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**DOES PRESIDENTIALISM BREED DICTATORSHIP – THE CASE OF
TURKEY AND THE ERDOGAN REGIME**

MA Thesis

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I have written this Master's thesis independently. All viewpoints of other authors, literary sources and data from elsewhere used for writing this paper have been referenced.

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DOES PRESIDENTIALISM BREED DICTATORSHIP? – THE CASE OF TURKEY AND THE ERDOGAN REGIME

Saleh Mehdizade

Abstract

This thesis inquires into presidentialism and its compatibility with democracy. Despite its poor record of achieving sustainable democracy, it is still considered a democratic form of government. Presidentialism is criticized in various ways. Problems arise due to its intrinsic institutional design or due to the political environment where presidentialism is applied. This thesis discusses presidentialism in both ways. Presidentialism and its intrinsic problems and the political environment, the case of Turkey where it is going to be applied. The aim of the thesis is to examine the presidential system and its possible effect on governmental system in Turkey. Whether Turkey will manage to protect its fragile democratic institutions or fall into dictatorship is the main question of this thesis. The thesis also includes the measurement of presidential power to give a comprehensive view on the nature of the presidential system in Turkey. The examination of the constitutional amendment and the Turkish party system reveals that the new system seems likely does not have the necessary institutional tools to provide sustainable democracy.

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Introduction

Democratic governments differ in terms of their regime types. Most of the established western democracies have parliamentary systems. Thus, parliamentarism at first glance would seem the preferable choice for the young democracies. However, some countries chose presidentialism, and most of them fail to achieve sustainable democracy. In principle, presidentialism is not in contradiction with democratic institutions and the practice proves that it is possible to achieve sustainable democracy and have a presidential system at the same time. However, presidentialism compared to parliamentarism seems like a less favourable choice. (Alfred Stepan, Cindy Skach, 1994). This thesis aims to examine whether presidentialism is compatible with democratic governance. The case chosen is Turkey. Turkey since its establishment had always been a parliamentary republic. However, recently in 2017 referendum proposed by the Turkish incumbent party AKP (Justice and Development Party) transferred Turkey from parliamentarism to presidentialism. The new system grants the president with extraordinary legislative and non-legislative power, which raises the question whether the new system will breed dictatorship in Turkey.

The case is important regarding its uniqueness. Although Turkish democracy is not well established one, especially considering that the system was disturbed by coups throughout the 20th-century parliamentary regime since the establishment of Turkey successfully managed to remain as a democracy. Because each time military left the power to a civilian government. However, due to the poor record of presidentialism and the specific features of Turkish presidentialism which increases the possibility of democratic breakdown, it is not known whether Turkey will remain as a democratic country. The thesis starts with the examination of perils of presidentialism which occur due to institutional design of the presidential system. The problems which cause democratic breakdown is chosen with respect to the given case.

Dual legitimacy is a common characteristic of all presidential system (Linz, 1990). It often causes governmental deadlock which later can result in military interventions or presidential self-coup. With respect to Turkey, it is one of the main concerns due to reason that Turkey was a parliamentary system for decades. Although the position of parliament in

presidentialism is significantly undermined, the historical importance of the parliament in the mind of voters allows claiming that parliament despite its weakened role will remain as an essential institution. In case there is a conflict between parliament and the executive, presidential system does not provide any institutional tool to solve the conflict. Therefore, dual legitimacy is taken as one of the possible dangers of presidentialism regarding democratic breakdown. Because military or the president may use non-democratic means and it can be justified by unsolvable conflict as it happened before in the 1980 coup.

One of the positive aspects of presidentialism is a rigid separation which increases the predictability of the executive and the legislature and ensures the separation of power. By Predictability I mean the term is fixed. The executive is free from confidence vote, and the president cannot dissolve the parliament. However, the same positive aspect can cause governmental deadlock since both branches are independent of one another. In the case of Turkey, the rigid separation is examined from a different perspective. The problem of the Turkish presidentialism does not arise from rigid separation but the lack of it. Due to the extraordinary power is given to the president, it is difficult to ensure the independence of the legislature.

The office of president is indivisible because only one person can be elected. Therefore, presidentialism creates a zero-sum game. (Linz, 1994) As a result, a significant portion of the voters left unrepresented as their candidate is not elected. Representativeness is one of the main principles of democracy. It is also crucial in terms of not leaving people of different ethnic and religious background excluded. Turkey is multi-ethnic country therefore, it is highly likely that presidentialism will cause further division in a society which in long-term dangerous in terms of regime stability.

Finally, the last peril of presidentialism which may cause trouble in Turkey is the personalization of power. Turkish politics since the establishment of the republic was dominated by charismatic political leaders starting from the founder of the country M.K. Atatürk to Erdogan. This can be explained by the weak institutionalization of parties which is discussed in the further chapters of this thesis. Nevertheless, the point here is that how the

personalization of power which arises due to institutional design of presidentialism, would trigger the personalization of power which already exist in Turkey.

In order to better understand the situation in Turkish democracy, one chapter is dedicated to analysis undemocratic tendencies in Turkey that started in 2002. To do so, I used data from V-Dem. Based on five indicators which cover the most important aspects of democracy, the current situation is compared to the 2002 situation. The comparison supports my claim that since the AKP came to power, Turkish democracy is declining. The empirical part is the comparative analysis of the constitution. The amended articles were compared to the previous version. I analyzed the whole amended articles. All of them concern the role of president in the system. Other institutions changed according to that. The comparison is divided into six sections; Grand National Assembly of Turkey, Judiciary, The office of the presidency, Decree Power, State of Emergency, , and Party System in Turkey. These are the most critical institutions with respect to their influence on governance. The analysis aims to understand how the amendment changed the governmental system. How the president can use the presidential power or the gaps that exist in the constitution to evade checks and balances. The amendment undermines the role of the legislature in the system. On the one hand, it is understandable that in presidentialism the legislature has a comparatively weaker position in the system as it is not the source of legitimacy for the executive. On the other hand, the key features of the legislature in a presidential system such as initiating budget act, overseeing the executive and inquisitioning state officials is limited. Judiciary as the third branch of government has a special role in the system regarding the functionality of checks and balances. Despite the form of government, judicial independence is one of the first requirements of democracy. The analysis of the amendment reveals that in the new system, the balance between the judiciary and the executive is violated in favour of the executive. The president is granted authority to, directly and indirectly, appoint all members of the Supreme Court. Decree power is another important aspect of the presidential system. A separate subchapter is dedicated to the analysis of the decree power because of its unusual range in the new system. A presidential decree is not subject to any legislative check, and its range is widened which enables the president to rule without the need for a legislature. Since the last coup attempt in 2016, Turkey is in a state of emergency. State of emergency allows

the president to take extraordinary measurements and justify it with the emergency. The amendment makes it easier for the president to declare a state of emergency without legislative consent. Reasons for declaring a state of emergency is also increased. The reason for dedicating a separate chapter for the state of emergency is that the president can rule the country in a state of emergency if he wishes, therefore, it is important to understand what would the country's situation in case, state of emergency is prolonged for an uncertain period.

The last part of the analysis is the examination of Party system in Turkey. The level of institutionalization, party structures, intra-party democracy, domination of party leadership is examined in detail. The aim was to understand how the problems exist in the Turkish party system would exacerbate the possible consequences of presidentialism. The examination reveals that the governmental system that intended to be established in Turkey is very similar to what now exists in Turkish party system. Therefore, it is highly likely that current party system with the new presidentialism can damage democracy in Turkey. Presidentialism does not perform well in the multiparty system (Mainwaring, 1993). However, in the case of Turkey, multiparty system is taken as a necessity in order to prevent the domination of the president over the legislature.

Finally, the last chapter of this thesis is dedicated to the measurement of presidential power. The measurement is conducted based on the simple scoring method proposed by (Matthew Shugart, John M. Carey, 1992) Presidential power is divided into two legislative and non-legislative power. The results are compared to the other countries and also classified based on Shugart and Carey's typology. The reason for choosing the given method is its capability to cover the most important aspects of presidential power. The measurement explicitly shows the uniqueness of Turkish presidentialism in terms of the power given to the president. Classification of Turkish presidentialism indicates that Turkey belongs to the second region crafted by Shugart and Carey based on the strength of presidential power, which is considered dangerous, as most of the democratic breakdowns happen there in particular.

1. The Theoretical Framework

In this chapter of my thesis, I will analyze the presidential system from various approaches to show the vulnerability of presidential systems which also exist in the newly adopted Turkish presidentialism. Thus, I will be able to explain why and how presidential system may turn into a dictatorship. My analyze is divided into two parts. In the first part, I will focus on internal problems of presidentialism which arise from institutional arrangements of the system. In the second part, I will analyze the relation between presidentialism and party systems. My aim is to show which party systems and election systems are more suitable for presidentialism which are not? In doing so I will be able to show the dangers of the new Turkish presidentialism with respect to Turkey's party system and election system.

Presidentialism is one of the widely accepted forms of democratic government alongside parliamentarism, semi-presidentialism, and other hybrid systems. Presidentialism differs from country to country, however, two main characteristics are present in every presidential system. 1. The executive and the legislature are separately elected by the popular vote. 2. Their terms of both are strictly fixed (Linz, 1990). There are other criteria added by scholars to define presidentialism. (Matthew Shugart, John M. Carey, 1992, p. 220) adds two more criteria; First, the elected executive names and directs the cabinet. This criterion is also added to the definition of presidentialism by (Sartori, 1992, p. 5). Secondly, the president has constitutionally granted legislative power. According to the authors, the president without legislative power would be the chief of executive only in the literal way. (Sartori, 1992) (Matthew Shugart, John M. Carey, 1992). Besides aforementioned criteria, Lijphart adds the fifth criterion; one-person executive (Lijphart, 1994, p. 3).

Presidentialism for the first time was applied in the US and since then the US is often is brought as an example to prove that presidentialism is compatible with sustainable democracy. The US is indeed a valid example, however, considering the poor records of presidentialism in terms of its compatibility with sustainable democracy the US can be considered as an exception. Already in 1993 in his article, Scott Mainwaring noticed that presidential systems do not have successful records. Out of 31 countries which had continuous democracy since 1967, only three of them, Costa Rica, the US and Venezuela

had a presidential system. Colombia as a sustainable democracy was questioned by (Mainwaring, 1993). The Finnish political scientist Tatu Vanhanen constructed a political Index of Democratization (ID). ID is based on six variables. (1) The total percentage of the vote received by all political parties except the largest vote-getter (2) the total percentage of the population that voted. Another socioeconomic index that he constructed called Index of Power Resources (IPR). The index is based on six variables. (1) The degree of decentralization of nonagricultural economic resources, (2) percentage of total agricultural land owned as family farms. Percentage of population (3) in universities, (4) in cities, (5) that is literate and (6) that is not employed in agriculture. According to Vanhanen, countries that above 6.5 index points which are also threshold, should be considered democracies, countries that below minimum level 3.5 index points, should be regarded as non-democracies or semi-democracies. (Vanhanen, 1990, p. 327). In Vanhanen's analysis, it is shown that presidential had democratic underachievers rate 3.4 times greater than parliamentary system and parliamentarism had democratic overachievers 1.8 times more than presidentialism. (Alfred Stepan, Cindy Skach, 1994). Linz in his seminal article mostly focused on internal problems which he thinks are the results of the institutional design of the presidential system. (Linz, 1990) Shugart, Carey, Mainwaring rather examined the presidential system with its relation to party systems and election systems. (Matthew Shugart, John M. Carey, 1992). Their conclusion was that presidentialism does not perform well in multiparty system and election system influence the position of presidents in the system. Two round majoritarian elections increase the chance of an outsider to be elected or to become an influential contender in the elections.

In a presidential system, the executive and the legislature are elected by popular vote for a fixed term and independent from the vote of confidence. Presidents not only hold the executive but they are also the head of the state. (Linz, 1990) and (Elgie, 2005) classifies five problems of presidentialism that are present in every presidential system: Dual legitimacy: The executive and legislature claim legitimacy which may result in competition rather than cooperation, the fixed terms of office make the executive and the legislature rigidly separated, presidentialism encourages a winner-takes-all outcome, the style of presidential

politics encourages presidents to be intolerant of political opposition, and presidentialism encourages populist candidates.

1.1.Dual Legitimacy

The institutional structure of presidentialism generates dual legitimacy. In presidentialism, the executive and the legislature are separately and directly elected by the popular vote, therefore both bodies are independent of each other. Dual legitimacy does not cause problems as long as the presidential office and the national assembly work in harmony. Since the president is independently elected, government stability does not depend on legislative support. However, the legislature tends to oppose the presidential candidacy or nomination if the majority party is different than president's own, which often results in a political crisis. In presidential systems when the executive lacks majority, the system tends to be conflictual rather than collegial. (Jones, 1995). In case of disagreement between the presidency and the legislature, neither side is superior nor has the institutional tools to solve the crisis. In this case, both claim to be the representative of the will of the people. The president may claim that she is the only elected official by the entire people. Thus, the conflictual nature of presidentialism encourages presidents to bypass the legislature by using decree power. (Valenzuela, 2004).

Although the president and the legislature are both directly elected by the popular vote, the office of the presidency has a special aura. The President is indeed the only official post elected by the whole people because the members of the parliament, in most cases, are selected by their parties depending on the electoral system. Even in majoritarian elections they are not elected by the whole people but only the people from their district. The president speaks for her nation, represents her people domestically and in foreign affairs. She acts as the face of her nation and most importantly unlike the assembly, the president is a single head of the state therefore, can directly address the people and seek legitimacy over the legislature more effectively. In case of the success of the president, the democratic balance is broken because the president becomes dominant over the parliament. Despite being a hindrance for effective government, dual legitimacy can also be seen as preventing factor for the system to turn into a dictatorship.

