

Turkey 2023

A roundup of news and analysis on Turkey's upcoming general election



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Dear Readers,

Welcome to "Turkey 2023", the CATS Network's roundup of news, developments and analysis in the run-up to Turkey's general election.

In our fourth issue, we turn our attention to a **new law that poses a number of challenges** to the security and integrity of Turkey's elections. In addition, we explore **the role of identity and political issues in voter outreach**, and look at the role of **refugee policy in the election campaigns**.

Should you have any questions or suggestions, then please e-mail us at cats@swp-berlin.org.

On the Spot



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On 31 March, 2022, **Turkey's parliament passed a new law** which was published in the *Official Gazette* on 6 April, that significantly revises Turkey's electoral legal framework. Although the **new provisions under Law No. 7393 pose several challenges to electoral freedom and integrity and undermine the principle of fair representation**, there has been very limited public debate on this issue. Under the Turkish constitution, amendments to the electoral law enter into force one year after their publication in the *Official Gazette*, thus the **new regulations entered into force on April 6, 2023**. As the amendments significantly favour the Justice and Development Party (AKP), many commentators have argued that the AKP waited for this legislation to take effect and purposely avoided announcing early elections.

At first glance, the new regulations improved the electoral process by lowering Turkey's notoriously high electoral threshold from ten percent to seven percent. But even with the lowered threshold, **Turkey still has one of the highest electoral thresholds in the world** and millions of votes will still remain unrepresented. **One way to overcome this obstacle is to form electoral alliances**. However, the new legislation includes a technical change that revises the methods for determining the distribution of parliamentary seats and reduces the advantage of being part of an electoral alliance.

Prior to Law No. 7393, seats were first allocated based on the votes cast for an alliance. In the second stage, these seats were allocated among alliance parties according to their vote shares. **With the new regulation, seats are allocated directly to parties regardless of the total vote share of the alliance**. This change is particularly important because the Turkish electoral system uses the D'hondt method to allocate seats, which favours larger parties, i.e., even if small parties manage to pass the electoral threshold by forming an alliance, they will not receive seats in proportion to their vote share. Moreover, **votes of small parties used to contribute to the number of seats won by the alliance** even if they were insufficient to secure a seat for the party itself. **But now, such votes will be "wasted"** as they will neither count towards a seat for the party nor for its allies.

The new regulation therefore represents a significant setback from the 2018 elections in terms of fair electoral representation. To overcome this obstacle, **many smaller parties had to enter the elections on the lists of other larger parties**, often to the dismay of their more committed supporters.

However, it is important to note that **the ruling AKP also experienced a minor crisis within the alliance, as the Nationalist Movement Party (MHP) unexpectedly decided to run on its own list** instead of running on the AKP's list. This will cost a significant number of MPs to the People's Alliance as well and will partially offset the gains made by the ruling coalition as a result of the change in the methods of parliamentary seat allocation.

The new legislation also has negative effects on electoral security. The most important and controversial change concerns the composition of provincial and district election boards. In the past, the judges who served on these boards were determined on the basis of seniority. However, **with the new legislation, any first category judge will be able to sit on the board** and the selection of judges will be determined by lot. Now there is a risk that younger and inexperienced judges might be more vulnerable to political pressure. Also, **due to AKP favouritism in the judiciary, junior positions are almost entirely filled with AKP loyalists, unlike their more senior colleagues**.

The new law also raises questions about campaign exemptions. For instance, **the previous law had certain campaign restrictions for the prime minister**. Since the office of prime minister was abolished by the 2017 constitutional amendment, it would have been natural to replace the term 'prime minister' with 'the president'. However, **Law No. 7393 only removed the term 'prime minister' and did not mention the president at all**. The president is therefore not bound by the previous restrictions on prime ministers and can freely use state resources in his electoral campaign.

Even before these legal changes, Turkey's political system had significant shortcomings in terms of electoral integrity. While elections in Turkey were free, they were typically unfair as the playing field was skewed in favour of the incumbent government. Therefore, Turkey is classified by experts as a competitive authoritarian regime. In sum, **recent legislative changes and the general suppression of the judiciary further weaken, if not completely eliminate, the competitive element of the system.** (*Salim Çevik*)

The Polls

After 2002, when the AKP took power, **the results of the parliamentary elections in Turkey showed a high degree of continuity**. The AKP, representing the conservatives, the country's biggest cultural bloc, always came first. Meanwhile, the Republican People's Party (CHP), the party of urban secularists, came second by a great margin. Third place came the extreme Turkish nationalists of the MHP and, last but not least, the People's Democratic Party (HDP), the pro-Kurdish party. It is true that **one party or the other did better or worse at times**. But the order always remained the same. One prominent Turkish sociologist thus compared the elections up to 2018 with censuses that ask about cultural affiliation, as the majority of voters cast their vote to the party representing their cultural milieu. So, is that still the case? Or, in other words, **does appealing to voters' identity work, or are political issues and material interests more decisive?**

The government continues to rely heavily on cultural boundaries, presenting itself as pious and culturally authentic and accusing the opposition of deviating from the values of the Muslim-Turkish nation. In fact, pollsters say **the president's voters see his persona as the embodiment of their own identity**. That is why the opposition's small conservative parties attract few voters.

