

A NEW MODEL PROPOSAL FOR THE PARLIAMENTARY ELECTIONS IN TURKEY

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ABSTRACT

Electoral systems are a set of rules determining how elections be held and seats be distributed in the parliament while elections are to represent citizens in parliament equally in modern democratic societies. Different electoral systems have functioned in Turkey since multiparty politics was introduced in 1946. Currently, the d'Hondt system, suitable for cross-party electoral alliances with a 10% threshold, is in use. The objective of this study is to present an electoral system ensures just representation with regard to parliamentary elections in the Presidential Government System (PGS) while giving an account of the electoral systems and their characteristics implemented until today. In this context, this study first examines the electoral systems and their basic functions, and then the electoral systems applied in Turkey were discussed in chronological order. The "alliance" arrangement, firstly implemented in the general and presidential elections held on 24 June 2018, is another aspect explored in this study. In addition, we assess some aspects of the current Turkish electoral system not compatible with democracy and fair representation from different perspectives. Conclusively, the study using a qualitative method presents a new model proposal to be applied in Turkish Electoral System.

Keywords: Election, Electoral Systems, General Elections, Presidential Government System, Turkey

INTRODUCTION

Since the introduction of multiparty politics in 1946 till the general elections carried out on June 24, 2018, several electoral systems have been applied in Turkey. During the parliamentary system, Turkey faced many governmental crises² Since sometimes neither a single party could obtain the majority in parliament nor was coalition government established resulting in stalemate. Thus, one could easily say that political stability was not an easy task in Turkey during 1991-2002 periods due to weak coalition

The "367 crisis"⁴ in 2007 and the concomitant military e-memorandum issued on the first round of elections electing the 11th president by the Turkish Grand National Assembly (TGNA), paved the way for constitutional amendments regarding the President be elected by the people rather than the parliamentarians any further. Flowingly, the constitutional amendment made in 2007 enabled the election of the president by the public and on August 10, 2014, the people elected Recep Tayyip Erdoğan as the 12th President. Due to the consensus reached between the Nationalist Movement Party (MHP) and the Justice and Development Part (AKP) in the aftermath of the failed coup attempt on July 15²⁰¹⁶, the 18-point constitutional amendment proposal about the PGS began to be discussed on January 9, 2017, and was accepted in parliament on January 21, 2017, to be submitted to a public referendum after the Presidential approval. The referendum held on April 16, 2017, resulted with the acceptance of with 51.18 percent of the votes. In April 2018, the TGNA decided to hold early elections and the parliamentary elections were to be held on June 24, 2018 on the very same day with the presidential election. With the elections, the PGS started to be implemented de jura. As a consequence of the direct election of the President by the public and the appointment of the ministers by the President brought political stability ensured by the majority vote. Therefore, electoral laws no longer function ensuring the governmental stability.

The objective of this study is to present the electoral systems' characteristics after the transition to multiparty system in Turkey and to propose an electoral system to ensure "justice in representation" in parliamentary elections within the PGS, Thus, firstly, this study examines the electoral systems with their basic functions and discusses the electoral systems applied in Turkey in a chronological order. The "alliance" arrangement, implemented firstly on the general and presidential elections held on 24 June 2018, is another issue explored in the study. Moreover, we also discuss several aspects of the current Turkish electoral system not compatible with fair representation are from several angles. Conclusively, we propose a new electoral model for Turkey benefiting a qualitative method in this research.

ELECTORAL SYSTEMS AND THEIR BASIC FUNCTIONS

The phenomenon of election was born when exactly? In ancient Greece and has evolved in time. Following ancient Greece, where only a limited number of voters had the right to vote, it was Thomas Hobbes who offered elections as a mechanism of state administration by the popular approval. After the French Revolution in 1789 the right to vote with, "the participation of all in the administration through their representatives, the general and equal principles of voting" have been guaranteed. The Paris Charter, affirming every citizen's right to participate in elections, stated that a democratic administration is the public will, expressed through free and fair elections at regular intervals (Özdemir & Nişancı, 2019).

The term of "Election" is defined by the Turkish Language Association as "*the act of selecting a particular one among more than one candidates in accordance with the law and regulations; option*" (TDK, Current Turkish Dictionary). The electoral system is defined as the rules on how political representation will take place, in other words, "*the set of rules which state how the votes cast in elections will determine who is elected*" (Candan et al., 2020). In a society where direct democracy is not available, members of society may have indirect political power. In such a society, decisions and actions to be taken on behalf of the society are carried out through representatives (Buran, 2005). It is very important to determine how these representatives will be appointed. In addition to the necessity of holding elections at regular intervals, the electoral system and its implementation directly affect the understanding of and practice of representative democracy. Currently, several electoral systems are applied around the world. There are many factors from history to culture why any given country implements a particular electoral system (Yavaşgel, 2014). Therefore, electoral systems vary from one country to another. Well, then, which is the most ideal election system? Unfortunately, there is no clear answer to this question. All electoral systems are the results of political choices without exception. Therefore, it can easily be said that there is no ideal and impartial electoral system (Teziç, 2013).

