

# **ELECTION SYSTEMS AND FAIR REPRESENTATION**

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## **ÖZET**

Sınırlı oy sistemi hariç bütün seçim sistemleri başarıya ulaşma şansına sahiptir. Seçim sistemlerinin temel amacı siyasal gücün hukuki bir zemine oturtulmasıdır. Bu amaca ulaşmak için, bir ülkede kabul edilmiş olan seçim sisteminin toplumda bir genel kabul bulması gerekmektedir. Böylece herkes tarafından kabul edilmiş adil bir durum meydana gelir. Bir başka deyişle, seçim sistemi tercihinde toplumda bir konsensus oluşur. Genel kabul görmüş temel seçim sistemlerinden biri tercih edildikten sonra ülkenin kendine özgü özellikleri de göz önünde bulundurularak yeni birkaç ekleme ile karma seçim sistemi diye nitelendirebileceğimiz bir seçim sistemi meydana getirilebilir. Böylece, her ülkenin kendi ekonomik, sosyal, kültürel ihtiyaçlarına cevap veren bir seçim sistemi ortaya çıkmış olur. Bir ülkede yararlı sonuçlar vermiş bir seçim sistemi başka bir ülkede aynı sonucu vermeyebilir. Bu sebeplerle her ülke için, kendi yapısına en uygun olan seçim sistemi tercih edilebilecek en iyi seçim sistemidir.

## **Anahtar Kelimeler**

Seçim, Seçim Sistemleri, Genel Oy, Sınırlı Oy

## **Summary**

In the election systems, almost all of them except the “Limited Vote” have the chance of implementation. The fundamental purpose of the election system is to establish a legal ground for the political powers. For this purpose the election systems that are implemented in the country should reflect the free willpower of the majority as much as possible. As a result, a fair situation accepted by everybody comes up. In other words, a “consensus” is obtained in the community while the countries make choices about their election system as pure. They receive a basic election system and they adapt this system by taking into consideration the characteristics of their country and by making some additions to the other systems. So a mixed election system comes up. As a matter of fact, this is the system or method which is suitable to the requirements of the country because the social, cultural and economic texture of each country is different from other countries. For this reason, a system which produces beneficial results in one country can not produce the same results in another country. Therefore the most natural and the best one for a country is to choose the system which is suitable for the structure of the country.

## **Key Words**

Elections, Election Systems, General Vote, Limited Vote

## **INTRODUCTION**

From the appearance of the State up to our present time, the power that holds the political authority has always intended to base the power that it possesses on a legal ground. The ground for legality of the power showed variations according to its age. At first the ground for legality was based on divine grounds. The possessors of the power in the state made themselves to be accepted by the community as Gods or the representatives of Gods. As the time progressed, such understanding was changed gradually step by step

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and the source of the power was transferred to the community. In other words, the source of the power passed from God to the human beings. In modern state conception, the source of the power has been the people. Political regimes have adopted names depending on the section of the people accepted by the power, such as Marxism, Fascism, Nazism, Aristocracy, Democracy.

All regimes that base the source of their power to people, explained their legality as accepted by the people. Namely, the acceptance of themselves by the people constituted the base for their legality. The questions about what its criteria and how it will be decided, have created the elections and election systems.

### **ELECTION SYSTEMS**

In our age, all kinds of political powers continue to base the ground of their legality to the elections.

Therefore, the significance of the elections and election systems in our present day has increased. Those who vote in the elections are generally the citizens as well. Although we see that the people who are not citizens can vote in local elections in some democratic countries, such a tendency has not flourished enough yet and is very limited.

Among the political academicians there isn't a unity on the legal nature of the "authority for election". While some academicians accept the "authority for election" as a right, others accept it as a duty. Of course, such a difference in perception gives rise to various results. We will examine the election systems in three main headlines.

#### **1-According to the Qualifications of the Voters**

In the elections of political powers, the struggle in connection with the qualifications of the voters has continued from the ancient times up to the end of the 20 th. century. In fact, the struggle in this connection was to be in power for the administration of the country. In other words, it was the quarrel in the designation of the power. As each country has its own typical social, cultural and political perception, such struggles showed variations according to the sake of it, revolutions were instituted and fights which were not considered very important were given. For example the revolution was instituted in France in 1789 and much blood was shed.

The voters who will elect the members to constitute the political power can be put into two groups according to their qualifications.

