

# New Turkey or New Government? The June 2015 Parliamentary Election

June 2015



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# Executive Summary



In August 2014, upon his ascension from prime minister to Turkey's first directly-elected president, Recep Tayyip Erdoğan heralded the creation of a "New Turkey." Whether Erdoğan and the ruling Justice and Development Party (AKP) can achieve that ambition or whether there will be a shift in power in Turkey—to an AKP-led coalition government or potentially even a government without the AKP—will be determined on June 7, 2015, when Turks go to the polls to elect a new parliament.

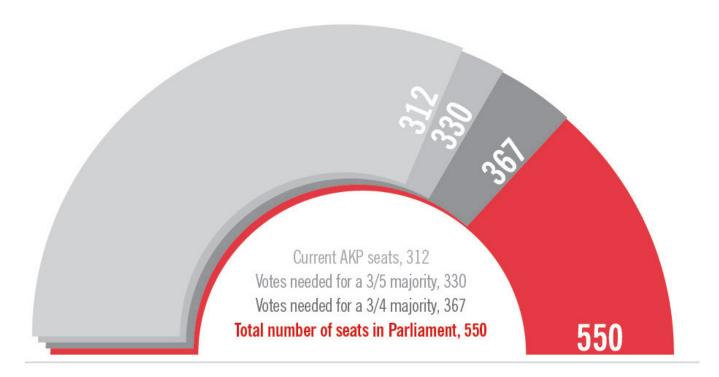
The outcome of the voting will likely be decided by two dynamics: the performance of the pro-Kurdish Peoples' Democratic Party (HDP); and the freedom of the election. In turn, two additional factors will play a major role in determining what the impact final vote tally is on Turkey's trajectory: the HDP's political strategy; and the relationship of Erdoğan to his prime minister, Ahmet Davutoğlu. Regardless of the outcome,

polarization and social tensions in Turkey are almost certain to rise—and potentially boil over—while, at least in the short-term, the troubled U.S.-Turkey relationship is unlikely to improve.

### What's At Stake?

Central to Erdoğan's vision of a New Turkey is also a new political system, featuring a strong executive presidency. The AKP currently holds 312 seats in Turkey's 550 member parliament, after attaining 49.83 percent of the vote in the 2011 parliamentary elections. To pass the kind of sweeping constitutional changes that Erdoğan wants, the AKP would have to increase its majority: 330 seats (a three-fifths majority) would allow the AKP to put proposed constitutional changes to a public referendum; and with 367 seats it could

#### Vote Thresholds in the Turkish Parliament



pass constitutional amendments outright, without a public referendum. The 2015 parliamentary election could, therefore, bring a New Turkey or a new government.

### HDP and The Electoral Threshold

The most important factor in determining this election's outcome, and the fate of Erdoğan's aspirations, will be the HDP's showing at the polls. In the past, Kurdish candidates have opted to run as independents, exempting them from Turkey's 10 percent electoral threshold. Now, running as a party, the HDP must gain at least 10 percent of the total vote to enter parliament. If they fall short, they will not be represented at all.

### A Free and Fair Election?

There is also a very real fear of fraud in this election. Only a few votes will determine whether the HDP surpasses the 10 percent threshold, creating incentive for vote tampering. Such concerns are not unjustified; the local elections of March 2014 were marred by an unprecedented number of accusations of irregularities and vote-rigging in the AKP's favor.<sup>2</sup>

While it remains to be seen whether the ballot-casting itself will be free, the fairness of Turkey's upcoming parliamentary election is already a foregone conclusion; the playing field is hardly level. Indeed, opposition parties have complained to the board overseeing the elections about extensive and disproportionate media coverage of Erdoğan and Davutoğlu at official events that are essentially thinly-veiled AKP propaganda, but their appeals have been rejected, casting doubts on the board's willingness to safeguard the fairness of the vote.

### **Electoral Scenarios**

To understand both how uncertain the HDP's electoral performance is, as well as how great an impact it will have on the distribution of seats in parliament, consider the difference between these two potential outcomes, shown in Table 1.

The first represents an average of all published opinion polling conducted between January and May 10, 2015. The latter is based on only polling done in the first half of May 2015. Although HDP's number change by only slightly more than half a percentage point and no party registers a more than two percentage point swing, these difference translate into a 50 seat

difference for the AKP. Should the HDP exceed the threshold, they could deny the AKP even a simple majority.

If the AKP does not secure a majority, it would have to seek out a coalition partner. In such a situation, the relative showing of each party could be crucial to deciding their power to affect the formation of a new government, as demonstrated in Table 2.

#### **Coalition Politics**

The most likely alliance would be between the AKP and the HDP. Given that Erdoğan instituted a ceasefire and opened up a peace process with the Kurdistan Workers' Party (PKK), continued collaboration between the two sides could prove mutually beneficial: the Kurds could get the rights they have long sought and Erdoğan his presidential system. But the peace process has made very little tangible progress and

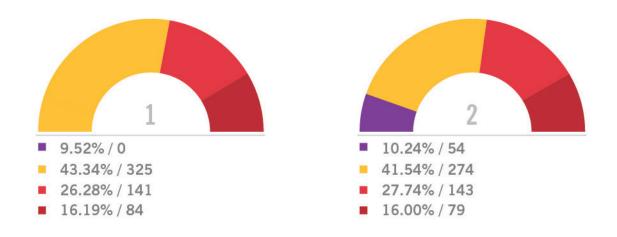
violence against Kurds has increased, which might lead the HDP to question Erdoğan's sincerity and whether it is prudent, or even realistic, to secure autonomy for themselves at the cost of Turkey's political freedoms.