Elections are essentially the source of legitimacy in democratic countries. The party or leader having obtained the majority after the elections is to govern the country in stability. This refers to the principle of "political stability" whereas providing other opinions or political representatives to be represented in the parliament is called the principle of "just in representation" (Türk, 2006). Another important point to mention about electoral systems is that if a party is to have a majority in parliament this leads to a strong executive based on a majority in parliament. A strong executive means political stability. In countries where the proportional electoral system is implemented, each political ideology is represented in parliament. However, a single party is unlikely or rarely to win the majority and the executive is mostly composed of coalitions.

In this respect, it can be easily said that the principles of "fairness in representation" and "political stability" sound good at first though it is not easy to ensure these two principles functioning simultaneously in practice. These two principles do not go hand in hand even though they are not in contradiction with each other. When the principle of "fairness in representation" is emphasized, the principle of "political stability" is relegated to the background. That is why laws governing electoral systems in different countries try to balance

these two principles as much as possible or give importance to one of them depending on the urgent need of the domestic politics.

ELECTORAL SYSTEMS APPLIED IN TURKEY

After the transition to a multiparty politics in 1946, different electoral systems have been applied in Turkey and as a consequence of the political experiences gained have paved the path for the current electoral system today. When we analyze the Turkish parliamentary elections, we observe that the majority system was applied in the elections during 1946-1960, and the proportional representation system has been applied since the 1961 general elections.

			Electoral System	Elections when applied		
			Two-tier Majority System*	1927,1931,1935,1939, 1943		
Universal Direct Suffrage			The Majority List System	1946,1950, 1954, 1957		
	Proportional Representation System			National Remnant	1965	
		d'Hondt Method			D'Hondt Method	1961
					No Threshold	1969, 1973, 1977
					Double Threshold	1983
					Double Threshold+Quota	1987, 1991
					Country Threshold	1995, 1999, 2002, 2007, 2011, 2015/1-2
					Country Threshold+Alliance	2018

Source: (Colak, 2020).

Note: (i) Updated by the authors. (ii) *The 1923 elections were not included in the table because they took place before the proclamation of the Republic.

Along with the debates about the shortcomings of the “alliance” model, added to the d'Hondt country threshold system implemented in the general elections held on June 24, 2018, the question of which electoral system will be more suitable for Turkey keeps up to date. In this part of the study, the electoral systems implemented in Turkey from 1946-2018 elections are discussed through the principles of “political stability” and “justice in representation”.

The Majority List System

This electoral system is based on the principle that “the parties prepare a list of candidates equal in number to the number of deputies to be included in an electoral district and present this list to the voters and voters vote for the list they prefer among the lists” (Teziç, 2003). The majority list system was implemented in Turkey in the general elections of 1946, 1950, 1954, 1957 and finally in the Republican Senate elections of 1961. This system does not ensure justice in representation by creating a “transcendent and incomplete representation”. For example, while the Democratic Party won 47.9 per cent of the valid votes in the 1957 elections, it obtained 424 deputies; the opposition parties could only obtain 186 deputies for 51.9 per cent of the total valid votes. Although it did not ensure justice in representation, the majority list system ensured stability in the administration; following the elections of 1946, 1950, 1954 and 1957, one-party governments were established.

D'Hondt System with Electoral Threshold

The d'Hondt system with electoral threshold is the first proportional electoral system implemented in Turkey. The 1961 Constitution did not provide for a specific electoral system, leaving its regulation to the discretion of the legislator. Thus, the Parliamentary Elections Act⁵ dated May 25, 1961, and numbered 306, was accepted by the Parliament. Undoubtedly, the most important feature of this law is its introduction of the proportional representation for the

first time. Article 1 of this law states that “*parliamentary elections shall be held in one stage, on the same day throughout the country by general, equal and secret ballot, according to the method of proportional electoral system, the method by which the number of political parties’ deputies gains further importance because the d’Hondt is mostly advantageous for the parties gaining more votes* (Bakır et al., 1982). Moreover, the 32nd article of the Law 306, stipulates the limitation of the threshold in addition to the d’Hondt method. Therefore, small parties could not enter the parliament (Türk, 2006). The threshold in this electoral system is the division obtained when the total of valid votes cast in an electoral district is divided by the number of deputies to be elected in that district. Parties and independent candidates who fail to reach the number in the district or single-member district elections, also called as winner-takes-all, lose their chance of being elected from the very start. Therefore, this system, implemented in the 1961 parliamentary elections and the 1964 Senate elections, made it difficult for each opinion to be represented in Parliament. According to Teziç (1967) it is more appropriate to call this system as “semi-majoritarian system”. The 1961 parliamentary elections resulted in four short-lived coalition governments. The d’Hondt system with district threshold applied in the 1961 general elections could ensure neither justice representation nor political stability.

