

How the Demos [Public] Regulate the Kratos [Administration] Through Repeated Elections: Lessons Learned from the Elections in Türkiye for the Government and Opposition

Ahmet Keser
Burak Kılıç
Cuma Ali Özbek

Abstract: Objections to the results of conducted elections and repeated elections are a significant issue. The aim of this study is to investigate repeated elections and the reasons for canceling them through the decisions of Türkiye's Supreme Election Council (SEC) since its establishment and to examine the results of repeated elections to reveal which side benefits from this. According to the results of the content analysis, the study found within the frame of the investigated period the SEC to have annulled a total of five elections, four of which had been local and one that had been a parliamentary election, and the most frequent reason for repeating the elections to have been due to restricted or ineligible voters voting, which occurred for four separate elections. Lessons exist for the government and opposition parties to learn from these annulled and repeated elections, with repeated elections generally resulting in an unfavorable outcome for the contesting party.

Keywords: Elections, Supreme Election Council, annulled elections, repeated elections, reasons for annulling elections

Öz: Seçimlere yönelik yapılan itirazlar ve seçimlerin tekrarlanması önemli bir husus olagelmıştır. Bu çalışmanın amacı, kuruluşundan günümüze Yüksek Seçim Kurulu (YSK) kararları ile iptal edilen ve yenilenen seçimleri ve iptal gerekçelerini incelemek ve tekrarlanan seçimlerin hangi taraf lehine sonuçlandığını analiz etmektir. Yapılan içerik analizi sonuçlarına göre, incelenen dönem içerisinde dördü yerel, biri genel seçimler olmak üzere Türkiye'de toplam beş seçim YSK kararları ile iptal edilmiş ve seçimlerin tekrarlanması konusunda en sık tekrarlanan gerekçenin, toplam dört seçimin iptaline neden olan "kısıtlı seçmenlerin oy kullanması" olduğu bulgusuna erişilmiştir. Tekrarlanan seçimlerin sonuçları açısından da hem iktidar hem de muhalefet açısından çıkarılacak dersler bulunmaktadır. Bunların en önemlisi de genellikle tekrarlanan seçimlerin itiraz eden tarafın aleyhine sonuçlandığı bulgusudur.

Anahtar Kelimeler: Seçimler, Yüksek Seçim Kurulu, iptal edilen seçimler, tekrarlanan seçimler, seçimlerin iptal nedenleri.

Assoc. Prof. Dr., Hasan Kalyoncu University. ahmet.keser@hku.edu.tr
@ MA., Hasan Kalyoncu University. brk.klc.92@gmail.com
Ph.D., Hasan Kalyoncu University. c.aliozbek@yahoo.com

https://orcid.org/0000-0002-1064-7807
id https://orcid.org/0000-0001-9147-0144
https://orcid.org/0000-0003-0587-3751

© İlmi Etüdler Derneği
DOI: 10.12658/M0704
insan & toplum, 2023; 13(4): 66-93
insanvetoplum.org

Received: 05.10.2021
Revision: 27.07.2022
Accepted: 17.11.2022
Online First: 05.12.2022

Introduction

This study aims to reveal the most common reason for elections being annulled by analyzing these reasons for elections that had been annulled between 2002-2022. Revealing the main misconduct that had been the cause of annulled election and developing measures to avoid similar problems for future elections are essential here in terms of Türkiye's economy, election security, trust in democracy, and judiciary in order to strengthen the legitimacy of the elected and to ensure the public's consent and satisfaction, to reveal the most common faults that caused annulled elections, and to develop measures so as to avoid similar problems in terms of future elections. In this regard, the study reveals whether repeated elections have benefitted the opposition party or the party that had won the initial election. The issue of annulling and repeating elections is no new phenomenon for Türkiye or other states in the world. By determining the reasons for and results of annulled elections, this study will also guide the possible results of elections that will be planned in the future.

Therefore, the primary purpose of the study is to provide answers to the following research problems related to the results of cancelled and repeated elections:

(1) For what reasons had elections been annulled between 2002-2022?

(2) In the historical context of Turkish democracy, has the repetition of an annulled election generally benefitted the opposition party or the winner of the annulled election?

Based on the research questions listed above, the research presents the following propositions:

(1) The reasons for annulled elections in Türkiye have generally been based on legal and normative reasons within the scope of complete irregularity, such as voting by legally restricted citizens. This issue is generally encountered when people vote who do not legally have the right to vote and/or when soldiers and ballot box officials have voted illegally. Fundamental reasons such as slight variations in the number of counted votes remain in the background.

(2) During repeated elections, the result generally does not favor the opposing party but conversely favor the winner party of the previously cancelled election. Thus, the *demos* [populace] reinforce the electorates' decision democratically so that the *Kratos* [executive, administrative and legislative power] get reorganized, and the legitimacy of the winning party's victory is confirmed.

Theoretical Framework and Historical Background

The concept of democracy in the theoretical and historical context, as mentioned by Suny (2017, p. 121), has had a challenging history. The process of voting among existing alternatives/candidates is called an election and has been applied since the ancient Greek tradition of democracy to the present day in order to connect the *demos* to the *Kratos*. Aliefendioğlu (2005, p. 71) defined democracy as the combination of the two ancient Greek words *demos* and *Kratos* based on the self-government of the people. In other words, democracy is the use of people's sovereignty by and for the people. Aliefendioğlu (2005, p. 71) clarified his definition by stating that "the *demos* mostly use their authority (i.e., sovereignty) through their elected and responsible representatives (i.e., democratic representatives) due to the practical difficulties of directly using their sovereignty." Criticisms of the system also exist in terms of voters' ability to use their preferences not directly in the political process but only through their elected representatives. Örs (2006, p. 1) stated:

The meaning and function of that representation have undergone a change since the 12th century. That's why defining democracy as both a concept and an institution is difficult. In this way, new discussions on representative democracy have come to the fore, thus strengthening the tendency to re-examine the concept of representation.

Özkan (2020, p. 403) drew attention to the paradoxical coexistence of representation and democracy with the claim that "representative democracy is a Modern Janus that subjects the individual on one hand while objectifying them on the other."

Haydaroğlu & Çevik (2016, p. 52) stated the practice of modern democracies to be based on representative democracy so that the people can exercise their sovereignty through the representatives they choose. Aliefendioğlu (2005, p. 71) determined that "in peer democracies, power is realized by the votes of the people and gains legitimacy through honest and free elections that reflect the will of the people." In the same view, Nootens (2010) argued the assumption of legitimacy and a homogeneous *demos* to emerge as a legitimate consequence of public authority. Contrary to these views, Tansey (2010) claimed no direct relationship to exist between democracy and sovereignty. The important point here is the power sovereignty has in the repetition or annulment of elections in terms of democracy, because repeated elections in democratic countries are conducted at the request of the sovereign power. Also, annulled elections are known to violate democratic norms and to be able to cause deep political crises such as in North Macedonia (Alihodzic et al., 2019). On this basis, James & Alihodzic (2020) asserted the lack of a repeated election after an

annulled one might raise deep political problems. Another significant issue James & Alihodzic (2020) indicated is that “postponing elections should be evaluated by democratic concepts of electoral integrity, rather than international laws and practice.”