Another potential coalition partner would be the Nationalist Movement Party (MHP). Although MHP's leader has explicitly ruled out joining a government with the AKP, the two parties actually share a very similar electorate outside southeast Turkey: they both cater to religious, conservative, and nationalist voters. In return for keeping the AKP in power, the MHP would likely force an end to peace talks with the Kurds.

Much less likely scenarios include the AKP ruling as a minority or the Republican People's Party (CHP) assembling a majority through a coalition with the MHP and/or HDP.

Table 1

		HIP MALEON EXCENT CHAPTS	AK PARTI	CHP	CC
Scenario		HDP Percentage & Seats	AKP Percentage & Seats	CHP Percentage & Seats	MHP Percentage & Seats
Average of all polls Jan- May 2016		9.52% / 0	43.34% / 325	26.28% / 141	16.19% / 84
Average of all polls May 2015		10.24% / 54	41.54% / 274	27.74% / 143	16.00% / 79



# Erdoğan and Davutoğlu: Together Forever?

The election result, no matter what it is, will be a test of the Erdoğan-Davutoğlu partnership. Though technically holding the more powerful office, Davutoğlu is obviously the junior partner in this relationship.<sup>3</sup> Equally clear is that he has the self-esteem and ambition to seek a more prominent role in leading the country. What remains uncertain is whether he might act on that aspiration.

In the case of a resounding AKP victory, Davutoğlu might be content to remain in Erdoğan's shadow, gambling that he might one day inherit the presidential mantle. Or, he might see an electoral win as a chance to assert his credentials as

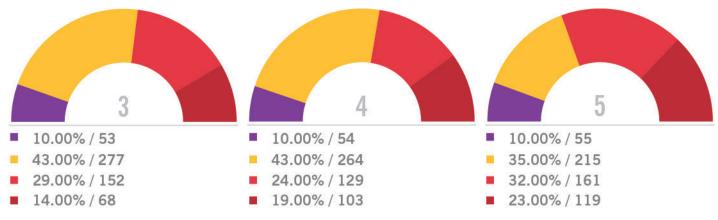
party leader and prime minister, prompting a struggle between Turkey's two most powerful politicians. If the AKP doesn't perform well, on the other hand, Davutoğlu might embrace a coalition government as a means for circumscribing Erdoğan's authority and promoting himself as a unifying leader. More likely, however, is that a loss will be blamed on Davutoğlu and lead to his ouster.

# **Implications**

After over a decade of AKP rule, Turkish society is profoundly divided. Furthermore, political fault lines have only deepened

Table 2

		HDP MALANT DAVING MATE	AK PARTI	CHP	CC
Scenario		HDP Percentage & Seats	AKP Percentage & Seats	CHP Percentage & Seats	MHP Percentage & Seats
HDP crosses, CHP overperforms		10% / 53	43% / 277	29% / 152	14% / 68
HDP crosses, MHP overperforms		10% / 54	43% / 264	24% / 129	19% / 103
HDP crosses, both CHP & MHP exceed expectations		10% / 55	35% / 215	32% / 161	23% / 119



since the mass protests of summer 2013—much of it as a result of President Erdoğan's polarizing rhetoric.<sup>4</sup> The widespread concerns of electoral fraud in the lead-up to the elections reveal a deep lack of trust in Turkey's political system and, no matter the outcome on June 7, the parliamentary elections seem likely to further deepen that polarization instead of fostering cohesion.

Escalation of political violence is a real possibility. Continued AKP rule could rile leftist extremists. On March 31, 2015, members of the Revolutionary People's Liberation Party-Front executed a state prosecutor in a major propaganda feat.<sup>5</sup> Pre-election violence, particularly against the HDP, has been more severe in the months ahead of the June vote than in years past. According to the Turkish Human Rights Association, out of 126 instances of violence, 114 were against the HDP, including two bomb attacks against HDP local headquarters in Adana and Mersin.<sup>6</sup>

Meanwhile, the PKK could resume large-scale attacks if the HDP fails to enter parliament on June 7 or if Erdoğan backtracks on his promises to resolve the Kurdish question. If the AKP government is suspected of engaging in electoral fraud, especially if the electoral board refuses to acknowleae it, widespread demonstrations, beyond just Turkey's southeast, are likely.

But a weakened or chastised AKP is unlikely to lead to a more stable outcome, at least in the short-term. Historically, coalition governments in Turkey have been fractious and unstable. With a weakening economy, political bickering would not serve Turkey well. There is also reason to fear that the foreign and home-grown Islamic extremists who use Turkey as a jihadist highway to the conflicts in Syria and Iraq might capitalize on any uncertainty.8

Only a few years ago, observers had hoped that Turkey would show the world how a secular, free-market democracy could exist in a Muslim-majority country. It would be one of history's greatest ironies should President Erdoğan manage to refashion his country in a way comparable to its more authoritarian neighbors. But even if Erdoğan fails to have his way, Turkey is just as likely to suffer.

# Party Lists/Party Platforms



The Turkish parliament is composed of 550 seats, distributed to electoral districts according to population. In each electoral district, candidates are elected to parliament through a system of proportional representation. Under this system, voters do not cast their vote for a particular candidate, but for a political party. Political parties put forward a list of candidates in each electoral district, and candidates from these lists ascend to parliament based on the party's percentage of the total vote.

to Turkey's high parliamentary threshold, which limits entry into parliament only to parties that exceed 10 percent of the national vote. Turkey's three main political parties—the ruling AKP, the opposition Republican People's Party (CHP), and the Nationalist Movement Party (MHP)—are assured to surpass the threshold. The pro-Kurdish HDP, running as a party subject to the 10 percent barrier for the first time, may fall just short.

