

Features of the Electoral Systems of the Leading Countries of the World (Using the Example of the USA, France and Japan)

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Abstract

Elections are the most common way for citizens to participate in the political life of the country. The electoral process is an integral part of the socio-political life of any democratic state. The main purpose of elections is to legitimize power. With their help, the people empower their representatives to exercise their sovereign rights. Having received legal status as a result of elections, a representative body or official shall exercise the powers provided for by the Constitution or other legislative act. The main task of any electoral system of a democratic state is to ensure the representation of the will of the people and the effective functioning of the entire political system and authorities, regardless of its level. There is no doubt that democracy today is a democracy of parties and that in order to become such for an electoral system, it must turn to a multi-party system. Only in such a context does it make sense to talk about free and alternative elections. On the contrary, a one-party system is unacceptable, even as a theoretical choice in the context of discussing the legal aspects of the electoral process. The problem of choosing an electoral system is usually one of the key issues in the political life of a country, acquiring particular urgency in certain periods. There have been cases when the issue of the country's future electoral system was decided directly by citizens through popular vote. The study and analysis of foreign experience in the field of the electoral process seems relevant and scientifically significant. The problem of transparency of the electoral process as a key element of democracy occupies one of the central places in relations related to the conduct of elections. The article discusses the features and principles of functioning of the electoral systems of the leading countries of the world, such as the USA, France and Japan.

Keywords: electoral system, elections, Japan, USA, France, people, democracy

Особливості виборчих систем провідних країн світу (на прикладі США, Франції та Японії)

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Анотація

Вибори є найпоширенішим способом участі громадян у політичному житті країни. Виборчий процес є невід'ємною частиною суспільно-політичного життя будь-якої демократичної держави. Основна мета виборів – легітимізація влади. З їх допомогою народ наділяє своїх представників повноваженнями здійснювати свої суверенні права. Отримавши в результаті виборів правовий статус, представницький орган або посадова особа здійснює повноваження, передбачені Конституцією чи іншим законодавчим актом. Основним завданням будь-якої виборчої системи демократичної держави є забезпечення волевиявлення народу та ефективного функціонування всієї політичної системи та влади незалежно від її рівня. Немає сумніву, що демократія сьогодні – це демократія партій, і щоб виборча система стала такою, вона повинна перетворитися на багатопартійну систему. Тільки в такому контексті є сенс говорити про вільні й альтернативні вибори. Навпаки, однопартійна система є неприйнятною навіть як теоретичний вибір у контексті обговорення правових аспектів виборчого процесу. Проблема вибору виборчої системи зазвичай є однією з ключових у політичному житті країни, набуваючи в певні періоди особливої гостроти. Відомі випадки, коли питання майбутньої виборчої системи країни вирішувалося безпосередньо громадянами шляхом всенародного голосування. Вивчення та аналіз зарубіжного досвіду у сфері виборчого процесу видається актуальним і науково значущим. Проблема прозорості виборчого процесу як ключового елементу демократії посідає одне з центральних місць у відносинах, пов'язаних з проведенням виборів. У статті розглядаються особливості та принципи функціонування виборчих систем провідних країн світу, таких як США, Франція та Японія.

Ключові слова: виборча система, вибори, Японія, США, Франція, народ, демократія

Introduction.

In the modern world, the state is a complex institutional system, consisting of different subsystems, one of which is the electoral system. Maximum involvement of the population in electoral activities is the key to stability and order in public life. Each state creates its own electoral model, based on its traditions and mentality of the people.

The concept of an electoral system in science is quite controversial. However, summarizing the most common points of view, we can point out that the concept of an electoral system is interpreted in two senses – broad and narrow. In a broad sense, the electoral system is a set of social relations for the organization and conduct of elections in a particular state. In this sense, the electoral system is an object of regulation of electoral law.

In a narrow sense, an electoral system is a way of determining the results of elections and the elected candidates.

The modern electoral system is characterized by a set of rules and norms on the basis of which the relationship between the legislative and executive branches of government is determined and their legitimacy is achieved.