1.2.The Rigid Separation

In a presidential system, the executive and the legislature are rigidly separated and its exacerbated by the fixed term. The president is free from the vote of confidence. Moreover, the legislature cannot be dissolved by the president. This feature of presidentialism at first glance may seem as a strength, as it increases the predictability of the government. (Linz, 1990) shows that presidentialism is designed to ensure executive stability by the fixed term and to increase the predictability of the system. Because in a parliamentary system it is usual that before the supposed term of the legislature and the prime minister, the legislature can be dissolved or the executive may not survive the vote of confidence. However, presidentialism lacks institutional means to resolve the governmental deadlock. Since both are directly elected, the only means to depose the president is impeachment. However, impeachment is a difficult process to conduct and it applies only in the case of criminal charges against the nation. Thus, in presidential systems a possible governmental deadlock is not an unusual phenomenon. In many cases, a coup appears to be the only way to depose the unpopular president or resolve governmental deadlock. For example, in 1973 in Chile, a coup overthrew president Allende because the opposition feared that Allende may try to establish authoritarian socialism. (Mainwaring, 1993). Although rigid separation in presidentialism appears to be one of the advantages of the system, as it ensures the governmental stability, it causes a discontinuity in the political process and decreases the effectiveness of the government. To avoid a deadlock, presidents need a majority in the legislature so minority governments in presidentialism increases the probability of impasses and breakdowns. (Alfred Stepan, Cindy Skach, 1994). Depending on the functions of the legislature and the executive, their purpose may vary which in turn results in conflict. However, in presidentialism the separation of purpose is greater than in parliamentarism due to an independent source of survival. (David Samuels, Kent Eaton, 2002). Supporters of presidentialism argue that mutual control between the president and the legislature, prevents a majority tyranny or populist government. This option, however, implies low governmental performance and deadlock. (Josep M. Colomer, Gabriel L. Negretto, 2005).

1.3.Zero-sum-game

The way in which political competition is institutionalized directly and indirectly affects the way the incumbent rules the country. Due to the structure of presidentialism, the political competition results in a zero-sum game (Linz, 1990). Namely, the elected candidate although winning the majority of the votes assumes the executive power alone, leaves the rest of the society without representation. The formation of coalitions and sharing the executive power with the opposition is possible in presidentialism. (Cheibub et al., 2004) shows that unlike in a parliamentary system, the possibility of coalitions to break is higher due to two important reasons. Firstly, in presidentialism, the cabinet completely depends on the president. Secondly, the executive is not accountable to the legislature. These factors make the presidential coalitions less stable. A presidential candidate by gaining the minimum required votes is elected as a president, however, the difference between the winner and the loser may be a thin line thus, a significant minority is left unrepresented. The same pattern can be true in parliamentary systems, however incorporating the opposition to the executive is more likely to occur in parliamentarism than in presidentialism.

The winner-take-all arrangement, which inevitably arises from the institutional design of the presidential system, puts the winner in a difficult situation when the incumbent does not have support from the legislature which eventually may hinder her to execute the presidential power. The presidential system initially designed to create strong executive to increase the effectiveness and flexibility of the government, however, in practice it appears that due to the zero-sum game it is less effective than it was thought to be because the zero-sum game exacerbates rigidity of the system. The president and the legislature are elected for a fixed term, therefore until the next elections, there are not any institutional means to create new alliances and to call new elections as a response to major events. In most presidential systems, the presidential elections are consist of two rounds. In the first round, all the candidates compete to gain the majority of the votes, if none of the candidates gained the majority, the two candidates who gained the most votes qualify to the second round. However, if any other candidates gained a significant portion of the votes despite failing to qualify for the second round, it would mean that a candidate may have a considerable

influence on the elections and the executive government. In a country where the majority of the voters concentrated in the centre of the ideological spectrum, this outcome may prove to be beneficial in terms of including the other political parties to the executive. However, in a country where the extremist far-right parties which have significant support from the public may become influential in government formation. Furthermore, in a society where ideological and ethnic divisions are present, it may result in further polarization of the society

1.4.The Style of Presidential Politics and The Personalization of Power

The presidential office has dual nature. The president is the holder of the executive power. In this respect, she has a clear party identity and the same time represents her voters at. Moreover, the president is the symbolic head of the state which means she is the president of the entire nation and must act as a balancing figure of the political system. The president can make conciliatory moves and include her opposition to the executive. However, the success of consociationalist policies depends on the personal character of the president and the reaction of her opposition. Additionally, the president may provoke her ally and the entire plan may backfire. (Linz, 1990).In most presidential systems, the president is free to form the cabinet. Therefore, the cabinet is directly under control of the president. In a parliamentary system, the relationship between the prime minister and the ministers is coordinative in character; however, in presidential systems, this relationship tends to be subordinative. Besides, the president can shield her cabinet more effectively than the prime minister which may further distance the executive from the legislature. In a system, with weak democratic institutions it might create a situation where a president can be able to evade checks and balances especially considering presidents in most presidential systems do not cut their party affiliations. It increases the chance for presidents whose party has the majority in the legislature to take control of both legislature and the executive and indirectly the judiciary. Since the president is not only the holder of the executive power but also the symbolic head of the state, the personalization of power emerges. It creates the illusion of the power and capability of the president among the public, therefore the presidents often face high expectations which hinder her to manage the expectations of voters at the same time; the same phenomenon may enable the president to influence the public and mobilize

them in achieving her political goals. It may create fear among the opposition and in most cases, the opposition is the legislature. In times of disagreement or even contradiction between the presidency and the legislature on specific issues, presidents are in an advantageous situation. The president may conflate her supporters with the people as if they share the same opinion with the whole nation. (Linz, 1990) The president may try to market her policies and political standing as the reflection of the people's will. This, in turn, may result in the personalization of the power. The personalization of the power can be seen in parliamentary systems where the prime minister enjoys the absolute majority in the legislature.

The nature of presidentialism produces presidents who feel they have a personal mandate due to the direct popular elections and presidents who often do not have the majority support from the legislature, therefore presidents may attack important political institutions to increase their control of the system. In doing so, presidents need legitimacy, most of the time presidents find this legitimacy by directly appealing to the public and marginalizing the opposition. (Alfred Stepan, Cindy Skach, 1994) This tendency may result in authoritarianism in a country. In case the president succeeds to weaken the political institutions. Furthermore, Presidents unlike PMs in most cases have decree power, therefore they relatively have more liberty. Since presidents do not depend on the legislature for their survival, they can use whatever power they have to interfere the legislative process (Gary W. Cox, Scott Morgenstern, 2001).

1.5.Presidentialism and Multipartyism

The relation between democratic stability and presidentialism also depends on the factors which are not intrinsic to the institutional design of presidentialism. One of those factors is the party system. To put it more clearly, the fragmentation in the polity directly affects the way presidentialism functions. Presidents are always in need of legislative support to effectively execute the power which is given by the constitution. In parliamentary systems the executive indirectly formed by the legislature, therefore, the legislature tends to support the executive. However, in a presidential system the executive and the legislature are independent of each other, thus the legislature less likely support the executive. There are

three reasons why the multiparty parliament may not support the executive. First, there is no procedure to guarantee that the president has the support of median voter due to the nature of presidential elections. Secondly, presidents who have relatively higher legislative power can interfere the legislative process which in turn may result in competition between the two branches. Thirdly, presidents can form the cabinet without the consent of the legislature. These characteristics of presidentialism in the multiparty system may cause inter-institutional conflict. (Josep M. Colomer, Gabriel L. Negretto, 2005) In this regard, for presidentialism to effectively function the effective number of parties best to be fewer than three (Mainwaring, 1993). Because the fewer numbers of active parties in the legislature decrease ideological polarization and increase the chance for the president to form coalitions due to reason that the fewer number of parties simplify the process of coalition formation. Additionally, the fewer numbers of effective parties increase the chance for the president to have a majority in the legislature. (Mainwaring, 1993). Taking into consideration the aforementioned reasons for presidentialism to function well, two-party or dominant party systems are more desirable. (Cheibub, 2007, Mainwaring, Shugart, 1997). Because multipartyism is more likely to cause deadlock, multipartyism causes ideological polarization and, the coalition building in multipartyism is more complicated (Mainwaring, 1993).

Another negative effect of multipartyism in presidential systems is an immobile executive (Mainwaring, 1993). Presidentialism is institutionalized to ensure checks and balances between the executive and the legislature. The reason for such an institutional design is to avoid the president to misuse her power and form an autocratic regime. In this regard, the legislature can block the president and reject her policy proposals. However, multipartyism hinders the president to effectively govern and adequately react to major events which may occur anytime. This characteristic of presidentialism is exacerbated by multipartyism because if the number of parties is more than three, forming coalitions becomes more difficult as each party has different and sometimes conflicting interests. The president must seek coalition in every policy proposal. However, coalitions in presidentialism are less predictable than in parliamentarism. Although it is evident that multipartyism and presidentialism are not desirable in terms of achieving sustainable

democracy, the case of Turkey is opposite. Because scholars approach the relation between presidentialism and multipartyism in respect to democratic stability and effectiveness of government. However, my goal is to analyze the relation between presidentialism and dictatorship. With respect to the relation between dictatorship and presidentialism, advantages of presidentialism such as two-party and dominant party system are dangerous. Shugart and Mainwaring too mention that two-party or dominant party systems are not desirable. However, it seems that it is the only way for regime stability in presidential systems (Mainwaring, Shugart, 1997). The reason for presidentialism to function well in two-party or dominant party systems stems from its tendency toward majoritarian democracy (Lijphart, 1994). Presidentialism entails greater majoritarianism because the executive is concentrated not only on one party but one person. Especially, when the legislative and presidential elections are concurrent, the likelihood of majoritarian democracy is increased. This tendency is heightened by the plurality rule. However, its worth mentioning that in presidentialism parties tend to be less disciplined than in parliamentarism therefore, a majoritarian democracy which can be emerged in a parliamentary system is stronger than in presidentialism. ““In presidentialism, parties can afford to be much laxer with regard to internal party unity”” (Lijphart, 1994).

In conclusion, presidentialism creates a problem for democratic sustainability due to its institutional design. Issues such as rigid separation, dual legitimacy, the personalization of power, zero-sum game hinder the system successfully function in various ways. Additionally, presidentialism has a poor record in terms of compatibility with a multi-party system. However, it should be noted that in this thesis, I approach multipartyism differently. Multipartyism despite its negative effect on presidentialism is necessary as a part of checks and balances. In the further chapters of the thesis, I will analyse the case of Turkey with respect to perils of presidentialism mentioned above.

2. Research Method and Design

In order to understand if presidentialism can breed dictatorship in Turkey, I will conduct an in-depth analysis of the constitutional amendment by comparing it to the old constitution. I will follow a simple strategy. First, I analyzed the presidential system broadly and defined its perils which may cause dictatorship. Later I will apply the perils of presidentialism to the Turkish presidentialism in doing so I will conduct a comparative analysis of the old and the new version of the constitution and the analysis will be embedded in the theoretical framework. The analysis covers The Grand National Assembly of Turkey, The Office of Presidency, The Decree Power, State of Emergency, Judiciary, Party System, Intra-Party Democracy. The analysis is important to show that the amended constitution can be problematic not only because of the constitution itself but also due to the weaknesses of Presidentialism. The analysis covers the examination of the amendment. The constitution is the primary source based on what the institutional design of the governmental system is constructed. The amendment sets the role of the president, the assembly and the judiciary. Therefore, the analysis will be conducted based on the articles which are amended. Since the research question will be examined in the case of Turkey and the Erdogan regime, logically the research design will be a single-case study. The case can be compared to other cases comparisons will serve only to draw a broader picture of the case.

Secondly, I will measure the power that is given to the Turkish president by using one of the primary methods for measuring presidential power developed by (Shugart and Carey, 1992). It divides presidential power into two dimensions legislative and non-legislative. These dimensions cover ten aspects of presidential power each of which is measured based on a scale of 0 to 4 (see Table 1). Legislative power refers to the power that is granted to the president by the constitution and is used in the legislative process. Non-legislative power is the result of separate origin and survival of presidents and assembly and it is employed in the executive. Maximum separation is intended ““to ensure that each branch could impose checks on the other without fear of jeopardizing its existence,”” and it is characteristic of presidentialism (Shugart, Carey, 1992, p. 19). Shugart and Carey’s method offers some significant advantages. For example, compared to checklist method proposed by

(Frye, 1997). Frye's method is more extensive he lists ten different specific appointment powers. The problem of his method is that it is not clear that if the all powers mentioned in checklist method are equally important (Metcalf, 2000, p. 664). However, by using a scale of 0 to 4 to measure power in a particular dimension, it is possible for (Shugart and Carey, 1992) to make clearer distinctions. For example, the Romanian and Polish president are both directly elected and they both have veto power. According to checklist method, their veto power would be 1. However, to override a veto of the Romanian president, only a simple majority is required. And a two-thirds majority is required to override a veto of the Polish president. Contrary to checklist method, according to Shugart and Carey's method, the Romanian president would receive a score of 0, and the Polish president would receive a score of 2. This distinction captures a real difference in the relative powers of the two presidents. Another advantage of Shugart and Carey's method is that it enables to define regime type based on the presidential power scores in the non-legislative dimension. More precisely on cabinet formation and cabinet dismissal. A regime's score on separate survival is based on the censure and dissolution. "However, it is necessary to reverse the scoring order on dissolution to indicate the degree to which the assembly's survival is separated from the president" (Shugart & Carey, 1992, p. 159). Although it must be noted that some scholars have criticized Shugart and Carey's categorization of regime types, especially the addition of president-parliamentarism as a new type (Linz, 1994, Sartori, 1997). Despite the advantages of Shugart and Carey's method, there are also disadvantages. The main disadvantage is that it considers president and the assembly as the only relevant actors, it does not entirely capture the dual authority structure of semi-presidentialism (Metcalf, 2000, p. 665). For instance, it captures the power of a French president, however, does not take into consideration that the president's ability to exercise power depends on who controls the assembly (Metcalf, 2000, p. 665). Nevertheless, this disadvantage cannot be a concern in the case of Turkey because the newly adopted system in Turkey is not semi-presidentialism. Another pattern of constitutional practice that Shugart and Carey's method does not capture is judicial review. "Judicial review is an important tool to ensure separation of powers" (Frye, 1997, p. 665). The review can occur either "prior to or following the promulgation and implementation of a law or executive decree" (Robert Utter, David Lundsgaard, 1994,

p. 224). Granting president power to refer legislation for judicial review would increase his legislative power. Therefore, measurement of presidential power alone is not enough to understand presidential power. To fill the gap comparative analysis of constitution is required.

