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Abstract

A new era in Turkish politics seemed to have launched in 2002 when the Justice and Development Party (AKP) first came to power and has since then steadily increased its electoral support becoming the dominant party in Turkish politics. While multiple political and legal reforms were adopted under its rule, the systemic deficiencies in Turkish politics have, nonetheless, slowly crept up. This policy brief argues that the Turkish democratic consolidation process is impacted by the systemic tendencies of "dominant party" politics, a democratic disconnect within the Turkish society, a weak system of checks and balances, and, most importantly, an inherent intolerance of diversity and plurality. It is in light of these systemic deficiencies that the process of Turkish democratic consolidation is turning into a majoritarian authoritarianism.

Turkey has suffered from a highly turbulent democratisation process in the past 70 years, ever since the transition to multi-party politics in 1946.

It has undergone three military take-overs, periods of one party authoritarianism, military rule, and severe restrictions on freedom of speech, expression, and association. A new era in Turkish politics seemed to have launched in 2002, when the Justice and Development Party (AKP) first came to power with 34.7 percent of the votes. AKP was re-elected in 2007 with 47 percent of the vote, and in the 2011 general elections received 50 percent of the vote with almost 90 percent of the electorate going to the polls. Since 2002, the AKP has steadily increased its electoral support and become the dominant party in Turkish politics. While multiple political and legal reforms were adopted under its rule, and accession negotiations with the European Union commenced in 2005, the systemic deficiencies in Turkish

politics have nonetheless slowly crept up. Since 2013, the political developments in Turkey point to a nexus between democratic consolidation and Turkey's systemic deficiencies. Specifically, we argue in this paper that the Turkish democratic consolidation process is impacted by the systemic tendencies of "dominant party" politics, a democratic disconnect within Turkish society, a weak system of checks and balances, and, most importantly, an inherent intolerance for diversity and plurality. It is in light of these systemic deficiencies that the process of Turkish democratic consolidation has unexpectedly turned into majoritarian authoritarianism.

The Dominant Party System

In our previously published work on Turkish democracy,[1] we posed a critical question as to whether *democratic consolidation would be possible under a dominant party*. Our analysis of the 2011 Turkish general elections pointed to the emergence of "a pattern of dominance" established through the AKP's consecutive electoral victories since 2002. After receiving around 50 percent of popular support and its sixth consecutive electoral victory, the AKP had become the "dominant party" in Turkish politics by 2011; however, the political opposition remained weak and scattered. It is precisely this combination of a dominant party with a weak opposition that lies at the heart of the democratic consolidation challenges in Turkish politics. In the near future, there seems to be relatively little possibility of an alteration in these political balances. Thus, the critical question remains whether democratic consolidation in Turkey will be possible in a situation where the political dynamics are shaped by a dominant party facing a weak opposition.

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1 Meltem Müftüler-Baç and E. Fuat Keyman, "The Era of Dominant-Party Politics", in *Journal of Democracy*, Vol. 23, No. 1 (January 2012), p. 85-99.

In the most recent elections in 2014 – the local elections on 30 March and the Presidential elections on 10 August – the AKP succeeded in further cementing its dominant party position. There is very little reason to suspect a change in this position in the coming general elections set to take place in June 2015. As the AKP has strengthened its dominant party position, Turkey's rankings in the democracy, rule of law, and rights and freedoms indexes have steadily declined. For example, by 2014, Turkey had slid down in the freedom of press rankings to the 154th place out of 180 countries.[2] Similarly, the *Freedom House* reports on Turkey list the country as partly free, receiving 3.5 out of 7 in the freedom ranking, 4 out of 7 in civil liberties, and 3 out of 7 in political rights, while its press is ranked as not free.[3] In the freedom, civil liberties, and press freedom rankings, *Freedom House* detects a downward trend in Turkey since 2013. As a result, it is possible to witness that instead of paving the way for democratic consolidation, the dominant party rule seems to have led to a weakening of democracy in Turkey. Turkish democracy is still a "partial, limited, or hybrid democracy with authoritarian tendencies".[4] It looks as if Turkish democracy has drifted towards majoritarianism with authoritarian tendencies rather than towards liberal democracy.