### Party Lists

Political parties intending to field candidates in the parliamentary election were required to submit their lists of candidates to the Supreme Election Board (YSK) on April 7, 2015, and to present their electoral platforms soon after. While 20 parties presented

#### **AKP**

The AKP's party list ushers in a new era for the ruling party—175 incumbent deputies are not nominated for the June 7 elections. Out of that number, many have already served three terms and were ineligible to run again, leaving 105 current AKP parliamentarians

who were eligible for another term but were excluded. Among those excluded due to the three-term limit are Deputy Prime Minister Bülent Arınç, one of the three founding members of the AKP along with Erdoğan and former President Abdullah Gül, and Deputy Prime Minister Ali Babacan, the longtime steward of Turkey's economy. With big AKP names either intentionally excluded or ineligible due to party bylaws, the June vote will usher in a new and younger cadre of AKP parliamentarians—who have no political cachet of their own and who will be loyal to Erdoğan. Indeed, several commentators have noted that many Islamists—who would have been loyal to their Islamist ideology rather than to Erdoğan personally—have been purged from the AKP.

The AKP party list included several members closely tied to Erdoğan, including his son-in-law Berat Albayrak, his close confidant Mücahit Arslan, his former speechwriter Aydın Ünal, and his lawyer Ali Özkaya. Current cabinet ministers—all Erdoğan loyalists—Efkan Ala, Yalçın Akdoğan, Nabi Avcı, Çağatay Kılıç, and Numan Kurtulmuş are also on the list. Prime Minister Davutoğlu was able to make his mark on the party list with several of his own close advisers: Ali Sarıkaya, Vedat Bilgin, Emine Nur Günay, Taha Özhan, Ertan Aydın, and Celil Göçer.

#### **CHP**

The CHP, for the first time, held intraparty elections to determine 362 of its 550-candidate list, or approximately two-thirds. 12 The remaining candidates were determined by the Party Council. The CHP's primary elections forced out many older and neo-nationalist party members, creating a candidate list that skews younger and includes a surprising number of minorities. The list includes many Alevi names as well as the Armenian lawyer Selina Özuzun Doğan, whose stance on the Armenian Genocide of 1915-1917 has sparked disagreements among CHP members, where the majority opposes the genocide label.

#### **HDP**

Running as a party for the first time, the HDP's party list is looking to broaden the party's appeal beyond its stronghold in

Turkey's Kurdish southeast. The HDP's party list, too, contains many prominent Alevi names, as well as Armenians, Roma, and Yazidis. The HDP has put forward the most female candidates of any party, with women comprising 268 candidates of its 550-member list, a record number for Turkish politics. The HDP's strategy relies on doing well in Turkey's largest cities, placing two of its most well-known figures as candidates there: party leader Selahattin Demirtaş is running as a candidate in Istanbul's first district, and current Istanbul MP Sırrı Süreyya Önder, who rose to public prominence during the Gezi Park protests in 2013 when he was hospitalized after being hit by a tear-gas canister, is running in Ankara's first electoral district. 13

#### **MHP**

While the AKP and CHP overhauled their party lists, the MHP list deviates little from the party's nationalistic stance. Ekmeleddin Thsanoğlu, the former chairman of the Organization of Islamic Cooperation and joint MHP-CHP candidate in last summer's presidential election, is running as an MHP candidate in Istanbul's second district.<sup>14</sup>

# Party Platforms

Just as indicative of the major differences between as their choices of candidates is the official platforms published by each.

The election platforms of Turkey's other main political parties standing in the elections—the CHP, HDP, and MHP—all promise to oppose the ruling party's proposed presidential system.

#### **AKP**

The AKP's 100-article election manifesto, "The 2023 New Turkey Contract," outlines the ruling party's vision for a "strong and powerful Turkey" as the centennial of the Turkish Republic approaches in 2023. According to the AKP's manifesto, the June parliamentary elections are to mark a "second breakthrough era," after the AKP's original electoral victory in 2002.

The manifesto includes the party's much-talked-about intention of amending the constitution to create a strong presidency. "We envision the presidential system as a governance model within the frame of a pro-freedom constitution in which legislative and executive powers are independently efficient, democratic checks-and-balances mechanisms exist, and societal diversity is politically represented," read Davutoğlu.<sup>15</sup>

Missing from the AKP's manifesto was any mention of the Kurds or the government's peace process with the PKK. Davutoğlu insisted that the omission was the result of two pages of the manifesto being lost on the way to printing. <sup>16</sup> The manifesto was reprinted to include mention of the peace process, but the HDP had harsh words for the AKP: "This is a bad joke," said an HDP deputy. "This is making fun of human honor, dignity, and reason." <sup>17</sup>

To enact the AKP's vision, Davutoğlu set a goal for the party: to secure up to 60 percent of the vote, obtaining a majority that could push through amendments to the constitution.<sup>18</sup> However, with support for the AKP falling in the run-up to the elections, and polls showing as many as 77 percent of Turkish citizens and 57 percent of AKP voters opposed to the AKP's proposed presidential system, the likelihood of the AKP securing a strong enough majority to implement sweeping constitutional reforms is far from set in stone.<sup>19</sup>

#### **CHP**

The CHP's platform in particular, with its slogan "A Livable Turkey," stands in stark contrast to that of the AKP. Calling the AKP government "the biggest threat facing democracy and the rule of law in Turkey," the platform espouses strengthening the parliamentary system and imposing limits on the powers of the presidency.<sup>20</sup> The CHP also focuses strongly on improving the quality of life for low-income families in Turkey, promising that under CHP leadership, "there will no longer be poor people in Turkey within four years."<sup>21</sup>

#### **HDP**

The HDP unveiled its election platform and promised to be "the nightmare of the sultan and the dream of all the peoples of Turkey."<sup>22</sup> Beyond the settlement process, the HDP espoused a leftist platform that looks beyond its Kurdish base, organized around 12 major points, including: "we are women," "we are youth," "we are the rainbow," and "we are representatives of all identities."<sup>23</sup>

#### **MHP**

The nationalist MHP's platform prioritizes ending the settlement process with the Kurds, promising instead to "not negotiate, but combat terror." Like the CHP, the MHP focused heavily on the economy, promising similar increases in minimum wage and additional benefits for pensioners.