Thirdly, I will use V-Dem data to show the authoritarian tendencies since Erdogan took power, especially after 2014 as he was elected the president by the popular vote. Although, the new system has not been enforced yet, Erdogan has already begun to rule the country as in presidentialism. The state of emergency also plays a role in Erdogan's actions as he uses it to justify governing country as if the regime is already presidential.

V-Dem is an approach to conceptualizing and measuring democracy. The dataset that is provided is multidimensional and disaggregated. It distinguishes seven principles of democracy. Electoral, liberal, participatory, deliberative, egalitarian, majoritarian and consensual. The way in which V-Dem collects data can be divided into two. First data are based on factual information obtainable from official documents such as constitutions and government records. Second is a subjective assessment based on ratings provided by experts. Three features of V-Dem data distinguish it from another measure. The first is radical disaggregation. 400 detailed questions with response categories or measurement scales are used to cover the theoretical principles of democracy. Second, the data is collected from 200 indicators from country experts, mostly academics. The experts are recruited according to their academic or other credentials. The questions are divided into 11 subcategories. Typically, a minimum of five independent experts respond to each question for each country and year going back to 1900. Thus, more than 2,600 experts from countries across the entire globe have responded to the expert surveys. In addition, the V-Dem data are based on a third unique feature, namely the use of custom-designed Bayesian ordinal item response theory (IRT) modelling techniques to calculate the point estimates for each country-year, taking coder characteristics, biases, and cross-coder inter-reliability into account.

- The electoral component covers how rulers responsive to citizens through competition for the approval of a broad electorate during periodic elections Based on Dahl's concept of polyarchy, which identifies the following political institutions as constitutive of modern representative democracy: (1) elected officials; (2) free, fair and frequent elections; (3) freedom of expression and alternative sources of information; (4) associational autonomy; and (5) inclusive citizenship (universal suffrage) The V-Dem Electoral Democracy index measures these features using the elected executive index (v2x_accex, based on 12 indicators), the clean elections index (v2xel_frefair, based on 8 indicators), the freedom of expression index (v2x_freexp_thick, based on 9 indicators, including 3 for alternative sources of information), the freedom of association index (v2x_frassoc_thick, based on 6 indicators), and the suffrage indicator (v2x_suffr). All indices range from 0 to 1 (Coppedge et al. 2015 p.582)
- The liberal component of democracy embodies the intrinsic value of protecting individual and minority rights against potential 'tyranny of the majority' and state repression more generally. This is achieved through constitutionally protected civil liberties, a strong rule of law, and effective checks and balances that limit the use of executive power. In terms of the V-Dem indicators, the liberal component is the mean of three BFAs tapping into (1) equality before the law and individual liberty (v2x_rol, based on 14 indicators); (2) judicial constraints on the executive (v2x_jucon, based on 5 indicators); and (3) legislative constraints on the executive (v2x_legcon, based on 4 indicators) (Coppedge et al. 2015 p.583).
- The participatory component embodies the values of direct rule and active participation by citizens in all political processes: it emphasizes non-electoral forms of political participation such as through civil society organizations and mechanisms of direct democracy. The V-Dem measure is based on the mean value of (1) a BFA tapping into the extent of popular participation in civil society organizations (v2x_cspart, based on 4 indicators); (2) a derived index tapping the extent to which citizens engage in means of direct popular voting, i.e., initiatives, referenda and plebiscites (v2xdd_dd, based on 11 indicators); and (3) a derived index of the extent

to which there are local and/or regional elections to nonsubordinate executive or legislative bodies (v2xel_locelec and v2x_regelec, based on 3 indicators each) (Coppedge et al. 2015 p.583).

- The deliberative component enshrines the core value that political decisions in pursuit of the public good should be informed by respectful and reasonable dialogue at all levels rather than by emotional appeals, solidary attachments, parochial interests, or coercion. The V-Dem measure is a BFA attempting to measure the extent to which political elites offer public justifications for their positions on matters of public policy, justify their positions in terms of the public good, acknowledge and respect counter-arguments; and how wide the range of consultation is at elite levels (v2xdl_delib, based on 5 indicators) (Coppedge et al. 2015 p.583).
- The egalitarian component, finally, encapsulates the ideal of power distributed equally among all citizens regardless of class, ethnicity, sexual orientation or other social groups. Assuming that material and immaterial inequalities inhibit the actual exercise of formal rights and liberties, a more equal distribution of resources, education, and health across various groups should also enhance political equality. Reflecting this, the V-Dem measure is a BFA based on indicators of both equal power distribution and equal resource distribution (v2x_egal, based on 8 indicators) (Coppedge et al. 2015 p.583).

3. General Outlines of Political System in Turkey.

The search for the suitable governmental system in Turkey has been one of the main issues since the establishment of the republic. Although Parliamentarism was widely accepted form of government, Turkish politicians, political engineers, civil society has always discussed the suitability of different governmental systems to Turkey. Therefore, it is not a surprise that since its establishment, Turkey adopted three different constitutions (1924, 1961, 1982). The last 1982 constitution was amended five times in 1995, 2001, 2007, 2010, 2017. The last amendment is considered the essential one as it changed the governmental form from parliamentarism to presidentialism (Eses, 2016). In this part of the thesis. I will analyze 1982 constitution including 2007. Amendment to show general outlines of the Turkish parliamentarism. The 2010 amendments are predominantly concerned with the judiciary, with major changes foreseen in the Constitutional Court and the High Council of Judges and Prosecutors (Hakyemez, 2010). Therefore, I will not separately analyze the 2010 amendment as it does not directly concern the system. I will exclusively focus on the role of the judiciary in the 2017 amendment. The 2017 amendment will be analyzed separately and will serve as a comparison of the new and the previous system.

The main goal of the 1982 constitution was to strengthen the executive against the legislature; thus, to ensure the state authority (Demir, 2015). The reason for it was the instability of the system. Between 1970-1980 Turkey had changed twelve governments, the instability reached its peak in 1980 and resulted in a military coup. Therefore, constitutional designers aimed to increase the position of the executive and the president within the executive, the authority was given to the president as a symbolic head of the state was also increased. "The President is the head of the state, represents the unity of the Republic of Turkey and the Turkish nation; Observes the implementation of the Constitution, the regular and harmonious work of the State organs" (Art.104, TR Const, 1982). "From a legal point of view, it is possible to say that the 1982 Constitution has moved away from the pure parliamentary structure and established "clumsy" or "corrupted" parliamentarism." (Uluşahin, 2011, p. 3). As it is known, in a parliamentary system the legislature is the only institution that has democratic legitimacy, and the power is concentrated in the legislature.

The executive receives the power and the legitimacy only from the legislature. The presidency is only a symbolic office and does not have any role in the system. The 1982 constitution gives the presidency significant power and sets it as balancing office. However, The reason for the existence of the presidency in the parliamentary system is not to ensure the balance and harmony between branches, but not disrupt it. (Uluşahin, 2011). The 1982 constitution equipped the president with an important authority, who became a figure competing with the government. Unlike in other parliamentary systems where the election of the president is an unimportant issue and happens rather silent, in Turkey election to the office is a vital issue and causes longlasting debates and political crisis.

Although the 1982 constitutions increase the authority of the president, parliament remains the only popularly elected institution, therefore, dual legitimacy does not occur. However, the 2007 amendment changed this rule. As a result of the referendum held on 21 October 2007, the election procedure of the President of the Republic was adopted; (art.101) The fact that the president is elected by the popular vote, dual legitimacy occurs in the system. Legitimacy one of the most important requiremeny of contemporary democracy along side accountability. In representative democracies, the president needs legitimacy to utilize their authority. The office that is popularly elected provides that legitimacy. In parliamentary systems, the legislature is the only popularly elected institution, therefore, the other public offices receive legitimacy from the legislature. However, the 2007 amendment created a situation where the president does not need support from parliament to utilize her power. The fact that president is elected and naturally represents a political party, the neutrality of the office is abolished. Furthermore, if the president's party has the majority in the legislature, the possibility that the president alone dominates the legislature and the executive is increased. Abolishment of neutrality of the presidential office is more dangerous in a system where political strongman is present such as what has been happening in Turkey. The 1982 constitution grand the presidency with the power which is unusual for parliamentary systems. "Appointing the prime minister and accepting his resignation (art.109); Deciding on the renewal of the Parliamentary elections (art.116); To submit constitutional amendments (art.175); to apply for annulment action directly to the Constitutional Court in substance, of laws, of presidential decrees, of Rules of Procedure of the Grand National Assembly of

Turkey or of certain articles or provisions (art. 150); To elect members of the Constitutional Court (art.146) In addition, the Constitution also gave some important powers such as election and appointment of some high judges , president and members of State Supervisory Board, members of Higher Education Council and rectors (art.104). Furthermore, the president is publicly elected after the 2007 amendment and it significantly increases the role of the president in the system. However, despite the unusual power of the president, Turkey can still be considered parliamentary republic. The power given to the Turkish president comparing to other semi-presidential systems such as France is still lower. For example, unlike the French president, the Turkish president presides over the cabinet only in exceptional situations (art.104). Then, according to the French Constitution, the President is entitled to take the measures alone required by the state of emergency (art.16 FR Const, 1958); According to the Turkish Constitution, this power is shared between the President and the Council of Ministers (Art.104). As such, it would not be wrong to say that the Turkish government continued to maintain the basic features of the parliamentary regime under the 1982 Constitution. First and foremost, the 1982 Constitution continues to preserve the principle of "the government's responsibility towards the parliament", the most important and defining element of the parliamentary regime. As in the 1961 constitution, in the 1982 constitution requires the government to receive confidence vote before starting the duty. (art.110, 111)

Finally, the 1982 constitution by given the president the right to call for early elections, protects one of the important principles of parliamentarism. First of all, the constitution does not allow the president to dissolve the parliament. President can only the renew the parliamentary elections if (1) the government fails to gain the vote of confidence, therefore, falls, (2) parliament fails to form a government within 45 days, (3) Prime minister resigns the office. Furthermore, it is important to note that, until the new parliament is elected the former parliament remains in power. Thus, it ensures that the state never left without the legislature. These powers are given to the president as the head of the state rather than as the head of the executive. Therefore, it is possible to confidently claim that, despite the unusual power of the president, Turkey's governmental system was parliamentary until the 2017 amendment.

3.1.Comparative Analysis of Turkish Presidentialism

The presidential system is not a new phenomenon in Turkish political history. Former presidents Suleiman Demirel and Turgut Ozal had brought this topic on the Turkish political agenda. However, the transformation to the presidential system did not go further from only being a topic of political discussion due to the lack of appropriate political conditions and unwillingness of the political actors. Recently, the same topic had been brought on the agenda by the President of Turkey Recep Tayyip Erdogan. Erdogan and his party officially proposed an amendment to the assembly. The main oppositional parties strictly criticised the proposal. The main concern of the opposition was that in case the proposal passes the legislature and admitted as a result of a referendum, judiciary will not be independent, the executive will not be subject to supervision, the president will also be a party leader, therefore he will be able to determine candidates for parliament and will have absolute power on legislature and legislature will not be able to interfere state activities, as a result, Turkey will turn into dictatorship (Köylü, 2016). The main reason according to the Turkish incumbent party to transform the system to presidentialism was to achieve political stability and enforce the state authority which was discussed already after the second term of Erdogan as a prime minister (Türk, 2011). However, the competence of presidentialism with democracy additionally, the unusual nature of the constitutional amendment which grants president with extraordinary power raised questions whether the new system may breed dictatorship in Turkey. In this part of my thesis, I will compare the new Turkish presidentialism to the former system to show the irregularities and the dangers which may cause democratic breakdown and enable the president to evade checks and balances. The comparison is important in understanding the radical shift in the system. I will separately analyze, Grand National Assembly of Turkey, Judiciary, The office of the presidency, State of Emergency, and Party System in Turkey. These are the most important institutions which ensure the continuity of democracy. As result of the comparison, I am planning to show how the balance between branches of power is violated in favour of the executive which I believe is the main danger for the system to become a dictatorship.

