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TEIM Election Watch Analysis

ELECTION REPORT:

**TURKEY: Legislative elections
12 June 2011**

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(Observation *in situ*)**

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Background to the elections:

Four major political parties competed in the Turkish legislative elections of June 2011: the governing Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP), the Republican People's Party (*Cumhuriyet Halk Partisi*, CHP), the Nationalist Movement Party (*Milliyetçi Hareket Partisi*, MHP) and the Peace and Democracy Party (*Barış ve Demokrasi Partisi*, BDP).

An array of opinion polls augured victory for the AKP with a share of votes ranging between 43 and 55 percent. The same polls predicted that the CHP would win between 23 and 32 percent of the votes, the MHP between 9 and 15 percent, and the BDP between 5 and 8 percent. Although there was next to no doubt about the AKP government being re-elected, these elections acquired special significance and interest due to the fact that the distribution of seats in the new parliament will have a direct effect on the process of drawing up a new Turkish constitution, the most important project on the agenda of the coming parliamentary term.

Although the CHP was unable to challenge the AKP's leadership position, in the polls during the months before the elections it did seem to be narrowing its distance with this party. This was largely thanks to the new approach of its leader, Kemal Kiliçdaroğlu. Kemal Kiliçdaroğlu succeeded Deniz Baykal at the helm of the CHP in May 2010, after a video with sexual content was circulated on the internet, implicating Baykal in a scandal that would eventually lead to his resignation. The new leader opted to defend a reformist and democratising programme, and to adopt a more open and consultative approach toward different institutions and political groups. He has not only promoted dialogue with Brussels, but also – emblematic of this new approach to politics - committed the party to promoting political and cultural rights for the Kurdish population. Baykal on the other hand, got tangled up in a nationalist position that seriously limited the Turkish regime's possibilities for democratic reform.

The ultranationalist MHP was, in turn, seriously affected by the dissemination during the election campaign of sex videos involving leading members of the party. It was even suggested that the MHP might not make it over the ten percent electoral threshold necessary for making it into parliament.

For its part, in order to make it over the threshold, the pro-Kurdish party presented independent candidacies, among which were several figures of great political and symbolic importance such as Leyla Zana, a Kurdish MP who was imprisoned between 1994 and 2004.

Quantitative indices of democracy:

Turkey was classified in the following democratic performance rankings just before these elections:

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political rights and freedom	Freedom House Report 2010	Freedom House	PR: political rights CL: civil liberties	PR: 3, CL: 3 (Scale of 1, free to 7, not free) Classification: Partially free
Degree of democracy of earlier elections	Polyarchy 2.0 2004 (in reference to 2002 elections)	Peace Research Institute of Oslo and Tatu Vanhanen	ID: Synthetic democracy index, Part: participation, Comp: competition	ID: 17,03 max. 49 Part: 34,5 max. 70 Comp: 49,5, max. 70 (Democracy)

				minimum: ID: 5, Part: 10, Comp: 30 Classification: democratic
Consolidation of authoritarian and democratic institutions	Polity IV 2008	Center for International Development and Conflict Management, Univ. of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 8 Autocracy: 1 Polity: +7 (Scale: +10, very democratic to -10, very authoritarian) Classification: democratic
Perception of corruption	Transparency International Corruption Perception Index 2010	Transparency International (TI)	TICPI: corruption perceptions index	TCPI: 4.4/10 (Scale from 1, very corrupt to 10, not at all corrupt) Rank: 56 out of 178 countries
Management of political and economic change	Bertelsmann Transformation Index (BTI) 2010	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 5,59/10, Ranking: 23 out of 128 countries Classification: Successful management with weaknesses
Democracy, including press status and corruption	World Democracy Audit 2010	World Audit	World Democracy Rank: political freedom (FH) + press and corruption (TI)	World Democracy Ranking: 59 out of 150 countries, Classed in 3rd of 4 divisions
Degree of democracy in these elections	Measurement of democracy in these elections according to the Polyarchy 2.0 method, calculated by TEIM Election Watch	ID: 24,15, max. 49 Part ¹ : 59,56 max. 70 Comp ² : 40,55 max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30)	Classification of these elections: Democratic	

Definition of the electoral and party systems:

The Turkish Grand National Assembly is made up of 550 MPs elected by universal suffrage. Any Turkish citizen aged 25 or more can stand for election (apart from those exceptions and incompatibilities mentioned in the election law). General elections must be held each four years, although early elections may be called. The Supreme Election Board (*Yüksek Seçim Kurulu*, YSK) is the institution charged with supervising the election process.