The National Remnant Method

The national remnant method is interpreted as “evaluation of the residual votes in each electoral district at the national level”. The Law 533 issued on February 13, 1965 amended the articles 32 and 33 of the Law 306. According to this amendment, the number of national elections for the 1965 elections was found by dividing the total number of valid votes remaining after dividing the votes of each party to the number of elections in the relevant electoral district by 113, which is the number of vacant parliamentarians ($2.442.531/113=21.615$). Later, the total number of votes of each party in the whole country was divided by the number of national election and the remaining parliamentary seats were distributed (Teziç, 1967). This system, paying attention the just representation principle, was implemented in the 1965 parliamentary elections and the 1966 senate renewal elections. Single-party governments happen to be the exceptions while coalitions are essential after elections benefiting from the national remnant electoral system. However, the fact that the Justice Party (AP) was able to hold power by itself in the 1965 elections since it received 52.9 per cent of the votes.

D’Hondt System without Threshold

This system was applied in the 1961 parliamentary elections without a threshold, where the environmental election number or the simple election number is not applied. The d’Hondt system without threshold ranked second after the national balance system in terms of just representation principle was implemented in the 1969, 1973 and 1977 parliamentary elections as well as the 1968, 1973, 1975, 1977 and 1979 Senate elections. Following these elections, small parties could enter the parliament though the AP was able to form a single party government during 1969-1973 period and afterwards till the military coup on September 12, 1980 coalition governments governed Turkey.

The d’Hondt System with Double Threshold

The 1980 military coup resulted three years of restrictions on democratic institutions though the d’Hondt system with double threshold was kept intact in the Parliamentary Elections Law No. 2839 of June 10, 1983 with additions to strengthen the political stability. Thus, national ten percent thresholds the regional electoral threshold was applied simultaneously making the system be called the double-threshold d’Hondt system (Yavaşgel, 2014). Considering the transition period from military rule to early phases of return in back to democracy one can easily say that political stability is preferred over just representation.

Quota Candidacy

The Motherland Party (ANAP), the single governing party after the 1983 general elections, made some changes on the electoral law. With the law numbered 3270 and dated March 28, 1986, the number of deputies was increased from 400 to 450. In addition, the provinces that will have more than 6 deputies are divided into several districts. Thus, the effective threshold was increased by reducing the size of the average electoral area. Finally, with the law numbered 3377, it was stipulated that political parties in provinces that had more than 6 deputies had to nominate a quota candidate (Yavaşgel, 2014). In addition, in some electoral districts, the environmental threshold was calculated with a different method than the one implemented in the 1991 early elections (Hasdemir, 1992). As a result, when calculating the number of deputies in the 1987 and 1991 parliamentary elections, the application of the quota candidacy was added in addition to the d'Hondt double threshold method. Thus, a mixed system of proportional representation and majority voting was implemented in these two parliamentary elections. This practice closed its eyes when it comes to the just representation principle to provide stability as its foremost aim.

Country Threshold d'Hondt System

This system functions through application of the d'Hondt system to political parties exceeding at least ten percent national threshold in the country. In the 1982 Constitution, regarding the principles of "just representation" and "political stability", the Constitutional Court (AYM) issued its decision and transformed this decision with the Law No. 4121 of July 23, 1995, were incorporated into the Constitution as follows: *The electoral laws are regulated in a way that the principles of justice in the representation and political stability are consistent with each other*. "With the Law No. 4125 of October 27, 1995 on "Basic Provisions of Elections and Electoral Registers, and the Law on Amendments to the Law on Political Parties and the Law on Elections of Deputies", important amendments regarding the appointment of deputies were made. With this law, the number of deputies increased from 450 to 550. In addition, 100 of these 550 deputies are reserved for "Turkey Deputyship". After the publication of the law in question in the Official Gazette, an appeal for suspension of execution and annulment was filed towards the AYM. Finally, with the AYM's decision following this lawsuit, the current electoral system was shaped.

While the AYM annulled regulations on "environmental electoral threshold, "quota candidacy", "Turkey deputyship" and "preferential voting" in accordance with the principle of "justice in representation" of the Constitution. The CC interpreted the 10% threshold as a regulation ensuring that "political stability" does not damage the principle of "justice in representation" and consequently rejected the annulment request. With Law No. 4138 of November 23, 1995, a fixed threshold of 10% was provided for all electoral districts, but this threshold was also annulled at the request of the then President Süleyman Demirel to the AYM (Kuzu, 2006). Finally, in terms of stability implemented on the November 1, 2015 elections, there has been an increase in the number of parties entering parliament compared to previous elections due to lower efficiency of thresholds.