While Turkish democracy remains far from consolidated, it is interesting to note that the Turkish economy is performing relatively better, especially in light of the serious global economic crisis. The Turkish government also took a leap forward with the adoption of a new peace process that aimed at ending the armed conflict with the Kurdish Workers' Party (PKK), and opened up a public space for reconciliation with the Kurdish population in Turkey. If the AKP government succeeds in resolving the Kurdish issue, this would without a doubt eliminate a major hurdle to the process of democratic consolidation in Turkey. However, neither Turkey's relatively good economic performance nor the Kurdish peace process have so far yielded any positive results for democratisation.

The Downturn in Turkish Democracy

Even before 2011, there were already visible cracks in Turkish politics under AKP rule – namely, the Ergenekon and Balyoz cases in 2008 and 2009 in which several prominent journalists, high-ranking generals, and civil society organisations were accused of and detained for planning an alleged military takeover against the AKP.

Istanbul, June 2013: Protesters shout slogans during anti-government protests at the Taksim Square. Photo: AP/Thanassis Stavrakis.

As a result, the AKP government found itself to be at the centre of an ill planned purge of those in opposition to its rule. The accused in both cases faced length prison sentences without formal arraignments, yet by 2013 the evidence turned out to be largely manufactured. The breaking point for democratic consolidation came in December 2013 when the political struggles in Turkey took an unexpected turn, specifically with the "corruption-coup debate" that has dominated the Turkish political debates. On 17 December 2013 a number of AKP officials along with the sons of prominent cabinet ministers were taken into custody, facing massive corruption allegations. This constituted the first major challenge to the AKP's rule since the 2008 closure case in the Constitutional Court. In response to these allegations, the AKP and its supporters claimed that the government was under attack from forces within "the deep state" that aimed at overthrowing the AKP from power and removing its leader Erdoğan from politics. This was framed as a threat to the legitimate and elected government, and also to Turkey's security.

As a result, the AKP government responded strongly to what it perceived as attacks against its rule originating from the judicial and police circles, specifically reacting with the adoption of a number of strong measures even though these measures risked suspending democracy and rule of law. The harshness of the AKP's response to the December 2013 accusations was thus a turning point in Turkish democracy, leading to the adoption of new legal changes that both curtailed freedom of expression and threatened the separation of powers in the country by increasing executive control of the judiciary. The closure cases against Twitter and YouTube in 2014 were particularly low points in Turkish democracy, clearly marking the increased intolerance in the country for free speech. Claimed Erdoğan, "We'll eradicate Twitter. I don't care what the international community says."[5] These developments since 2013 lead us to argue that Turkey seems to be increasingly moving away from the tenets of

2 Reporters Without Borders, *World Press Freedom Index 2014*, January 2014, http://rsf.org/index2014/en-index2014.php.

3 Freedom House, "Turkey", in *Freedom in the World 2014*, January 2014, https://freedomhouse.org/report/freedom-world/2014/turkey-0.

4 E. Fuat Keyman and Sebnem Gumuscu, *Democracy, Identity and Foreign Policy inTurkey. Hegemony Through Transformation*, Basingstoke and New York, Palgrave Macmillan, 2014.

5 Terrence McCoy, "Turkey bans Twitter, and Twitter explodes", in *The Washington Post*, 21 March 2014, http://wapo.st/OGA3Eb.

liberal democracy, partly as a response to the numerous challenges in its democratic consolidation.

When these restrictions on freedom of speech were established, a group of observers of Turkish politics saw this weak democracy performance of the dominant party as temporary and conjectural. Accordingly, their expectation was that once the existentialist threat is overcome, the government will return to its reformist path, and adopt the necessary steps for the revitalisation of democratic principles. In contrast, another group consisting of the followers of Fethullah Gülen as well as the main opposition parties tended to perceive these measures as driven by the AKP government's attempt to cover up the corruption charges. The AKP government itself is seen as the main reason for the increasing authoritarianism and the drift from democracy. As a result, there seems to be two different political discourses poised at different ends of the spectrum, and this bifurcation of the political debate through the "coup" versus "corruption" allegations needs to be taken seriously. Without any doubt, this increased bifurcation and subsequent political polarisation in Turkey has damaged democratic consolidation and rule of law, but most importantly the culture of living together in Turkey.