3.1.1. The Grand National Assembly of Turkey

Considering that in the constitutional amendment legislative authority of the Turkish parliament is shared with the executive via presidential decrees, the authority to scrutinize the executive by legislature is removed and therefore the position of the parliament in the political system is weakened. It raises question how increasing number of deputies from 550 to 600 in the parliament will serve to Turkish democracy? Especially since the 10% percent threshold is still enforced, the legitimacy that parliament claims to be the only balanced and just representation of the Turkish people is not possible. (Art 75). According to the Amendment, elections for the assembly will be held every five years at the same time with presidential elections (Art. 77). The main characteristics of a presidential system are the separation of power. The legislature and the executive are designed to check and control each other. Separate elections of two different branches is an important tool to prevent the integration of the legislature to the executive. Therefore, while keeping the presidential elections day fixed, the parliamentary elections day can change or it is held in the different day. (Eses, 2016, p. 2). Because it is not hard to imagine that, if the elections for two branches are held at the same day where the same political climate prevails, the president and the majority in the legislature will be from the same party or coalition. Thus, the president indirectly will have the control of the legislature. However, the results may be opposite. For example, In Guatemala, where Parliament and presidential elections were held on the same day, Jorge Serrano Elias won the presidential election of 68% in 1990, while his party won only 15.5% in the parliamentary elections. In 1997, Abdala Bukaram in Ecuador was elected president in the second round, while his party had only 15 seats in parliament out of 82. Maria Vargas Llosa received 32% and Alberto Fujimori received 29% in the 1990 Peru presidential elections. Fujimori was elected president with 62.5% of the votes in the second round. But the party won only 32 of 180 MPs in Parliament (Eses, 2016). In cases where such outcomes occur, it is always probable that various political crises will arise between the President directly elected by the people and the majority of the legislature of different political views. (Feyzioglu, 2017). This is where one of the perils of presidentialism Dual legitimacy negatively affect the system to function. When the parliamentary majority is different from the president's party, the chance of governmental deadlock is increased. Since the executive

and the legislature are separately elected, both have electoral legitimacy. Additionally, presidentialism lacks an institutional tool to solve disputes between the president and the legislature due to the rigid separation. Therefore, it is possible to claim that governmental deadlock may destabilize the system and cause democratic breakdown. The two-round presidential election method can also negatively affect the relationship and cooperation between the legislature and the executive. Because in the two-round election, the voter in the first-round votes to the one she wants to see as the president, while in the second round, the orientation of voter is determined not by the candidate that she prefers but mostly by the candidate that she does not prefer. Thus, the Parliament and the presidential elections on the same date and the two-round election of the presidential election are likely to create a weaker president.

Another change in the constitution concerns the number of deputies in the assembly. The number of deputies is increased from 550 to 600 to provide a better representation of voter (Art.75). One of the criticized features of the electoral system in Turkey is the 10% threshold. As long as the threshold remains, claiming that the by increasing the number of MPs to achieve better representation of people does not seem possible. The number of lawmakers in countries with more populous than Turkey is around 500. For example, in the US with a population of 325 million, the House of Representatives consists of 435 congressmen, In Mexico with a population of 112 million, the Congress of Deputies consists of 500 people, In Brazil with a population of 201 million, 513, In the Russian Federation, which has a population of 145 million, Duma consists of 450 deputies. ““Therefore, this change seems to be an arbitrary preference of the constitutional designers, rather than a requirement to reflect the fair representation to the assembly”” (Eses, 2016). During the pre-referendum campaign, the incumbent party often stressed on the amendment which decreases the age of eligibility to be elected as a deputy from 25 to 18 (Art 76). This amendment was used to claim that participation of Turkish youth in politics will increase. However, it is hard to believe that a person, age of 18 can have high education, ability, and experience to serve as a deputy. In most countries, age limit to be elected a deputy is 25. Especially, considering that according to the Turkish party law, party leaders are allowed to choose any party

members, they want to send to parliament as a deputy. Indirectly, party leaders appoint deputies. Thus, it will negatively affect efficiency and legitimacy of the Turkish parliament.

The 6th article of amendment proposal to the article 77 of constitution removes the authority of parliament to inspect the ministerial council and the ministers (Art.77) This amendment deprive the legislature of constitutional means to have a political control on the executive. This amendment goes beyond the presidential system where the separation of power is considered the essential characteristic of the system. In this context, it is clear that the president can appoint ministers without the consent of the assembly. Presidentialism, as I discussed in the theoretical part, creates the personalization of power. Especially, presidents with extraordinary power exaggerate the phenomenon. The president who is not subject to legislative oversee would look stronger than she is. Such an outcome would serve disintegration of two branches. The proposal substantially changes the powers of the Parliament to oversee the executive organ. The amendment removes the 99th and 100th articles that regulate the methods of confidence vote and a parliamentary inquiry. In the Article 98 of the previous Constitution, MPs have the authority to ask questions to the prime minister and ministers, both verbally and in writing. The amendment removes the verbal question. According to the amendment, written questions directed to the president's deputies and ministers must be answered within fifteen days. The written question is one of the least effective means of monitoring the executive. Moreover, the proposal does not bring any regulation on what will happen if the questions are not answered within fifteen days, making it completely ineffective in practice. (Eses, 2016, p. 6). It is important to note that MPs cannot ask a question to the president in any form. This amendment creates an untouchable position which cannot be questioned however assumes all the executive and significant legislative power. Such a position is unusual for democratic systems and resembles absolute monarchies.

According to the amendment the assembly can override the presidential veto only if the absolute majority is achieved. (Art.89) This amendment requires the legislature to achieve “qualified majority” to insist on their vision. The presidential vote is equalized with an absolute majority of the legislature. However, before the amendment, a simple majority

was enough to override a presidential veto. This change must be evaluated together with the other provisions of the constitutional amendment. As a result of such an assessment, it can easily be seen that in addition to the extraordinary executive powers concentrated in the presidency, there is also a great imbalance in favour of the President on the legislative power within the system. Indeed, on the one hand, the president assumes the parallel legislative authority through the extraordinarily empowered presidential decree which I will discuss more in the following chapters. On the other hand, by using the veto power can influence and interfere already weekend legislature. Considering reasons mentioned above, in case the president has the majority in the legislature, it is possible to claim that the separation of power is violated and the president controls both the executive and the legislature.

3.1.2. The Office of the Presidency

The amendment sets the president as the head of the state and the executive. The President exercises the power according to the Constitution and the laws (art.104/1) The "executive authority belongs to the President" points to the monocephalous nature of the governance. The amendment does not change the conditions for electing a president (art.101). According to this, the president will be elected among the Turkish citizens who have completed their forty years of age, have completed higher education and have the right to be elected as deputies. On the other hand, the condition which requires a presidential candidate to be an age of 40 is open to criticism. In presidential systems where the executive authority is the sole one, the age requirement is not as higher as in Turkey. ““It can be argued that the conditions for the election of a president are a sign of a selective, discriminative political understanding. Moreover, the conditions imposed contradict the regulatory approach to reducing the single deputy's age to 18.”” (Eses, 2016, p. 8).

If the elections cannot be completed, the current president will continue to serve until the new president is elected. The amendment mentions that in case the president is elected among deputies, the membership of the president to the assembly would end. However, the amendment does not mention anything regarding the neutrality of the president. In this case, it is possible to assume that the president may continue to be a member or even a leader of a political party. The arrangement that allows the president to be a member, or even a leader,

of a party at the same time creates the danger of integrating the state and a party into the personality of the president. For this reason, there is a fair criticism that the regulation will lead to a "party state." According to the amendment, one person can be elected as a president at most twice (art.101). The limitation of the term to elected persons is a standard application in the democratic countries. However, when the article 116 is evaluated, it appears that the possibility of exceeding the term limit which prescribed in the article 101. Thus, according to article 116, the elections for parliament and presidency shall be held together, however, if the assembly dissolve itself and call for the early elections, the president in his second term can be a candidate for the third time. Therefore, in a composition where the majority of the parliament has the same political orientation with the president, the assembly by renewing its elections, can enable the president to rule for the third time. In such case, it is clear that one can inactivate the regulation that a person can be elected "up to twice."

The constitutional amendment gives broad authority to the president. Part of these authorities exists in the 1982 constitution. The president is the head of the state, represent the unity of the Turkish nation, ensures application of constitution, harmonious and regular operation of state organs. If deemed necessary, the first day of the legislative year in the Grand National Assembly of Turkey makes opening remarks, publishes the laws, has a veto power etc. (art.104). On the other hand, the amendment also gives the president new powers. Accordingly, the President gives the message about the internal and external politics of the country, determines national security policies and takes necessary measures, issues a presidential decree, appoints and ceases vice-presidents and ministers, appoints and ceases the upper echelon of the public administration, may issue regulations to provide the enforcement of the laws. In addition to Article 104, other articles also give the president authorities. For example, the president decides on conditions to renew the assembly elections (art.106). The president can call the assembly to hold a meeting during a pause or holiday (art.93). The president may declare a state of emergency and may issue a state of emergency decree (art.119). She appoints the member of Judge and Prosecutor Board and the Constitutional Court (art.159, art.146). Present the budget and final account law proposals to the Assembly (art.161). She appoints the president and members of the State Supervisory Board. (art.108). She is responsible for ensuring national security and appoints the Chief of General Staff

(art.117). Presides over the National Security Council, organizes the agenda of the board, evaluate the decisions taken by the Board (art.118) etc. It can be said that the amendment gives the president broad authority which can be even further expanded through laws. (Eses, 2016) It creates a situation where the president is overpowered against the legislature and judiciary in which the separation of power is weakened.

As an example of key authorities granted to the president: the president can regulate the executive branch almost indefinitely and uncontrolled. According to the amendment, the president appoints and cease vice presidents and ministers (art.104, 106). However, these appointments are not subject to the supervision or approval of parliamentary or any other body. However, in a presidential system, the appointments made by the president for senior executives are supervised by the parliament. According to amendment, the vice presidents and ministers are accountable to the president. The amendment violates the separation of power and undermines the parliament's power to oversee executive's actions. The US presidentialism was taken as an example for the Turkish presidentialism and the stability that the US presidentialism provides to the system was one of the arguments that were used to support the constitutional change. However, the US constitution adopts the Madisonian variant which separation of power is designed as follows: dispersion of government into three branches by allocating the functions of government equivalently. (Gersen, 2010, p. 302). The amendment does not follow the principles of the US presidentialism. For example, according to the Constitution of Bolivia, the president is respectful of the multinational structure and gender equality of the country in determining its cabinet (Article 158). Apart from age and citizenship, the Constitution also introduces other criteria such as not being partners or owners of financial institutions and companies that have a contractual relationship with the state. Mexico, Brazil, Venezuela, Chile, Colombia, Argentina, Uruguay and Costa Rica have similar arrangements. In Bolivia, Argentina, and Peru, the president is not authorized to dismiss ministers. In short, in presidential systems appointment power is not unrestricted (Araujo, Silva, and Vieira, 2016 cited in Eses 2010). The president with unlimited appointment power does not exist in any democratic presidential systems.

In accordance with the amendment, to open investigation for allegedly committing a crime for the President requires absolute majority two-thirds of the total number of member. This method will continue to be implemented in the same way for the crimes allegedly committed during that period, after the termination of the term of office of the President. (art.105) The arrangement and the procedures of impeachment make almost impossible to depose the president for the crimes she might do during the presidency. The amendment to open an inquiry in the Assembly requires a large majority of the total members. However, to have an approval for inquiry is not enough to start an investigation. To start an investigation requires five-thirds of the total numbers of members. Then if the consent is gained to open an investigation another two-thirds majority is required to pass the investigation to Supreme Court. Moreover, the same procedure will be applied even after the president leaves the office. In short, it can be said that this regulation provides the president with a shield and the assembly to use its power to supervise the president becomes almost impossible. The amendment makes impeachment almost impossible which is another form of check and balance

As a result, the role of the president in the new system is significantly increased. The power is given to the president is similar to absolute monarchies rather than democracies. It is hard to believe that a system with such a strong president would remain a democracy.

3.1.3. The Decree Power

One of the important authorities that the amendment has granted to the president is the authority to issue decrees. The presidential decree includes regulation of the following state matters: To establish or disestablish ministries. Duties, authorities and organizational structure of ministries. (art.106); The functioning of the State Supervisory Board, the term of office of its members and other institutional matters (art.108); The organization and duties of the Secretariat General of the National Security Council (art.118); The procedures and principles regarding the appointment of senior executives (art.104). The decree power granted to the president through the amendment is much broader than the decree power was given to ministerial cabinet in a parliamentary system. Additionally, the amendment provides the decree power directly to the president, however, in the parliamentary system the decree

power was not given to prime minister but the cabinet. Therefore, it is possible to claim that such an arrangement will result in the personalization of power. The decree power in the Turkish parliamentarism is limited and subject to the approval of the assembly. However, the amendments leave no means to the assembly to have a control over presidential decrees. If the majority in the assembly does not support the president, and if the president does not want to cooperate with the political opposition, in order to overcome parliament's opposition, the president may try to govern the country by only using the decree power. In cases where the majority of the assembly support the president, the president would have a dictatorial power because he will not face any restrictions. ““Guillermo O’Donnell. (1998: 110) coined the term "horizontal accountability" to focus attention on the network of "state agencies that are authorized and willing to oversee, control, redress, and if need be sanction unlawful actions by other state agencies””. (Cameron, 2003, p. 102). The concept is closely linked to the separation of powers, an essential feature of the constitutional state that underpins liberal democracy.” Considering the broad authority is given to the president via presidential decrees, it is hard to believe that other state agencies and branches of government will be able to perform “horizontal accountability.”

Another important authority granted to the President is related to the budget and final account laws. One of the most striking aspects of the amendment is that the authority to present the budget law proposal to the Assembly is given to the president. (art.161) This authority granted to the president violates the principle of separation of power. For example, in the US the president cannot offer a budget proposal. The proposal must be presented by a Congressional member. And the president cannot change the amount of budget by issuing a presidential decree. MPs of the Grand National Assembly cannot make a proposal for reducing or increasing the expenses. Parliaments control on a budget is one of the main mechanisms in which the legislature controls the executive. In the US Congress effectively use this power against the president thus ensures the separation of power. (Kagan, 2001). One of the criticisms of this amendment is that a provisional budget law should be enacted if the new budget law is not passed. If the provisional budget law cannot be enacted then the president has a right to use the budget of the previous year. With this arrangement, the president will be able to spend without the approval from the legislature. Admission and

supervision of budget are one of the oldest and most important authorities of all parliaments. The proposal invalidates one of the most important control powers of the Assembly.