REGULATION OF "ALLIANCE" IN THE ELECTORAL LAW

After the failed coup attempt on July 15, a rapprochement between the AKP and the MHP took place and the issues on which these two parties agreed in the TGNA quickly became laws afterwards. As soon as Devlet Bahçeli, the head of MHP, stated on November 8, 2017 that *"the 10% electoral threshold is too heavy and it is necessary to conduct work based on compromise that will bring Turkey to the process of stability and normalization"* President Erdoğan's statement that electoral alliances could be an alternative brought the discussion of alliances. As a result, the law that made electoral alliances possible was submitted to the TGNA February 21, 2018 (Miş & Duran, 2018). On March 13, 2018, the Law numbered 7102

on the Basic Provisions of Elections and Electoral Registers and the Law on Amendments to Certain Laws were accepted. This law, including 26 articles in total, prepared legal basis for political parties to form alliances in parliamentary elections and it was stipulated that if the alliance received more than 10% of the votes, the threshold would not be applied for the parties of alliance (Miş & Duran, 2018).

The Article 12 of the Parliamentary Elections Law numbered 2839 is regulated under the title of “electoral alliance”. How parties in the same alliance will be included in the ballots is also clarified. Another important issue is the calculation of the votes received by the parties forming the alliance. The calculation of valid votes for the parties forming an alliance in the 29th article of Law numbered 2839 is organized as follows:

... the valid votes of each of the political parties within the same alliance is obtained by adding the share of the common votes of the alliance to the number of votes obtained by the political parties forming the alliance alone in that electoral district. Shares of the common votes of each party forming an alliance; the vote of the parties forming the alliance alone is obtained by dividing such parties by the total votes, multiplying the coefficient obtained by the common vote of the alliance.

Another question is how the percent electoral threshold will be implemented. This threshold is still in effect for political parties that are not part of any electoral alliance. However, provided that a political party is concluded in alliance which receives more than 10 per cent of the valid votes cast in the whole country, for example, a political party that has obtained 3 per cent of the votes also has the possibility of being represented in the assembly. The regulation also made it possible for small parties to obtain deputies by entering into alliances with large parties. The calculation of the number of deputies to be obtained by political parties forming an alliance in an electoral district is as follows: First, in order for the political parties that form an alliance to be able to elect a deputy, the total votes of the alliance in question must exceed ten percent of the valid votes cast in the whole country. The alliances which meet this requirement are subject to the counting of deputies according to the d'Hondt system with a country threshold.

INCOMPATIBLE ASPECTS OF THE CURRENT ELECTORAL SYSTEM IN TURKEY WITH RESPECT TO “DEMOCRACY AND JUSTICE IN REPRESENTATION

The current electoral system in Turkey is the d'Hondt system with a ten percent threshold suitable for alliances between or among political parties. Nine different electoral systems have been employed in the parliamentary elections since the foundation of the Republic (1923) till 2018. With the transition to the PGS, the planned changes in the electoral system and electoral laws are still among the publicly discussed issues. In this part of the study, democracy in the current electoral system and regulations not suitable for “just representation” are mentioned.

Electoral threshold of %10

Currently, the electoral system in question cannot fully ensure just representation (Yavaşgel, 2014). The first reason is the national ten percent thresholds. Any political party neither included in an alliance passing that threshold nor exceed it on its own cannot enter the TGNA and those who vote for that party or alliance lose their opportunity to be represented. It is incompatible with democracy that a party with 9% of the country's votes cannot enter parliament and therefore these voters cannot be represented. The current electoral system has forced parties without potential to overcome ten percent threshold to enter into an alliance with parties of that potential or form that potential together. On the other hand, in Turkey, one can argue that ten per cent electoral threshold applied after the transition to the PGS has no function ensuring the political stability. The purpose of this threshold was to ensure the political stability preventing many small parties and/or independent deputies entering parliament and to block any single party or coalition government (Sabuncu, 2006). Today, the

President, elected with more than half of the valid votes cast by the voters, can appoint ministers as being the sole responsible figure of the executive. In this context, the electoral threshold has no function other than to undermine just representation, let alone ensure political stability.

The Absence of Voter Intervention on Party Candidate Lists

In the parliamentary elections held in Turkey, each party determines the number of deputy candidates to be elected according to the number of candidates to be elected in that electoral district. According to the original version of the Political Parties Law No. 2820, the candidates for parliament were determined on the basis of a pre-election, in which all registered members of that party could participate (Altıparmak, 2008). Following the amendment to the Political Parties Law No. 3270, political parties were given the opportunity to determine their candidates by the methods they will regulate in their internal practices. Although some parties choose to determine their candidates through the straw poll, the candidates who lead these polls may not be included in the lists of candidates or they may have different places in the lists that the parties present to the Supreme Electoral Council (YSK) in their conventional order. Some parties determine their candidates through primary elections in which only party delegates vote. Another method of determining a candidate for office is to determine the candidates by nomination from the center. The discretion as to which method is determined belongs to the political party (Bilir, 2001).

