how the number of recommendations required to run a candidate increased in Hungary since 1848:

	Act No. V of 1848, § 27	Act No. XXXIII of 1874, § 70	Act No. XV of 1899, § 156	Act No. XIV of 1913, § 85	Act No. XVII of 1918, § 97	Decree No. 5988 M. E. of 1919, § 17
Number of recommenda- tions required	1	1	10	50	50	500

It can be well observed that the Hungarian system became “massed” in 1919, but here we do not deal with the reason for this as it is outside the period under our examination, we only establish as a mere fact that the Horthy era<sup>9</sup> already inherited this state. (Yet, in 1919, there were only single-member constituencies, no regional or national lists were used.)<sup>10</sup>

Bethlen’s<sup>11</sup> electoral decree of 1922 also introduced new rules for the nomination of candidates. From then on, signatures of 1,000 voters were required instead of 500, although slightly less – but at least 10% of the voters – were enough in smaller districts (up to ten thousand voters). The new provision was based on the grounds that, especially in view of the fact that constituencies had become more populous as a result of the extension of voting rights following the dualism,<sup>12</sup> “self-candidates” who were unlikely to be elected should not complicate the procedure unnecessarily.<sup>13</sup> Importantly, the decree in question introduced the list election in the capital and in the so-called “surrounding areas of Budapest” constituency.<sup>14</sup> The political background of this was the agreement with the Social Democrats (the “Bethlen-Peyer” Pact).<sup>15</sup> In places where there was a list election, five thousand signatures were needed to run a party list.<sup>16</sup> The reason for this provision was that the list constituencies were larger than the single-member constituencies, so it was feared that requiring fewer signatures would split the voters into a number of small party groups

<sup>9</sup> Hungary was a kingdom between the two wars, the head of state was regent Miklós Horthy.

<sup>10</sup> A magyar kormány 1919. évi 5.985. M. E. számú rendelete, a nemzetgyűlési, törvényhatósági és községi választójogról (Decree No. 5.985 M. E. of the Hungarian Government of 1919 on the suffrage for National Assembly and municipalities), § 6. In: *Magyarországi Rendeletek Tára*. Vol. LIII. Budapest: Magyar Kir. Belügyminisztérium, 1919, p. 881.

<sup>11</sup> Between 1921 and 1931, István Bethlen was the Prime Minister of Hungary.

<sup>12</sup> The political system of the Austro-Hungarian Monarchy is called dualism.

<sup>13</sup> Indokolás “az országgyűlési képviselők választásáról” szóló törvény javaslatához (Explanatory Memorandum to the Bill “on the Election of Members of Parliament”. Hereinafter: Explanatory Memorandum to the Act No. XXVI of 1925). In: *Az 1922. évi június hó 16-ára összehívott Nemzetgyűlés irományai* (Writings of the National Assembly convened on 16 June 1922). Vol. 13. Budapest: Pesti Könyvnyomda Részvénytársaság, 1925, p. 351.

<sup>14</sup> § 11 of Decree No. 2.200/1922.

<sup>15</sup> Károly Peyer was a key leader of Hungarian social democracy between the two world wars.

<sup>16</sup> § 11 of Decree No. 2.200/1922.

and thus the system would “degenerate”.<sup>17</sup> (To understand this, we note that the majority of contemporary electoral laws, including the Hungarian, did not know the “parliamentary threshold”).

Bethlen’s Electoral Act of 1925 introduced only minor reforms as regards the nomination of candidates. As list election was also introduced in cities electing more than one Member of Parliament<sup>18</sup> (in a total of seven large rural cities), the number of recommenders could also be less than five thousand in a list district, if five thousand exceeded 10% of those eligible to vote there.<sup>19</sup> On the other hand, “preference for the Members of Parliament” emerged. If the person to be nominated in a single-member constituency had previously been a Member of Parliament, it was sufficient to obtain half the number of signatures required by law.<sup>20</sup> This was clearly an attempt to ensure that the Parliament had a permanent staff. Finally, Bethlen’s act already knew the national list (although it was never applied in practice) and, from the current perspective, it regulated the recommendation thereof in a very interesting way. This is because, under certain conditions, the parties could (have) submitted their list of candidates to the Speaker of the House of Representatives already after the elections.<sup>21</sup>

