

# Turkey's election: Can there be a true opposition in a false democracy?

by Mahir Tokatli - 15/05/2018 10:39



When rumours about snap elections emerged in early April, President Recep Tayyip Erdogan denied them vehemently, publicly declaring that no such plan was in the works. "Where is this coming from?" he asked pretending to be bewildered, "Stop talking about early elections. We do not have such an effort." Just two weeks later, and to the contrary of his previous statement, it was Erdogan himself who was announcing the snap elections.

Now Turkey finds itself in a situation where the parliamentary and presidential elections, which were initially scheduled for November 2019, will be held on the 24<sup>th</sup> of June, 2018. The reasons for this are twofold: Firstly, Erdogan's announcement of the snap elections is simply his way of trying to remain in power. On the eve of a deeper economic crisis, the AKP/MHP nationalist and Islamist alliance is frightened to lose a significant part of its voter-base. If it waits until 2019, when the economy will most likely be even more weakened, it could be too late. Secondly, the aim of the

alliance is to catch the opposition unprepared, especially after the founding of the Good Party in Turkey (İYİP).

The big question that the ruling alliance has had to deal with is if the newly founded, secular spin-off of the neo-fascist MHP, the Good Party (İYİP), with its founder and chair, Meral Aksener, would be allowed to take part in general and presidential elections. According to Turkish electoral law, a party has to hold its first party congress six months prior to the upcoming elections in order to become eligible. In the case of İYİP, while up to debate, it was almost clear that the Supreme Electoral Council would decide in favour of the government and would not allow the newly founded party to take part in the upcoming elections, particularly because both would compete over a similar electorate.

These haven't been the only obstacles in the way of İYİP. In Turkey, for a newly formed party like İYİP to nominate a candidate, it must fulfil at least one of the following three criteria: it must have a parliamentary group, it must be a party which reached at least 5% of the votes in the previous elections to nominate its candidate, or its nominee must have the support of at least 100.000 people to sign for candidacy. Knowing very well that İYİP already had obstacles in its way, on the 20<sup>th</sup> of April, the deputies of AKP and MHP nonetheless presented a draft bill which would make it more difficult for individual contenders to take part in the upcoming elections. Quickly, the Republican People's Party (CHP) rushed to help İYİP out by allowing 15 of its deputies to change parties and enable them to form a parliamentary group. This move made it possible for İYİP to nominate Aksener as a presidential candidate which could take part in the general elections. Nevertheless, Aksener decided to collect 100,000 signatures and run as a candidate by the people anyways.

The CHP's open cooperation with the far-right İYİP is only a sign of the more confusing political manoeuvres that we will be seeing in the run-up to the elections.

In declaring snap elections with such short notice, the already heterogeneous, inefficient, and marginalized opposition has had to rush to find electoral strategies. This is exactly what the AKP/MHP alliance has intended.

Is Turkey transitioning into a presidential system?

The upcoming snap-elections, hence the first elections after the constitutional referendum in April 2017, stand synonymous for a change from a parliamentarian to a presidential system, at least according to the AKP. And to be sure, this plan has been in the works for over a decade. Almost since the beginning of AKP's rule in 2002, there has been a serious debate about creating a presidential system. Ironically, however, those numerous debates have resulted in a constitution

committee that yields a system with no connections at all to presidentialism, except for the single element of a popularly elected president.

In fact, almost nothing about the new constitution signifies that Turkey's political system will be presidential. The AKP has marvellously failed in creating a presidential system as they claimed they would, and has instead established an autocratic system: Presidentialism alla Turca.

Not even the core elements of this type of government, the mutual independence of both the executive and legislative branches of government, are prescribed in the new constitution. What the new Turkey proposes is an autocracy which allows for both branches to declare early elections ahead of time.

Let there be no confusion, however, for this new autocratic form of governance does not provide equal power to parliament and president. While the president can call for early elections on his or her own, the parliament can only do the same with an almost unachievable 3/5 majority. What Turkey is transitioning into is not a presidential system, but rather a system somewhere in between both, one quite similar to a short-lived experiment called "Parliadential" in Israel which existed between 1996-2002 before it was abolished due to a lack of continuity .

In the Turkey that the AKP/MHP alliance has ushered in, the president is the lone representative of the executive, standing above the three branches of government. Where Turkey has transitioned is from being a somewhat defective democracy to an autocracy. With the virtual abolition of the prime minister, the president as executive dominates unexceptionally and is granted with the broad rights to appoint almost all of the decisive people that he or she needs in the judicial branch. Simply put, the President is granted an indisputably great say on all matters regarding jurisprudence, too.

The line demarcating the role of the President from the parliament is also beginning to blur in Turkey. The referendum of April 2017 made it constitutionally possible for one to be party chair and president of the state at the same time. While this is not really something new and uncommon, in the Turkish context and translated into the Turkish version of intraparty democracy this means that the chair chooses who runs as a candidate, and in which constituency, leading to a relationship of loyalty between deputies and the president. Since both presidential and parliamentary elections will take place at the same day it can be assumed that the party which wins the parliamentary majority, will be the same as that which holds the presidency, allowing for virtually one party to have greater presidential control over a major part of parliament.