It is stipulated that voter can use their vote freely in Article 2 of the Law on the Election of Deputies No. 2839 and in provinces with a large number of deputies, voters cannot vote directly for their own deputy candidates. However, they only have freedom to vote on the list presented which they cannot make any change on the formation of the candidates. The voters do not know whom they are going to vote for. However, in Turkey there are unfortunately no examples, except for very specific ones, showing that the candidates presented by the parties affect the voters' choice. A large majority of voters in Turkey can vote without questioning the candidate of the party leader whom they consider close to them in parliamentary elections. In this sense, what matters to voters is the charisma, position and speech of the party leader rather than the deputy candidate.

Different Number of Votes per MP for Each Party

In the current electoral system, since we do not know for which candidate we vote as MP, it is difficult to know which candidate received how many votes. On the other hand, in the d'Hondt electoral system with a 10% threshold, the average number of votes that parties must receive to be a deputy varies according to the number of votes that parties receive and the number of deputies they have won. Unfortunately, d'Hondt's system results in the highest number of votes winning an MP with receiving fewer votes (Yavaşgel, 2014).

Political parties entering Parliament	Votes received in the June 24, 2018 elections	Number of MPs won	Number of votes per MP
AK PARTY	21.338.693	295	72.335
CHP	11.354.190	146	77.768
HDP	5.867.302	67	87.572
MHP	5.565.331	49	113.578
İYİ PARTY	4.993.479	43	116.127

In the parliamentary elections of June 24, 2018, the AK Party got one deputy by each 72.335 votes; the İYİ party, which has the fewest deputies in parliament, got one deputy by each 116.127 votes. While every 87,752 voters one MP represents opting for the HDP; it is

seen that every 113,578 voters opting for the MHP is represented by one MP. From this point of view, it is not possible to talk about equality of the voters' votes due to the current electoral system.

Non-applicability of Provision on the Representation of the Nation

In the 80th article of the 1982 Constitution entitled "Representation of the Nation", it is stipulated that deputies represent the entire nation, not the region where they were elected or those who elected them. This constitutional provision is 100% compatible with democratic representation. During the parliamentary work, the Turkish nation is represented by the whole parliament. However, although there are very few exceptions, in practice MPs are sensitive to the demands of the citizens of the same constituency. In addition, MPs follow investments be made in their constituencies and deal with their local problems; they do not spend energy on the problems and investments of other provinces beside their constituencies.

Proposing a Model for Elections in Turkey: Single-District-Plurality Voting

Given deficiencies of the current electoral system and Turkey's transition to the presidential system of government in 2018, there is a need to change the electoral system to ensure justice, especially in terms of representation. In this context, the proposed model for parliamentary elections in Turkey is the "*single member plurality voting system*". This system, called "alternative voting system" in some sources (Yavaşgel, 2014), requires majority not simple but absolute majority of valid votes cast. Since this electoral system is essentially majoritarian, it is not suitable for proportional representation since each voter has two votes. In addition, this system will create an environment of democratic competition between candidates. However, one should remember that there is no such an excellent electoral system that reflects the will of the electorate and every vote cast by the electorate directly and fairly in parliament.

An Electoral System without a Threshold

The presidential system of government automatically achieves political stability principle through the direct election of the president by the people (Güler, 2018). Therefore, there is no need to regulate election laws in a way that harmonizes the principle of political stability. As a general rule, the parliaments of democratic states should be composed of all segments of the people. In this context, there should be no electoral threshold in the Turkish electoral system.

An Electoral System with Equal Number of Electoral Districts with the Number of MPs

In the proposed electoral system, the provinces will be divided into electoral districts equal in number to the number of MPs they nominate as candidates in the current system. The criterion to be used as a basis for the formation of the electoral districts is population. It should be noted that there will be almost the same number of inhabitants in each electoral district that will be formed within the provinces. Undoubtedly, it will be very difficult to approximate the population of all the electoral districts. This difficulty can be overcome by making legislative regulation as follows "*The population of each electoral district created in the provinces cannot be less or more than 20% of the number to be found by dividing the population of the province by the number of deputies to represent the province.*" This will enable division of provinces into roughly equal electoral districts. The provinces with single MP will be considered as an electoral district without looking for the criterion of population. While it is essential that all voters residing in the province should be in the same electoral district, districts with more than one member will be divided within them. In addition, to meet the population criteria, a neighborhood cannot be separated from its electoral district and moved into another electoral district with the pretext of balancing the number of electorate. However, neighborhoods with

insufficient population to be electoral districts may be included in the electoral area to be formed within another neighborhood.

Voters who vote abroad or at customs gates will be available for candidates running in the electoral district in which their place of registration is included. Thus, the votes cast by citizens voting abroad and at customs gates will be classified in sealed envelopes according to the electoral district to which they belong and will be sent in advance to the electoral commission to be counted with other votes on the very Election Day. Thus, the votes cast abroad and at customs gates will not be subject to proportional distribution and they will be distributed according to a more objective criterion.