The decree power and the budgetary initiative is another means in which the president is significantly empowered against the legislature. The decree power that the new system grants the president violates important principle of presidential democracies - separation of power. Additionally, exacerbate the personalization of power.

3.1.4. State of Emergency

At first look, the examination of the state of emergency may look irrelevant. However, considering that since the last coup attempt, state of emergency still continues in Turkey and maybe one of the most important referendums in Turkish political history was held while the state of emergency was enforced. It is important to analyse how the system would work in the presidential system in case the state of emergency continues and how the role of the president would even be more powerful during the state of emergency

The amendment increases the reasons for declaring the state of emergency. The reasons are war, conditions which may lead to a war, mobilization, insurrection, natural disaster, epidemic disease and severe economic depression. (art. 122). However, the point here is not the reasons for declaring an emergency but the authority given to the president during the state of emergency. Considering that the since the last coup attempt 15 July 2016, state of emergency is continuing and even the constitutional referendum was held under such circumstances and there is no sign when the government will end state of emergency, therefore it is possible that the president by simply extending state of emergency can rule the country with dictatorial power. According to the amendment, state of emergency will be declared with a decision taken by the president. The amendment removes the requirement to get the consent of National Security Council. the president does not have to consult even his own ministers before declaring a state of emergency. The president can declare a state of emergency in the whole or in some part of the country. The duration should not extend six months. State of emergency can only be enforced after the consent of the assembly. The parliament can shorten and extend the duration or remove it at all. With the request of the

President, the Parliament may extend the period not to exceed four months each time. This four-month period is not sought during the war. The amendment does not set the limit on how many times state of emergency can be extended. This arrangement enables the president who has the majority in the legislature to rule the country under a state of emergency during the whole period of presidency. The amendment gives the president the authority to issue a presidential decree regarding issues which related to the state of emergency. According to the amendment presidential decrees issued during a state of emergency should be presented to Assembly for approval. Moreover, decrees which are issued during a state of emergency are not bound by the limitations imposed on decrees during the ordinary periods in article 104. According to the amendment, decrees issued during a state of emergency cannot be brought to the Constitutional court for being against the constitution. The amendment gives the president broad and uncontrollable authority that is not even seen in non-democratic regimes. As a result, during state of emergency judicial and legislative power will be under control of the president. The limits for the president to use this power is weak.

3.1.5. Judiciary

Judiciary as a separate branch is designed to limit the power of other branches. In order to function well, the independence of the judiciary must be guaranteed. Hayek classifies two ways in which judiciary can limit the power. First, the creation of laws and the administration of justice can be separated. Legislatures make laws, but independent judges enforce them, without interference from the legislature or the executive. Second, lawmaking and policy-making can themselves be subject to review by courts for their compliance with the constitution. (La Porta et al, 2004, p.446). Judiciary's role is also described in a similar manner by Kagan. Judiciary can play a role in controlling administrative government in either of two ways: directly, by engaging in a substantive review of agency decisions, or indirectly, by supporting, through various rules of procedure and process, other institutions and groups that can influence agency policymaking. (Kagan, 2001, p. 2269). In principle, judicial independence promotes both economic and political freedom, the former by resisting the state's attempts to take property, the latter by resisting its attempts to suppress dissent.

(Judicial Checks and Balances, 2004, p. 447). Besides seeking to influence judges, the executive and the legislature would also wish to pursue policies and pass laws that benefit themselves, democratic majorities, or allied interest groups. Constitutional review is intended to limit these powers. By checking laws against a rigid constitution, a court—particularly a supreme or a constitutional court—can limit such self-serving efforts. (Judicial Checks and Balances, 2004, p. 447). However, the constitutional amendment violates the basic principles of judicial independence mentioned above.

Article 1 of the amendment to article 9 of the constitution states that the judiciary authority shall be used by "independent and impartial courts" However, it is clear that judicial independence and judicial impartiality cannot be achieved only by writing it in the constitution. What is important at this point is that some provisions which are contrary to the judicial independence and have a detrimental effect on the impartiality of the judiciary are included in the constitution. The presence of certain provisions which increase the influence of the executive over the judiciary and which severely impair judicial independence and impartiality makes it hard to believe that judicial independence and impartiality will exist in the new system. The composition of the "Supreme Council of Judges and Prosecutors" in Article 159 of the Constitution is amended. It should be noted that this proposal fundamentally contradicts the notion of independence and impartiality of the judiciary. The amendment gives the authority to the president to directly appoint five members of 13 membered board. Considering that The president also appoints the Minister of Justice and Undersecretary of Ministry of Justice who are also members of the board, the number becomes 7. Moreover, it should be noted that the president who makes these appointments is also the head of the ruling party in the legislature. The remaining five members of the board according to the amendment is to be appointed by the assembly. Therefore, if the president has the majority support in the legislature, it is not difficult to predict that the president will undoubtedly have last say on appointing the other remaining members of the board. Thus the president with party identity will have the power to shape the judiciary as he desires. The amendment to the Article 146 reduces the number of members of the Constitutional Court from 17 to 15. As a result of the removal of the military courts following the amended regulation, the application of the Military Court of Cassation and the Supreme

Military Administrative Court to elect a member of the Constitutional Court is terminated. The important point here is not the reducing number of members but the way those members are appointed.

- The three members are elected by the Parliament, which the President controls as the chairman of the ruling party.
- The three members are proposed by the YÖK (Council of Higher Education) whose members are determined by the President and elected by the President.
- The four members are selected directly from the President.
- The remaining five members are also chosen by the President from the candidates nominated by the Court of Cassation and the Council of State.

In sum, almost all Members of the Constitutional Court are elected and appointed by the President in some way. It is inevitable that a Constitutional Court formed in such way will become dependent on the executive.

3.2. Party System in Turkey

This chapter discusses the Turkish party system, its characteristics and features. The analysis is focused on after the 2002 elections. In this chapter, I aim to explain the change that occurred in the Turkish party system since the AKP (Justice and Development Party) took the power in Turkey.

Party system and its characteristics in Turkey is a complicated topic due to its instability and frequently changing patterns. Since the establishment of the Republic of Turkey, the founding fathers especially M.K Ataturk aimed to establish a multiparty democratic system in Turkey. However, due to lack of political and democratic traditions, attempt to transform Turkey to multiparty system failed. Finally Turkey transformed its party system in 1945 and first elections were held. The right wing Democrat Party won the absolute majority in the parliament in 1950. It was first time a party other than left-oriented CHP (Republican People's Party) which is also the founding party of the republic, assumed the power. Democrat Party enjoyed being the majority party for a decade until a military coup. The party system in Turkey had always been an unstable one. Most of the time no parties were able to gain majority of the seats. Therefore, parties were forced to form coalitions which were not performing well. Therefore, governments were failing to gain confidence vote and government were frequently changing. Additionally, frequent military interventions to political life significantly prevented the Turkish political system from completing its natural development. Many Turkish political scientists divide the formation of Turkish party system into two part. Pre 2002 and after 2002. (Tezcur 2012, Sayari 2007, Özbudun 2006, Köseoğlu 2011)

The 2002 elections brought many firsts to the Turkish political sphere. For the first time, a party with Islamist roots became the governing party with 34.28 percent of the votes and almost two-thirds of the parliamentary seats. For the first time since 1991, a single-party government was formed. For the first time since the transition to a multi-party system in 1946, only two parties are represented in parliament, the AKP (Justice and Development Party) and the CHP (Republican People's Party). Consequently, the fragmentation of seat index fell from 0.79 in 1999 to 0.46 in 2002. On the other hand, the volatility index rose

sharply from 19.9 in 1999 to an all-time high (54.45) in 2002.3 (Tezcur, 2012). The average level of fragmentation and volatility from 1983 to 2011 is 4.56 and 23.6 respectively. Of the six parties represented in the 1999 Parliament, five – DSP (Democratic Left Party), MHP (Nationalist Action Party), ANAP (Motherland Party), DYP (True Path Party) and SP (Felicity Party) – were not able to pass the ten percent national electoral threshold (Özbudun, 2006, p. 1). The roots of results of 2002 elections can be traced back to the 1981 constitutions. Although the 2002 elections are considered the turning point in the party system. However, institutional arrangements that possibly led to the 2002 elections' results were crafted after the 1980 coup. The four main characteristics of the political system emerged after the coup. Since the results of elections contradict those characteristics the 2002 elections can be considered groundbreaking election.

The Turkish Party system has four characteristics. The first characteristic is turnout. Turnout is calculated as the ratio of valid votes to registered voters. First, due to a policy of compulsory voting, there is a tendency that some voters are likely to cast invalid votes. Second, information about the number of all eligible voters was not available. The average percentage of turnout from 1983 to 2011 is 83 % (Tezcur, 2012)

The second characteristic of the Turkish party system is volatility. Volatility measures changes in voter preference for parties. The average volatility level is 23.6 percent between 1983 to 2007 according to Pedersen index. (Tezcur, 2012)The level volatility in Turkish elections is comparable to the new democracies of Eastern Europe and Latin America, but much higher than the established western democracies (Travits, 2005). The level of volatility notable increased since the 1970s (Eser Şekercioğlu, Gamze Arıkan, 2008, p. 218). Volatility reached a peak of 41.7 percent in 2002 when voters defected from established parties in reaction to the worst economic crisis that the country experienced since the end of the Second World War (Cem Başlevent, Hasan Kirmanoğlu, Burhan Şenatalar, 2005). High-level volatility indicates that party identities are weak in Turkey which means parties as political institutions failed to establish themselves as permanent entities. However, it must be noted that military interventions and party closures negatively affected political parties and prevented them from forming stable entities. Despite the general observation that volatility is a function of the longevity of a competitive regime. However, high levels of

volatility do not necessarily mean that social cleavages have lost their importance in Turkish electoral politics. In Turkey, volatility can be understood as an indicator of party system instability rather than as an indicator of voters merely reacting to the formation and disappearance of parties. (Tezcur, 2012). It is important to note that the level of volatility significantly decreased since 2002 elections. In 2002 volatility level was 41.7. The next election in 2007 the level of volatility was 18.6 in 2011 11.6 (Tezcur, 2012). The decline in the volatility level indicates a new pattern in Turkish politics. The rise of the AKP brought electoral stability. The other centre-right parties as result of the AKP's rise completely demised. CHP (Republican People Party) emerges as an only viable left-oriented party. Meanwhile, the MHP (Nationalist Movement Party) and BDP (Peace and Democracy Party) nowadays emerged as HDP (Peoples' Democratic Party) consolidated their positions as representatives of the Turkish and Kurdish nationalisms, respectively. (Tezcur, 2012).

The third characteristic is fragmentation. The fragmentation in Turkish parliament has always been high but it reached its peak in 1999 with 6.78 effective number of parties. By that time, seven parties (two centre-right, two centre-left, two nationalists, and one religious) competed for national influence. Since then, the trend has been reversed and dropped to 2.97 in 2011. Similar to the decline in volatility, this reversal indicates the stabilization of party system. In fact, Turkey now has a more consolidated party system than many established Western Europe democracies. (Reilly, 2007). However, it must be noted that stabilization in party system does not necessarily mean that the country already achieved sustainable democracy. Contrary, in the case of Turkey, the stabilization of party system allowed Erdogan to evade checks and balances and the change the governmental system from parliamentarism to presidentialism. If the stable party system continues in Turkey, it will increase the chance for Erdogan to establish his authoritarian rule. ““A considerable erosion of competitiveness has also accompanied the rise of the AKP in the Turkish party system. The distance between the winning and secondary party was rather low—a few percentage points—throughout the 1990s. In contrast, the AKP's electoral victories were characterized by a wide margin”” (Tezcur, 2012, p. 120). Therefore, it is possible to say that in the new system AKP and president Erdogan will dominate the Turkish politics.

Finally, the last characteristic is disproportionality between the vote and seat share thanks to the 10 percent threshold. The threshold helped ANAP (Motherland Party) and AKP to win more seats than their vote shares would give them with a lower threshold. For example, ANAP received 36 percent of the valid votes and 65 percent of the seats in the 1987 elections. Similarly, AKP received 34 percent of the valid votes and 66 percent of the seats in 2002. 45 percent of the valid votes were wasted due to the threshold. In the last two elections, as the MHP passed the ten percent threshold and the Kurdish nationalists successfully sponsored independent candidates, the AKP's parliamentary majority was reduced even as the party increased its overall share of the vote. (Tezcur, 2012).

3.2.1. Intra-Party Democracy

Democracy cannot function without political parties. Political parties are the vital part of democratic systems because through political parties voters chose their policy preferences. Political parties are crucial to ensure the representativeness of democracy. In this regard, intra-party democracy is important because it is highly unlikely that a party without intra-party democracy can govern in a democratically. (Tezcur, 2012) Intra-party democracy covers various aspects of party organization. All areas of organizational structure should be designed according to democratic principles. Controllable, transparent, accountable structure would ensure party to function democratically. It includes a limitation to the duration of office, periodically holding elections to allow others to take part in the party administration etc.

Lack of intra-party democracy has always been one of the main challenges of Turkish democracy. Many Turkish political scientists argue that the dominance of party leaders is the main reason why intra-party democracy is not achieved. (Mehmet Tan, Yeter Çiçek, Hatike Koçar, 2015; Gökçe, 2013; Erdem, Kabasakal, Gençkaya, 2000).