When examining countries throughout the world, countries exist that can be said to have experienced some common sovereign power issues such as annulled or repeated elections, and these debates on the use of sovereign power, democracy, and repeated elections is not new for either Türkiye or Europe. Some examples are also seen in European countries where elections had been annulled as a result of modern democracies. The important point here is that repeating or annulling an election is an inevitable part of democracies with strong sovereignty (Tormey, 2016). The reasons for annulling an election also play an important role here. When looking at European countries, the Venice Commission was observed in 2009 to have stated the reasons for annulling elections in Europe to have been based on six general reasons. As a result of these reasons, the countries with the highest number of annulled election are Estonia, France, Austria, the Netherlands, Romania, Hungary, Latvia, the Czech Republic, and Albania. The common reasons for annulling elections are listed as follows: errors in voter registration or candidate nomination, violations of campaign regulations, violations of legislation applicable to the voting process, violations in vote counting/reporting, and violations in allocating mandates (European Commission for Democracy Through Law, 2009).

When considering that annulled and repeated elections have also occurred in Türkiye, although some of the reasons for annulment in some respects resemble those in Europe, differences are also found, as most of the reasons in Türkiye have been based on legal and normative causes. Examining the legal basis is important at this point in order to have a detailed understanding of elections in Türkiye. Elections in Türkiye are conducted under the provisions of Law No. 298: Basic Provisions of Elections and Electoral Registers, which has undergone many changes since being enacted on April 26, 1961. Article 2 of Law No. 298 lays out the general principles regarding the holding of the elections, such as elections are to be held based on free, equal, single-transferable universal suffrage. Voters vote on their own, and voting is conducted in private, while votes are counted and recorded openly. Therefore, whether parliamentary or local, all elections in Türkiye are based on the principle that all voters (except for cases such as limited conscripts and privates in the military) can vote freely where all votes have equal weight, and a single-stage voting system has been adopted. In other words, a two-degree system such as in the United States of America is not envisaged where electors choose electoral colleges. According to Article 3 of Law No. 298, each province is specified as an electoral district. According

to Article 6 of Law No. 298, every Turkish citizen who turns eighteen has the right to vote and participate in referendums, with restrictions placed only on the following people's voting rights and responsibilities: (1) Privates, corporals, and sergeants in arms (Those on leave regardless of the reason are also subject to this provision), (2) Military students, (3) Those who've been convicted and are in penitentiary institutions. Citizens who cannot vote are also specified in Paragraphs 1 and 2 of Article 8 (Law No. 298) as: (1) Those who've been restricted ones, and (2) those who've been banned from public service.

In order to ensure that elections are held under the above principles, Article 9 of Law No. 298 provides this task to election boards, stating that election affairs are to be carried out by the election boards. The article goes on to state that governors, district governors, mayors, *muhtars* [headmen], and all public officials are obliged to send any information/documents requested by election boards in a timely and accurate manner with regard to all kinds of electoral affairs and in writing electoral rolls; these relevant authorities are obliged to inform and provide the boards with said requested information/documents. Article 10 (Law No. 298) provides the basis for where and how these election boards are established. Accordingly, the Supreme Election Council (SEC) will be situated in the capital of Ankara as a *sui generis* independent board assigned with administrative and electoral jurisdiction, with no appeals allowed to any other institutions regarding the SEC's decisions" (SEC, 2021). In addition, a provincial election board will be present in all electoral circles, with a district election board in each district, a central district election board in provincial center, and a ballot box committee in charge of each of the ballot boxes placed in the electoral districts. For Turkish citizens abroad to cast their votes, the Overseas District Election Board was established in affiliation with the Ankara Provincial Election Board based on the management of election affairs, and the ability has been granted to establish more than one overseas county election board if needed. The legal duties regarding the transparent and safe conduct of elections occur in Article 14 of Law No. 298. This was submitted to the Supreme Election Board within the framework of the principles outlined within its paragraphs.

So far, within the framework of the principles laid down by the law and after the various elections held under the judicial review of the SEC, illegal practices were reported to have occurred where restricted voters had cast votes, ballot papers had been unsealed, and non-voting citizens had cast votes. However, other people were able to bring allegations to the fore and were able to object to the election results before the SEC. For example, after the March 2019 local elections, similar objections to the results arose in some constituencies and regions, and the SEC decided to

annul and repeat the elections for some constituencies. The issue regarding this decision had created a critical debate in the public, and discussions continued until the election had been repeated and the results announced.

In this process, curiosity was raised with regard to whether previous elections had been annulled, and if so, what were the reasons for their annulment. Through Law No. 5545: On the Election of Deputies dated February 16, 1950, Türkiye established election boards in provinces and districts as well as the SEC for service in Ankara. The SEC was included into Law No. 298 on the Basic Provisions of Elections and Electoral Registers, dated April 26, 1961 (SEC, 2020). Researching the elections that had been annulled and their reasons for annulment in the period from 1950 (i.e., the date of SEC's establishment) to the present has become essential in this context. This study seeks answers to the questions listed in the first section from this point of view.

Before examining the research problem in question, the study presents a concise summary of Türkiye's democratic structure, starting from the transition to the multi-party system, and then focuses on examples of annulled elections in other countries of the world. Afterward, the study reveals the reasons elections have been annulled in Türkiye as well as the SEC's decisions. This is followed by the study determining categories for the most common reasons used for justifying the annulment of elections with regard to the frequency (number of repetitions) of these categories.

The Democratic System in Türkiye

This section briefly summarizes the structure of Türkiye's democratic system and its transition to a multi-party system from 1950 to the present in order to understand the historical traces of Turkish democracy that constitute the baseline for elections. Although Türkiye's multi-party democratic system began in 1950, almost all elections that have been annulled based on decisions from the SEC are seen to have occurred from 2002 to the present. As such, the time frame of the research is limited to the years 2002-2022. Therefore, the results of the study should be interpreted within this limitation. After designating and indicating this limitation, the following paragraphs briefly provide information regarding Turkish democracy's transformation from a single party structure to a multi-party system starting in the 1950s, due to the multi-party system being the real baseline for democratic elections; only then are the annulment and repetition of elections able to possess concrete democratic logic.

Within the first years of the full period (1950-present) covered within the scope of the research, World War II was undoubtedly one of the most important events to

have globally affected the international structure, the mutual positions of states, and even the administrative and political systems of countries. Post-World War II, the world transformed into a bipolar system. New military and security structures emerged, including NATO and the Warsaw Pacts, with political positions being shaped according to these structures. In this context, the USA and Western European countries are considered among the first pole. These countries tried to create a center of attraction within the democratic principles and systems they advocated. However, they also made things very difficult for the countries that wanted to be included in this pole. Türkiye applied for membership to the United Nations (UN) after World War II and has felt the war's effects economically and politically despite not participating in it. It had declared war on the Axis Powers because this was a prerequisite for becoming a member of the UN by the end of the war. The hostile environment and economic problems that occurred during the war had negatively impacted Turkish citizens' views toward single-party life. After World War II, the collapse of non-democratic governments in general and the prominence of concepts such as freedom and democracy also affected Türkiye, with attempts to transition to a multi-party system has accelerated.

The main party to play a role in the transition to the *Demirkırat* [multi-party system] was the Democrat Party (DP). The process started with the oppositional attitudes of Republican People's Party's (CHP) parliament members Celal Bayar, Adnan Menderes, Fuat Köprülü, and Refik Koraltan during the discussions on the Draft Law for Providing Land to Farmers in the Grand National Assembly of Türkiye in 1945 formed the building blocks of the path that would lead to the establishment of the Memorandum of the Four, with the Democratic Party later being founded. This group first submitted a motion demanding more democracy and went down in Turkish history as the Memorandum of the Four. They then left CHP and founded the Democratic Party on January 7, 1946. Türkiye finally went to multi-party elections for the first time in 1946 under the difficult conditions after World War II and internal pressures (Zürcher, 1988, p. 45).