Summarizing the existing definitions, researchers studying the features of existing electoral systems understand the electoral system as: a) a set of legal norms; b) many social connections that arise in the process of organizing and holding elections.

The basis for the purposeful functioning of the electoral system is the system's satisfaction of people's needs and interests, which strengthens its support by society. In the opposite situation, support for the system weakens and crisis phenomena increase in it. An important property of the system is its ability to carry out transformations in society and at the same time maintain stability. In a number of countries, the electoral system as a political institution is characterized by stability and stability, as a result of which it was "mothballed" and remained an attribute of bygone systems in the modern world (Gaichenya, 2019).

At this point in time, the following main types of electoral systems exist:

- Proportional;
- Majoritarian;
- Mixed.

Main part.

A proportional electoral system is a type of electoral system in which the voting results are determined by the principle of allocating seats in proportion to the number of votes received by each party. Voting takes place according to party lists. Under a proportional system, elections are held only on a party basis: voting is based on party lists, and the population votes not for specific candidates, but for a political party. Thus, the most important condition for the functioning of the proportional system is the presence of political parties in the state. Parties are the

only legitimate entities that have the right to nominate their representatives to legislative areas of government. It is the parties that form lists of candidates and offer them to voters in order to gain their support in elections. Thus, such a system makes the electoral process partisan and ideological (Kinzerskaya, 2019). The proportional election system is used in Austria, Belgium, Spain, Italy, Switzerland, Sweden, Estonia, etc.

The majoritarian system is a method of determining voting results in which a statutory majority of votes is required to obtain a mandate. The majoritarian electoral system can be of two types: relative majority and absolute majority.

- **The majority system of relative majority** assumes that the candidate who received more votes than each of his opponents individually is considered elected. This system makes it possible to determine the winner already in the first round, but often the chosen candidate is the one who, in absolute terms, received a very small percentage of the votes. This system is currently used in the UK, Japan, the USA in the elections of members of Congress, etc.

- **The absolute majority majority system** assumes that in order to be elected, a candidate must receive an absolute majority of the votes cast in the electoral district (50% + 1 vote). The advantage of this system is the simplicity of determining the winning candidate, the disadvantage is the low representativeness of votes. In theory, over 49% of the votes could be lost. This system, in particular, is used in elections of deputies at all levels in France, as well as in presidential elections in most countries, including Russia, Ukraine, Finland, Poland, the Czech Republic, Lithuania, etc.

A mixed electoral system is a system in which a certain proportion of seats are allocated under a majoritarian system, and the rest are allocated under a proportional system. For example, 50% according to proportional and 50% according to majority. Two ballots are issued, in one of them we vote for a specific candidate, in the other we vote for a specific party. In this case, there is a percentage barrier. This system is used in Australia, New Zealand, etc.

Each electoral system has its own characteristics, which are reflected in the so-called Duverger's law. French political scientist Maurice Duverger, in his work "Political Parties," identified and substantiated these features of the influence of electoral systems on the configuration of the party system. (Duverger, 1964).

Let us consider the features of the electoral systems of the leading countries of the world.

Features of the US Electoral System.

The United States of America today is a generally recognized world leader, capable of significantly influencing international relations and processes occurring in the world. The main criteria for the successful development of the United States are considered to be unwavering adherence to liberal, economic and

democratic principles, which form the basis for the successful development of the United States.

The history of the origin and formation of the democratic regime in the United States of America goes back to the 18th century, when the Declaration of Independence was signed and the US Constitution was adopted. This was the first attempt in human history to introduce democratic principles throughout the entire country, and not just a single city-state. This fact makes it possible to build a historically first, unique national model of a democratic political regime (Karpovich, 2015).