There are factors that negatively affect intra-party democracy in Turkey; social structure, election system, pressure groups, party leadership and legislation. (Mehmet Tan, Yeter Çiçek, Hatike Koçar, 2015). I will not discuss all of these factors because not all of them fit the structure of my argumentation. However, I will discuss, the party leadership, intra-party regulation, and legislation since they directly related to my thesis.

3.2.2. The Party Leadership

Political parties in Turkey due to its structure is highly centralized. Party central organizations dominate the local organizations. The office of party leader within the central organization has the absolute power. Therefore, it is rare to see a change of party leader in Turkish political life. Alparslan Turkes, Suleiman Demire, Bulent Ecevit seem to have ruled their parties for longer than a quarter of a century. (Özbudun, 2001, p. 247). According to the law on political parties, the party leader is elected for three years (Art. 15). However, there is no term limit, therefore a party leader can be elected until his/her retirement. It is understandable that term limit in an intra-party democracy is not preferred because a successful party leader naturally would be the first choice of a party. Therefore, term limit cannot be considered the main hindrance for intra-party democracy. The main reason here is the structure of party central organization. Two factors in the central organization can be regarded as a negative impact. First is the way party leader is elected. Second, the high authority that is given to the party leader. Democratic governance problem in political parties in Turkey often stems from the broad authority granted to the leader. The fact that the provisions contained in party regulations authorize the party leaders to have last say in the solution of almost all problems. This, in turn, creates a political environment where the parties embody themselves in the personality of party leaders. In other words the personalization of power emerges. Party leaders in Turkey at any time can expell party founders or elected MPs from the party. They can dissolve provincial organizations, can confiscate or completely eliminate member registry book and can create completely new provincial congresses with the members they regroup and rewrite. In all the major parties' regulations, the authority to call extraordinary session is given to the party leader. Rarely, in some parties' regulations, this authority is given to General Administration Board. However, there are also provisions that allow party leader to influence the board. In party regulations, there are undemocratic provisions on disciplinary board. Party leaders have the authority to pardon the members who have been penalized by the disciplinary board. Furthermore, there is no supervisory board who can oversee party leaders' actions. (Ekizceleroğlu, 2008). Party leaders control the party members by rewarding or sanctioning them. In this control process, the most widely used method is extensive use of the disciplinary board. As mentioned above

party leaders have the almost absolute control on the disciplinary board. Party leader in this regard does not only use the disciplinary board. Party leader also uses his/her absolute authority on appointing intra-party positions as a rewarding mechanism. Party leader has right to select MP candidates. Therefore, the members who want to be appointed to positions in party organization or as an MP candidate is expected to have the same ideology with the party leader as well as not to openly oppose the party leader. The hierarchical structure of the party organization and strict rule ad great power to the party leaders. Party leaders would prefer to ensure the loyalty of members who the appointed to the party positions. Therefore, to be able appointed as an MP candidate or provincial, district and headquarters administrative levels is based on the principle of loyalty (Gökçe, 2013). Considering characteristics as mentioned earlier, the leadership style in political parties, the current situation of party leaders will possibly be transferred to the national level. It is highly likely that presidential regime in Turkey will cause the same outcome. Even before the presidential system, the personalization of power in intra-party democracy already existed. Therefore, it is possible to claim that the president who is also the head of political party will have absolute power in the political system.

In Turkey, Political parties are consist of central bodies, province and district organizations. (Political Parties Act, 1983b: art 7). Province and district organization communicate with the public through a neighbourhood and village representatives. Every position in all organizations of political parties can be assumed only through elections. However, it is under question that to what extent the elections are carried out according to democratic principles. The way the elections are carried out is left to the party regulations by the Political parties act. Despite small differences, all political parties have more or less the same elections method. Elections start from district organizations by applying delegation system. In the Republican People's Party (CHP) elections for district, delegates are held in the districts called "muhtarlik". (CHP, 2012: Art.48c). Justice and Development Party (AKP) uses the similar method but elections for district delegates are held in village and neighbourhood scales. (AK Party, 2001: Art.30). In both parties, elected delegates chose the head of district organization and the board. The method is applied to provincial organizations. In the political parties, the president and the top management of the party are elected by

delegates at meetings called Grand Congress or Kurultai. The provincial organizations determine the Kurultai delegates.. The delegation system superficially looks democratic, however, in practice it leads the domination of party top management, especially the party leader. Because the number of delegates is usually lower comparing the number of parties, therefore, it is easy to access the delegates and influence them and most of the time delegates are already elected to various offices within the parties. As I mentioned earlier due to the broad authority is given to the party leader, party officials depend on party leaders so do the delegates. Thus, delegation system undermines the intra-party democracy.

To become a candidate for MP in CHP, there are three stages that one should go through. Pre-elections, candidate polling and central polling. The similar method exists in AKP however only the names of stages are different. Pre-elections, organizational polling and central polling. The pre-election is carried out with the participation of all registered members. The candidate polling in CHP is carried out by the delegates who are elected to certain positions in the party. In the final stage, central polling, the candidates are elected by the party top management and the party leader. The initiative in the central polling methods is entirely in the party leader and party top management. Likewise, the initiative in candidate polling or organizational polling is still in the top management or party leader. Therefore, it is highly likely that the party leader and the top management will dominate the elections of candidates. Candidates who are elected to the assembly, therefore depend on the party leader. In such circumstances, the president who is also the head of political party will be able to dominate the executive and the legislature. The party system and the lack of intra-party democracy in Turkey increase the possibility of the system to become a dictatorship. As it is discussed above, although the multiparty system is not desired for a presidential system, it hinders the executive to dominate the legislature. However, in Turkey, an effective number of parties is less than three which means that Turkey is not multiparty. The few numbers of parties in the legislature who are also the minority will have almost no influence on government. Therefore, it likely the executive can easily evade checks and balances.

4. Undemocratic Tendencies in Turkey

The AKP and current Turkish president R.T. Erdogan are associated with authoritarianism by the media. In general, the rule of Erdogan is considered the start of the end of the Turkish Parliamentary democracy (Kaya, 2014, Öniş, 2015, Taspinar, 2014, Özbudun, 2014). Democracy in Turkey has always been a troubled one. However, the country managed to protect its fragile democratic institutions despite frequent military interventions, economic and political crisis. This chapter aims to show the decline in the Turkish democracy since 2002. To give a comprehensive view regarding undemocratic tendencies in Turkey since 2002. I used V.Dem Database to explain the current situation of democracy in Turkey and compare it to the 2002 situation. To do so I chose 5 V-Dem indices. Deliberative Democracy Index, Egalitarian Democracy Index, Electoral Democracy Index, Participatory Democracy Index, Liberal Democracy Index. V-Dem database is based on factual information obtained from official documents such as constitution and government records. Some of the indicators are based on subjective assessments

Deliberative Democracy Index

The deliberative principle of democracy focuses on the process by which decisions are reached in a polity. A deliberative process is one in which public reasoning focused on the common good motivates political decisions as contrasted with emotional appeals, solidary attachments, parochial interests, or coercion. According to this principle, democracy requires more than an aggregation of existing preferences. There should also be respectful dialogue at all levels from preference formation to the final decision among informed and competent participants who are open to persuasion. To make it a measure of not only the deliberative principle but also of democracy, the index also takes the level of electoral democracy into account (V-Dem Varieties of Democracy, n.d.).

Egalitarian Democracy Index

The egalitarian principle of democracy addresses the distribution of political power across social groups, i.e., groups defined by class, sex, religion, and ethnicity. This perspective on democracy emphasizes that a formal guarantee of political rights and civil

liberties are not always sufficient for political equality. Ideally, all social groups should have approximately equal participation, representation, agenda-setting power, protection under the law, and influence over policymaking and policy implementation. If such equality does not exist, the state ought to seek to redistribute socio-economic resources, education, and health so as to enhance political equality. To make it a measure of egalitarian democracy, the index also takes the level of electoral democracy into account (V-Dem Varieties of Democracy, n.d.).

Electoral Democracy Index

The electoral principle of democracy seeks to embody the core value of making rulers responsive to citizens, achieved through electoral competition for the electorate's approval under circumstances when suffrage is extensive; political and civil society organizations can operate freely; elections are clean and not marred by fraud or systematic irregularities; and elections affect the composition of the chief executive of the country. In between elections, there is freedom of expression and an independent media capable of presenting alternative views on matters of political relevance (V-Dem Varieties of Democracy, n.d.)

Liberal Democracy Index

The liberal principle of democracy emphasizes the importance of protecting individual and minority rights against the tyranny of the state and the tyranny of the majority. The liberal model takes a "negative" view of political power insofar as it judges the quality of democracy by the limits placed on government. This is achieved by constitutionally protected civil liberties, strong rule of law, an independent judiciary, and effective checks and balances that, together, limit the exercise of executive power. To make this a measure of liberal democracy, the index also takes the level of electoral democracy into account (V-Dem Varieties of Democracy, n.d.).

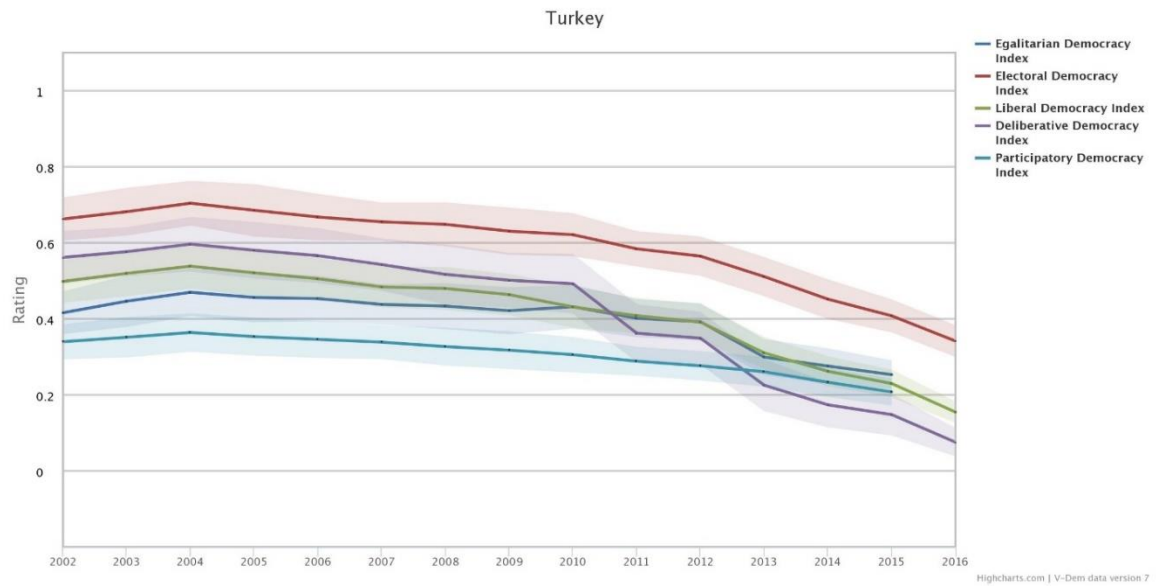


Chart 1

Source: (V-Dem Varieties of Democracy, n.d.)

Each index scored on the scale of 0 to 1. In 2002 the score of Egalitarian Democracy Index was 0.416. The peak was reached in 2004 when the score was 0.469. However, since then egalitarian democracy index started to decline. By 2016 the score was 0.341. The same pattern is seen in other indexes as well, for example, the score of electoral democracy index in 2002 was 0.662. The peak was reached in 2004. The score was 0.704 and since then decline is observed. The score for electoral democracy index in 2015 reached the lowest point 0.407. In 2002 score of liberal democracy index was 0.498. Again in 2004, the score reached its peak by 0.538. The latest score of liberal democracy index is in 2015 which is also the lowest with 0.229. Deliberative democracy index also follows the same pattern. The score of deliberative democracy index in 2002 was 0.561. The highest point was reached in 2004 with the score 0.596. The latest data about the deliberative democracy index is in 2016 which is

again also the lowest with 0.112. Compared to other indexes decline in the deliberative democracy index is higher than others. It can be explained by the domination of AKP in the legislature since 2002. As the deliberative democracy index requires including competent participants to the decision-making process, AKP's unaccompanied rule can be the explanation of significant decline. Participatory democracy index as well fits the same pattern. In 2002, the score was 0.339. In 2004 the score slightly increased and reached its peak by 0.364. The latest data about participatory democracy index is in 2015 and the score is 0.207

The data taken from V-Dem explicitly shows the decline of democracy in Turkey since the rule of AKP. Although there is an increase in all indexes in 2004, it is only temporary because after 2004 there is a consistent decline in all indexes. In conclusion, the rule of AKP and R.T. Erdogan since 2002 can be regarded the start of the decline of Turkish democracy. The fact strengthens the argument of the thesis that the new presidential system is the expected outcome of Erdogan's authoritarian tendencies.

5. Measurement of the Presidential Power

Amendments to the Turkish constitution proposed by the incumbent party AKP (Justice and Development Party) was accepted by 51.2 percent of votes in the referendum held on 16th April 2017. The Amendment proposal aimed to shift Turkish political system from parliamentary to presidential. Many criticisms towards the amendment proposal made by the Turkish political opposition during the pre-referendum campaign did not change the result. Of course, there are worth mentioning reasons to doubt that the pre-referendum campaign took place under the equal conditions. Even the main opposition party CHP (Republican People's Party) claimed that the results were falsified. However, the result will not be changed and the new constitution will be enforced in 2018 after the presidential and parliamentary elections on 24th June. This chapter will be dedicated to a comparative analysis of presidential power according to the new and previous constitution. The questions such as "What authorities the new constitution gives to the president?", "What will be the position of legislature and judiciary after the enforcement of the new constitution?", "Why and how Turkey may turn into a dictatorship?" will be clarified as a result of this chapter.