The SEC was established in 1950 to prevent possible disruptions and practices contrary to democracy during elections and to carry out elections under the guarantee of an independent judicial board. The SEC has been an important structure in terms of accountability, transparency, and observability of elections. This structure also carried out activities to follow legal regulations and fair rules for elections in Türkiye. As mentioned on the SEC website (2020), Law No. 5545: On the Election of Deputies bound election security, management, and control to new rules, introduced the principle of judicial review in the election process, and stipulated that election boards

would carry out election affairs and that all the work of the election boards would be subject to the supervision and control of judges. Law No. 5545 was later repealed by Law No. 298: Basic Provisions of Elections and Electoral Registers enacted on April 26, 1961, whose provisions regulate the principles regarding the institution.

The SEC consists of seven principal and four substitute members. Six members are selected by *Yargıtay* [the Supreme Court of Justice] and five by *Danıştay* [the Council of State] from among their own members by applying a secret ballot system and requiring an absolute majority of the total number of members. However, these members elect a Chairman and a Deputy Chairman among themselves by simple majority and secret ballot (SEC, 2020). The duties and powers of the SEC are outlined in detail in Article 123 of Law No. 5545, Article 14 of Law No. 298, and Article 6 of Law No. 7062, as published in the Official Gazette on December 12, 2017. Elections are to be held under the general management and supervision of the judicial organs as based on both Article 75 of Türkiye's 1961 Constitution and Article 79 of Türkiye's 1982 Constitution. The relevant articles stipulate the SEC as the institution to make the final binding decisions regarding elections and set forth the rules on how to conduct elections as follows:

From the start to the end of the elections, the power to carry out all the procedures related to the administration in good order and fulfill the trustfulness of the elections, to examine and finalize all corruption, complaints, and objections related to the election issues during and after the election... rests with the Supreme Election Council. No appeal can be made to any other authority regarding the decisions of the Supreme Election Board.

Within the framework of the legal provisions summarized above, the SEC has managed and audited elections since its establishment in 1950. For this reason, the research includes within its scope all the elections the SEC's decisions had annulled and repeated since 1950 while excluding those that had occurred before the SEC's date of establishment.

Examples of Annulled Elections in Other Countries

Briefly evaluating the situation in other countries would be beneficial before moving on to the analysis of Türkiye. For this purpose, discovering whether any annulled and repeated elections had occurred in other countries of the world is also necessary. If this is found to have happened, what were the reasons for repeating those elections? As the answer to the first question, annulled and repeated elections are found to have also occurred in other countries around the world. Some contested, annulled, and repeated elections that occurred in the USA, Romania, and Austria are examined

below. The votes were recounted in some of these contested elections, votes that had been deemed invalid were recounted in others, and sometimes the election was repeated completely. Some examples of elections that have been challenged and repeated as well as the actions that were taken because of the objections take place below.

Annulled/Recounted Elections in the USA

US Presidential Elections, Objection to Florida State Election Results: This was contested on November 7, 2000. In the confrontational struggle between Al Gore and George W. Bush, the court decided in favor of Bush, and Bush became America's new president (ABC News, 2000).

US Presidential Elections, Nevada: In 2016, the results were contested, and the decision was made to recount 93,000 votes in the State of Nevada. The votes were recounted due to the objected number having the potential to affect the election results.

US Presidential Elections, Michigan: The Presidential Election in 2016 was contested. Both Republicans and Democrats filed appeals against these election results. All votes were recounted in 22 of the 83 towns in this state.

US Presidential Elections, Wisconsin: Hillary Clinton objected to this state's 2016 election results. This election saw a powerful rivalry between Trump and Clinton. Because of her objection, the votes were recounted, and Trump widened the vote gap even more.

US 2018 Congressional Elections, North Carolina: Lost ballots occurred in North Carolina's Bladen and Robeson counties in the US Congressional elections. A suspiciously high number of ballot requests from the 9th District and an equally high number of ballot papers had not been sent to electoral centers (electronic voting is possible in the USA, as well as sending ballot forms to addresses (Bradner et al., 2018). Votes can also be sent by mail to the election centers. However, 60% of the votes requested in Bladen did not return. This rate reached 24% in the 9th Region. The elections were repeated because the numbers in question were deemed suspicious.

US 2018 Senate Elections, State of Florida: These elections were held in December 2018, and the votes were recounted due to the closeness of the results.

Examples of Cancelled/Recounted Elections in European Countries

Romanian Presidential Elections 2009: On December 7, 2009, the election results were contested. However, because of the objection of the Social Democratic Party, the Constitutional Court decided to recount the votes that had been deemed invalid.

Austria Presidential Elections, May 27, 2016: The Freedom Party objected to the election results on the grounds of major irregularities. Ultimately, the Austrian Supreme Court decided to repeat this election due to some errors being detected. The decision to annul and repeat the election was given because the adhesive on the envelopes in which the ballot papers were placed in the elections was not secure. In the presidential elections, the Greens party candidate Alexander Van der Bellen passed the Freedom Party of Austria's far-right candidate of Norbert Hofer by 31,000 votes out of 4,640,000 valid votes, but the FPÖ objected to the results, claiming that the votes sent by mail had been miscounted (Connolly et al., 2016). After a two-week investigation, the Austrian Supreme Court of Justice (ASCJ) found that officials had counted unauthorized ballot boxes, and so ASCJ cancelled the elections. Before the elections could be repeated, they were postponed once again to replace the envelopes due to the adhesive on the envelopes for votes cast by mail being insufficient.

As can be seen in the examples above, situations frequently occur around the world where election results are objected. If a situation is found suspicious as the result of an objection, the votes are generally recounted. Only in rare situations such as the Austrian Presidential Elections of May 27, 2016, and the 2018 US Congressional Elections in North Carolina were the elections repeated.

Evaluation and Analysis of Cancelled Elections in Türkiye

This study gives importance to examining the SEC in order to determine the legal basis of elections, to understand the background of annulled and repeated elections, and to monitor the process, particularly in terms of accountability and transparency in Türkiye. Article 120 of Law No. 5545: On the Election of Deputies dated February 16, 1950, identified the establishment of the SEC to be held under independent judicial control for this purpose. In addition, the Introduction of Law No. 298: On Basic Provisions of Elections and Electoral Registers dated April 26, 1961, abolished Law No. 5545, restating the establishment, duties, and powers of the SEC as based on this new law. In addition, the SEC was specified in Türkiye's 1961 Constitution section titled "Basic Establishments of the Republic" and in its 1982 Constitution section titled "Basic Organs of the Republic" under the heading of "General Administration and Supervision of Elections" as a constitutional body.