Legislative elections in Turkey take place in a single round, with voters selecting between different closed party lists. Proportional representation is the chosen system, and the D'Hondt formula is used to distribute seats. Vote-counting is a public affair. The threshold parties must beat to make it into parliament is 10 percent of votes at national level. Independent candidates meanwhile, only run in a single constituency, and are not therefore, subject to this condition.

¹ These figures were calculated using the following official statistics: the total population of Turkey: 73,722,988 (Turkish Statistical Institute, December 2010) and the total number of voters, 43,914,948 (YSK, 2011) both in Turkey and abroad, including Turks resident in other countries.

² Competition was calculated adding the percentage of seats won by all parties and candidates apart from the AKP (that is to say, the CHP, MHP and independents).

The party system going into the 2011 general elections can be considered to be a dominant party system, given that the AKP does not at present have any rivals capable of removing it from power. The AKP, which originated in 2001 as the successor to previous illegal Islamist parties, deems itself a conservative democratic party, eliminating any reference to the adjective "Islamist".

For its part, the main opposition party, the CHP, founded by Kemal Atatürk in the 1920's, undertook a move to the centre-left in the 1960's and 1970's. Following its illegalisation after the 1980 coup d'état, it emerged with a new leadership. The leadership in recent years of Deniz Baykal, situated the party in an inflexible stance deeply critical of the AKP government, which it attacked from a nationalist (for example, in response to the AKP's Kurdish policy) and rigidly secular standpoint. The party's new leader, Kemal Kılıçdaroğlu, has opted for a reformist and democratic approach and is more open to dialogue with different groups both within and outside Turkey.

The MHP is an ultranationalist party that has, nevertheless, thanks to its leader Devlet Bahçeli, lost the violent trait that characterised it in the past. The MHP has repeatedly argued against giving cultural and political rights to the Kurdish population on the basis that these rights could lead to Turkey's territorial disintegration. Although in the past it has supported – albeit with major reservations - Turkey's candidature to join the EU, in the 2011 electoral campaign the party emphasised rapprochement with the countries of Central Asia.

The pro-Kurdish BDP is the successor of the banned Democratic Society Party (*Demokratik Toplum Partisi*, DTP), which participated in the 2007 legislative elections. The party's electorate is mainly located in the country's south-east, where it controls a high proportion of local governments. It is normally situated to the left of Turkey's ideological spectrum. The BDP's links with the PKK (*Partiya Karkeren Kurdistan*, Kurdistan Workers' Party) deemed a terrorist organisation by both the United States and the European Union, with which it shares the same grass roots, situates this party in an irregular and complex situation in Turkey's party system. While it is true that legal restrictions and repression by the Turkish security forces have prevented pro-Kurdish parties from having a normal development, the relationship between on the one hand the BDP and its banned predecessors, and on the other hand the PKK, has hardly favoured its institutionalisation or normal acclimation within the party system.

In these general elections, a number of independent candidates also competed – some backed by political parties, others no.

Impact of the electoral system and constituency size on the elections:

The size of Turkey's electoral districts is calculated in the following way. Firstly, each province is assigned one MP out of the 550 that make up the Assembly. To determine the total number of MPs to be subsequently assigned to each province, the Turkish population (according to the most recent census data) is divided by the remaining number of MPs. The population of each province is then divided by the result of the previous calculation, thus giving the number of MPs to allocate in addition to the original one MP per province. Provinces that have up to 18 MPs are considered a constituency. Those that have between 19 and 35 MPs must be divided into two constituencies, while those with more than 36 MPs must be divided into three, as is the case of Istanbul.

Despite the use of the D'Hondt formula to allot seats, the 10% threshold produces a significant distortion of the results. The number of seats per province varies between 1 in Bayburt and 85 in Istanbul.

Statistically speaking, the mode of MPs per constituency in Turkey is 3 while the median is 5, meaning that there are many small electoral districts. The result is that the reduced size of the electoral districts produces majority effects, limiting even more than might be expected, the proportional nature of the electoral system.