With the regression of Turkish democracy, the suspension of rule of law, and the contraction in the area of rights and freedoms, the most important structural problem in Turkish politics has become visible. As a result, we suggest that the democratic disconnect under the dominant party system in Turkey is tied to an underlying set of structural and institutional factors. Specifically, the weak system of "checks and balances" is the most important structural problem in the Turkish political system. It is the interplay of the dominant party rule combined with an ineffective system of checks and balances that poses the most significant challenge to democratic consolidation in Turkey. This systemic-structural problem of the lack of checks and balance mechanisms, combined with a culture of curtailing arbitrary rule, explains not only the peculiarity of the Turkish dominant party experience vis-à-vis those of the Japanese, Swedish, and Italian examples, but also how Turkish democracy has drifted towards majoritarian authoritarianism.

The Systemic Failures: Checks and Balances

Since democratic consolidation under a dominant party requires an effective and efficient system of checks and balances, this is where the main reasons for and possible solutions to the democratic disconnect lie. Let us clarify what we mean by the (weak) system of checks and balances. First, we accept that democracy requires free and fair elections without which democracy is not possible. Yet this is only a necessary pre-condition for the

transition to democracy, and not sufficient on its own for democratic consolidation. To sustain, consolidate, and deepen democracy, durable institutions which perform the function of checking and balancing each other is an absolute must. These institutions operate within the political spheres both horizontally and vertically. Specifically, four institutions are of utmost importance for democratic consolidation: horizontally, "the separation of powers," specifically whether there is an "equal distribution of powers" between the executive, the legislative, and the judiciary; "the independence of the judiciary," which is particularly important in order to prevent an "over-politicisation of the judiciary" or, related to that, the "judicialisation of democracy"; vertically, "the centralisation-decentralisation nexus," or the extent to which the system of governance is carried out by strong and effective decentralisation mechanism and norms; and, finally, "equal citizenship," which can be seen as equality within diversity in terms of the equal implementation of citizenship rights and freedoms, while recognising diverse cultural identity claims and demands of heterogeneous population. It is along these four institutional dimensions that the main challenges to democratic consolidation in Turkish democracy can be found.

While free and fair elections constitute a necessary but not a sufficient condition for democratic consolidation, it is the inclusive institutionalisation of democracy through horizontal and vertical checks and balances that sustains and guarantees democracy even under a dominant party. Without these checks and balances, the possibility of the majoritarian reconfiguration of power, albeit legitimised through elections, appears to be likely, even desirable. This also helps explain why Turkish democracy has regressed over time even though the AKP government performed relatively well in responding to the global economic crisis, and in initiating the peace process with Kurds.

This brief analysis aims to look at these challenges, ranging from freedom of the press and rule of law to separation of powers and independence of the judiciary. An important concern is with regards to the political rhetoric in the country, in particular the political declarations by the highest-ranking officials in Turkey that reflect a strong style of authoritarianism. While the political rhetoric is increasingly exclusionary, alienating portions of the public that did not vote for the AKP or for President Erdoğan in the presidential elections, it also creates a hostile political environment of intensified political polarisation.

This, in turn, erodes the very basis of a liberal democracy. This paper rests on the notion that the acceptance of pluralism and the inclusion of these different social and political groups in the political debate for the generation of a political consensus is an essential characteristic of liberal democracies. This is precisely what is lacking in the Turkish context. In other words, an ongoing challenge in

the Turkish democratisation process is the emergence of a pluralistic society. Yet this is no easy feat. It requires an inherent acknowledgement that multiple social and political groups have the right to exist irrespective of their political positions. What is more, the legal structure should be such that it allows them to voice their opinions without any restrictions or fear of prosecution. However, a major obstacle that makes this impossible to attain in the Turkish context is the lack of tolerance for diversity.

We need to note here that a lack of tolerance for diversity is not an ailment that characterises only the current government, but is a deeply rooted ailment in Turkish society in general. A socio-political group that finds itself holding the reins of political power becomes adamant in eliminating all forms and voices of dissent. This was the case with the previous political actors who at best shunned out the voices of groups with different religious affiliations, ideologies, or ethnic backgrounds, and at worst suppressed them heavily. It was hoped that this tendency to suppress dissident opinions would be foregone once and for all when the AKP was elected to power in 2002. This was hardly surprising as the AKP's promise in its early years was to democratise Turkey, foster a pluralist society, and eliminate all forms of oppression in Turkish society. This is also why the AKP's foreign policy goal of accelerating the Turkish accession process to the European Union was credible in the eyes of observers of Turkish politics.