At the beginning of the provisions of the Turkish Constitution that must be taken into account when evaluating elections and electoral systems, Article 2 undoubtedly has a significant role, as it involves the unchangeable features of the Republic, the respect for human rights, and the principle of the democratic rule of law. Article 13 should additionally be mentioned in this context as it stipulates that any restrictions on fundamental rights and freedoms cannot contradict the word or spirit of the Constitution, the requirements of the democratic social order, and the principle of proportionality. In addition to these, the right to elect and be elected (Art. 67), the parliamentary elections (Articles 75, 77, 78), the general administration and control of the elections (Article 79), the local administration elections (Article 127, para. 1, para. 3) are the stipulations directly regulating the elections in the 1982 Constitution. The 1982 Constitution's provisions are also important. Among the provisions regarding the right to vote and be elected, they state that elections and referendums will be held under judicial administration and supervision according to the principles of free, equal, private, single-transferable voting and universal suffrage with an open counting and casting system (Article 67, para. 2), which indicates that universal principles regarding elections have been adopted. As put forth by Ellen Grigsby (2012, pp. 164-166), this is primarily because elections are integral components of democracy and must be conducted according to the following principles:

1. Participation (all unrestricted citizens have the right to vote and be elected and can freely exercise this right),
2. Pluralism (not only the majorities in the society but also all groups, including minorities, have to be allowed to express and represent themselves),
3. Performance (voters have to be aware of what they are doing when making their decisions, they have to be able to access correct information on every issue),
4. Protection (citizens have to be protected against the use of aggressive and excessive power by state authorities),
5. Development (to support balanced stability and legitimacy between the dimensions of protectionism "securing and protecting the fundamental rights of citizens against practices close to tyranny and the transcendent power of the state cost, and execution" and performance.

In the words of Aliefendioğlu (2005, p. 96), democracy can be realized through honest and fair elections, the determination of the majority will, the ability to freely express different views, and allowing the minority to express themselves as part of pluralism and supporting their participation in political decisions.

In case of situations contrary to the general principles stated above or the principles as determined by law, the SEC as a judicial organ as well is able to make the decision to recount the votes or to repeat the elections in a particular electoral district, region, or the whole country. For example, Article 25 of Law No. 2972: On the Election of Local Administrations and Headmen of Quarters and Boards of Alderman is titled “Cancellation of Elections or Minutes,” in which the second paragraph sets forth the rule: “If the decision is made to cancel an election in a constituency due to election procedures, a repeated election is to be held in that constituency. The provincial election board announces the decision to cancel the election and immediately announces that an election will be held in that district after the decision is finalized.” The article (SEC Decision No. 1683) bases the issue of permissibility for repeat elections in terms of local elections.

At this point, the question of under what conditions a vote is deemed to be invalid arises. According to the SEC, only one of the following reasons is sufficient for a vote to be deemed invalid:

1. Rending of the entire ballot slip.
2. Signing, marking, fingerprinting, or writing anywhere on the slip anything other than the “Preference” or “Yes” seal.
3. The presence of ballot slips with the “Preference” or “Yes” stamp spilling out of the reserved area so that more than one political party or independent candidate is indicated.
4. Having ballot papers issued for a constituency other than the constituency to which the ballot box belongs.
5. Not having all votes placed in a single envelope, and/or having something other than ballot slips in the envelope.
6. The presence of ballot slips with a color and/or shape different from those given by the ballot box committee, or if the watermark of “Turkish Republic SEC” is absent.
7. The slip does not have the SEC emblem, the seal of the district’s election board, and the seal of the ballot box committee.
8. Having ballot papers belonging to political parties or independent candidates with clearly and specially scribbled, drawn, or significant parts.
9. Having combined ballot papers with writings, letters, numbers, or figures drawn in addition to the printed texts and figures in the compass.

In addition to the situations listed above that cause votes to be invalid, other problems issues may not cause votes to be considered invalid despite appearing problematic at first glance. Among these situations are:

1. Not every blot invalidates a vote. For example, stains or tears caused by accidents during the counting of the voting envelopes do not cause an election to be annulled.
2. If a stained envelope is found and the placement of this stain being intentional or not is unclear, the vote is still counted among the valid votes section. If the voting stamp leaves a mark on another side of the ballot or exceeds the lines separating the candidates or parties, it is still considered valid as long as it does not spill over into another political party or independent candidate's assigned area.
3. A ballot box committee not sealing the back of the ballot papers due to negligence is not a sufficient reason for votes to lose their validity. In addition, the invalidity of one slip in an envelope does not affect the others in that same envelope.

After putting forward the above factors regarding the different situations for the invalidation or validation of votes, returning to elections in Türkiye that the SEC decided to repeat since 1950 as the main subject of this study would be appropriate, as well as to the reasons for canceling and repeating these elections.

Although no presidential election has yet to be annulled in Türkiye so far (Presidential elections had been held by Parliament until the regulation passed on October 21, 2007, by a referendum amended to the constitution notably regarding the president's election by the people), local and parliamentary elections have been annulled and repeated. The most recent example of this was the local elections of March 31, 2019. After these elections, the SEC decided to repeat the elections in Istanbul regarding Yusufeli-Artvin and Honaz-Denizli due to voting of a restricted electorate and minor vote difference, and Keskin-Kırıkkale and Gülnar-Mersin due to restricted electorate voting. The SEC annulled it on May 6, 2019, and decided to renew the Istanbul Metropolitan Municipality elections on June 23, 2019, with a justification of complete unlawfulness. The SEC here made a contradictory decision where some of the votes in the same envelopes were deemed valid while only the votes regarding the Mayor were deemed invalid; this made the legitimacy of the decision publicly questionable. As a result, the difference in the vote counts between the two leading candidates, Ekrem İmamoğlu and Binali Yıldırım, on March 31, 2019, which had been 13,729, increased to 806,415 after the June 23, 2019 repeat elections. In other words, CHP's candidate İmamoğlu received 4,169,765 votes on March 31, 2019 (48.79% of all votes), while Justice and Development (AK) Party candidate Yıldırım received 4,156,036 (48.63% of all votes). In the repeated elections

on June 23, 2019, İmamoğlu received 4,741,868 votes (54.21% of the total votes), while Yıldırım's votes decreased to 3,935,453 (only 44.99% of the total votes). Including the above election, which has occupied the public agenda for a long time both regarding its process and its results, five annulled elections have occurred in Türkiye since 2002: four local elections and one general parliamentary election. The elections that were annulled and repeated are as follows:

1. March 31, 2019, Local Elections
2. March 30, 2014, Local Elections
3. March 29, 2009, Local Elections
4. March 28, 2004, Local Elections
5. November 3, 2002, Parliamentary Election

The grounds for annulling elections as indicated in the SEC's decisions are given below in Table 1.

Table 1.

Elections Annulled in Türkiye by the SEC from 2002-2022 and the Reasons for Annulment

ANNULLED ELECTIONS	ELECTION DISTRICTS	REASONS FOR ANNULMENT
March 31, 2019 LOCAL ELECTIONS 6 Mayors of Municipalities, and 5 Muhtars (Headman)	ADİYAMAN (BESNİ/KESMETEPE)	(1) Complete lawlessness
	ARTVİN (YUSUFELİ)	(2) Extreme closeness in number of vote counts
	DENİZLİ (HONAZ)	(3) Restricted electorate voting.
	KIRIKKALE (KESKİN)	(4) Irregularities in the counting charts where the votes from the ballot box were processed with the notch method.
	MERSİN (GÜLNAR)	(5) Difference between the number of voters who cast their votes and number of ballot slips
	AYDIN	
	KÜTAHYA	
	KOCAELİ	
	SİVAS	
	SAKARYA	
İSTANBUL		
	OTHER...	(6) Irregularities regarding vote counting and casting schedules (7) Unsigned and unsealed counting list