Presidential power is divided into two parts. Legislative and Non-legislative. To measure the authority which the new Constitution endows to the presidency, I use (Matthew Shugart, John M. Carey, 1992) method measuring presidential power. I also compare presidential power according to the new and previous constitution, to create a clear understanding of regime change. Shugart and Carey also classify presidential systems according to the legislative and non-legislative authority of the presidency, which allows them to infer which regime types are vulnerable to democratic breakdown. Additionally, there are some aspects of the new constitution which are not directly related to the presidential power, therefore, cannot be measured according to Shugart and Carey's method. Such as methods of electing a president or electoral cycle and appointment of judges by the president. These aspects of the new regime will be separately examined to draw a completed picture. Schugart and Carey's method covers all the important aspect of presidential authority in two dimensions. The indicators that are used by Schugart and Carey provides a comprehensive explanation on presidential authority. (Doyle, Elgie, 2014 p.731) identified

forty-five methods for measuring presidential power ““In all but four of these studies, presidential power was operationalized explicitly or implicitly as an explanatory variable. In these forty-five studies, the dependent variable ranged widely across topics such as economic reform, democratic consolidation, the level of protectionism, the effective number of parties, cabinet composition, voter turnout and many others””. Additionally, the indicators that are chosen are detailed enough to understand the increase in presidential power. The criticism can be directed to Schugart and Carey’s method is that constitution can be imperfect measures for actual presidential power. The power that may occur from personal behaviour is not taken into consideration by Schugart and Carey. However, analysis of intra-party democracy, especially domination of party leaders in political parties can compensate the gap due to two reasons. First, presidentialism by nature creates the personalization of power (Linz, 1990). Second, domination of part leaders that exist in Turkish party system exacerbates the previous.

Another criticism of the method is made by (Fortin, 2013). She founded out that seven of the ten indicators cluster into a single factor with eigenvalues greater than 1 and with no evidence of separate latent constructs for legislative and non-legislative powers. She also pointed out that the process of aggregating the scores for the individual indicators is problematic. She states: ““[a]ggregation produces homogeneity claims, meaning that equal scores are substitutable or equivalent’ However, she noted that each score can be obtained through broad combinations of different powers, and should thus not be considered homogenous in terms of causal analyses”” (Doyle, Elgie, 2014 p.734) ““She goes on to argue that for any given measure, ‘not all items hypothesized to capture the concept of presidential power seem to matter equally in accounting for composite scores and that ‘not all potentially relevant items were tested”” (Doyle, Elgie, 2014 p.734). The criticism may be valid regarding the methodological point of view. However, the indicators that are proposed by Schugart and Carey captures the scope of this thesis. Especially, considering the analysis of the other branches and party system are included here as well.

<p>Package Veto/Override</p> <p>4 Veto with no override</p> <p>3 Veto with override requiring majority greater than 2/3 (of quorum)</p> <p>2 Veto with override requiring 2/3</p> <p>1 Veto with override requiring absolute majority of assembly or extraordinary majority less than 2/3</p> <p>0 No veto: or veto requires only simple majority override</p> <p>Decree</p> <p>4 Reserved powers, no rescission</p> <p>2 President has temporary decree authority with few restrictions</p> <p>1 Authority to enact decrees limited</p> <p>0 No decree powers; or only as delegated by assembly</p> <p>Budgetary Powers</p> <p>4 President prepares budget: no amendment permitted</p> <p>3 Assembly may reduce but not increase amount of budgetary items</p> <p>2 President sets upper limit on total spending</p> <p>1 Assembly may increase expenditures only if it designates new revenues</p> <p>0 Unrestricted authority of assembly to prepare or amend budget</p>	<p>Partial Veto/Override</p> <p>4 No override</p> <p>3 Override by extraordinary majority</p> <p>2 Override by absolute majority of whole membership</p> <p>1 Override by simple majority of quorum</p> <p>0 No partial veto</p> <p>Exclusive Introduction of Legislation (Reserved Policy Areas)</p> <p>4 No amendment by assembly</p> <p>2 Restricted amendment by assembly</p> <p>1 Unrestricted amendment by assembly</p> <p>0 No exclusive Powers</p> <p>Proposal of Referenda</p> <p>4 Unrestricted</p> <p>2 Restricted</p> <p>0 No presidential authority to propose referenda</p>
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Table 1.1: Legislative Power

<p>Cabinet Formation</p> <p>4 President names cabinet without need for confirmation or investiture</p> <p>3 President names cabinet minister subject to confirmation or investiture by assembly</p> <p>1 President names premier, subject to investiture, who then names other ministers</p> <p>0 President cannot name ministers except upon recommendation of assembly</p> <p>Censure</p> <p>4 Assembly may not censure and remove cabinet or ministers</p> <p>2 Assembly may censure, but president may respond by dissolving assembly</p> <p>1 “Constructive” vote of no confidence (assembly majority must present alternative cabinet)</p> <p>0 Unrestricted censure</p>	<p>Cabinet Dismissal</p> <p>4 President dismisses cabinet ministers at will</p> <p>2 Restricted powers of dismissal</p> <p>1 President may dismiss only upon acceptance</p> <p>0 Cabinet or minister may be censured and removed by assembly</p> <p>Dissolution of Assembly</p> <p>4 Unrestricted</p> <p>3 Restricted by frequency or point within term</p> <p>2 Requires new presidential election</p> <p>1 Restricted: only as response to censures</p> <p>0 No provision</p>
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Table 1.2: Non-Legislative Power

Source: (Matthew Shugart, John M. Carey, 1992)

5.1. Legislative Power

Some presidential systems empower the presidency with the legislative power which consists of package veto, partial veto, decree, the exclusive introduction of legislation, budgetary initiative and, the proposal of referenda. Common agreement on legislative power is that legislative power is ““the authority under the Constitution to make laws and to alter or repeal them.”” (Bouvier, 1856) by the assemblies. However, in some cases usually, in presidential systems this authority to some extent can be shared with the executive. In their article, Shugart and Carey state that ““regimes with great presidential legislative powers are problematic”” (Shugart & Carey 1992) in a sense that democratic breakdowns may occur.

5.1.2. Package and Partial Veto

The veto power allows the executive to effectively interfere with the legislative process. By using veto power, the executive can force the legislature to compromise and amend laws or law drafts which are in contradiction with the executive point of view. However, overuse of the veto can result in antagonization between the branches. According to the constitutional amendment, the president is empowered with the veto power. The president can send back the law draft for further consideration. The Parliament can accept the draft without modification only with the absolute majority of the members (Article 16). However, according to the previous constitution, the president can veto a law draft no more than two times. If a law draft is sent back to the president for the third time, the president is obligated to sign. (Matthew Shugart, John M. Carey, 1992) classify four types of veto power in terms of override mechanisms. If a veto cannot be overridden, the president is powerful and influential over the legislature. Therefore, Shugart and Carey score the veto power with the highest number 4. 3 to one where ““the majority required is more difficult for Congress to obtain than a two-thirds majority, but the veto is nonetheless not absolute”” (Shugart & Carey, 1992). 2 to one requiring a two-thirds to override. 1 to one which the veto override requires more than the simple majority but less than two-thirds. 0 to one which can be overridden by the same majority which passes the law draft. According to the amendment to override the presidential veto absolute majority of deputies is required otherwise a law draft does not pass. Therefore, the package veto score is a 2. For the partial veto power, Shugart

and Corey distinguish two-thirds majority from the absolute majority and score them accordingly 3 and 2. Other scoring mechanisms are the same. Therefore, for the partial veto power according to the new constitution, the score is a 2. According to the previous constitution since the legislature is required to override a law draft twice to pass; therefore, the package and partial veto score is a 1. Veto power is crucial in terms of policy stability. (Tsebelis, 1995, p. 293) argues that ““policy stability causes government or regime instability””. Thus, it can be interpreted that fewer veto players are important to ensure regime stability. By veto players, (Tsebelis, 1995) considers an individual or collective actor whose agreement is required for a policy decision. Increase of stability in system occurs 1) the number of veto players, 2) differences in their political stance and 3) the internal cohesion of each one of them. The president by having a strong presidential power will be able to block policy proposals coming from the legislature which would result in policy stability. Considering Tsebellis’ argument strong presidential veto power may cause regime instability and democratic breakdown in Turkey.

5.1.3. Decree

A decree is an authority of the executive to establish the law. According to amendment proposal, article 104. ““The president can issue decrees regarding its executive power. The basic rights, personal rights and duties, and political rights and duties that are in the constitution cannot be regulated by presidential decree. If there are conflicting provisions in presidential decrees and laws; laws prevail. If the Grand National Assembly issues a law on the same topic, the presidential decree becomes obsolete””. (Article 104) The presidential decree can be restricted. According to Shugart and Carey, the decree power with some restriction is 2. However, it needs to be mentioned that presidential decree is in the special position in the new constitution. It will be equal to law. The given authority results with sharing legislative function of the state with the president. Besides, the president can issue decrees in a name of parliament regarding the executive matters. In this way, the legislative authority of the Turkish Grand National Assembly will be shared with the presidency. Therefore, the score for the decree power is 3. In the current system, however, president's authority regarding decree power is symbolic. The president signs decrees adopted by a

cabinet of ministers. Thus, the score for the decree power according to the previous constitution is 0.

5.1.4. Executive Introduction of Legislation

One of the most common presidential power is the authority to introduce legislation in assembly. However, there are some presidencies which do not have such authority. Nevertheless, any president can find a member of the assembly, in Turkish case, from his/her own party to introduce a law draft that the president desires. Especially, in case of Turkey, considering that, the president will also be the leader of his/her party, the president surely will be able to instruct legislation. According to the amendment, the president is not allowed to propose law drafts. (Kucuk. 2017) in his article compares agenda power of the Turkish presidency with the US one and argues that both presidencies have the same authority. According to the amendment of the Constitution, the President of Turkey does not have the authority to propose a law draft. But the President, as the US president, can give the opening speech in Parliament on the first day of the legislative year. With these speeches and messages, he can suggest passing or remove laws that he desires. However, unlike US President, Turkish president does not need a ratification from parliament for international treaties that he/she signs or representatives of the state in foreign countries that he/she chooses. ““The president sends representatives of the Republic of Turkey to foreign states and accepts representatives of foreign states to be sent to the Republic of Turkey. Approves and publishes international treaties.”” (Article 104). Moreover, (Matthew Shugart, John M. Carey, 1992) distinguishes agenda power from decrees as follows ““Agenda power entails presidential control over the policy alternatives among which legislatures debate and select, whereas decree allows presidents to implement policies without legislative debate or assent.””

Consequently, according to the amendment, the president does not have an authority to introduce a law draft. Thus, the score is supposed to be 0.

5.1.5. Budgetary Initiative

The new constitution allows the president to initiate annual budget. The legislature cannot increase, decrease, allocate money to a new item or create a new item. The only authority is given to legislature either approve or reject the annual budget. In case legislature rejects the budget law, the legislature is obligated to issue temporary budget law. If the legislature does not issue temporary budget law, the president can use and adjust the budget law of previous year. (Article 161) According to Shugart and Carey' assessment, if no amendments are permitted to the legislature on a budget law proposed by the president, the score for the budgetary initiative shall be 4. The previous constitution does not allow the president to initiate budget law hence, the score for budget initiative according to the previous constitution is 0.

5.1.6. Proposal of Referenda

In some systems, the president is granted the authority to propose referenda. Shugart and Carey score this power a 4 if the power is unrestricted. According to the amendment proposal, the president can propose referenda for constitutional change (Article 104). In the amendment, no restriction for proposing referenda by the president is mentioned. Therefore, the score for it is a 4. In the previous constitution, the proposal of referenda must be approved 330 deputies out of 550. Therefore, the score according to the previous constitution is 2.

5.2. Non-legislative Power

The authority to form or dismiss cabinet and dissolve assembly are Non-legislative powers of the president in which the president exercises the executive power.

5.2.2. Cabinet Formation and Dismissal

Usually, the president who is elected by popular vote to exercise the executive power is free to form a cabinet. However, there are some cases cabinet formation is subject to legislative approval. (Matthew Shugart, John M. Carey, 1992) consider the involvement of legislature in cabinet formation as a negative case as it threatens the separation of power. In the amendment proposal, article 104 endows the president to appoint upper-level public officials, ministers and the procedures and principles regarding their appointment is regulated

by the President's decree. Thus, the President will not be bound by law in the formation of the administrative organisation, but will also set the rules for appointment and dismissal. Setting rules for appointment are not only a non-legislative power, it also implies legislative power because regulation regarding state-related activity is supposed to be an authority of the legislature. The amendment completely uproots legislature from state-related activities and weakens its position in the system. Shugart and Carey score the authority of cabinet formation without legislative approval a 4. However, their assessment does not include the authority for setting rules for appointment and dismissal. Therefore, I score cabinet formation power of the president a 5. Same principals also apply for cabinet dismissal. Hence, cabinet dismissal power of the president is a 5.

5.2.3. Censure

The power of censure is not necessarily the presidential power. It belongs to the legislature in which the assembly may remove ministers. Therefore, when there is no censure, meaning that only the president can remove ministers. According to the amendment proposal, the legislature cannot only remove but also cannot even direct question to the president and cannot control the president's action. The legislature is only allowed to direct question to the vice-presidents and ministers. However, the legislature can open an inquiry if the absolute majority of deputies is gained. But the final decision is made by the president. (Article 16). Considering aforementioned conditions give only a small censure power to the legislature, the score for the censure power is a 4.