# **Electoral Scenarios**



Although election polls in Turkey frequently reflect the political preferences of those who conduct them, available data suggests that the AKP would receive between 42 to 46 percent on June 7, though some opinion polls put the AKP at lower than 40 percent. The two opposition parties, the CHP and MHP, anticipate 24 to 28 percent and 14 to 18 percent, respectively. HDP is likely to poll between 9 and 11 percent.<sup>25</sup>

As Table 3 demonstrates, even slightly modulated versions of these percentages would take Turkey in very different directions.<sup>26</sup>

### HDP: Over or Under the Threshold?

In the past, Kurdish and pro-Kurdish candidates averaged 5 to 6 percent of the vote in Turkey's general elections. In order to circumvent the 10 percent threshold, Kurds ran as

independents. But after its co-chairman, Selahattin Demirtas, secured nearly 10 percent of the votes in last summer's presidential election, the HDP realized that it might have a good shot at entering parliament with its own list by appealing to non-Kurdish leftists and liberals.

Whether the HDP would (be allowed to) surpass the national electoral threshold of 10 percent on June 7 would be the most important factor in determining the allocation of the 550 seats at the Grand National Assembly of Turkey. A fourth party in parliament would not only deny the AKP a majority to amend the constitution, the ruling party could fail to secure a simple majority of 276 to form a new government.

The HDP's fate on June 7 rests on two factors: how the AKP fares in Turkey's Kurdish-majority southeast and whether

state authorities engage in electoral fraud to deny the HDP a chance to get more than 10 percent. As part of the first strategy, President Erdoğan has stooped to new lows and questioned the HDP's commitment to Sunni Islam.<sup>27</sup> As for the second strategy, as Section IV of this report discusses in greater detail, the AKP is expected to engage in a variety of tactics to make its candidates more competitive against HDP challengers.

Win or lose, time is on the side of Turkish Kurds. If the HDP enters parliament, the party could extract concrete guarantees on Kurdish cultural and political rights from the AKP in exchange for strengthening the presidency. Likewise, the HDP could work with the CHP and MHP to lower the electoral threshold, which would allow smaller parties to become more competitive in future elections. And even if the HDP fails to enter the parliament, Turkish Kurds would be in a stronger position to demand autonomy from Ankara.<sup>28</sup>

# AKP Gets a Majority: Legitimately or Not?

To grant President Erdoğan's wish for a Turkish-style superpresidential system, the AKP must win at least 330 seats at the Grand National Assembly. Under the Turkish constitution, 330 deputies would allow the AKP to submit its amendments to a popular referendum while direct passage without public approval would require 367 seats or more.

An AKP majority rests on two factors: aside from preventing the HDP from going over 10 percent, the CHP and the MHP should not make inroads at districts in central and northern Turkey, where the ruling party is strong. Although a CHP or MHP challenge in AKP strongholds such as Konya, Kayseri, and Kahramanmaras is unlikely, it is safe to argue that the ruling party will take all "precautions" to avoid such a headache.<sup>29</sup>

Table 3

		HID HULDING POSMATCHARTIS	AK PARTI	CHP	CC
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Table 3—Electoral scenarios where 96 percent of votes cast are distributed among four parties. The only exception is the last scenario, where all votes are distributed among the four parties. Source: simulator.cilekagaci.com.

The inner dynamics of the AKP, too, are prone to change in the event of victory. If the AKP were to win close to or more than 330 seats, Ahmet Davutoğlu, who replaced President Erdoğan as prime minister and party chairman in August, would prove his mettle. Davutoğlu might try to expand his base of intraparty support and exert independence from Erdoğan or he might remain subservient and position himself to succeed Erdoğan in 2019 or 2024.

If, however, Davutoğlu wins a pyrrhic victory, wherein his party barely manages to garner 276 seats in parliament, his prospects would be limited, and he would be scapegoated. We can expect Erdoğan to signal to the party leadership and to the rank-and-file that the chief minister must go.

### AKP Fails to Get a Majority

If the AKP does not secure a majority, both the party and Turkey would face a serious crisis. President Erdoğan would move to get AKP delegates to replace Davutoğlu as prime minister and party chairman. More importantly, after nearly 13 years of reasonably reliable single-party cabinets, political uncertainties associated with coalition governments would frighten foreign and domestic markets and push Turkey's fragile economy to the brink.<sup>30</sup>

Failure to win a majority and the necessity to form a coalition would be an ironic twist of fate for the AKP. The ruling party has been in power since 2002 and has argued that its success in stabilizing the economy and boosting foreign and domestic investment owes much to the efficiency of a single-party government. Failure to win a majority on June 7, however, means the AKP might have to embrace its own bête noire.

#### **Coalition with HDP**

HDP Co-Chairman Selahattin Demirtaş has stated repeatedly that he will resist Erdoğan's attempts to establish a super-presidential system.<sup>31</sup> Such pronouncements, however, do not preclude the formation of an AKP-HDP coalition. As stated earlier, the AKP and the HDP have much to gain by working together.

However, it is doubtful that HDP leaders would risk losing the support of Turkish leftists and liberals by bartering increased rights for Kurds in exchange for the AKP's presidential system, an outcome that would degrade democracy and the rule of law throughout Turkey. At any rate, HDP's ability to negotiate with the AKP would depend on whether the latter could make progress on the "peace process," including granting amnesty to PKK militants and their jailed leader, Abdullah Öcalan.