Unfortunately, the current political situation in Turkey leaves a lot to be desired in the acceptance of tolerance for diversity and dissent. So, why is tolerance for diversity and acceptance of dissenting voices, and the subsequent emergence of a pluralistic society, so problematic in Turkey? Ultimately, the challenges to Turkish democracy cannot be solely understood as driven by the individual characteristics of the current leadership, but need to be perceived within the context of larger systemic factors. In other words, it is precisely because the Turkish political system is characterised by low tolerance for diverse views and a tendency to suppress dissenting voices that Turkish political leaders with authoritarian leanings are able to take advantage of these systemic attributes to voice their own repressive rhetoric. Hence, even when there is a change in political leadership, there is relatively little change in terms of political repression. The only change seems to be the political affiliations of those in power versus those in opposition. This brings us to the ultimate question: if a new social contract on these issues is possible, would that then address the main challenges in Turkish democratic consolidation?

Conclusion

This is precisely where the European Union's role becomes critical. Even though relations are bleak now, the process of negotiations is still on track. The EU's role and anchor still matters for the Turkish political reformers who would like to see their country as a liberal democracy. However, Turkey's relations with the European Union reached a crossroads in 2014. Despite Turkey's ongoing negotiations since 2005 for EU membership, the EU's influence on Turkish politics is in decline. In an unprecedented fashion, Turkey is perceived as a candidate country that is increasingly moving away from the EU's political norms while paradoxically negotiating for accession to the EU. The crossroads for Turkey and the EU was further highlighted on 15 December 2014 when Turkish President Recep Tayyip Erdoğan declared "We have no concern about what the EU might say, whether the EU accepts us as members or not […] The EU should mind its own business."[6] This declaration was a response to the joint statement issued by EU High Representative Federica Mogherini and Enlargement Commissioner Johannes Hahn criticising the arrests of multiple journalists on 14 December 2014 as "incompatible with the freedom of media, which is a core principle of democracy."[7]

It seems like what began with high hopes for Turkish democratic consolidation through the EU's political conditionality has turned out to be a bitter process that left both parties highly frustrated. This is surprising as Turkey's accession talks with the European Union since 2005 provided the country with a chance to consolidate its democracy and adjust to the European norms of liberal democracy. Up until 2011, things were looking up for the process of Turkish democratisation, with reforms adopted on multiple fronts. Even though there were various mistakes committed by the AKP government in their tenure in office since 2002, democratic processes nonetheless seemed to be flourishing at first glance. It needs to be noted clearly that when EU accession remained credible, Turkey was on track for democratic reform. However, with a decline in the EU's credibility as an anchor and viable target, we are able to see a reversal of the political reform process correlating with the decreased probability of accession. Whereas the promise of EU accession remained constant for countries such as Bulgaria and Romania, providing a significant incentive for them to continue the adoption of European norms, for Turkey there has been a slide into authoritarian tendencies

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6 "Turkey media arrests: Erdogan rejects EU criticism", in *BBC News*, 15 December 2014, http://www.bbc.com/news/world-europe-30484729.

7 European Commission, *Joint statement on the police raids and arrests of media representatives in Turkey* (Statement/14/2640), 14 December 2014, http://europa.eu/rapid/press-release_STATEMENT-14-2640_en.htm. See also "Turkey media arrests: Mogherini leads the EU criticism", in *BBC News*, 14 December 2014, http://www.bbc.com/news/world-europe-30471996.

and a halt to political reforms since 2011, parallel to the worsening of relations between Turkey and the EU.

The EU's role in Turkish democratic consolidation would be enhanced if, for example, Chapter 23 on Judiciary and Fundamental Rights and Chapter 24 on Justice, Freedom and Society were opened. If Turkey begins to work towards the acquis in these chapters, then its problems with regards to horizontal and vertical checks and balances could also be addressed, along with the freedom of press concerns. Yet both of these chapters are blocked by Cyprus's veto. However, even if these chapters are not opened in the near future, progress on the *EU acquis* could still be possible. Both the European Commission and Turkey could work towards the Turkish compliance with the *acquis* on these chapters, and by doing so some of the main issues that we raised in this brief commentary – such as the weakness of the system of checks and balances and the freedom of press, media, and speech – could be tackled in line with the EU norms. This, however, would require political commitment and will on the part of both the EU and Turkey, and this common political will could only be erected if these two parties see a common future.