In order to give an example in terms of the electoral environment, it is possible to form the proposed model using data from Konya province as follows. Since Konya currently has 15 deputies, it will be divided into 15 electoral districts with a minimum of 119,060 and a maximum of 178,590 inhabitants. Table 3 shows the 15 constituencies, districts and populations created for Konya province. In addition, a number has been assigned to each constituency. Four electoral districts have been created in Selçuklu district. The population of Selçuklu district is 648,850 according to Turkish Statistical Institute data of 2019. Four electoral districts with a total population between 119,060 and 178,590 can be established in this district with neighborhoods that are geographically close to each other. Similarly, a total of three electoral districts can be formed in Karatay and Karapınar districts. Three electoral districts can be established covering Ilgın, Derbent and Meram districts with no further division. One can see that Karapınar, Ilgın, and Derbent districts, whose population is insufficient to constitute electoral districts on their own, can be added to the electoral districts that will come from highly populated districts.

District Number	Districts Covered	District Population
4201-4202-4203-4204	Selçuklu	119.060-178.590
4205-4206-4207	Karapınar-Karatay	119.060-178.590
4208-4209-4210	Meram-Derbent-Ilgın	119.060-178.590
4211	Ahırlı-Bozkır-Yalıhüyük-Hadim-Taşkent- Güneysınır-Çumra-Akören	134.892
4212	Beyşehir-Seydişehir-Derebucak-Hüyük	161.001
4213	Emirgazi-Ereğli-Halkapınar	158.692
4214	Yunak-Çeltikçi-Akşehir-Tuzlukçu-Doğanhisar	149.706
4215	Cihanbeyli-Kulu-Altınekin-Sarayönü-Kadınhanı	177.651

Note: (i) The city of Konya has 31 districts.

At this point, the following question may come to mind: Why not a standard population criterion is determined for each electoral environment by dividing the population of the country by 600? Although such a question may seem logical at the first glance, unfortunately the population of the provinces in Turkey does not have linear proportioning. Moreover, as a result of implementing such a system, voters in different provinces will be forced to vote in electoral districts away from the districts they live in. Namely, when the population of Turkey in 2019 (83,154,997) is divided into 600, we get 138,592. The population of Artvin province is 170,875. An electoral district will emerge from Artvin, but for a population of 32,283, which province will be assigned as the electoral district? On the other hand, while Konya Karatay is a district with a population of 323,659, Tunceli has the status of a province with a population of 84,660. Thus, there are many districts with a population larger than cities. In this context, it does not seem very logical to create an electoral environment by dividing the country's population by 600. It should also be noted that it is undoubtedly the Supreme Electoral Council (YSK) that will form the electoral districts under the regulated criteria.

Determination of Candidates for Parliament

Only those eligible are free to declare their candidacy for nomination to the TGNA. Except the independent on party leaders and their close circles -called authorized party bodies- mostly determine candidates. As a result, the voter is presented with a list that they cannot make any change in the order of the candidates.

In the proposed electoral system, those eligible to be elected will be able to run for parliament in a constituency that suits them. For example, apart from the will of the competent bodies of any political party; those who collect signatures of at least one third of the number of registered members in the organizations currently operating in the relevant electoral district of a party will be able to run for parliamentary elections from the party for which they want to be candidate. This will prevent candidacies incompatible with the vision and mission of a political party. More than one person from the same party may be candidate for parliamentary elections in the same electoral district.

An Electoral System in which will of the Voter is Fully Dominant

In the proposed electoral system, candidates for parliament in each electoral district will be listed in alphabetical order. Voters will be able to vote by checking the appropriate box on the list for the candidate they believe that will best represent them. The candidates for parliament will have to work intensively in their electoral districts and they will have to establish close relationship with the electorate.

Table 4 SAMPLE BALLOT			
Ballot Of Candidates For The Election Of The Electoral District 4212 For The 28th Legislative Term			
Candidate MP's		First Vote	Second Vote
Political Party	Name Surname		
ABC	AA		X
D	BB		
EF	CC		
KLM	DD		
ABC	EE	X	
Independent	FF		

Note: (i) The information and names in the table are given for illustrative purposes.

As the goal is to propose an electoral system allowing the will of the voters dominancy, each voter will have two votes. Firstly, a candidate for parliament must receive at least more than half of the valid votes cast in the electoral district to be elected. After casting their first vote, the voter may cast the second vote for another candidate by checking the corresponding box on the list, in case the candidate who received the first vote does not receive at least more than half of the valid votes cast. Starting with the candidate with the fewest votes, the second votes from the ballots of the eliminated candidates will be distributed to the remaining candidates. This process shall continue until a candidate receives at least one more vote than half of the valid votes cast. However, if neither of the last two candidates obtains this majority, the candidate with the highest number of votes will be elected with the addition of their second votes. In the proposed system, the will of voters is paramount. Not only the first vote of the voters, but also the second vote is important. Candidates for election will be aware of the power of the voters and will have to propagate accordingly.