At any rate, an AKP-HDP coalition is rather improbable. The ruling party would find it very hard to turn over critical ministries—

Defense, Interior Affairs, Foreign Affairs, Treasury—or even less crucial ones, such as Culture and Tourism or Education, to the HDP.

#### **Coalition with MHP**

Similar to Demirtaş, MHP Chairman Devlet Bahçeli has repeatedly ruled out working with the AKP. Bahçeli has taken to calling President Erdoğan "17-25 Erdoğan" in reference to the December 17-25, 2013, corruption probes against him and the AKP. Most recently, Bahçeli labeled Prime Minister Davutoğlu a "worm."

Notwithstanding ad hominem attacks, the AKP and MHP actually share a very similar electorate outside southeast Turkey: they both cater to religious, conservative, and nationalist voters. In fact, when President Erdoğan realized that his "peace talks" with the PKK were pushing his right-wing supporters to the MHP, he began to speak out against his own peace initiative. 33 Since last fall, Erdoğan has taken an even stronger anti-HDP and anti-PKK tone than Bahçeli.

After the election, the similarities in discourses could lead to a meeting of political minds. If AKP leaders feel that a coalition government with the MHP is in their interests, they could be more flexible with turning over some of the above-mentioned ministerial portfolios to their prospective partner. In return for keeping the AKP in power, the MHP would force the ruling party to end peace talks with the Kurds, which many Turkish nationalists fear could compromise their country's territorial integrity.

#### **AKP Rules from the Minority**

In a parliamentary system, even if a political party does not hold a simple majority, it could form a government by securing a vote of confidence from other parties.

Though not unthinkable, the AKP forming a minority government rests on two dissimilar options. In return for getting the HDP's support in the vote of confidence, the ruling party would have to commit to a firm timetable and set of promises to conclude the "peace process" with the Kurds. To get MHP deputies' support, on the other hand, the AKP would have to end the peace talks with the PKK completely. CHP support for an AKP-led minority government is virtually impossible—the two parties do not have much in common. Under this scenario, Erdoğan's aspirations for a Turkish-style super-presidency would not materialize.

#### **Other Possibilities**

These are the least likely scenarios. According to the scenario in Table 1, in a situation where 100 percent of the votes are distributed among the four parties, the CHP and MHP should receive at least 32 and 23 percent, respectively, in order to surpass 276 seats and form a coalition government. Meanwhile, if the HDP goes over 10 percent, for a CHP-MHP coalition to happen, the AKP would have to receive no more than 35 percent of the popular vote, which is very improbable.<sup>34</sup>

In the event that the AKP fails to form a coalition with any party and the CHP-MHP coalition government does not materialize, the CHP might attempt a minority government on its own or with the HDP. These CHP-led "caretaker" governments' sole purpose would be to rewrite the electoral law to lower the national threshold and pass new administrative laws to end the AKP's absolute control over the judiciary and state bureaucracy. This outcome is also unlikely because, even under Turkey's existing constitutional system, President Erdoğan holds significant veto powers over the parliament.

# Possibility of Electoral Fraud



The fairness of Turkey's upcoming parliamentary election is already a foregone conclusion. With biased media and a government-controlled electoral board, the playing field for parties seeking to disseminate their messages and promote their candidates is hardly level. What remains to be seen is whether the ballot-casting itself will remain free. With the June 7 parliamentary elections largely hinging on whether or not the HDP is able to surpass the 10 percent threshold, it will only take a few votes to make or break the AKP's parliamentary majority. In this delicate electoral environment, there are concerns that the AKP may intervene in the election to ensure a favorable result for itself.

### Fraud in the March 2014 Local Elections

Such fears aren't unprecedented. The Turkish local elections on March 30, 2014, were the most controversial in recent history, triggering an unprecedented number of accusations of irregularities and vote-rigging.<sup>35</sup> For the first time, there were violent clashes between the police and demonstrators as supporters of opposition parties took to the streets to protest the results.

Erdogan's AKP won 45.54 percent of the popular vote in metropolitan areas, which includes more than 75 percent of the Turkish population, and 45.43 percent for provincial assemblies in the rest of the country. The AKP's victory is not in doubt; the controversies and doubts are in the details—particularly in

districts that were expected to be close contests between the AKP and candidates from the main opposition parties: the CHP and the MHP.

In some districts—most strikingly in the election for metropolitan municipal mayor in Ankara—ballot-box tallies missing the legally required stamps and signatures were included in the final calculations of the vote. Perhaps more disturbing were the statistical anomalies, such as abnormally high clusters of invalid votes in districts that had been expected to be close contests and that AKP candidates eventually won. The same phenomenon was not repeated in districts that were strongholds of the AKP or one of the opposition parties—that is, districts where the results were already a foregone conclusion.

Additionally, despite assurances that measures would be taken to prevent power outages during the counting process after they occurred during the 2009 parliamentary elections, there were reports of power cuts in polling stations in 22 provinces across the country, including in disputed Ankara. In several districts, opposition parties had a lengthening lead before the outages, only for the process to go into reverse once counting resumed, resulting in a lead for the AKP. The culprit? According to Energy Minister Taner Yıldız, a cat. "I am not joking, dear friends," he explained, "a cat went into a transformer." 36

Such anomalies have inevitably fueled suspicions of the organized manipulation of results in what were regarded as marginal districts. While the hope is that there is an alternative explanation, the failure of electoral authorities to conduct an investigation has inevitably reinforced doubts about the validity of the March 2014 results.

# Lack of Fairness in the Presidential Election in August 2014

Erdoğan retained his position as prime minister in the run-up to the August 10 presidential election. Despite complaints loãed by opposition parties arguing that Erdoğan should resign in order to ensure an equal race, the YSK ruled that Erdoğan should be allowed to retain his post as prime minister during the presidential

campaign.<sup>37</sup> This decision gave Erdoğan broad advantages.