Results:

Participation: Enrolled voters (both in Turkey & abroad):	52,806,320
Enrolled voters (in Turkey only):	50,237,343
Total voters (both in Turkey & abroad):	43,914,948
Valid votes:	42,941,763
Spoiled ballots:	973,185
Participation (as a percentage):	83.16%

Results 2011 Turkish legislative elections³:

Party	# of votes 2011	% votes 2011	MPs 2011	# of votes 2007	% votes 2007	MPs 2007
AKP (government)	21,399,082	49.83%	327	16,327,291	46.58%	341
CHP (opposition)	11,155,972	25.98%	135	7,317,808	20.88%	112
MHP (opposition)	5,585,513	13.01%	53	5,001,869	14.27%	71
Independents (backed by the BDP) (opposition)	2,819,917	6.57%	35	1,835,486 (Not just candidates backed by the DTP, predecessor of the BDP)	5.24%	26
Total	40,960,484	95.39%	550	30,482,454	86.97%	550

Source: Yuksek Seçim Kurulu (Supreme Election Board), cf.: <http://www.ysk.gov.tr/ysk/docs/Kararlar/2011Pdf/2011-1070.pdf>

Worth highlighting also, is the fact that the number of female MPs has risen from 50 to 78, most of whom (45) belong to the AKP, while the MHP is the party with the fewest female MPs.

Qualitative analysis⁴:

Participation:

Although turnout was high at 83.16 percent, it was still slightly lower than in the 2007 elections when it exceeded 84 percent. The high participation rate reflects both the interest these elections provoked among the population and the relative normality of election day. Indeed, there were only a few minor incidents

³ The pro-Kurdish BDP, via candidates presented independently, won 36 seats, which was seen internally as a great electoral victory for the party. One of its seats was cancelled by the YSK following the elections, since the winner of the seat, Hatip Dicle, had been previously sentenced for disseminating PKK propaganda. Dicle is an especially significant member of the party and the loss of his seat provoked a tremendous reaction among his colleagues and the party faithful. Dicle's seat was assigned to a member of the AKP which saw its total number of MPs rise from 326 to 327.

⁴ This section uses TEIM Election Watch's 6 election criteria which are: Participation, Competition, Transparency, Representation and Debate, Openness, and Significance. See the Observatory's home page for an explanation of each of these criteria.

of electoral corruption around the country, relayed the following day in the press in anecdotal fashion.

Competition:

Fifteen parties, representing the full range of Turkey's political spectrum, competed in these elections. It must again be stressed that the pro-Kurdish BDP presented independent candidates as a means of overcoming the 10 percent electoral threshold. These candidatures were presented under the banner of the Labour, Democracy and Freedom bloc (Emek, Özgürlük ve Demokrasi Bloku). Six of their candidates were initially barred from competing by the YSK, however following the political and social uproar this decision caused, the candidates were eventually able to stand in the elections.

It is worth noting the different financial backing the parties had during the campaign, especially the heavy spending of resources by the AKP, evident in its election rallies, party propaganda and display of electoral posters.

Transparency:

In the weeks prior to the elections, the YSK's decision to print nearly 60 million ballot papers, despite the fact that only some 50 million Turks were enrolled to vote, caused great controversy.

The number of enrolled voters for the 2011 elections also received a good deal of interest among both the news media and the population at large. In the 2007 elections some 42.5 million voters enrolled, a figure that rose to 48.4 million for the 2009 local elections. The head of the YSK, Ali Em declared that this considerable increase was due to the new data system introduced by the Administration in 2008.

In any case, the counting of votes in Turkey is public. This was accompanied this year, for the first time, by the use of transparent ballot boxes, both measures making it extremely difficult to commit electoral fraud. In fact, the election results were accepted by all the political parties without any criticism of the process itself.

The OSCE's report⁵ on the elections did signal, nevertheless, concern about freedom of expression, a problem not limited to the election campaign alone. In spite of the wide variety of television and radio channels and newspapers published in Turkey, the report highlighted the "severe legal provisions that restrict the freedom of expression", which have allowed legal cases to be opened against journalists and have brought about self-censorship among journalists regarding certain subjects.