If the number of parliamentary candidates to compete in an electoral district is too large to fit on the one-page ballot, the YSK may require a certain fee that can be used to cover election expenses in order to let only reasonable candidates into the race in a way that does not violate the principle of equality. Thus, fees already paid to political parties in application candidates will be deposited in the YSK account and the candidates will cover part of the cost of the election for the state.

Table 5	
OPEN BALLOT SAMPLE	
Ballot of candidates for the election of the electoral circle 4212 for the 28th legislative term	
Vote Type	Name and Surname of Candidate MP's
First Vote	
Second Vote	

Note: (i) The information in the table for illustrative purposes.

Another alternative to the very long ballot lists is to offer voters the option of voting with an “open vote compass”. The voter will be able to fill out the open ballot by writing the first and last name of the candidate they wish to vote for, corresponding to the lines where the first part and second part are located. The question of how a voter who cannot write or who has lost the ability to write will vote will be dealt with in accordance with the regulations of paragraph 2 of Article 93 of Law No. 298 on the Basic Provisions of Elections and Electoral Registers. Therefore, voters unable to fill out the ballot will be able to vote with the help of a relative in the same electoral district, or any voter if they do not have a relative. The point to consider here is that a voter may not accompany more than one voter who write. The authority to determine which votes cast with open ballots will be considered valid and invalid will again be decided by the YSK.

In order to explain the method to determine the winner following the votes count of with an example. Let's assume that the total number of voters in district No 4212, including Beyşehir, Seydişehir, Hüyük and Derebucak districts, is 120,000 and the total number of valid votes cast is 108,000 while the ranking according to the first votes is as shown in Table 6.

Table 6		
VOTES COUNTED IN THE FIRST VOTES CAST		
Ballot Of Candidates For The Election Of The Electoral Circle 4212 For The 28th Legislative Term		
Candidate MP's		First Received Number of Votes
Political Party	Name Surname	
ABC	AA	13.000
D	BB	22.500
EF	CC	7.500
KLM	DD	15.000
ABC	EE	42.000
Independent	FF	8.000

Note: (i) The information and names in the table are given for illustrative purposes.

To win a seat in the TGNA, a majority of the total valid votes cast is required. However, since none of the candidates got 54,001 votes, starting with the one who got the least votes, the second votes are distributed on the ballots where the elected candidates got the first vote. Let's assume that out of the 7,500 people who voted for “CC”, 5,000 gave their second vote to “EE” and 2,500 to “BB”. With the addition of the second votes to the first, no candidate has yet received the majority of valid votes. The process continues by taking into account the second votes of those who vote for the independent candidate with the second lowest number of votes. Thus, one can see that “AA” got 500 second votes, 2,000 for “BB”, 1,000 second votes for “CC”, who was eliminated, 1,500 for “DD” and 3,000 for “EE”. Again, as the required majority could not be reached, the second votes of the voters who received the third fewest votes this time, and who voted for “AA”, a candidate of the same party as “EE”, are distributed. The eliminated independent candidate, “FF”, 250, and as a logical consequence of their belonging to the same party, have 10,000 second votes for “EE”. The second votes of the eliminated candidates are deducted from the total valid votes when calculating the valid votes. To determine the winning candidate, the valid votes cast after deducting the votes of eliminated candidates are taken into account.

Table 7						
VOTES COUNTED AFTER TAKING INTO ACCOUNT THE SECOND VOTES						
Ballot of candidates for the election of the electoral circle 4212 for the 28th legislative term						
Candidate MP's		The first Received Vote	Distribution of Second Votes			Total
Political Party	Name Surname					
ABC	AA	13.000		500	-13.000	0
D	BB	22.500	2.500	2.000		27.000
EF	CC	7.500	-7.500	1.000		0
KLM	DD	15.000		1.500	250	16.750
ABC	EE	42.000	5.000	3.000	10.000	60.000
Independent	FF	8.000		-8.000	2.750	0

Note: (i) The information and names in the table are given for illustrative purposes.

In this example, because a total of 4,250 votes come from the eliminated candidates, the total number of valid votes to be used to determine the winning candidate is 103,750. Therefore, the candidate who gets at least 51.876 votes will be the winner. Thus, “EE” will be eligible for the parliament within the constituency No. 4212 since he has reached 60,000 votes as a result of taking into account the second votes.

CONCLUSION

After the transition to a multiparty politics in Turkey, different electoral systems were applied in the elections. Almost all the ruling parties try to change the electoral legislation in their favor. That is why Article 67 of the Constitution states that “amendments to the electoral laws shall not be applied to elections to be held within one year from the date of their entry into force. However, with the constitutional amendments adopted as a result of the April 16, 2017 referendum in the 1982 Constitution, a temporary 21st article was added to the Constitution with Law No 6771, thus the provision that amendments to be made to electoral laws could not be applied within one year from the date of their entry into force was suspended. As a result, the practice of “alliance” could be implemented in the early elections of June 24, 2018.