The opposition focuses entirely on political interests. In this regard, what is more relevant, asks the main opposition candidate Kemal Kılıçdaroğlu: that I am an Alevi belonging to a minority confession, or that I am upright and sincere? The growth of the CHP, which is on par with or only slightly behind the AKP in many polls, shows that the new strategy could work. But it amounts to a journey in uncharted waters. (*Günter Seufert*)

Recommended Readings

CATS joined the [Delegation to the EU-Türkiye Joint Parliamentary Committee at the European Parliament \(EP\)](#) to discuss security, integrity and fairness of the upcoming parliamentary and presidential elections in Turkey 2023.

Listen to the [SWP Podcast](#) in which *Hürccan Aslı Aksoy* and *Salim Çevik* discuss the Turkish twin elections as well as respective candidates, alliances, polls and promises accordingly.

As a final note on the elections' impact on foreign policy, we would like to draw your attention to the recent CATS Working Paper by *Ike Toygür (inter alia)* on [EU-US cooperation on Turkey](#) in the run-up to the elections.

Three Questions for...



M. Murat Erdoğan is at Ankara University and director of Mülkiye Migration Research Centre. He was a fellow at CATS in 2022. He regularly conducts public opinion research and publishes the "Euro-Turks Barometer" on the Turkish diaspora in Europe, and the "Syrians Barometer" on Syrians in Turkey. His research interests include voluntary and forced migration, refugees, people of Turkish origin living abroad, and EU and Turkish foreign policy

Presidential candidate Kemal Kılıçdaroğlu (CHP) has long called for a change in refugee policy with a view to repatriation. Meanwhile, President Erdoğan (AKP) has reversed his open policy in the face of public sentiment. How do their positions differ now?

It is the first time since 2011 that the refugee issue has become one of the main topics in a Turkish election. The situation has been further aggravated by the recent earthquake in the east of the country, forcing all parties to position – or reposition – themselves. In particular, the newly founded small and populist ultra-nationalist parties have managed to shape the discourse. For the opposition, the solution is all too easy: Turkey makes an agreement with Syrian ruler Bashar al-Assad that the Syrians in Turkey should be repatriated. President Erdoğan, who only until a few years ago was telling the public about his support for the refugees, has been rather less vocal on the subject for some time now and now states that one of his main goals is to send the Syrian refugees back.

How realistic is it that this will happen?

Our polls show that 88 percent of the Turkish population want the Syrians to return back to their homes; among AKP voters it reaches 85 percent. One of Assad's main conditions for any agreement with Turkey on repatriation is that Turkey should leave what Syria claims to be about 12 percent of its territory, which Turkey currently has control over. This is unlikely to happen because the Turkish state fears the emergence of an autonomous Kurdish entity. And if Turkey were to leave the rebel-controlled Idlib area, this could lead to another 3 to 4 million people fleeing the country towards Turkey, a scenario that nobody wants, including the EU.

At the same time, we should bear in mind that many Syrians have been living in Turkey for more than 10 years, their children go to Turkish schools, 880,000 Syrian children were born in Turkey and over 1 million Syrians work in the country already. And the future of Syria is for all still very much unknown. Voluntary return is out of question and to forcibly return 4 million people, regardless of any legal or humanitarian concerns, is simply impossible. Instead of returning to Syria, many Syrian refugees want to go to Europe.

How could a change in Turkey's refugee policy affect Turkey-EU relations?

The EU often shares its concerns about the lack of human rights or the state of democracy in Turkey. But *Erdogan* has kept the refugees in Turkey, and the EU has been able to limit its support because of this criticism. Many EU countries now seem worried that if the opposition wins, expectations on the Turkish side will change. Based on more favourable developments, they will demand more access to the EU, be it the accession process itself, visa liberalisation or the modernisation of the Customs Union. Turkey and the EU should be prepared to put their discussion in a broader context, going beyond mere financial assistance and including resettlement options.

Furthermore, there are not only refugees from Syria in the country, but also many irregular migrants who enter Turkey mainly through Iran. They see Turkey as a transit country on their way to Europe. Any new agreement on migration should therefore involve not only Turkey and the EU, but also Iran.

Interviewed by Bettina Emir

That's all until the next issue!

Kind regards,

The CATS Team