ANNULLED ELECTIONS	ELECTION DISTRICTS	REASONS FOR ANNULMENT
March 30, 2014 LOCAL ELECTIONS 14 Municipality Mayors	AĞRI	(1) Voting of soldiers and ballot box officials with no right to vote
	YALOVA	
	AYDIN (BUHARKENT)	
	BAYBURT (AYDINTEPE)	(2) Photographing of torn ballot bags.
	BİTLİS (GÜROYMAK)	(3) Unsealed and invalid votes
	ÇANKIRI (ŞABANÖZÜ)	
	ESKİŞEHİR (MAHMUDİYE)	(4) Ineligible voters (restricted)
	KASTAMONU (ÇATALZEYTİN)	
	TOKAT (YEŞİLYURT)	(5) The ballot box president counted the votes of disabled citizens
	ÇORUM (ORTAKÖY/AŞTAVUL)	
	ERZİNCAN TERCAN/ÇADIRKAYA)	(6) Voting by persons determined to be abroad.
	NİĞDE (BAĞLAMA)	
	YOZGAT (SORGUN/EYMİR)	(7) Irregularities in some ballot boxes
RİZE (Hemşin)		
OTHER...		
March 29, 2009 LOCAL ELECTIONS 30 Municipality Mayors 11 Municipality Board Memberships 11 Municipality Board Memberships	ÇANKIRI (YAPRAKLI)	(1) Voting by non-residents
	ISPARTA (ŞARKIKARAAĞAÇ)	(2) Voting by military personnel who are not qualified to vote
	ŞANLIURFA (BİRECİK/AYRAN)	(3) Failure to provide a safe environment for elections
	OTHER...	(4) Taking the votes to the courthouse without being counted at the school (Voting is usually done in schools in Türkiye)
		(5) Some districts elected mayors who'd been convicted
		(6) Soldiers voting.

ANNULLED ELECTIONS	ELECTION DISTRICTS	REASONS FOR ANNULMENT
March 28, 2004 LOCAL ELECTIONS 15 Municipality Mayors	KONYA (ILGIN)	(1) Restricted voting (by restricted personnel) (2) Extreme closeness in number of votes between the parties (3) More ballot slips than the number of voters (4) Incorrect arrangement of records (ballot report records)
	ŞANLIURFA (CEYLANPINAR)	
	ÇORUM (UĞURLUDAĞ)	
	OTHER...	
November 3, 2002 GENERAL PARLIAMENT ELECTIONS 1 st District	SIİRT	(1) Deficiencies in election procedures for ballot boxes 17, 18 and 19 (2) Complete lawlessness

Source: Data retrieved from SEC Decisions (2002, 2004, 2009, 2014, 2019).

Table 1 provides the classification of the reasons for annulment into categories for the five elections, and Table 2 presents the content analysis regarding the number of repeated reasons (frequency).

Table 2.

Distribution of Grounds for Annulment of Elections by SEC since 2002 in Türkiye

The Categories of Reasons for Annulment of Election	Annulled Elections					Frequency (Number of cases) for Reasons for Annulment of Elections
	2002	2004	2009	2014	2019	
Complete lawlessness (2019, 2002)	✓				✓	2
Extreme closeness in the number of votes (2019, 2004)		✓			✓	2

The Categories of Reasons for Annulment of Election	Annulled Elections					Frequency (Number of cases) for Reasons for Annulment of Elections
	2002	2004	2009	2014	2019	
Votes by those without the right (restricted) (2004, 2014, 2019)						
Voting of soldiers and ballot box officials (2014)		✓	✓	✓	✓	4
Voting by military personnel who are not qualified or have no right to vote (2009)						
Unsealed and invalid votes (2014).				✓		1
The ballot box president counted the votes of disabled citizens (2014).				✓		1
Votes from persons determined to be abroad (2014).				✓		1
Voting by non-residents (2009)			✓			1
Influence of irregularities in some ballot boxes regarding election results (2014)	✓			✓		2
Deficient election procedures in ballot boxes 17, 18, and 19 (2002)						
Irregularities in the counting charts where the votes coming out of the ballot box are processed with the notch method (2019). Irregularities regarding vote counting and casting schedules (2019). Unsigned and unsealed counting list (2019)					✓	1
Difference between the number of voters who cast their votes and the number of ballot slips (2019) more ballot slips than the number of voters (2004)		✓			✓	2

The Categories of Reasons for Annulment of Election	Annulled Elections					Frequency (Number of cases) for Reasons for Annulment of Elections
	2002	2004	2009	2014	2019	
Photographs of torn ballot bags (2014)				✓		1
Failure to provide a safe environment for elections (2009)			✓			1
Taking votes to the courthouse without being counted at the school (Voting is usually done in schools in Türkiye) (2009)			✓			1
Some districts' elected mayor had been convicted (2009)			✓			1
Incorrect arrangement of records (ballot report records) (2004)		✓				1

Source: Data retrieved from SEC Decisions (2002, 2004, 2009, 2014, 2019).

When examining Table 2, the most commonly categorical reason cited for annulment in four out of the five total repeated elections (80% of all five annulment decisions) in Türkiye in 2004, 2009, 2014, and 2019 is voting by ineligible (restricted) voters (2004, 2014, 2019) and voting by soldiers and ballot box officials (2009, 2014). The next most-repeated misconducts resulting in the annulment of an election are respectively complete lawlessness (2002, 2019 elections), extreme closeness in the number of counted votes (2004, 2019 elections), irregularities in some ballot boxes regarding election results (2002, 2014 elections), having more voters than ballot slips (2019), and some ballot boxes have more ballot slips than the number of voters (2004). The other ten reasons for annulment only occurred in one election (20%).

The findings revealed above are based on legal and/or normative reasons within the scope of complete irregularity as exemplified in the grounds initially established for the annulment of an election in Türkiye, such as voting by voters who have no right to vote (restricted), and voting by soldiers and ballot box officials when they are ineligible. On the other hand, fundamental reasons such as the slight difference between the number of votes counted remain in the background. Therefore, the

study's Proposition 1 has been generally accepted. Within the framework of these listed findings, taking measures to prevent those in charge of the election and ballot box committees (primarily the SEC) from disrupting the counting of ballot slips or the arrangement and delivery of the minutes can eliminate the problems that lead to repeated elections, which have high direct and indirect costs to both the national budget and the economy. This situation can also strengthen the connection between the *demos* and the *kratos*, as this will positively affect trust in the electoral system, the justice system, and democracy. The right to object to elections is one of the essential parts of the democratization process and should be noted to have extreme importance in terms of observing the rights of different opinions and of majority rule. When examining the decisions made regarding the results of local elections the SEC has annulled in Türkiye, most objections and annulments regarding local elections are seen to have been experienced in the 2009 election period. Table 3 shows the objections to the results as well as the results of the elections that were repeated due to these objections according to the compiled data. The data in Table 3 show the situations that emerged due to parties' immediate objections during the last four local elections as well as for elections that had been annulled and repeated.

Table 3.