Historically, the entire American political system was built around the main principle: any power must have a counterbalance. Therefore, at one time in the USA, in an unclassified society, all the best from Roman and British law was applied. A separation of powers has been implemented: the parliament forms laws and the budget, the presidential administration implements them, and the court can declare the actions of these two branches of government illegal. The American system is all about guaranteeing property rights and the rule of law. At the same time, equality before the law, declared in form, is in practice filled with content reflecting the dominance of capital in American society. (Damaskin, 2017, p.178).

The United States of America is a presidential federal republic. The President of the country holds the executive power of the federal government, enforcing the laws in accordance with the political structure of the United States. He is also the Commander in Chief of the US Armed Forces.

The Congress of the United States of America is the legislative body of the country, which has legislative power. Congress is a bicameral body consisting of:

- House of Representatives: 435 representatives elected every two years;
- The Senate Chamber consists of 100 senators whose terms of office are six years.

Today, each of the 50 US states has its own powers: they are endowed with the right to develop and adopt their own Constitution, have their own legislative assemblies; Governors, and in most states, Chief Justices, are also elected officials. In the United States, the institution of referendums is quite actively practiced. They are held periodically and on a variety of issues: political discrimination, taxation, the situation with immigrants, etc. A significant part of the problems and issues of local importance are resolved precisely with the help of such an instrument as a referendum (Damaskin, 2017, p. 178).

According to the US Constitution, the president must be at least 35 years old, a US citizen by birth, and have lived in this country for at least 14 years (Constitution of the United States of America, 1787, p. 12-25, article 2).

The mandate of the President of the United States also meets the following criteria:

- The President's term of office is four years.
- The President's term officially begins on January 20, after Election Day.

- The President can be re-elected only once, for a total of two consecutive terms.

- In the event of the death or resignation of the President, his Vice President is responsible for termination of office.

The Vice President must meet the same criteria. According to the 12th Amendment to the US Constitution, a person who has served two terms as president cannot be vice president.

A candidate for the US House of Representatives may be a US citizen who is at least 25 years of age, has been a citizen for at least seven years, and is a legal resident of the state he intends to represent in Congress. A candidate for the Senate can be a U.S. citizen who is at least 30 years old, has been a citizen for at least nine years, and is a legal resident of the state he intends to represent in Congress. U.S. Senators are elected to six-year terms on a special schedule to re-elect one-third (or one-third plus one) of the 100 Senate seats every two years. If a senator dies or becomes incapacitated while serving, a special election may be held in an odd-numbered year or in the next even-numbered year. A newly elected senator remains in office until the end of the originally elected senator's term. In some states, the governor appoints a new senator to serve for the remainder of the original term (ShareAmerica, 2024).

Since 1789, a two-stage system of presidential elections has been a legal form. The first stage, which runs from February 1 to June 31, involves primary elections for presidential and vice-presidential candidates, called the "Primaries." It is organized and financed by the government. "Primaries" runs throughout the whole day. The caucuses take several hours. Their payment is made from party funds. The people elect one representative each from the Democratic and Republican parties, who will fight for the presidency.

Each party decides on a single presidential candidate. This is a criterion for the country's electoral system. There are 2 types of primaries:

1. Closed, in which only party members have the right to vote for the presidential candidate.
2. Open, everyone has the right to vote.

The American voting system is distinguished by the absence of central party bodies in the country and unified leadership of party organizations. Each state has its own Republicans and Democrats. Voting is not regulated from above by state legislation. Each state does them differently.

The second stage involves holding national conventions or conventions of Republicans and Democrats, at which party leaders must approve candidates from each party (1 person) to participate in the presidential election campaign.

At the third - main stage - Americans (citizens of the country) vote for electors from the states, who are given the right to choose the president of the country and candidates for this post.

At the fourth stage, the work will be done by electors, a College of 538 people. Each state has a certain number of electors, depending on the number of voters. The number of electoral votes per state depends on the number of its voters.

How votes are distributed after states have cast them for electors and presidential candidates. How will they be distributed? With the exception of two states (Maine and Nebraska), the principle is “winner takes all.” Its essence is as follows:

1. The President and Vice President receiving the largest number of votes in a State shall receive all the electoral votes of that State. The state's Democratic votes give Democratic electors the right to choose the president.