International observers in the presidential election expressed

concern with the fairness of the campaign period, noting that the AKP used its power of incumbency to its advantage, dominating media coverage and using state resources for campaigning. "The use of official position by the prime minister as well as biased media coverage gave him a distinct advantage over the other candidates," noted the Organization for Security and Co-operation in Europe (OSCE).<sup>38</sup>

TRT, the state-run channel that is most broadly watched in Turkey, gave extremely disproportionate coverage to presidential candidates: Erdoğan received 51 percent of election coverage, while CHP-MHP candidate Thsanoğlu received 32 percent, and Selahattin Demirtas received 18 percent.

Coverage was also uneven in tone, with Erdoğan receiving almost universal positive coverage on TRT, while other candidates received a much more negative slant.<sup>39</sup> This pattern was repeated in two other TV stations monitored by the OSCE. The remaining two stations, while covering Erdoğan more than Thsanoğlu and Demirtaş, provided primarily negative commentary.

Additionally, Erdoğan dominated paid political advertising: 700 hours on TV stations monitored by the OSCE, compared with Thsanoğlu's 36 minutes and Demirtas's 19 minutes.<sup>40</sup>

Erdoğan, and state-run media, exploited several loopholes in campaign legalities. TRT argued that it was not giving disproportionate coverage to Erdoğan as a candidate; instead, it was simply covering Erdoğan's activities as prime minister—even though he used official government events as clear platforms for his presidential campaign.<sup>41</sup>

Erdoğan was also able to use state resources, traveling the country in the prime-ministerial jet for both state and party purposes. On multiple occasions, the OSCE noted, "campaigning took place during the inauguration of key state infrastructure projects." Erdoğan's campaign also used state resources to provide patronage, distributing food parcels and vouchers to Turkish voters. 43

The campaign period did not start until July 12, leaving only 26 days for candidates to campaign before the deadline of August 8<sup>44</sup>. This brief period greatly advantaged Erdoğan, who was effectively campaigning months before other candidates were allowed to, and greatly disadvantaged Thsanoğlu, who was not well known by the public and had only a narrow window to appeal to voters.

Though the presidential elections were not marked by the same controversy during the voting and counting process as the local elections, observers noted that the YSK printed an abnormally large number of additional ballots—30 percent more than the number of voters, when laws stipulate that the number of printed ballots should not exceed 15 percent more than the number of registered voters.

# **Election Observation**

Turkey is a signatory of the OSCE 1990 Copenhagen document, which states: "The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other participating States and any appropriate private institutions and organizations that may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavor to facilitate similar access for election proceedings held below the national level."

Furthermore, at the 1999 OSCE Summit in Istanbul, Turkey and the other participating states specifically committed themselves to "invite observers to our elections from other participating States, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly, and appropriate institutions and organizations that wish to observe our election proceedings. We agree to follow up promptly the ODIHR's election assessment and recommendations."

After signing these agreements, Turkey began to invite international observers from the Parliamentary Assembly of the Council of Europe (PACE) and the OSCE more regularly, with international delegations overseeing the 2002, 2007, and 2011

parliamentary elections. In each of these elections, observers generally praised the conduct of Turkey's elections. International observers were not present for the March local elections, but did observe Turkey's presidential election in August 2014. While the conduct of the elections was generally free and fair, OSCE observers did note several concerns, mainly regarding campaigning and oversight.

The OSCE will deploy a team to observe the June 7 elections, after sending a small team in mid-April to assess the preelection environment, which concluded that the elections are "expected to be dynamic and potentially hard fought, due to the continued polarization between the governing party and opposition parties." PACE, as well, will send an observation team.

# Fraud Contestation & Reporting Procedures

The YSK oversees all elections in Turkey. The YSK is based in Ankara and headed by a committee composed of high-ranking members of the judiciary chosen from within their own ranks by the Supreme Court of Appeals (Yargıtay) and the Council of State (Danistay). This committee has seven members and four reserve members who oversee the activities of the YSK at the provincial and district level. The committee is currently chaired by Sadi Güven, who was appointed in January 2013.

The YSK is responsible not only for ensuring compliance with electoral rules and regulations but also the assessment of any accusations of irregularities. Appeals and protests can be made to the YSK's district and provincial representatives. Ultimately, the YSK has the power to annul an election result and order a rerun.

The OSCE has found fault with the YSK in the past, noting that its decision-making is nontransparent and that it has frequently overstepped its legal authority. In electoral disputes, the YSK effectively acts as the court of last resort, with its decisions exempt from any kind of judicial review. Although amendments made in 2010 allow individuals to submit petitions directly to

the constitutional court, the court has thus far declined to hear electoral cases.

In the March 2014 elections, there were more than 1,400 allegations of irregularities, the overwhelming majority of them made by opposition parties against results in which AKP candidates were victorious. But the YSK ordered only two reruns in provincial capitals, both of them in response to appeals by the AKP against narrow losses to opposition parties: in Yalova, where the AKP had been defeated by the CHP, and in Ağrı, where the AKP had lost to the pro-Kurdish Peace and Democracy Party. In each case, the YSK ordered a rerun for June 1, 2014. The results were repeated in the rerun, with opposition parties once again narrowly beating the AKP.

The YSK's behavior in the March 2014 local elections and its lack of transparency do not inspire confidence that the electoral council will safeguard the integrity of the June elections should the AKP attempt to manipulate the results. So far, the YSK has turned a blind eye to Erdoğan's campaigning activities. The council has rejected complaints made by the HDP arguing, "Erdoğan has been acting against his constitutional neutrality and his oath of neutrality, and instead acting as a party leader." If the YSK will not act to ensure fairness during the campaign period, its likelihood to adjudicate any fraud allegations against the AKP fairly after the elections seems slim.