The Electoral Amendment Act of 1937 only amended the rules of nomination, and also only for single-member constituencies. The radical reform was necessary because, by that time, the institution of the nomination of candidates had already been considered by everyone to be the most abusive and most vulnerable point of the Hungarian electoral legislation. It was indeed attempted to collect the signatures of all the voters in the constituencies, even, of course, by forging them, so that the opponent could not get the sufficient number of recommenders. The government sought to temporarily “establish a state of quiescence”<sup>22</sup> on the issue of suffrage, paving the way for a package of constitutional reforms, including the extension of the powers of regent Horthy and the upper house of parliament, as well as a comprehensive reform of electoral law. The amendment was therefore only intended for some by-elections, and since there were no by-elections in the list districts, because the deputy-members were also pre-elected together with the Members of Parliament, its scope was not extended to them.<sup>23</sup> Incidentally, the enactment of nominating rules in a separate act was not entirely unknown in Europe: an example of that is the contemporary Norwegian rules and regulations.

One of the most important innovations of the amendment was the maximization: no more than 150 people could recommend a candidate.<sup>24</sup> (Let’s recall the “old” Italian act,

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<sup>17</sup> Explanatory Memorandum to the Act No. XXVI of 1925, p. 353.

<sup>18</sup> § 13 (1) of Act No. XXVI of 1925.

<sup>19</sup> Ibidem. § 93 (2).

<sup>20</sup> Ibidem. § 62 (5).

<sup>21</sup> Ibidem. § 12 (4), (7).

<sup>22</sup> Indokolás „az országgyűlési képviselőjelölés újabb szabályozásáról” szóló törvény javaslatához (Explanatory Memorandum to the Bill “on the newer rules and regulations of the nomination of Members of Parliament”. Hereinafter: Explanatory Memorandum to the Act No. VIII of 1937). In: *Az 1935. évi április hó 27-ére összehívott Országgyűlés Felsőházának irományai* (Writings of the Upper House of Parliament convened on 27 April 1935). Vol. 4. Budapest: Athenaeum Irodalmi és Nyomdai Részvénytársulat, 1937, p. 253.

<sup>23</sup> Explanatory Memorandum to the Act No. VIII of 1937, p. 254.

<sup>24</sup> § 2 of Act No. VIII of 1937.

which also knew the upper limit.) The candidate had to collect the signatures of minimum one hundred voters, fifty of whom had to be at least 30 years old.<sup>25</sup> The purpose of this rule was to exclude running of candidates who only enjoyed the confidence of voters who were not yet “politically mature”.<sup>26</sup> (Think of the threatening spread of Szálasi’s<sup>27</sup> extreme right-wing “Hungarist” movement.) From then on, it was no longer enough to authenticate the blank recommendation sheets, the signatures of the recommenders had to be authenticated as well.<sup>28</sup> Formally, this justified – although we feel this lacks logical connection – that those who recommended should be considered as having voted for the candidate.<sup>29</sup> Thus, by reducing the number of recommenders to 100–150, the Hungarian system – unfortunately only temporarily – moved towards the solution of the fourth group mentioned in the previous chapter (e.g. Belgium, Austria or Czechoslovakia).

Another significance of the amendment was the introduction of the electoral deposit, following the English model. The amount was two thousand “Pengő”,<sup>30</sup> which, according to the Explanatory Memorandum, “should not be an obstacle to the running of a serious candidate”.<sup>31</sup> To get this “deposit” back, the candidate had to get at least a quarter of the votes cast in the election.<sup>32</sup>