Through the continued enforcement of the presidential system of government, the political stability will be more accomplishable. Because the president, elected for five years as the sole responsible for the executive power, will establish his cabinet and make executive decisions independently of the composition of the parliament. Therefore, given the current system of government, the need for provisions of the electoral laws concerning the election of parliament should take into account the principle of political stability is not necessary anymore. Although the threshold appears to be lifted for small parties that are in the same alliance with the large parties, the implementation of the 10% threshold continues for political parties that are not in any alliance. It is undemocratic to maintain the practice of the 10% threshold, a product of the 1980 coup. According to the Constitutional Court, the 10% threshold, considered having a function to ensure the stability of the administration, had no such function in the presidential system of government, on the contrary, its most important function was to cause injustice in representation in parliament. Therefore, the removal of the 10% threshold would be the most appropriate decision.

Regarding the Alliance arrangement, at first sight this arrangement can be used as a means of agreement between the parties. Democracy includes consultation, compromise and the exchange of ideas within itself. It is a fact that small parties entering into alliances with large parties have little chance of obtaining a member of parliament, even if the threshold problem is eliminated. The large party in an alliance that obtains MPs by using a small number of votes from the small party has an advantage in this system.

Criteria	Current Electoral System Country Threshold d'Hondt System+Alliance	Single member plurality voting system
Number of electoral circles	87	600
Number of deputies	600	600
Threshold for election	% 10	No
Independent candidate	Possible	Possible
Party Candidacy	Either the party leader or the authorized party	Apart from the will of the competent organs of a political party; those who collect signatures of at least one third of the number of registered members in the organizations currently active in the relevant electoral district of that party may run for the parliamentary elections of the party for which they want to be candidates.
Voter	He votes for the list presented to him by the party.	He votes for the substitute candidate of his choice.
Candidacy Fee	Deposited on the account of the party.	Deposited on the account of the YSK.
Number of Votes	1	2
Foreign Votes	Subject to proportional representation.	Voters who vote abroad or at customs posts will be able to vote for the candidates running in the electoral district in which they are registered.
Member of parliament	Represents the entire nation.	It represents the citizens of the district in which it is chosen.
Each candidate's number of votes	Not clear.	It is known.

In this study, the “Single member plurality voting system” without a threshold suitable for justice in representation that also strengthens the voter initiative, is proposed as an electoral system, taking into account Turkey’s current system of government. In this proposed system, the candidate is in the forefront rather than the political party, and the candidates have to conduct propaganda that includes all segments of the people in order to win. This situation also stems from the need to obtain an absolute majority of the valid votes cast in that electoral district in order to be elected. The second vote of the voters is at least as valuable and strategically important as the first.

Criticisms made towards the proposed system will result in disproportionate representation preventing small party candidates from winning elections in any constituency. This creates an artificial majority in parliament, party voting rates cannot be clearly known, and the system is open to horse-trading between candidates, which is not moral at the time of the second vote (Yavaşgel, 2014). However, there is no electoral system exempt from criticism. Every electoral system has its advantages and disadvantages. The important point is what is targeted and prioritized. Since the will of the voters and the relationship between the voter and the elected official are important for the consolidation of the Turkish democracy, single member plurality voting system has been proposed.

In the light of the experiences of the Republic of Turkey, celebrating its 100th anniversary in 2023, there is a need for an electoral system that gives precedence to the will of the voters and clearly reflects this will in the formation of parliament without a “threshold” in accordance with the principle that sovereignty belongs only to the nation. What this electoral system will be and how it will function will be determined by the political society’s vision and understanding of the “the concept of representation”.

ENDNOTES

- 1 This study was prepared making use of the master's thesis entitled "Electoral Systems Implemented in Turkey and Proposed System for Parliamentary Elections in the Presidential Government System".
- 2 Examples of governmental crises in question: Although the Republican Peoples Party (CHP) won the 1977 elections with 41.4 percent of the votes it could not obtain the majority required by the Constitution to form a government in Parliament. Thus, the then PM Bülent Ecevit transferred 11 deputies from the Justice Party (AP) and appoints all of them as ministers except one. This event, also known as "Güneş Motel incident" was later called by Ecevit as "the biggest political mistake of my life". Such governmental crises alike occurred during 1990s and early 2000s. The 51st cabinet chaired by Tansu Çiller could only last 25 days (October 25, 1995-October 30, 1995), 52nd cabinet for 128 days (October 30, 1995-March 6, 1996), 53rd cabinet chaired by Mesut Yılmaz for 114 days (March 6, 1996-June 28, 1996).
- 3 After the 1983, if general elections were held every five years as stipulated in the Constitution, a total of seven elections would have been processed until the general elections held on June 24, 2018. However, with the effect of the electoral system, led to the establishment of a total of 21 governments in this period.
- 4 Discussions following the claim that the quorum of the meeting should be at least 367 people for the president to be elected by the Turkish Grand National Assembly in the first round of voting.
- 5 This law was enacted by the parliament formed after the military coup of 1960.

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