Objections by Parties to Local Elections in Türkiye and Winners of the Repeated Elections

Date and Province of Annulled and Repeated Local Elections	Parties Submitting Objection to the Results of the Election	Parties Who Won the Repeated Election
March 28, 2004		
Konya- Ilgın	Felicity Party	True Path Party
Çorum - Uğurludağ	Justice and Development Party	True Path Party
Şanlıurfa - Ceylanpınar	True Path Party	Social Democratic Populist Party
Erzurum - Dadaş	True Path Party	Justice and Development Party
Aksaray- Acıpınar	Republican People's Party	Justice and Development Party
İzmir- Zeytindağ	Justice and Development Party	Justice and Development Party
Diyarbakır- Silvan	Justice and Development Party	Social Democratic Populist Party
Aydın- Söke	Motherland Party	Republican People's Party

Date and Province of Annulled and Repeated Local Elections	Parties Submitting Objection to the Results of the Election	Parties Who Won the Repeated Election
Hatay- Koyunoğlu	Justice and Development Party	Republican People's Party
March 29, 2009		
Niğde- Bor	Justice and Development Party	Republican People's Party
Aydın- Koçarlı	Democratic Party and Republican People's Party	Republican People's Party
Çankırı- Yapraklı	Justice and Development Party	Nationalist Movement Party
Isparta-Şarkikaraağaç	Justice and Development Party	Justice and Development Party
Elazığ- Ağın	Nationalist Movement Party	Justice and Development Party
Trabzon- Gürbulak	Independent Candidate	Independent Candidate
Kırşehir- Çiçekdağı	Nationalist Movement Party	Democratic Party
Konya- Akşehir	Nationalist Movement Party	Justice and Development Party
Ordu- Fatsa	Justice and Development Party	Republican People's Party
Afyonkarahisar- Bolvadin	Republican People's Party	Republican People's Party
Çorum- Mecitözü	Justice and Development Party	Republican People's Party
Gümüşhane-Tekke	Republican People's Party	Justice and Development Party
Denizli- Çal	Republican People's Party	Republican People's Party
Giresun-Duroğlu	Nationalist Movement Party	Justice and Development Party
Kütahya-Gediz	Justice and Development Party	Justice and Development Party
Yozgat-Kadışehri	Felicity Party	Justice and Development Party
Aksaray-Sultanhanı	Justice and Development Party	Republican People's Party
Muğla- Bodrum	Nationalist Movement Party	Motherland Party
Kayseri-Dadaloğlu	Justice and Development Party	Republican People's Party

Date and Province of Annulled and Repeated Local Elections	Parties Submitting Objection to the Results of the Election	Parties Who Won the Repeated Election
Sakarya-Akyazı	Felicity Party	Justice and Development Party
March 30, 2014		
Şanlıurfa- Ceylanpınar	Democracy and Peace Party	Justice and Development Party
Çorum-Uğurludağ	Justice and Development Party	Nationalist Movement Party
Yalova	Republican People's Party	Republican People's Party
Çankırı-Şabanözü	Nationalist Movement Party	Nationalist Movement Party
Ağrı	Justice and Development Party	Democracy and Peace Party
Bitlis-Güroymak	Justice and Development Party	Democracy and Peace Party
Bayburt-Aydıntepe	Justice and Development Party	Nationalist Movement Party
Tokat-Yeşilyurt	Nationalist Movement Party	Justice and Development Party
Aydın-Buharkent	Justice and Development Party	Justice and Development Party
Eskişehir-Mahmudiye	Justice and Development Party	Republican People's Party
March 31, 2019		
İstanbul	Justice and Development Party	Republican People's Party
Artvin-Yusufeli	Republican People's Party	Justice and Development Party
Kırıkkale- Keskin	Justice and Development Party	Justice and Development Party
Denizli- Honaz	Justice and Development Party	Republican People's Party

Figure 1 presents the ratios for the winners and losers of the repeated elections compared to the parties opposing/objecting to the results of elections that would be annulled in Türkiye based on the 2004, 2009, 2014, and 2019 election results given in Table 3.

The Ratios of Winners and Losers in the Repeated Elections

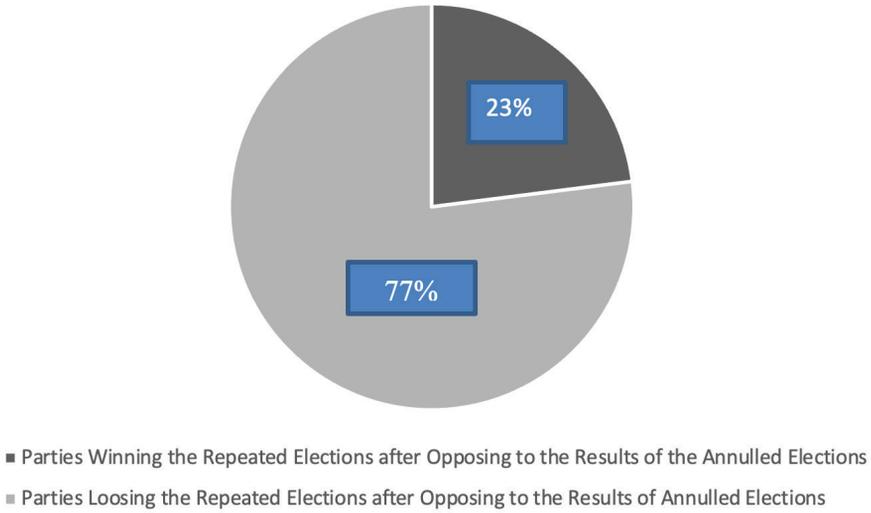


Figure 1. *The ratios of winners and losers in the repeated elections compared to the parties objecting to/opposing the results of annulled local elections in Türkiye*

When examining the results from the repeated elections of 2004, 2009, 2014, and 2019 as presented in Figure 1, 33 repeated elections in 43 electoral districts were concluded to have gone against the party that had objected to the annulled election, while only 10 elections had ended up in favor of the objecting party. Therefore, 77% of the repeated elections achieved a result that did not favor the party that had objected to the annulled election's results, with the voters strictly insisting and increasing their support for the party/candidate that had won in the previous annulled election.

These findings show elections that are repeated for an annulled elected usually result in favor of the party that had won the annulled election, not in favor of the party that had opposed the results from the annulled election. Thus, the study's Proposition 2 is also accepted.

Discussion and Conclusion

The objections to the results of March 31, 2019, local elections and annulment of the elections in some centers, as well as the repeated elections of June 23, 2019, in particular, brought the annulment of elections and the SEC's decisions to the public agenda. This study has aimed to reveal the reasons for annulment with the highest frequency by performing a content analysis of elections that had been annulled from 1950 to the present, starting from the emergence of the situation. Revealing the misconduct that had been the main reason for the annulment of elections and developing measures to avoid similar problems for future elections are essential in terms of Türkiye's economy, the security of its elections, trust in democracy, and its judiciary, as well as for strengthening the legitimacy of the elected and ensuring the consent and satisfaction of the people. This is because elections are the process that determines which people/parties will be handed the power to represent citizens as a result of voters' will and consent, which are concepts central to a society's democratic foundations (Erişen & Erdoğan, 2019, p. 1). The element here that protects and strengthens democracy is the belief voters have that they can change the government through their own will if necessary. As Arslantaş & Arslantaş (2020, p. 48) asserted, however, if "a context [exists] in which electoral misconduct, repression of dissidents, clientelism, and control over the media have become rampant, the opposition has less chance to confront the incumbent," going on to say how they only see a chance that an "alternation in power may occur due to the government's failures or intra-party splits." As a result, they found "the results of the local elections in March 2019 as the clearest indication of this trend" (p. 48).