One year later, in 1938, the last electoral act of the era was published, under which only one election was held, and which, due to its extreme complexity, could not be called a masterpiece of electoral codification. This changed the nomination rules again, considering that from then on each county was also a list constituency<sup>33</sup> (but the single-member constituencies remained, too),<sup>34</sup> which led to the revision of the rules for recommending party lists. The new nomination rules differed not only according to the types of constituencies, but also according to whether the candidate planned to run as a member of a statewide or a non-statewide party.<sup>35</sup> In a single-member constituency, the candidate needed five hundred signatures, but as an official candidate of a statewide party, the candidate only needed 150. In a list constituency, a party list could be run with the signatures of one thousand five hundred voters, but in the case of a statewide party, 150 recommendations per candidate but at most 750 recommendations in total were sufficient.<sup>36</sup> The reason given for the different rules was that they can thus limit the influence of very small parties. The “great calamity” of parliamentary systems is that the excessive proliferation of parties cannot be stopped. On the other hand, parties that already had several members of parliament have a “political pre-school education”, so the public can already criticize their objectives and

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<sup>25</sup> Ibidem. § 1 (1).

<sup>26</sup> Explanatory Memorandum to the Act No. VIII of 1937, p. 255.

<sup>27</sup> Between October 1944 and March 1945, as the “Leader of the Nation”, Ferenc Szálasi was the head of state of Hungary, serving the Germans.

<sup>28</sup> § 1 (2) of Act No. VIII of 1937.

<sup>29</sup> Ibidem. § 6. (1).

<sup>30</sup> The “Pengő” (P) was the currency of Hungary between 1927 and 1946.

<sup>31</sup> Explanatory Memorandum to the Act No. VIII of 1937, p. 255.

<sup>32</sup> Act No. VIII of 1937. § 4. (1) and (3) b).

<sup>33</sup> § 3 of Act No. XIX of 1938.

<sup>34</sup> Ibidem. § 2.

<sup>35</sup> A statewide party could only be a party that had at least four members of parliament and at least twenty thousand members entitled to vote and stand for election. See § 82 of Act No. XIX of 1938.

<sup>36</sup> § 80. (2) and (3) of Act No. XIX of 1938.

functioning.<sup>37</sup> The number of recommenders was still maximized, the mentioned minimum values could only be exceeded by 50%.<sup>38</sup>

At the same time, a territorial rule was introduced: no more than a quarter of the signatures could be accepted from the same municipality.<sup>39</sup> The aim was to ensure that local candidates, who were only known in their own municipalities, did not ruin the chances of serious contenders.<sup>40</sup> The Act of 1938 reproduced the provisions from the Electoral Amendment on the age distribution of recommenders and the authentication of signatures, but rejected that recommenders should be regarded as having already voted.<sup>41</sup> However, it retained the electoral deposit: the amount was unchanged in single-member constituencies (two thousand pengő), but in list constituencies it was set at three to five thousand pengő, depending on the number of seats that could be filled.<sup>42</sup> Finally, the relevant chapter of the act stipulated at the outset that no one could be nominated with a political program aimed at subverting the law and order of the state and society.<sup>43</sup> (Let us recall the Finnish and Estonian provisions mentioned above.)

### **Comparative aspects in the design of the Hungarian parliamentary nomination system**

Below, the explanations and the parliamentary debate on the above sections of law are examined from the perspective of how they contain references to other states.

There are no foreign examples in the Explanatory Memorandum to the Act of 1925 to support its nomination system. Even in the National Assembly debate on the relevant part thereof, the comparative aspect appears only once. The Minister of Interior rejected the proposal for the authentication of the completed recommendation sheets by the municipal prefectures on the ground that the Czechoslovak Republic used this method and he had personal and bad experiences with it.<sup>44</sup> However, we do not know what these experiences cover exactly. (Let us recall: the authentication of the completed recommendation sheets was not incorporated into the Hungarian law until 1937.)

Naturally, regarding our subject, the comparative aspect is the most markedly addressed in the case of the Electoral Amendment Act of 1937. Its explanatory memorandum lists the number of recommendations required for a valid nomination of a candidate in the European countries: “If we look at foreign relations, we can say that the bill is on the middle ground, because the number of recommenders in each foreign country varies

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<sup>37</sup> Indokolás „az országgyűlési képviselők választásáról” szóló törvényjavaslathoz (Explanation to the Bill “on the Election of Members of Parliament”. Hereinafter: Explanation to the Law No. 19 of 1938). In: *Az 1935. évi április hó 27-ére összehívott Országgyűlés Felsőházának irományai* (Writings of the Upper House of Parliament convened on 27 April 1935). Vol. VII. Budapest: Irodalmi és Nyomdai Részvénytársulat, 1938, p. 91.