2. The work of the Collegium is governed by the principle of objective and independent selection of the President.

There are positive aspects to the US presidential election system. These include:

1. Construction of a presidential election system based on the Constitution and laws.

2. Geography of electoral districts.

3. The system has a democratic principle of elections, when decisions are made by the majority.

It has certain disadvantages:

1. The main one is budget financing of both parties.

2. Given the leading position of the two main parties, other political forces in the country do not have budgetary funding and cannot get even 5% of the votes in the elections.

3. There is the use of classical methods of falsification in the voting process (stuffing ballots).

4. Servicing elections by private companies leads to bribery by their opponents.

5. In the United States, a negative program has been created to determine the work of the entire electoral system. Since the 19th century, the technology of gerrymandering or crossing out electoral districts has been used. The system determines citizens who will vote for candidates based on personal preferences:

- political;
- ethnic;
- territorial.

Features of the French Electoral System.

France, one of the oldest democracies, has experienced dozens of significant changes in the legislative regulation of elections since 1871. It is a unitary state with a presidential-parliamentary form of government. The Constitution and legislation of the French Republic regulate in sufficient detail the process of forming elected bodies. The French electoral system includes several types of elections: European, presidential, legislative, regional, municipal.

Legislative elections in France are held to select members of the National Assembly, the lower house of parliament. They take place every five years and are the main way of forming the legislative branch in the country.

In parliamentary elections, French citizens vote for candidates nominated by political parties. In each constituency, one deputy is elected to represent the interests of his constituency in the National Assembly.

Presidential elections in France are held every five years to choose the country's president. The President of France is the head of state and has significant powers in the field of domestic and foreign policy.

In presidential elections, French citizens vote for candidates nominated by political parties or independent candidates. The president is elected in two rounds of voting. If no candidate receives a majority of votes in the first round, then a second round takes place, in which the two candidates with the most votes compete. It should be noted that until 2000, the presidential term was seven years; after the next referendum it was shortened, and legislative restrictions were introduced on the number of consecutive presidential terms - up to two. In the entire history of elections in France, not a single presidential candidate was elected in the first round, that is, did not receive more than 50% of the votes in the first round. It is important to note that the phenomenon of the second round in France and its use at many levels of elections narrows the electoral choice for voters in addition to the use of a majoritarian system at the entire national level and parts of regional elections in France.

Municipal elections in France are held to elect mayors and members of municipal councils in cities and communes. They take place every six years and allow citizens to participate in the governance of their local communities.

In municipal elections, French citizens vote for candidates nominated by political parties or independent candidates. Elections are held according to a proportional system, where the number of seats in the municipal council is distributed in accordance with the voting results.

European elections in France are held every five years to elect members of the European Parliament. France is a member of the European Union and participates in shaping European Union legislation and policies.

In European elections, French citizens vote for candidates nominated by political parties or independent candidates. Members of the European Parliament are elected using a proportional system, where the number of seats is allocated according to the results of the vote.

Thus, in France, various types of elections are held that allow citizens to participate in the formation of legislative and executive powers, as well as in governing local communities and influencing the policies of the European Union.

The French electoral system is based on several key principles that ensure fair and representative elections. Here are the basic principles of the French electoral system: universal right, secret ballot, proportional representation, two-round system, freedom of political parties.

All citizens have active voting rights if they are over 18 years of age. It is only necessary to overcome the qualifications of settled life and legal capacity. The age requirement also varies depending on the type of election: cantonal, regional and municipal elections - 18 years, legislative and presidential elections - 23 years, Senate elections - 24 years. (Welcome to France, 2024).

France was one of the last countries in the world to grant voting rights to citizens aged 18 only in 1974; before that, the threshold existed at 21 years. In order for a French citizen to be included in the electoral list, it is necessary either to live in the commune for at least six months, or to have paid taxes in it.