## The AKP/MHP alliance is not invincible

It is absolutely clear that all of these factors -- from the opportunity that the ruling AKP/MHP alliance has had under the state of emergency, to the referendum of 2017, and even to the snap elections -- have been put to use by the ruling alliance to enshrine its power. Their calculations, however, have suffered from multiple blind-spots, which if exploited, could counter-intuitively cause them to lose power.

Firstly, while the President has been bestowed with huge legislative powers, particularly with the ability to govern by decrees, parliament is allowed to overrule Presidential decrees by laws of its own. If the AKP controls parliament, then it doesn't have any problems. If it loses its absolute majority and its sway over parliament, however, then the nationalist and Islamist alliance fails and is left completely immobile. An opposition parliament, in theory, can strip the President from undue legislative power and provide balance. This could be inconvenient for any President who has autocratic ambitions.

These theoretical insights have led some to conclude that 'presidentialism alla Turca' is, by its very architecture, prone to erect obstacles in the way of AKP's plan for absolute governance. If Erdogan is elected as president but his nationalist and Islamic alliance fails to gain an absolute majority, who is ruling then? What if the presidential decrees will be overruled by oppositional laws?

An absolute majority for the opposition in parliament could paralyse the government and probably lead to the dissolution of the president, which then would cause early elections again.

All of this is possible in theory, in practice, however, it is unlikely that the AKP would lose its absolute majority, even if the sitting government's change of electoral law has opened up the possibility for the AKP to harm itself. And this is quite simply the case because the opposition in Turkey is too fragmented.

## Kurdophobia and a divided opposition

The question that parties of the opposition should be asking themselves is if they can exploit this opportunity. In many ways, they've been helped yet again by the AKP-MHP alliance to do so. As of now parties are allowed to build alliances helping them to pass the 10%-threshold. The government basically introduced this new rule just for the MHP, after they lost voters following their rapprochement with the AKP. By doing so, the MHP was able to secure its seat in parliament. Now, it's possible for a similar alliance to compromise the AKP-MHP's power over Turkey, but does the opposition have the political will?

The idea of a “zero-threshold alliance”, meaning all opposition parties build an alliance to secure an entry to the parliament, was rejected by the right-wing İYİP because for them a cooperation with leftist HDP was not even open for debate. CHP too has decided to remain on its statist policy and exclude HDP by joining an alliance with parties from the centre to far right. Anti-Kurdish prejudice, so powerful in Turkey, even unites ideological opponents. And so it is that the small conservative Democracy Party, the Islamist Felicity Party and the nationalist-secular İYİP have now become CHP’s partners.

The Kemalists have preferred to turn to the right, instead of the left to build their alliance to take the parliament. The right-wing alliance would surpass the threshold without CHP anyway, but what we have learnt from the last general elections is that HDP’s entry into the parliament is essential for preventing an almighty AKP-government. It seems that for the purposes of ideological purity, the CHP doesn’t care.

This situation is not necessarily against the interests of the HDP, the most significant opponent of the AKP in terms of effective opposition. Joint alliances on the right have left a vacuum on the left, which hopefully is to be filled by HDP in the upcoming snap elections. Those who oppose the continuation of AKP rule, mainly social democrats and socialists, must make sure that the HDP will pass the threshold because otherwise, a significant number of seats will go to the AKP.

There are many factors that could ensure the entrenchment of the AKP/MHP alliance, but to secure victory, it’s likely that they’ll still make use of fraud anyways. With an effective opposition, this too could be an opportunity. Although it seems justified sometimes to define the current regime as competitive authoritarian, the question remains how competitive a political system can be when elections are rigged. The referendum in April 2017 showed that the playing field in Turkey is uneven and election frauds are common tools for the governing AKP to secure election victories. Under these circumstances, where frauds have become the norm, the opposition should be advised not to aim at winning the elections but winning as many voters as possible, in order to give the ruling AKP no choice but to manipulate in order to win elections. The more the AKP uses this short-sighted strategy of election fraud, the more the AKP-regime is delegitimized in the eyes of the peoples of Turkey.

There is a silver lining, but one that is conditioned by the opposition to get its act together. The strategy would be simple: Erdogan must not gain the absolute majority in the first round like in 2014. Hence, the presidential elections have to move into the second round. Will they do this?

Up until the present, Erdogan has depended on a friend-enemy scheme of power and built his power on the basis of an ever more polarized society. Now the opposition has to try its manoeuvres inside the set game and challenge Erdogan effectively, including the HDP. But if the opposition would like for this to happen, the first step would be for it to overcome its internalised Kurdophobic and statist mentality. If it doesn't, it will either lose or will sit in parliament and be an opposition unworthy of its own name.