#### **A.LIMITED VOTE**

Allowing some limited people the right to vote forms the basis for the limited vote system. Such a limit changes depending on the social, cultural, economic and political structure of the country. Some countries accepted male-female distinction, some accepted the education as a base ,

some other countries took the wealth as basis others took race segregation as criteria. Each country took the fundamentals of its special circumstances as criteria. So the people who were allowed to vote became privileged within the community because the political power was determined by the votes of them in an indirect manner. Thus, those who have the right to vote were accepted as those in a higher level than those who did not have a right to vote and were respected. Such a situation also created inequality among the people. It should be kept in mind that inequality puts an end to social peace and creates unrest in the social structure. When the unrest becomes too large, state stability can be open to dangers and such unrest can lead to results with the life of the state encountering some surprises.

### **B. GENERAL VOTE**

The trends attaching importance to wisdom in the 17<sup>th</sup> and 18<sup>th</sup> centuries, defended the equality among the people and made the struggle in this respect prominent. Such manner of thought, accepted people as valuable because they were human beings. Those who defended that the people had some hereditary rights and freedoms and that the state should give importance to such rights and freedoms increased significantly. They defended that the legal power was the power which came into power by the willpower of the people. At the end of all these struggles, the contribution of the political power was sought as much as possible. This, naturally gave rise to the perception of "General Vote" as well. According to the perception of "General Vote", it is an accepted principle that the people who carry the qualifications envisaged by laws can vote without any distinction among the people. Countries depending on their characteristics accept legal political age to vote between 17 and 25.

All citizens of that age have the right to vote provided that they are not under the care of a guardian. Such citizens by casting their votes by their own free willpower and without being subject to any pressure, in the direction of their preferences, ensure the formation of the political organ.

### **2-According to Tiers System**

In the foundation of the tier and graded election system lies the idea of preventing certain extremes and certain needs arising from the political structuring of the country. If the social structure of the country is suitable for the fanatical and dangerous ideas to spread quickly from the viewpoint of the country or if the country is in a federal structure, this election system is generally preferred.

#### **A. Single Tier System**

In Single Tier System, citizen elect their representatives directly. So the citizens have the means of electing their own representatives without any intermediaries. Of course, such a system is compatible both with the

basis of the representation and the principles of the democratic regime. Today many countries prefer this system.

#### **B.Double Tier system**

In double tier system, voters don't elect their representatives directly. This election system is structured in two tiers. In the first tier the voters elect the persons who will elect the representatives. Such persons are also called delegates. Those who are elected come together and elect the representatives in the second tier. As seen, the voter can not elect him/her indirectly. However, sometimes in order not to have results contrary to the opinion of the citizen "imperative proxy" or "mandatory power of attorney system" is implemented. According to "mandatory power of attorney", the voter binds the person or the delegate who is elected in the first tier with the obligation to vote for the representative he was asked to elect. Accordingly, the delegates elected by the voter can not act contrary to the willpower of the voter. For example, if the voter elects the delegates in order to vote for "A", the delegates are obliged to vote for "A". They can not vote for another person. This system is implemented in the election of the president in the USA.

### **3- According to the Nature of the System which will Produce Result**

In the election of the members of the political power, the system, which will produce the result of the elections is important. The implemented system should be fair and the representation be realised in the upper levels as much as possible. The system implemented in the elections sometimes brings out such result that, the result created is not fair and it is far below the level in terms of representation. Such a situation arises in the United Kingdom and in Turkey. The principle in democratic regimes is to ensure the participation of the people in the highest level in the formation of the political power. Furthermore, it is very useful in order to realize the political stability. It is not very easy to synthesize the two of them. However, there are certain efforts in order to ensure it and they will continue to do so. This should also be kept in mind that it is rather difficult to make everybody satisfied in democratic countries. The important thing is to reach an agreement in the minimum requirements.

#### **A.Majority System**

The Majority system in principle is winning the election by the person who collects the most votes. According to the simplest form of this system, the person who gets the most votes in accordance with the implemented rules in terms of the persons participating in the election. For example if "A" gets 100, "B" gets 105 and "C" gets 90 votes, "B" wins the election because he gets the most votes. Please note that the total of the

valid votes is  $100+105+90=295$ . Saying that “B” has won the election receiving 105 votes out of 295 votes, means that the winner is in minority. Because the number of the votes in opposition is 190. Such a result is accepted as an unfair result. In order to prevent partially such situations and to bring them to a fair level, certain methods were developed within the majority system. Let’s examine them now.

#### **a-List and Preference System**

In such a system each party prepares its own list and the voters cast their votes as they are, without making any changes in the list.

At the end, the party which has the most of the lists in the ballot box, wins the election as it is explained in the example above. While in the preference system, the parties prepare their list again and the voters can make preferences in the lists of the parties. Finally the preferences are listed from the highest figure to the lowest figure, and at the end of such sequence, the number of the representatives to be elected, is elected according to the number of votes they get.