# **Unfair Playing Field**

The campaign period for the June parliamentary elections already seems to tell a similar story, drastically favoring the AKP. The OSCE pre-election mission in April 2015 noted that its "interlocutors raised concerns over a potential misuse of state administrative resources and the president's active role in the campaign. In addition, some concerns were noted regarding the freedom of assembly and the possibility to campaign freely in several provinces due to heightened security-related issues."

Despite OSCE concerns and a legal obligation under the Turkish constitution to be "impartial" as president, Erdoğan is taking

an active role in campaigning, using his position as president

to blatantly encourage votes for the AKP. The Turkish presidency is designed as a nonpartisan position, with new presidents required to give up their party membership upon election.

Despite surrendering his post as party leader to Davutoğlu upon becoming president, Erdoğan has continued to act as the de facto leader of the party.

Though not mentioning the AKP by name, Erdoğan has encouraged voters to vote in favor of a new constitution and a super-presidential system, which are central to the AKP's platform. Erdoğan has come under fire from Turkey's opposition parties for these activities, particularly by HDP leader Demirtas. "He travels on a state plane, bought by taxes paid by us, by those who vote for the HDP. We even pay for the stage he delivers his speeches on. And what does he do? He uses all the state assets he has for pro-AKP election propaganda," said Demirtas. "Are you asking with whose money I am holding rallies?" Erdoğan asked in response to Demirtaş's criticism. "I am holding [them] with state money. It is my legal right. I am standing here as the president of this country. I am here after I took 52 percent of the vote."

Media coverage of parties and candidates is also disproportionately in favor of the AKP. During election season, the Radio and Television Supreme Council (RTÜK) reports electoral broadcast violations to the YSK. The AKP has a majority in the RTÜK council with five out of nine members, and the board has consistently acted in the AKP's interests. RTÜK has repeatedly penalized broadcasters airing content critical of the AKP particularly by covering the corruption allegations raised against the government on December 17, 2013. Samanyolu TV and Samanyolu Haber TV networks, whose CEO Hidayet Karaca was arrested in an anti-media operation in December 2014. have been targeted by RTÜK, with a total of 145 administrative fines totaling four million Turkish lira.<sup>47</sup> Additionally, in past elections, the OSCE noted, "in the absence of legal deadlines, the warnings issued were too late to provide for effective remedy during the campaign."48

Thus far, Turkish media has provided extensive coverage of Erdoğan and Davutoğlu at speeches and rallies that are essentially thinly veiled AKP propaganda. Opposition parties have complained to the YSK, arguing that "Erdoğan has been acting against his constitutional neutrality and his oath of neutrality, and instead acting as a party leader." The YSK has rejected the appeals, casting doubts on its willingness to safeguard the fairness of the vote. 50

Some argue that the YSK's authority to penalize Erdoğan beyond a stern warning is constrained by the Turkish constitution, which protects the president against any crimes short of treason.

# Signs of Potential Fraud

Opposition parties are already pointing out the possibility of fraud in the June election. Turkish voters, too, are losing confidence in Turkey's democracy: 43 percent of voters surveyed in 2015 said they believed that "elections will not be fair," up from 28 percent in 2007. Distrust in electoral fairness is higher among those who plan to vote for opposition parties: 69 percent compared with 11 percent among AKP supporters.<sup>51</sup>

The AKP, through changes to laws regarding election administration and oversight, seems to be laying the groundwork for getting away with electoral fraud. The YSK has implemented a new certificate program to train polling clerks for the upcoming election. However, slots in the training course filled up immediately following the YSK's announcement with applicants linked to the AKP, raising suspicions that the program's intention is to pave the way for possible fraud by keeping opposition members away from the ballot boxes.

A government whistleblower, tweeting under the pseudonym Fuat Avni, has alleged that the AKP has built a "fraud team" to rig the June vote by appointing members in the AKP's pocket to the YSK as well as using the Computer-based Elector Record System (SEÇSIS) to manipulate vote totals as they are entered into the system.<sup>53</sup> Avni also alleged that the AKP has attempted to buy the votes of low-income families and give them ballots pre-stamped for the AKP.<sup>54</sup>

# Fraudulent Fraud: AKP Claiming Fraud to Dispute Unfavorable Result?

Even if voting proceeds free of manipulation, the AKP could also dispute unfavorable results by claiming fraud—an outcome most likely if the HDP surpasses the election threshold, the possibility that would have the greatest negative effect on the AKP's desired majority. With a sympathetic YSK, claims of fraud could result in reruns in strategic districts, which would then give the AKP another opportunity to secure victory, by whatever means necessary.

# **Implications**



# Erdoğan's Leadership and the AKP

The parliamentary elections are a test of the "New AKP" and its vision of a "New Turkey," the first elections held after Erdoğan departed the more powerful position of prime minister along with his party leadership for the presidency, with Davutoğlu in place as his loyal subordinate. The parliamentary elections will demonstrate the durability of this configuration, and Erdoğan's ability to control Davutoğlu, the party, and the country.

If the AKP performs well in the parliamentary elections, two scenarios are possible. The Erdoğan-Davutoğlu partnership may be affirmed, allowing them to move forward with sweeping changes to Turkey's constitution that would increase Erdoğan's power. Or, an AKP victory may empower Davutoğlu to break away from Erdoğan, asserting his credentials as party leader

and prime minister, prompting a struggle between Turkey's two most powerful politicians.

If, however, the AKP fails to secure a majority, Davutoğlu would likely become a casualty of the elections, losing his position as both prime minister and party leader. The question would become: who would replace him? The AKP, in recent years, has become increasingly centered around Erdoğan, with its other founders or influential members sidelined. If Erdoğan attempts to handpick a party leader with enough deference to allow him to continue to run the country but enough charisma to unify the party and rally supporters, he may find himself short of options.