All political parties had the right to use, free of cost, slots allocated to them on Turkish radio and television to promote their respective campaigns. Also, for the first time, according to the OSCE report, political parties and independent candidates had the possibility of buying air time on broadcasters to transmit their campaign messages.

However, the BDP did point out the difficulties its candidates had in carrying out election, given that they were restricted in their ability to use public spaces. One BDP candidate, in the party's final rally held on 10 June, spoke publicly of these difficulties and denounced the police harassment he had suffered during the campaign.

⁵ OSCE/ODIHR Needs Assessment Mission Report, Republic of Turkey, Parliamentary Elections, 12 June 2011, Varsovia, 13 April 2011, full references at the end of this report.

All in all, the OSCE report concludes that the majority of those it interviewed had expressed their confidence in "the general integrity of the elections", despite the aforementioned problems.

Party representation and debate during the election campaign:

All Turkish political parties are strictly controlled by their party leaderships. However, in the case of the CHP, it is worth noting that the resignation of Baykal in 2010 and his succession by Kemal Kiliçdaroğlu, elected at a general congress of the party, did not satisfy one of the party's factions. Indeed, after the June 12th elections, a campaign began inside the party to call an extraordinary party congress in July, which could have put Kiliçdaroğlu's leadership in doubt, despite him having increased the party's score in the elections by five percent compared with the 2007 elections when Baykal was party leader. Ultimately the collection of signatures for an extraordinary congress was ended, although it had made it clear that personal and ideological factions do exist within the party, centring on Baykal on the one hand, and the party's new leader on the other. It is not to the liking of everyone that Kiliçdaroğlu has commenced a new era for the party - more open to dialogue and more committed to encouraging democratic reforms in Turkey.

During the campaign there were no television debates between the main party leaders. It was principally the task of the news media to collect the parties' proposals on different issues, as well as their criticisms of their rivals. Despite the problems related with freedom of expression in Turkey, it must be pointed out that it is possible to follow an informed political debate via the news media.

Openness:

These elections promised a third consecutive win for the AKP. This victory can be put down to the positive public evaluation of the AKP governments, as well as a reflection of the positions and track records of the opposition parties over the last few years. While it is true that the 10 percent threshold at national level continues to have a major impact on the distribution of seats, equally important is the fact that the AKP possesses a series of economic and logistical resources far superior to those of other parties when it comes to electoral campaigning. The attack launched on the MHP during the campaign, stemming from the scandal involving major party leaders in sex videos, ultimately did not have a significant effect on the percentage of votes the party ended up winning.

Significance:

These Turkish elections were extremely relevant, given that their result determined the number of MPs in a parliament that will decide and vote on a new Turkish constitution to replace that drawn up by the military junta following the coup d'état in 1980. While the AKP's victory was expected, the number of MPs that the party won in the next parliament was especially relevant. In the end, the AKP did not obtain the qualified majority of 367 seats it needed to pass a new constitution unilaterally, nor the majority of 330 seats necessary to unilaterally write the new constitution and then call a referendum to ratify it (following the Turkish president's green light). It will therefore have to work with the rest of the political parties, both to draw up and ratify the new constitutional text.

Consequences and impact on the political system:

Drawing up a new constitution for the country is the biggest challenge facing the new Turkish National Assembly. Among the different political parties

there is general consensus that a new constitution is needed to replace the existing text which dates back to the period following the 1980 military coup. Designed under the superintendence of the military junta that ruled the country following the coup, it severely restricts human rights and liberties, putting state security before that of individuals.

However, even if the starting point is the same, there is no doubt that the parliamentary debates regarding the constitution are going to be intense. The political parties that make up the Turkish Grand National Assembly represent very different sectors of society and it will not be easy to reach agreements. That said, as other analysts have already pointed out, a successful constitution will require the greatest possible consensus. To do so it will be necessary to reconcile different visions, especially, on the one hand different nationalist outlooks – both Turkish and Kurdish – and on the other, religious versus rigidly secular visions.

The most controversial subjects appear to be the right to receive an education in one's mother tongue (if that is not Turkish), drawing up the most inclusive definition possible of the concept of citizenship so that it takes into account the country's ethnic and religious pluralism, and finally, the question of greater political autonomy for the regions and cities. Another law change proposed is to reduce the electoral threshold necessary to make it into parliament, currently situated at 10%.