<sup>38</sup> § 80 (6) of Act No. XIX of 1938.

<sup>39</sup> Ibidem. § 80 (5).

<sup>40</sup> Explanatory Memorandum to the Act No. XIX of 1938, p. 123.

<sup>41</sup> § 80. § (4) and 81 of Act No. XIX of 1938.

<sup>42</sup> Ibidem. § 78 (2).

<sup>43</sup> Ibidem. § 75 (2).

<sup>44</sup> Speech by Iván Rakovszky, Minister of Interior, 2 July 1925. In: *Az 1922. évi június hó 16-ára hirdetett Nemzetgyűlés naplója* (Journal of the National Assembly convened on 16 June 1922). Vol. 34. Budapest: Athenaeum Irodalmi és Nyomdai Részvénytársulat Könyvnyomdája, 1925, p. 361.



between 5–10–15–20–25–50–100–200–650. Similar to this bill, signatures of 100 voters are required in Belgium, Czechoslovakia and Latvia.”<sup>45</sup>

The cited part was fiercely attacked by the opposition in the House of Representatives. They denied that the bill would stand in the middle ground, because where the number of signatures to be collected for a valid nomination is determined in hundred, for example, in Austria, Czechoslovakia, Latvia, and other countries, elections were listed, not single-membered, as in Hungary. They also warned that although in some foreign states, similarly to the Hungarian system, the authentication of signatures was required, there was less abuse of this in the case of list elections. However, Belgium, Germany, Finland, Estonia, Bulgaria, and Romania had list elections, thus, nowhere was it required to authenticate signatures in single-member constituencies.<sup>46</sup>

Nevertheless, along with the majority of the House of Representatives, the cited section of the Explanatory Memorandum was also defended by the upper house of the Hungarian Parliament, which considered the number of hundred to be the correct average. It was established that although the number of recommenders was fixed at ten in England, forty in the Netherlands, a minimum of 25 and a maximum of fifty in Denmark and one hundred in Belgium, other countries set the number of recommenders higher. However, no examples were given of the latter states.<sup>47</sup>

The Explanatory Memorandum to the Electoral Amendment of 1937 also cites foreign examples in support of the electoral deposit to be introduced in Hungary:<sup>48</sup> “Among foreign states, the nomination of candidates is also subject to the provision of deposit in England, among others, where the amount of the deposit is £ 150; the deposit is £ 100 in Ireland, 500 Estonian kroons in Estonia and 1000 lats in Latvia.”<sup>49</sup> The opposition took aim at this explication by drawing a parallel between the number of recommenders and the value of the electoral deposit in some foreign states: “...For while in Estonia five recommenders and a deposit of 500 Estonian kroons are required, there are ten recommenders and a deposit of £ 150 in England, 15 recommenders and a deposit of 100 gold francs in Albania, 100 recommenders and a deposit of £ 100 in Ireland, 100 recommenders and a deposit of 1000 lats in Latvia, in Hungary 100–150 recommenders are needed with a deposit of 2000 pengő.”<sup>50</sup> (The interpretation of the quote is not without problems, as

<sup>45</sup> Explanatory Memorandum to the Act No. VIII of 1937, p. 254.

<sup>46</sup> Speech by Károly Meizler, Member of Parliament, 18 February 1937. In: *Az 1935. évi április hó 27-ére hirdetett Országgyűlés Képviselőházának naplója* (Journal of the House of Representatives convened on 27 April 1935). Vol. 11. (Hereinafter: Journal of the House of Representatives, 1935–11). Budapest: Athenaeum Irodalmi és Nyomdai Részvénytársulat Könyvnyomdája, 1937, p. 420.