5.2.4. Dissolution of Assembly

Some systems give power to the president to dissolve the assembly. However, this authority is restricted in various ways. For example, according to the previous constitution, the president can renew the elections for parliament if Parliament does not form a government within 45 days. The important aspect is that the parliament will be in power until the new parliament members are elected. The new amendment gives authority to the president to renew the elections. Parliament may also renew elections if the fifth three majority agrees. ““The elections can be called either with a three-fifths majority of the Grand National Assembly or by the President.”” (Article 116). Another important aspect is that If the

Assembly decides to renew the elections in the second term of the President, the President may once again be a candidate. (Article 116). Thus, the new constitution indirectly allows one person to be elected for the third term. A president whose party is also the majority in parliament can instruct his/her party to renew the elections so he/she can be a candidate for the third period. As the president can dissolve assembly by the elections without any restriction, the score for this power is a 4. According to the previous constitution, the score is a 3.

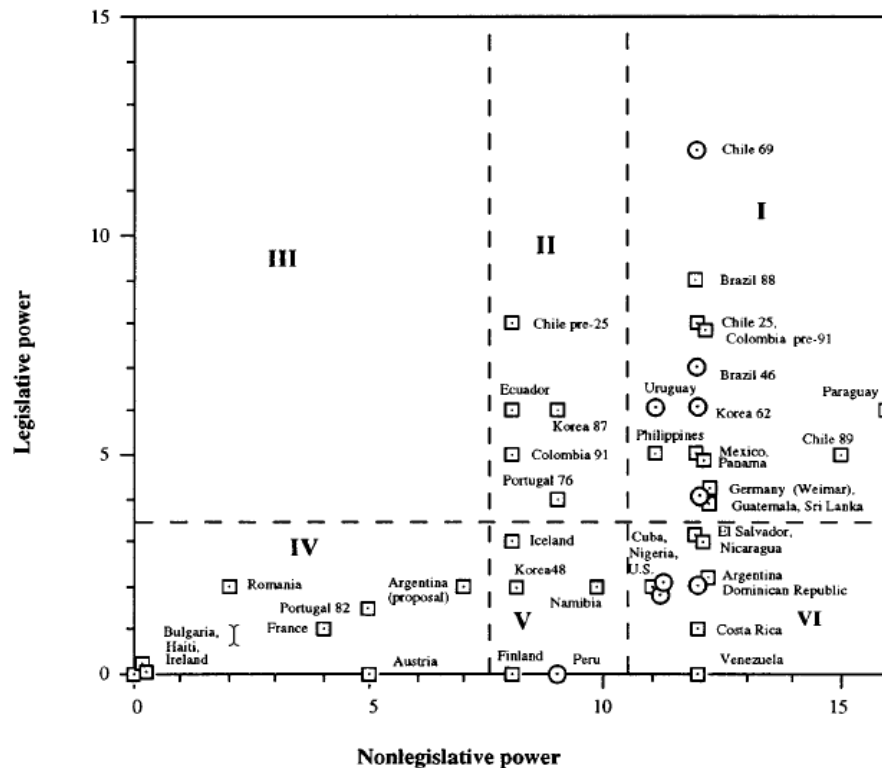
	Legislative Powers							Non-Legislative Powers				
Turkey	Pack. Veto	Part. Veto	Decree	Excl. Intro	Budg et. Power	Refer	Total	Cab. Form	Cab. Dism	Censure	Diss-Solution	Total
The New constitution	2	2	3	0	4	4	15	5	5	4	4	18
The previous constitution	1	1	0	0	0	2	4	1	0	0	3	4

Table 2: The Score of the Presidential Power

5.2.5. Typology of Turkish Presidentialism

Shugart and Carey classify typology of presidential systems based on two dimensions legislative and non-legislative power. They divide the figure into six regions where they locate presidential regimes according to presidents' legislative and non-legislative power. In the first region presidents with high legislative and non-legislative power are located. The regimes in the second region grant presidents with great legislative powers but their non-legislative power is comparatively weaker. The third region is empty because it is not practical to grant presidents with high legislative power but weaker non-legislative power even than the second region. The fourth region consists of presidential systems with the weakest president in both dimensions. Region fifth consists of moderately powerful presidents. Finally, Region sixth includes presidents with weak legislative power but great powers over government formation.

Figure 1 Regime Types



Source: (Matthew Shugart, John M. Carey, 1992)

According to Shugart and Carey's classification Turkey is located in the first region since the president has great legislative and non-legislative power. In the first region, there are regimes which are undemocratic. The authors exclude those regimes as an elimination criterion in terms of assessing democratic breakdowns. However, it must be noted that the fact that the first region includes nondemocratic regimes, there might be an affinity between strong presidencies and authoritarianism. Nevertheless, Turkey which is not yet completely dictatorship can be included as an elimination criterion. Although Shugart and Carey mention that their sample is too small to make a claim of statistical significance, six of 10 democratic breakdowns occurred in the first region. Brazil 1988? Bulgaria, Colombia 1991, Haiti Korea 1987, Namibia, Panama, and Argentina. The fact that Turkey also fits the first region, it gives us a reason to be concerned about the sustainability of democracy in Turkey. As a comparison, I would like to mention that none of the presidential regimes that are measured by Shugart and Carey is scored as higher as Turkish presidential power. For example the highest legislative power is given to Chile 1969 is 12, however, the Turkish president's score is 15. Moreover, the highest non-legislative power given to Paraguay is 16. Turkish president's non-legislative power is 18. According to the table 2 which is constructed based on Shugart and Carey's method shows that the new Constitution grants the presidency with the extraordinary authority. The presidency is brought to the higher level than the usual. The president utilising the granted powers can become dominant on the judiciary and the legislature. The sustainability and the survival of democracy are highly dependent on the separation of power. Depending on a regime type the separation of power can be allocated or intertwined respectively to the parliamentary and presidential systems. Otherwise, the possibility of the system to turn from democracy to autocracy is regarded as high. The new Constitution flagrantly violates one of the essential principles of democracy. The US system was taken as an example for the new Turkish Constitution. However, the analysis of the new constitution and the table explicitly shows that the new constitution violates the key features of the US system. The US Constitution does not grant the presidency with high legislative power as the new Turkish constitution does. According to the Shugart and Carey's table, The US president's overall legislative power is a 2. The US president is empowered only with the package veto power. Contrary to the US presidency, the Turkish presidency's legislative

power is a 15. The huge difference between the Turkish and the US system allows claiming that the new Turkish system does not have the necessary features which ensure the sustainability, the survival of democracy and protect the system from turning into autocracy.

Conclusion

The goal of this thesis was to understand the relationship between the presidential system and dictatorship in the case of Turkey. For this purpose, an extensive literature review was conducted to understand the presidential system and its perils. Perils of presidentialism are chosen explicitly regarding their relativeness to the case. Presidentialism and its compatibility with democracy is not a new topic. However, the case of Turkey in this respect is a new and interesting topic. It is the first time long-established parliamentary democracy despite its fragile institutions changed its system from parliamentarism to presidentialism. The fact in itself raises the question about the future of the country. Will Turkey manage to remain a democracy or the country will fall into a dictatorship? Because there are considerable factors that increase the possibility. First, problems emerge from the intrinsic institutional design of presidentialism. Second, the specific features of Turkish presidentialism and finally already existing authoritarian tendencies in Turkey.

Review of literature on presidentialism and its perils revealed vital factors which can cause trouble for democracy in Turkey. Dual legitimacy is one of them. Since presidents and assemblies are elected independently from one another, it causes problems for the system to function. In case of disagreement between assembly and president, neither side has an institutional tool to solve the problem without causing governmental deadlock. In this respect, we can see that dual legitimacy causes rigid separation in the system. In terms of limiting presidential dominance in the system, dual legitimacy and the rigid separation can be proven useful, however, it comes at a price. Governmental deadlock may cause dissolution of the assembly which in turn can increase the role of the president in the system. Considering that the constitutional amendment grants the president authority to dissolve the parliament. This scenario is highly likely.

Due to the structure of office of the presidency, the system creates a zero-sum game. Since the only one person can be elected president, the other candidates do not gain anything even if they gain a considerable share of the vote. Additionally, due to a zero-sum game, the significant portion of the voters are not represented in the executive. It is possible that the cabinet is shared with different political parties, however, coalitions in presidentialism are

less sustainable than in parliamentarism. Therefore, it creates another peril of presidentialism, the personalization of power which has always been the case in Turkish political system. The current president Erdogan has already emerged as a strong man. Furthermore, political leaders have always been on the fore of political agenda. The analysis of Turkish party system supports the fact that the personalization of power highly likely will happen in Turkey. It is one of the reasons which causes concern regarding the future of the country.

The core of this paper is the analysis of the constitutional amendment. The purpose of the analysis was to understand the outlines and the key characteristic of the Turkish presidentialism to understand how the system may breed dictatorship. The first part of the analysis is dedicated to the role of assembly. The analysis reveals that the legislature will not have any political control over the executive. The amendment exceeds the US-style pure presidentialism because presidentialism is constructed on the principle of separation of power. The analysis of the amendment shows that the Turkish presidentialism violates one of the main principles of presidential systems. Moreover, the Congress has the monopoly of authorizing the President to spend on the President through the budgetary act and has effective oversight over the Executive Body. However, the Turkish parliament is deprived of initiating budgetary act. The full initiation belongs to the president in the new system.

The amendment also changes the role of the president in the system. It is understandable that in presidential systems, presidents have broader authority than in parliamentary systems. Therefore, increasing the power of the president at first glance can look inevitable result of the amendment. However, the examination of the amendment shows that the power is given to the president by the constitution is much broader and to some extent dangerous. The new system grants the president extremely high decree power which enables the president to rule without the need for parliamentary consent. This will enable the president to dominate the political agenda. The president will be almost entirely independent of checks and balances. The decree power alone is not the only reason why the president can avoid checks and balances. President is also given unlimited appointment power. The president can form a cabinet, can appoint and dismiss cabinet members. The legislature is

not given any constitutional tools to oversee presidential appointments. In the new system, the president can also be the party member. This is another reason which raises concern. There is a risk that party establishment through the presidential office will take over the whole branches of government. The president by having the majority in the legislature can easily take control of the system. The amendment has a gap in terms of the term limit. Article 101 sets out that one person can only be elected twice as the president. However, article 116 gives the president possibility to be elected for the third time. According to article 116, in case the assembly decides to dissolve itself the new presidential and parliamentary elections will be held. In that case, the constitution allows the president who is already serving the second term to be a candidate for the third time. Therefore, a president with the parliamentary majority can avoid the term limit. The term limit is part of checks and balances. It is set to prohibit the presidents to take control of the system and establish an authoritarian regime. The gap in the constitution is another reason for the possible democratic breakdown.

The new system also undermines the independence of judiciary via presidential appointment. The president can appoint 5 of the 13 members of "Supreme Council of Judges and Prosecutors" Considering that the Minister of Justice and Undersecretary of Ministry of Justice who are also members of the board are also appointed by the president the number becomes 7. The legislature appoints remaining five members. In case, the president has a majority in the legislature, and the president will be able to appoint all members of the board. Thus, it is hard to believe that the new system will be able to ensure the independence of the judiciary. Furthermore, the president can also directly and indirectly via different institutions appoint the members of Constitutional Court.

The analysis of the constitutional amendment explicitly shows how the legislature and the judiciary is weakened against the executive. The balance of power in the system is violated in favour of the executive and the role of the president within the executive is sharply increased. Therefore, it is hard to believe that the separation of power in the new system will be guaranteed. However, by only analysing the constitutional amendment it is not possible to claim that the country will fall into dictatorship. For a better understanding of the system, I examined the party system in Turkey. The purpose of the analysis was to draw a clear

picture of Turkish political system and explain the background in which the new presidential system will be applied. The argument in theoretical part was that presidentialism could not function efficiently in multipartyism. However, multipartyism is important to prevent the president to dominate the legislature. Because if there is a multipartyism in the country, presidents must seek cooperation with the parties in the legislature to pass the laws. The cooperation in case of Turkey can be regarded another form of checks and balances. Because if the president cannot gain the support of the opposition, it is impossible to execute the presidential power. Therefore, the president would avoid proposing a controversial law which can undermine the democratic institutions. The analysis of Turkish party system shows that there is 2.6 effective number of parties in the legislature. Therefore, multipartyism does not exist in Turkey. Additionally, currently, the president of Turkey has a majority in the parliament. In case the president manages to keep the majority, the legislature will be under total control of the president. To prove this, I also examined intra-party democracy and domination of party leaders. The analysis shows that Turkish political parties even during the parliamentary system lacked intra-party democracy.

The final part of the paper was dedicated to measuring presidential power. To do so, I used the method proposed by Schugart and Carey. The presidential power was divided into two dimensions; legislative and non-legislative. The measurement was done by the simple scoring method. According to the authority given to the president, power scored between 0 to 4. In some cases, I scored the presidential power with a 5. Because the power is given to the Turkish presidency exceeded the range set by Schugart and Carey. As a result, the overall Legislative power of Turkish president was 17. Non-legislative power is 18. The results are the highest among all other presidential powers measured by Schugart and Carey which is another reason to be concerned about future of the Turkish democracy. Turkish Presidentialism is also classified according to Schugart and Carey's classification. Turkey is located in the first region. The first region includes presidential systems with high legislative and non-legislative power. Six of the ten democratic breakdowns occurred in this region. Although authors exclude authoritarian regimes, the region can also include those regimes due to their high legislative and non-legislative power.

In conclusion, considering aforementioned findings, it is possible to infer that democracy is at high risk in Turkey. Presidentialism in Turkey seems likely does not provide any institutional means to prevent democratic breakdown contrary the system is defenceless against attempts to establish a dictatorship.

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