



# BULLETIN

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## Turkey's Presidential Election: How Should the EU Address a Political System in Flux?

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*The result of the first ever popular election of a president in Turkey may be a milestone for the country's political future, as the current constitution falls short of establishing an effective systemic framework for a president with a strengthened mandate. While the balance between the new president and the future government will determine the future system, the EU now has a chance to influence the process by offering incentives for the future government.*

**Risks of a Popularly Elected President.** On 10 August, Turkish citizens will, for the first time, elect their president through a popular vote. However, the 2007 constitutional amendment that passed the choice of president from parliament to the electorate and reduced the term for the president to five years left the rest of the constitution untouched. The Turkish constitution, written under the 1982 military regime, defines Turkey as a parliamentary democracy, yet it also offers the president wide latitude on key powers and broad immunity. In turn, the presidents elected by parliament, due to their limited political legitimacy, were expected to be neutral and above party politics, and their position was symbolic. But this can all change when the president is elected through a popular vote, giving the head of state more opportunity to exercise his powers and at the same time neutralising his political accountability towards parliament. The new president may thus make full use of his defined powers, for example by convening and chairing meetings of the council of ministers, but the constitution nevertheless still falls short of establishing the necessary checks and balances for a popularly elected president. Regarding the functionality of the political system, the key issue after the election could be the question of the balance of power between the president and the prime minister; a president with extensive powers and little accountability, and a prime minister with responsibility, both popularly elected, may easily clash.

**Candidates.** It is, therefore, unsurprising that the campaign is dominated by the debate on how the political system in Turkey will develop after the election. Indeed, the prime minister, Recep Tayyip Erdoğan, is already known to be in favour of a strong presidency, which he aimed to introduce last year through an unsuccessful initiative to draft a new constitution. Nevertheless, he still succeeded in centralising excessive power to himself by introducing controversial legislation such as the law on the intelligence service, or by interfering judicial processes, and pressuring the media. As a result, Erdoğan is already influential in a wide range of areas from defence industry contracts to education policy. In addition to his current influence, he declares that, if elected as president, he will make use of all his defined powers and would switch to a presidential system. In response, the two main opposition parties, the Republican People's Party (CHP) and the Nationalist Movement Party (MHP), have built their electoral campaign on maintaining the parliamentary regime as defined in the constitution. They have nominated Ekmeleddin İhsanoğlu, former secretary-general of the Organisation of Islamic Cooperation (OIC), and a much-awarded professor, as a consensus candidate who is opposed to the presidential system and would ensure the continuity of parliamentary democracy through a non-partisan presidency. İhsanoğlu is represented by the two main parties as a candidate able to combine conservative values with a democratic and secular system, and a consensus candidate who can unify Turkey's divided society and decrease public tensions. Furthermore, he is seen as capable of contributing to strengthening Turkey's

foreign policy profile and securing it against the conflicts in the region, thanks to his experience in diplomacy as the head of the OIC. However, although İhsanoğlu is now supported by 12 other smaller parties, CHP's own electorate remains unconvinced and may abstain during the elections. Moreover, while his profile offers a chance for voters to choose between populist political Islam and a conservative candidate, İhsanoğlu's diplomatic background might not appeal to an electorate that feels better represented by Erdoğan, who is perceived as "one of us," that is, a man of the socio-economically underprivileged. The third candidate, Selahattin Demirtaş, focuses on the excluded groups in Turkey, and refuses to make choose between what he defines as the "old status quo" (meaning CHP) and the "new status quo" (AKP). He could have appealed more to the social-democratic electorate, but, although his Kurdish political movement has become a more Turkey-wide party under the new Peoples' Democratic Party (HDP), the party is still referred to as pro-Kurdish party and may face difficulties in attracting nationwide votes.

**Campaign Conditions under Scrutiny.** Turkey has a long tradition of holding just and fair elections. However, public trust in the elections, often referred as the source of legitimacy for a leadership without checks, is now weakening. The electorate was discouraged when its appeal to the court in regard to fraud claims related to the 30 March local elections was rejected, and now by concerns regarding the fairness of the campaign conditions. Some of these concerns were included in the interim report of the OSCE, which has deployed a limited election observation mission to Turkey. The unequal campaign finance conditions, short duration of the election campaign, and weak media freedoms (with the opposite being indispensable to democracy), limit the visibility of the two candidates. In turn, the prime minister has not resigned from his public duties and benefits from wide media visibility, combining his official visits with electoral campaigns. For example, the extensive coverage by public broadcaster TRT undermines fair competition.

Nevertheless, the shortcomings in the campaign conditions are not the only reasons for the success of the prime minister, who has built an ever-growing network of beneficiaries of his power who now form the new elites in the country and perceive Erdoğan as the only option for securing the socio-economic gains they have made in recent years. The opposition parties, on the other hand, were not able to create tangible policies. As a result, although the result may determine the future of democracy in Turkey, there is general disinterest in the presidential election. Erdoğan, whose AKP had around 45% support in the 30 March local elections, does not have the arithmetical majority to get the 50%+1 support to win in the first round and may thus need to compete in a second round, on 24 August. Therefore, it is the prime minister's own popularity, known to be higher than that of his party, and the turnout of the opposition supporters, that will be decisive in the first round. If there is a second round, the choice of the HDP electorate will determine the president.

**Scenarios for the Future.** If Erdoğan is elected as president, he suggests he will make use of all his constitutional powers. In addition, considering the current centralisation of power around the prime minister, and Turkey's weakened institutions, one can expect that his influence may expand beyond these powers. Moreover, as the future government is expected to work on a new draft constitution draft, he will aim to extend his powers with the goal of still further centralisation.

However the result is not yet a given. Whether Erdoğan succeeds in his plans will depend on the new head of the government, and the new parliament after the parliamentary elections in 2015. The biggest challenge will be AKP's prospects without Erdoğan. He will need to ensure that the next prime minister will cooperate with him smoothly. The new government, and the new prime minister, will need to keep the party together and appeal to the electorate in 2015 if they are to secure a sufficient majority to draft a new constitution. Moreover, the new government will face great challenges for which it will be held accountable in the next elections, including continuing the PKK peace process, preventing the spillover of the Middle East conflict, handling the challenges posed by Syrian migrants, and not least the risks of slow economic growth, the need for foreign direct investment, and the expansion of export markets.

This all gives the EU a chance to step in. The EU, which has long seen its leverage diminishing in Turkish politics, may now influence the development of the new political system by engaging with the new government, by using its incentives that would help the political balance. Many of the above challenges are also shared by the EU, and require close cooperation with Turkey, where a decentralised decision-making process would benefit from the expertise of stronger institutions. The EU has important incentives. It may upgrade the scope of the EU–Turkey Customs Union, which would attract Turkish businesses and society and support the government's economic policies. At the same time it may gain influence in the drafting of the new constitution, although for this the EU needs to depoliticise the negotiations process, and unblock the EU Chapters 23 and 24 that would help strengthen the democratic institutions and fundamental rights. Such moves would at the same time help strengthen Turkey's pro-EU civil society, and offer guidance about democratic values to Turkey's new elites.