Despite a number of difficulties and criticism from opponents, the electoral system of the French Republic aims to maintain political pluralism at the national and, to a greater extent, at the local levels. To reach a higher, national level, small parties need to more actively consolidate, unite into unions, groups of parties with the development of a common unified internal political, socio-economic, etc. courses .

In general, the French electoral system is an important instrument in the country's political life and contributes to the expression of the will of the people.

Features of the Japanese Electoral System.

Japan is a country consisting of numerous islands located off the eastern coast of the Asian continent.

The main achievements of democracy in post-war Japan were the result of major reforms that allowed it to quickly and successfully draw closer to Western countries.

Japan is a constitutional monarchy where the power of the emperor is very limited. The Emperor of Japan is the formal head of the country and is defined by the constitution as "the symbol of the state and the unity of the people." Power lies primarily in the hands of the Prime Minister of Japan and other elected members of parliament, while supreme power rests with the people of Japan. In fact, the Emperor of Japan acts as the head of the country in diplomatic affairs. Article 2 of the Japanese Constitution states that "The Imperial Throne is dynastic and is inherited in accordance with the Law of the Imperial Family adopted by the Diet" (Constitution of Japan, 1947)

The legislative body of Japan is the national legislature in the form of a bicameral parliament. The Japanese Parliament consists of the House of Representatives (consisting of 480 deputies, who are elected by direct popular vote every 4 years or in case of dissolution) and the House of Councilors (consisting of 242 deputies, who are elected by the people for a term of 6 years).

According to the Japanese Constitution, parliamentary elections are held on the basis of universal, equal and direct suffrage by secret ballot. Universal suffrage, the approval of which in Japan took almost a hundred years of complex and multi-stage path, is now the central and indisputable principle of the formation of the highest legislative body of power. All Japanese citizens who have

reached the age of 20 and have lived in the area for at least 3 months have active voting rights. As for passive suffrage, a Japanese citizen can become a member of the House of Representatives from the age of 25, and the House of Councilors from the age of 30. There is no discrimination based on gender, origin, occupation, etc. not allowed. (Tipton, 2002).

Article 15 of the Constitution states; "The people have the inherent right to elect and remove public officials from office. All public officials are the servants of the whole community and not of any one section. In the election of public officials, universal adult suffrage is guaranteed. During any elections, the secrecy of voting must not be violated. The voter is not responsible, either publicly or privately, for the choice he makes" (Constitution of Japan, 1947).

The Prime Minister of Japan is the head of government. The candidate for this position is appointed by the Diet from among its members and approved by the Emperor of Japan. In addition, the Prime Minister of Japan must have the confidence of the House of Representatives in order to retain his position.

Conclusions.

Elections and the election procedure always attract the attention of society, since the result of the vote should reflect the true will of the voters, while sometimes there may be doubts about this. Therefore, electoral relations, which are also associated with intense competition among candidates, belong to very conflicting areas. It is in the interests of the state to ensure transparency in the formation of voter lists, voting and vote counting procedures - because only under these conditions will the legitimacy of the elected political force not be in doubt among society.

It should be noted that the results of elections in many countries are influenced by the personality of the candidates, the content of their slogans, the issues raised, as well as their commitment to a particular party.

The positive and negative aspects of any of the electoral systems considered are relative. Therefore, it is quite difficult to identify an ideal model even when conducting a fundamental analysis of key features and legislative decisions. Nevertheless, it is necessary to realize that it is important to approach any reforms of the electoral system in such a way as to adapt it as best as possible to the realities of the socio-political life of the country. The formation of the Azerbaijani electoral system is also influenced by international electoral standards and the practice of foreign countries, which make it possible to assess how Azerbaijani elections comply with the principles of democracy, as well as to develop proposals for the effective improvement of electoral procedures. Borrowing the positive best practices of electoral technologies from the leading countries of the world in relation to Azerbaijan and the socio-political realities of Azerbaijani society can contribute to the construction of a more flexible and at the same time responsive to the trends of the current time modern electoral system.

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