<sup>47</sup> Speech by Móric Tomcsányi, Member of the Upper House, presenter of the Bill, 16 March 1937. In: *Az 1935. évi április hó 27-ére hirdetett Országgyűlés Felsőházának naplója* (Journal of the Upper House of Parliament convened on 27 April 1935). Vol. 2. (Hereinafter: Journal of the Upper House of Parliament, 1935–2). Budapest: Athenaeum Irodalmi és Nyomdai Részvénytársulat, 1937, p. 89.

<sup>48</sup> This idea had already been addressed earlier, based on the English model: “Based on the English model, whereby candidates should provide a deposit and would lose it in the event of a completely frivolous result, the idea of deposit was also harbored.” ACSAY, T. *Lajstromos szavazás egyéni választással. A választójog kérdései*. (List voting with single-member election. Questions of electoral law). Budapest: Magyar Nemzetpolitikai Társaság, 1934, pp. 221–222.

<sup>49</sup> Explanatory Memorandum to the Act No. VIII of 1937, p. 255.

<sup>50</sup> Speech by János Vázsonyi, Member of Parliament, 19 February 1937. In: Journal of the House of Representatives, 1935–11, p. 437.



it is now quite difficult to determine how the different currencies related to each other at that time.)

The opposition criticized not only the high value of the electoral deposit, but also that, under Hungarian regulations, the candidate would lose its full amount if not receiving at least 25% of the votes cast. The English example also appeared in the argument here: in England it was sufficient for a candidate to receive one-eighth of the votes cast, that is to say 12.5%, and then the deposit was returned.<sup>51</sup>

The provision on the electoral deposit was also defended on a comparative basis in the upper house debate, stressing that there were deposit also in countries other than England, but as a contribution to costs. However, its aim was the same everywhere: to keep out “frivolous” candidates who could not even get a certain minimum of votes. Although it was recognized also in the Upper House that there were states where the deposit had to be returned if less than a quarter of the votes cast were obtained (it was also mentioned at the time that in England, for example, it was enough to get one-eighth of the votes), the one-quarter ratio was not considered too high, just a maximum limit that could still be accepted.<sup>52</sup>

Thus, if we judge the “nomination” amendment of 1937 from a comparative point of view, it can be concluded that it cumulatively agglomerated all kinds of solutions from the countries of Europe. In foreign states, typically, either the collected recommendations had to be authenticated or an electoral deposit had to be provided. The only exceptions to this were Romania and Estonia, where both authentication and deposit were required at the same time. However, this parallel system was greatly facilitated by the fact that only twenty signatures had to be authenticated in Romania and only five in Estonia.<sup>53</sup>

Explanatory Memorandum to the Electoral Act of 1938 did not list foreign examples in support of the new nomination rules. However, references were made to several countries in its debate in the House of Representatives. In this regard the new provision of the law that no one could be nominated as a Member of Parliament with a program aimed at subverting or destroying the law and order of the national state and society, is worth highlighting.<sup>54</sup> The opposition found that a similar provision existed only in Finland and Estonia, bordering Russia, where it served to protect against Bolshevik agitation from Russia.<sup>55</sup>

Disagreements over the issue of electoral deposit were renewed with a similar comparative tint as in the debate of the nomination amendment in the previous year. The opposition reiterated that although there was a deposit in some foreign states, but its amount was

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<sup>51</sup> Speech by Tibor Rakovszky, Member of Parliament, 24 February 1937. In: *Journal of the House of Representatives*, 1935–11, p. 488.

<sup>52</sup> Speech by Móric Tomcsányi, Member of the Upper House, presenter of the Bill, 16 March 1937. In: *Journal of the Upper House of Parliament*, 1935–2, p. 90.

<sup>53</sup> Speech by Károly Meizler, Member of Parliament, 18 February 1937. In: *Journal of the House of Representatives*, 1935–11, p. 420.

<sup>54</sup> § 75 (2) of Act No. XIX of 1938.