Since Türkiye's transition to a multi-party system, Burcu Taşkın (2015, p. 465) asserted, "large numbers of registered voters and high voter turnout motivate parties to compete in the elections." These elections in Türkiye are conducted according to equal, free, single-transferable, and general voting principles. In other words, voters cast their votes in privacy, but after the voting is over, these votes are counted openly and are determined by the minutes. Conscripts, corporals and sergeants, military students, and those who've been sentenced to a penitentiary cannot vote. Neither restricted people nor those banned from public service can vote as well. By regarding the objections due to non-compliance with election law, the SEC may decide to annul an election, recount invalid votes, or recount all votes. In other words, repeated elections are a typical result in cases where the election results are questionable and suspicious. Examples of this can be encountered in other world countries such as the United States of America (2016, 2018), Austria (2016), and Romania (2009). Nevertheless, a repeated election is a financial burden on the country's economy, regardless of the result.

As a result of the analysis, the reason for annulment with the highest frequency in Türkiye is seen to be voting by those who do not have the right to vote (restricted), which occurred in four (80%) of the five total annulled elections, in 2004, 2009, 2014, and 2019. Apart from votes by ineligible (restricted) voters, the other most repeated forms of misconduct that resulted in the annulment of elections are complete lawlessness (the 2002 and 2019 elections), and extreme closeness in the number of votes between opponents (the 2004 and 2019 elections). Reasons such as irregularities in some ballot boxes (2002, 2014), differences between the number of voters who cast their votes and the number of ballot slips (2019), and having more ballot slips in some ballot boxes than the number of voters (2004) were also revealed to have caused repeated elections. The other ten reasons for annulment were included in only one of the five studied elections (20%). Meanwhile, these results are founded on legal reasons within the scope of complete irregularity generally based on the voting of illegible (restricted) voters who have no right to vote, by ineligible soldiers voting, and/or ballot box officials voting in the absence of or on behalf of real voters.

In addition, when 43 local elections were examined in Türkiye in 2004, 2009, 2014, and 2019, 33 (77%) of the repeated elections were seen to have concluded not in favor of the party that had objected to the results of the previous election that had been annulled, and only 10 (23%) concluded in favor of the objecting party. As such, repeated elections generally tend to result not in favor of the party that had objected to the previous election results, but in favor of the party that had won the first annulled election, so much so that the will of the voters had been reinforced by the *demos* through democracy and strengthened the *kratos*. Therefore, the administration as the instrument of executive and legislative powers does get reorganized, and the Proposition 2 of the study has been confirmed. However, the fact that almost a quarter of local elections had concluded in favor of the objecting party reveals the importance of ensuring the security and transparency of elections and ballot boxes in order for the people's will to be fully reflected in the ballot box. Taşcıoğlu (2014, p. 274) explained this to be because "elections are the most important tool that ensures the reflection of the will of the people for the Parliament." The proper use of this tool is an indispensable condition for the healthy functioning of a democracy. Fulfilling the requirements of this condition is the main duty of both political parties and institutions. The most important element among these institutions is the judiciary, for its functions secure the rule of law.

As a result, monitoring all processes such as counting votes, issuing and signing the minutes, and delivering ballots during and after the elections is essential from a legal perspective. Previously given as an example from the USA, a vote count gets

repeated first when the difference between votes for opposing parties falls below 5% in some states, even if no one objects. The decision to repeat the election is a part of the rule of law and not to overshadow the election results, and if the difference still remains less than 5%, it can be taken as an indicator. The practice of re-entering the competing candidates who'd received the two highest vote and seeking a vote count difference greater than 5% is essential in terms of securing the legitimacy of the elected persons and reinforcing the trust of the voters in the legal and judicial system. Therefore, implementing similar electoral policies in Türkiye will strengthen voters' trust in the system in terms of being a more developed democracy and increasing citizen consent.

As a result, elections should have an egalitarian structure that, as Grigsby (2012, pp. 164-166) stated, ensures participation and supports pluralism, an integral component of democracy. In addition, voters should be aware of what they are doing and voting for; in other words, they should be properly informed. In this respect, voting should have a transparent structure that permits a democracy with high performance. Thirdly, a system should again be built that can equitably distribute the available resources to allow their citizens to develop their potential and that allows them to choose a stable government that will support the institutionalization of a developmental democracy. In order to provide protection, being the fifth and last component of democracy, a system that can guarantee the fundamental rights and freedoms of its citizens should be established in the face of the state's monopoly of transcendent violence. Establishing a certain balance between these five dimensions will allow solutions to be produced under the spirit and needs of the time without eliminating any component should certain dimensions conflict with one another.

Indeed, the case of having doubt over election results will create some weakness in terms of questioning the legitimacy of the elected and gaining the consent of citizens for their decisions. For this reason, repeating an election instead of having power or an election be in doubt can help solve these problems. However, the decision to annul an election in cases where widespread public consensus exists about an election's doubtlessness will not change the election result but only place a significant burden on the state's budget. Every election has a direct cost consisting of the financial aid given to parties that have a group in Parliament, as required by law, as well as an indirect cost resulting from economic and market uncertainty. Generally, these indirect costs tend to be much higher than direct costs.

For this reason, priority should be given to transparently carrying out all the preparations for elections, assigning board members, training, and executing the

election so as to not leave any doubt and to reinforce trust in the justice system, in addition to sharing all information with the public in a transparent and timely manner. Practices that contradict the basic principles of law and democracy undermine the credibility and image of institutions. As a result, while the individuals and candidates participating in the elections are all temporary, most of these institutions and the state are more permanent. The important thing is not to undermine the long-term dignity of these institutions for short-term individual or organizational interests/benefits. Provided that this main principle is the basis, repeated elections will only be inevitable if some misconduct occurs during an election, despite taking all measures as exemplified in various countries above. In this regard, having the SEC make decisions that are consistent with its jurisprudence within the legal framework, the fundamental laws, and democratic principles throughout the historical process will reinforce belief and trust in the judiciary, elections, and democracy and will ensure that public views the decisions of the elected and the judiciary as being legitimate.

Disclosure statement: The authors report no potential conflict of interest.

Kaynakça | References

- ABC News. (2000, November 24). *Gore to contest election results*. Retrieved from: <https://abcnews.go.com/Politics/story?id=122420&page=1>.
- Alihendioğlu, Y. (2005). Temsili demokrasinin 'seçim' ayağı. *TBB Dergisi*, 60, 71–96.
- Alihodzic, S., Matatu, N., & Raffoul, A. (2019). *Timing and sequencing of transitional elections: Case studies*. International IDEA.
- Arslantaş, D., & Arslantaş, Ş. (2020). Keeping power through opposition: Party system change in Turkey. *New Perspectives on Turkey*, 62, 27–50. <https://doi.org/10.1017/npt.2020.1>
- Bradner, E., Levy, A., Puy Kamp, M., & Toropin, K. (2018, December 07). *Irregularities found in second North Carolina county in contested house race*. Retrieved from: <https://edition.cnn.com/2018/12/06/politics/north-carolina-house-election-roberson-county/index.html>
- Connolly, K., Oltermann, P., & Henley, J. (2016, May 23). Austria elects Green candidate as president in narrow defeat for far right. *The Guardian*. Retrieved from: <https://www.theguardian.com/world/2016/may/23/far-right-candidate-defeated-austrian-presidential-election-norbert-hofer>
- Coşkun, S. (2004). *Seçim hukuku [Election law]*. Ankara.
- Çınar, Y., & Türkmen, G. (2019). *Türkiye'de yeni seçim ve cumhurbaşkanlığı hükümet sistemi'ne ilişkin sayısal analizler ve politika önerileri*. TEPAV Yayınları No: 81.
- European Commission for Democracy Through Law. (2009). *Report on the cancellation of election results*. Venice Commission. Retrieved from: [https://www.venice.coe.int/webforms/documents/default.aspx?pdf-file=CDL-AD\(2009\)054-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdf-file=CDL-AD(2009)054-e).
- Erişen, C., & Erdoğan, E. (2019). Growing perceived threat and prejudice as sources of intolerance: Evidence from the 2015 Turkish general elections. *Turkish Studies*, 20(1), 1–25. <https://doi.org/10.1080/14683849.2018.1488592>