Another much discussed proposal coming from the AKP, is to transform the current parliamentary system into a presidential one. The proposal has not been well received in those circles that fear the accumulation of powers in the hands of a future head of both state and government. The AKP minister, Nihat Ergun, has declared that in any case, the creation of a presidentialist system of government is only one of the subjects on the table and not a precondition for an agreement about the constitution. Regarding the more controversial subjects aforementioned, the press has pointed out that for now, the AKP is not in favour of education in mother tongues apart from Turkish, but is for increasing the political autonomy of the regions and cities, as well as sympathetic to the idea of reforming the concept of citizenship, positions it shares with the CHP. The MHP, meanwhile, has positioned itself squarely against these reforms, while the BDP on the contrary, is demanding not only constitutional changes to the concept of citizenship and more political autonomy, but also the possibility of education in Kurdish.

International political response:

The Spanish prime minister, José Luis Rodríguez Zapatero, congratulated his Turkish counterpart and expressed his desire to further strengthen the "magnificent bilateral relations" between Spain and Turkey. The president of the European Council, Herman Van Rompuy and the president of the European Commission, José Manuel Durao Barroso, in a joint statement also congratulated Recep Tayyip Erdoğan on his victory: "We are convinced the coming period offers new opportunities for further reforms, including work on a new constitution in the broadest possible consultation and a spirit of dialogue and compromise, and for strengthening confidence between Turkey and all EU member states. Progress in these fields should also give new impetus to the accession negotiations with the European Union." The US Embassy in Istanbul also released a declaration by the State Department spokesman, Mark Toner, stating: "What we saw from our viewpoint is a good friend and partner and ally conducted free and fair elections. They were done transparently and we applaud the results. And we applaud the

Turkish people for carrying out these elections in a free and fair manner." These congratulations were also added to by the Israeli prime minister Benjamin Netanyahu, Iranian president Mahmoud Ahmadinejad and the Iraqi president, Jalal Talabani, among others.

Conclusion:

The 2011 Turkish general elections attracted especial interest, despite opinion polls pointing to a predictable third consecutive win for the AKP. Although there was no doubt which party would form the next government, it was hugely important to know exactly how many seats it would win, given the importance this number would have on the shaping of a new Turkish constitution. While the AKP did indeed reaffirm its hold on government, it lacks the qualified majority necessary to write and to ratify a new constitution on its own. This fact thus favours the drawing up of a consensual constitutional text – something that will be crucial in determining the future of the Turkish political system and its democratic consolidation. These future political changes will similarly influence Turkey's candidature to join the EU.

These elections were, generally speaking, democratic – consistent with the positive quantitative indicator calculated at the beginning of this report. The qualitative observation of these elections made by the author of this report, who followed the elections first-hand, tends to confirm this analysis despite a small number of problems witnessed, such as the excessive number of voting papers, or especially, the restriction in certain areas of freedom of expression or the exclusion of certain candidates for doubtful legal motives. All of these areas require further attention.

The new parliamentary term opened, however, with a serious political crisis after the BDP MPs refused to swear oath in protest at the decision to strip Hatip Dicle of his parliamentary seat. The CHP MPs likewise refused to swear oath in response to a decision not to award parliamentary immunity to two of its candidates, the journalist Mustafa Balbay and the academic Mehmet Haberal, arrested more than two years ago as suspects in the Ergenekon criminal network. Eventually however, on June 11th, after reaching an agreement with the AKP promising "a common effort to bring the two incarcerated MPs back to parliament", the CHP MPs put an end to the crisis by taking oath.

The twenty-fourth Turkish parliament is thus underway, with a number of immensely significant items for the country's future high on the agenda.

Reference to two other online analyses of these elections:

SETA Foundation for Political, Economic and Social Research. Political Parties in Turkey: From 2010 referendum to 2011 June Elections, available at:
http://www.setadc.org/pdfs/SETA_Policy_Brief_No_52_Political_Parties_in_Turkey.pdf

OSCE/ODIHR needs assessment mission report, Republic of Turkey, Parliamentary Elections, 12 June, 13 April 2011, Warsaw, available at:
<http://www.osce.org/odihr/elections/76837>