# A "New Turkey"?

Erdoğan's growing authoritarian tilt and conservative rhetoric have frequently been played off as electoral ploys. Defenders of the AKP government have repeatedly deflected criticisms, explaining away the AKP's alarming behavior as electoral posturing, and predicting that Erdoğan would change after the elections. This transformation never materialized. A decade of electoral victories has, instead, only helped to further embolden Erdoğan. Now, Turkey approaches the June 7 parliamentary elections with its previous gains under the AKP almost entirely undone: a severely weakened judiciary, restricted press freedom, and a faltering economy.

The outcome of this election will be crucial for the AKP's "New Turkey," deciding whether or not Erdoğan will be able to push ahead with a new constitution and presidential system. In the AKP's best-case scenario, it receives at least the 367 seats necessary to pass constitutional amendments without the buyin of other parties. If the AKP obtains 330 seats, it could put a constitution to a popular referendum. However, with survey data showing a pervasive lack of support for a super-presidency, the outcome of such a referendum is far from assured. At the very least, the AKP requires 276 seats to form a single-party government, though without a stronger majority, its ability to pass the kind of sweeping reforms that it has in the past will be severely limited.

# **Escalating Violence**

In Turkey's tense political environment, escalation of political violence is a real possibility. The pre-election period has been marked by drastically increased violence when compared to years past: the 2011 parliamentary elections saw only 40 reported attacks on party premises during the campaign period, compared to 126 reported between March and May 2015.55

If the HDP fails to enter parliament, violence would likely erupt in Turkey's Kurdish southeast, and Turkey's frayed peace process with the PKK might become a casualty of the AKP's bid to retain power. If the AKP government is suspected of engaging in electoral fraud, especially if the YSK refuses to acknowleae it, widespread demonstrations, beyond just Turkey's southeast, are likely.

Continued AKP rule could rile leftist extremists, prompting further violence from the Revolutionary People's Liberation Party-Front and similar groups. In the 1970s, leftist groups had found sufficient support among Turkey's youth to create conditions very similar to a civil war. Those youth, much like their counterparts today, were frustrated by their country's political uncertainties, authoritarian governments, and their misguided economic and social policies. As a result, nearly 5,000 people had died in political clashes in the second half of the 1970s. Similar causes could very well lead to similar outcomes in Turkey.

There is also reason to fear that the foreign and home-grown Islamic extremists, who use Turkey as a jihadist highway to the conflicts in Syria and Iraq might capitalize on any uncertainty. Until recently, Ankara had an "open door" policy toward foreign fighters who wanted to join the anti-Assad rebels in Syria. Close to 1,000 Turkish nationals joined their ranks. If Turkey were to experience a resurgence of indigenous political violence, these jihadists would be an unwelcome and disastrous addition to the equation.<sup>56</sup>

But even if fears of political violence fail to materialize, a weakened or chastised AKP is unlikely to lead to a more stable outcome for Turkey, at least in the short-term. The ruling party has built a cadre of loyalist bureaucrats in the state apparatus—especially in the national police force and the judiciary. Thus, even if the AKP were to fall from power, with Erdoğan remaining in power, Turkey's administrative bureaucracy could become very chaotic.

### The U.S.-Turkey Relationship

A victory for the AKP means that Turkey will continue its drift from the West. Erdoğan will continue to consolidate his power at the expense of protecting fundamental freedoms, and pursue a foreign policy that diverges from the objectives of its U.S. ally.

If the AKP wins on June 7, these problems will continue to undermine U.S.-Turkish relations. For the past few years, Turkey's authoritarian turn and the deterioration of the rule of law under Erdoğan has coincided with a cooling of the U.S.-Turkish alliance. The Turkish president and his domestic allies have not taken kindly to statements from the Obama administration or the U.S. Congress warning about the AKP government's lack of progress on minority rights or its increasing pressure on social media as well news outlets, journalists, and intellectuals who are critical of the Erdoğan regime. Ankara, in turn, has become more reluctant to cooperate with Washington in stemming radical jihadist groups in Syria, Iraq, and Libya.

Yet even without an AKP victory on June 7, the U.S.-Turkish alliance could experience a fracture beyond "divergence." Various AKP officials—especially President Erdoğan—have appealed to their citizens' anti-Semitic and anti-U.S. prejudices in order to heãe their religious, nationalist, and conservative supporters. For the past few years, anti-American voices have emanated from the top echelons of the Turkish government. Post-AKP, Turkish leaders might have to appeal to their compatriots' xenophobic instincts to secure their position. Alternatively, if the AKP does hold on to a weakened majority, it could amplify its xenophobic rhetoric and begin to actively work against U.S. interests in the Middle East.

Moreover, even as the United States continues to look to Turkey to take on a meaningful and constructive role in addressing the spread of conflict and instability in the Middle East, there is not much reason to believe that any type of coalition government would be better able than the AKP, even if it were better disposed, to play that role. Historically, coalition governments in Turkey have been fractious and unstable. A similar fate would seem destined for any attempt to govern Turkey jointly

today. With very little political overlap among the parties—and major distrust, if not outright antagonism, between their constituencies—it is unlikely that any permutation of possible coalitions would be able to rule effectively or slake the country's polarization, at least in the short-term. Investors, too, see the possibility of a coalition government as an economic risk. Their concerns sent the lira tumbling weeks before the election and could mean a new government will have to deal with significant economic troubles right away, further diminishing its ability to focus on regional issues.

In the short term, it is hard to see a favorable outcome. The widespread concerns of electoral fraud in the lead-up to the elections reveal a deep lack of trust in Turkey's political system. Turkish society has only become more polarized in recent years, and the parliamentary elections—whatever the outcome—seem likely to further deepen that polarization instead of fostering cohesion.

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