- Grigsby, E. (2012), *Analyzing politics: An introduction to political science* (5th ed.). Wadsworth.
- Haydaroğlu, C., & Gülşah Ç. (2016). Türkiye'de seçim sistemlerinin demokrasi ve ekonomi ilişkisi çerçevesinde incelenmesi. *Uluslararası Politik Araştırmalar Dergisi*, 2(1), 51–63.
- James, T., & Alihodzic, S. (2020). When is it democratic to postpone an election? Elections during natural disasters, COVID-19, and emergency situations. *Election Law Journal*, 19(3), 344–362. <https://doi.org/10.1089/elj.2020.0642>
- Kalaycıoğlu, E. (2009). Public choice and foreign affairs: Democracy and international relations in Turkey. *New Perspectives on Turkey*, 40, 57–81. <https://doi.org/10.1017/S0896634600005215>
- Keyman, F., Erdem, T., & Ağırdr, B. (2013). *Türkiye'nin demokratikleşmesi için kapsamlı bir siyasi parti ve seçim sistemi reformu önerisi* [A comprehensive reform proposal for the democratization of Turkey on political parties and election systems]. İstanbul Policies Center, Sabancı University.
- Law No. 2972 (1984, January 18). *Mahalli idareler ile mahalle muhtarlıkları ve ihtiyar heyetleri seçimi hakkında kanun* [The Law on the Election of Local Governments, Headman for Districts and Boards]. Seçimin veya tutanağın iptali [The cancellation of elections]. Madde 25 [Art. 25]; Fıkra 2 [Para. 2].
- Law No 5545. (1950, February 16). *Milletvekilleri seçimi kanununu* [The law on the elections of deputies]. Madde 120 [Art. 120].
- Nootens, G. (2010). Nations, sovereignty, and democratic legitimacy: On the boundaries of political communities. In K. Breen, & S. O'Neil (Eds.), *After the Nation?, International Political Theory* (pp. 196–213). SpringerLink.
- Örs, B. (2006). “Siyasal temsil [Political representation]. *Siyasal: Journal of Political Sciences*, 35, 1–22.
- Özbudun, E. (1995). Seçim sistemleri ve Türkiye [Election systems and Turkey]. *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 44(1-4), 521–539.
- Özkan, M. (2020). “Demokrasi ve temsil: Paradoksu Rousseau üzerinden okumak. *Siyasal: Journal of Political Sciences*, 29(2), 403-430. <https://doi.org/10.26650/siyasal.2020.29.2.0030>
- Republic of Türkiye 1961 Constitution. (1961). Chapter Cumhuriyetin temel kuruluşu [The Fundamentals of the Republic]. Retrieved from: <https://www.anayasa.gen.tr/1961ay.htm>
- Republic of Türkiye 1982 Constitution. (1982). The chapters: Cumhuriyetin temel organları [The Fundamental Organs of the Republic] and Seçimlerin genel yönetimi ve denetimi [The general administration and inspection of elections]. Retrieved from: https://www.tbmm.gov.tr/anayasa/anayasa_2018.pdf
- Republic of Türkiye 1982 Constitution. (1982). Anayasa Maddeleri [The Articles of the Constitution], Madde 2 [Art. 2], Madde 13 [Art. 13], Madde 67 [Art. 67], Madde 75 [Art. 75], Madde 77–79 [Arts. 77–79], Madde 127/1,3 [Art. 127, para. 1 & 3], Madde 67/2 [Art. 67, para. 2]. Retrieved from: https://www.tbmm.gov.tr/anayasa/anayasa_2018.pdf
- Supreme Election Council. (2019, March 27). *Seçimlerin yenilenmesi, tekrarlanması, iptali durumu* [Annuling, repeating, and revoking elections] Decision No. 1683. Retrieved from: <https://www.ysk.gov.tr/doc/karar/dosya/78040/2019-1683.pdf>
- Supreme Election Council. (2022). *YSK seçim sonuç kararları* [SEC election results and decisions] for 2002, 2004,2009, 2014, 2019. Retrieved from: <https://www.Türkiye.gov.tr/yuksek-secim-kurulu-baskanligi>
- Supreme Election Council. (2020). *Yüksek seçim kurulu tarihçesi ve geçmişten günümüze seçimlerin yönetim ve denetimi* [History of SEC and the administration and inspection of the elections]. Retrieved from: <https://www.ysk.gov.tr/tr/tarihce/1510#:~:text=Y%C3%BCksek%20Se%C3%A7im%20Kurulu%2C%205545%20say%C4%B1%C4%B1,Hakk%C4%B1nda%20Kanunda%20da%20yer%20alm%C4%B1%C5%9Ft%C4%B1r>
- Suny, R. G. (2017). The crisis of bourgeois democracy: The fate of an experiment in the age of nationalism, populism, and neo-liberalism. *New Perspectives on Turkey*, 57, 115–141. <https://doi.org/10.1017/npt.2017.32>

- Şakir, Z. (1947). *Nuri Demirağ kimdir* [Who is Nuri Demirağ]? Kenan Press. Retrieved from: <http://www.nuridemirag.com/belgeler.html>
- Tansey, O. (2010). Does democracy need sovereignty? In *Review of International Studies* (pp. 1515–1536). <https://doi.org/10.1017/S0260210510001087>.
- Taşçıoğlu, Ö. L. (2014). Seçim sistemimiz, seçim şaibeleri ve öneriler. *TBB Dergisi*, 110, 241–280.
- Taşkın, B. (2015). Voter turnout in Turkey's parliamentary and local elections (1950–2014): Does participation increase when competition decreases? *Turkish Studies*, 16(4), 465–486. <https://doi.org/10.1080/14683849.2015.1101350>
- Tormey, S. (2016, May 13). *The contemporary crisis of representative democracy*. Retrieved from: https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/pops/Papers_on_Parliament_66/The_Contemporary_Crisis_of_Representative_Democracy
- Türk, H. S. (2006). “Seçim, seçim sistemleri ve anayasal tercih [Election, election systems and constitutional choice]. *Anayasa Yargısı*, 23, 75–113.
- Yokuş, S. (2018). *Elections and the presidential system in Turkey: Is a return to democratisation possible in this new period* [Türkiye’de seçimler ve cumhurbaşkanlığı sistemi: Yeni dönemde demokratikleşmeye dönüş olanakları olabilir mi?]. Democratic Progress Institute.
- Yozgat, F., & Zabun, S. (2009). Seçim sistemleri ve uygulamaları [Election systems and applications]. *C.Ü. İktisadi ve İdari Bilimler Dergisi*, 10(2), 73–91.
- Yıldırım, K. (2013). 1950-2011 yılları arasında yapılan genel seçimlere yönelik seçmen davranışları üzerine bir araştırma. *Ufuk Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, 2(4), 13–34.
- Zürcher, E. J. (1998). *Modernleşen Türkiye'nin tarihi* [The history of the modernizing Turkey] (3rd ed., p. 45). İletişim Publishing.