<sup>55</sup> Speech by János Vázsonyi, Member of Parliament, 5 April 1938. In: *Az 1935. évi április hó 27-ére hirdetett Országgyűlés Képviselőházának naplója* (*Journal of the House of Representatives convened on 27 April 1935*). Vol. 17. (Hereinafter: *Journal of the House of Representatives*, 1935–17). Budapest: Athenaeum Irodalmi és Nyomdai Részvénytársulat Könyvnyomdája, 1938, p. 574.

higher in Hungary than in England, for example, or in other countries.<sup>56</sup> On the other hand, where an electoral deposit had been introduced, a large number of recommenders were not required anywhere: the highest number of recommenders was needed in Ireland, one hundred in total, but elsewhere this number did not exceed 3–5–10–15.<sup>57</sup> Furthermore, where a larger number of recommendations needed to be authenticated, there was no deposit at all. Where there was a deposit, the number of recommendations to be authenticated was lower.<sup>58</sup> Finally, the opposition also considered it unfair that the candidate would lose the electoral deposit if he did not get 25% of the votes. The example of England reappeared, as well as the fact how Hungarian public relations did not resemble it, unfortunately: the deposit repayment was not subject to 25% and three voters could recommend there.<sup>59</sup>

## Summary

If we look for the place of the Hungarian parliamentary nomination system between the two wars in the Europe of the period, we can state that Hungary was one of the states where the number of recommenders required for a valid nomination was determined quite high. However, this is only the characteristic of the period we examined, as it was not necessary to recommend more than fifty voters before, even in the final hours of the Austro-Hungarian Monarchy.

As for the institution of nomination, the comparative aspects are most pronounced in relation to the electoral amendment of 1937, which is hardly surprising, since this act reformed only this sub-area. Although the amendment was in force for a short time only, until the entry into force of the Electoral Act of 1938, we emphasize that in the Europe of the age, apart from Hungary, only Norway placed its provisions on nomination in a separate piece of legislation. Nevertheless, it is very interesting that this fact was not included in the Explanatory Memorandum of the Hungarian electoral amendment, and no Member of Parliament mentioned it in the parliamentary debate.

Single elements of the Hungarian nomination system, applied individually or in certain combinations, were also known in other European countries. The extreme complexity of Hungarian rules and regulations from 1937 onwards follows from the fact that the legislator combined virtually all the solutions that existed in the various states of Europe. Its complexity was even increased by an “own” provision: fifty percent of the recommenders had to be in their thirties. This was the “Hungarikum” of Hungarian regulation: there was no example of this in the countries of contemporary Europe. On the basis of all this, however, we have to ask the question whether the Hungarian government at the time really wanted to honestly serve the issue of the reform of the nomination, which already had so much abuse in the 1920s, by adopting the electoral amendment act.

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<sup>56</sup> Speech by Manó Buchinger, Member of Parliament, 6 April 1938. In: *Journal of the House of Representatives*, 1935–17, p. 599.

<sup>57</sup> Speech by János Vázsonyi, Member of Parliament, 5 April 1938. In: *Journal of the House of Representatives*, 1935–17, p. 578.

<sup>58</sup> Speech by János Vázsonyi, Member of Parliament, 6 April 1938. In: *Journal of the House of Representatives*, 1935–17, p. 584.

<sup>59</sup> Speech by Sándor Propper, Member of Parliament, 5 April 1938. In: *Journal of the House of Representatives*, 1935–17, p. 576.

Finally, we would like to point out that the documents we use, especially the materials of parliamentary speeches, should only be used as a source of contemporary European suffrages with strong criticism. The Members of Parliament may have been wrong, especially in the heat of their political convictions. Thus, the comparative content of their speeches is more an example of how they saw the suffrages of certain European states at the time and what they thought should be applied or discarded to Hungarian conditions.

Incidentally, states typically appear emotionless in the speeches we reviewed. Only two countries, but only once for a passing time, appear in a negative context: Czechoslovakia for the frauds around the authentication of recommendation sheets and Soviet Russia for Bolshevik agitation. However, the relatively frequent mention of England suggests that its public relations were considered authoritative (also) in Hungary.