#### **b-Narrow District System**

In this system, there is an election district for each candidate. Only one candidate is elected in such a district. At the end of the election, the party and the candidate of the party who gets most of the votes wins the election, in that district. For example, if 5 representatives will be elected in “A” province, such province forms a district for each candidate. Namely, 5 election districts are formed in that province. Each party puts up a candidate for each district. At the end of the election the candidate of the party who gets most of the votes wins the election in that district.

In order to implement such an election system the social structure of the country, the cultural level and the ethnic structure should be firmly stable and established. Otherwise, the results that can be unpleasant for that structure in that country. For example, in some districts religious sects, ethnic roots, cultural differences can gain prominence and such diversities can be misused. Of course such diversities can affect the political peace of the country. For that reason we are in the opinion that the countries which will implement such a system should not have these types of problems.

#### **c-Tour System**

This system provides for the capability of high representation in the legislative organ. Namely, the legislative power reflects the high representation ratio as a structure. On the other hand, the executive organ namely the stability in the government is obtained in this way. Generally as the governments are mostly the government of a single party, they maintain a continuity. In order to win the election in the first tour in an election unit, the parties or the candidates who participate in the election should get one

more vote of the valid votes namely,  $50\% + 1$  in such a unit. If nobody gets the majority, the second tour starts and generally the two parties or the candidates who get more votes in the first tour are elevated and those who get the most votes in the second tour are elected. This system is implemented in France.

### **B-Proportional Representation Election Sytem**

The reasons such as the bringing up unfair results which are seen mostly in majority election system and all political trends in the community not being represented in the legislative organ, caused the people to seek a system to minimize such disadvantages. As a result of such efforts, Proportional Representation Election System was introduced. Those who made this system applicable are Carl Andrae, the Danish mathematician and English Thomas Hare. After the First World War such a system found a very wide implementation area particularly in Europe. Today, it has a considerable implementation area. Proportional representation election system generally is implemented in two forms.

#### **aa-Precinct Barrage**

In precinct barrage systems an election precinct is taken as basis and the valid votes received in the said precinct is divided by the number of the deputies to be elected and the figure obtained after this division is accepted as the number of barrage. The number of valid votes received by the the number of barrage and the result shows the number of the deputies that a certain party will get in the said precinct. Besides the precinct barrage, some countries can adopt a country barage as implemented in Turkey and in Germany. In this system a country barrage is decided in percentage according to the total valid votes cast all over the country. Then the valid votes cast for each party in the country are calculated. The parties which receive votes below the country barrage can not have any representatives. In Turkey the country barrage is 10 percent.

#### **bb-D'Hondt System**

This system was introduced by D'HONDT, Belgium mathematics professor at Gand university. According to this system, the votes received by each party from an election district is divided by 1,2,3,4 respectively until the number of deputies to be elected in that district. At the end, the numbers from the greater to the smaller number are marked. Such a listing is made according to the number of deputies to be elected in the said district. After reaching the said number, the process is ended. During this listing, representatives for a certain party are elected depending on the numbers that are marked.

### **CONCLUSION**

In the election systems that we have tried to explain briefly above, almost all of them except the "Limited Vote" have the chance of implementation. The fundamental purpose of the election system is to establish a legal ground for the political powers. For this purpose the election systems that are implemented in the country should reflect the free willpower of the majority as much as possible. As a result, a fair situation accepted by everybody comes up. In other words, a "consensus" is obtained in the community while the countries make choices about their election system as pure. They receive a basic election system and they adapt this system by taking into consideration the characteristics of their country and by making some additions to the other systems. So a mixed election system comes up. As a matter of fact, this is the system or method which is suitable to the requirements of the country because the social, cultural and economic texture of each country is different from other countries. For this reason, a system which produces beneficial results in one country can not produce the same results in another country. Therefore the most natural and the best one for a country is to choose the system which is suitable for the structure of the country.

In my opinion, within election systems that we have examined the one which produces the most fair results compared with the other is the Proportional Representation Election System.

Proportional Representation Election system produces a broad representation possibility in the implementation. Generally a significant portion of the different ideas prevailing in the country will be able to be represented because of this system. No doubt that as a result, the number of political parties in the country go up. This may cause the instability in the executive organ and we hold the opinion that it might produce a weak executive organ. In order to eliminate such a disadvantage, countries take some measures suitable to their own social and political structures. It is a fact that those who hold the political power in a country should be the representatives of all kinds of ideas prevailing in that country. If that happens, a "general consensus" can be reached about the legality of the political power in the community. In other words the social consensus has been realized to this effect. So the election may have created a fair situation in the country accepted by everybody.