

DEMOCRACY AT A CROSSROADS: TÜRKİYE'S CONSTITUTIONAL DEBATE AND ITS DOMESTIC AND INTERNATIONAL IMPLICATIONS

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Annotation

This article looks at what Türkiye's possible constitutional reform could mean, especially as the country has seen democracy weaken under incumbent President Recep Tayyip Erdoğan. Since 2017, when Türkiye switched from a parliamentary to a presidential system, the president's power has grown a lot, and this has reduced checks and balances and hurt the independence of the courts. Now, with a legal team chosen by the president working on a new constitution, there are renewed worries that the law could be used to keep Erdoğan in power past 2028 and make the system even more authoritarian.

By reviewing recent political events, election results, and human rights reports, it can explain why these constitutional changes are being considered and why they are a threat to democracy. There are also three possible outcomes for Türkiye after 2028: a full move to autocratic rule, gradual changes that mask deeper democratic decline, or reform failing due to political fragmentation. No matter which path is taken, the debate over the constitution is a turning point for Türkiye's democracy, with significant consequences for how the country is governed, its civil rights, and its ties to the European Union (EU) and other Western partners.

Introduction

Türkiye's politics have become more difficult for democracy in recent years. Since 2014, President Erdoğan has steadily increased his power, weakened checks on the presidency, and used the courts against his opponentsⁱ. Social tensions and high inflationⁱⁱ add to the country's problems. In the region, Türkiye's support for Syria's new governmentⁱⁱⁱ shows its interest in stability and expanding its influence through neo-ottomanism. At home, security threats, protests^{iv}, and human rights issues^v continue. The 2017 constitutional

referendum is still the subject of public debate. Now, as Erdoğan's third term moves toward its end in 2028^{vi}, news that a legal team chosen by the president is working on a new constitution^{vii} has raised more concerns that democracy is slipping further. These developments raise critical questions about the future of democracy in Türkiye and form the basis for this paper's thesis: the proposed constitutional reforms under Erdoğan have the potential to further weaken democratic institutions, substantially alter the balance of power, and intensify instability both within Türkiye and across the broader region.

From presidency to autocracy

Erdoğan grew up in a poor, conservative family in Beyoğlu, İstanbul, attended an İmam Hatip high school, and became politically active after university, supporting the Islamist movement Millî Görüş^{viii} led by Necmettin Erbakan. He joined the Welfare Party (Rehaf Partisi) and Virtue Party (Fazilet Partisi), which were eventually banned for religious reasons^{ix}, and gained prominence as Mayor of İstanbul in 1994, later being jailed in 1998 for reading a poem at a rally^x. After his release, Erdoğan co-founded the Justice and Development Party (AKP) in 2001 as a successor to the Virtue Party. The AKP's victory in the 2002 elections was driven partly by public anger over corruption, especially regarding the 1999 earthquake response^{xi}. As prime minister, Erdoğan initially advanced reforms and moved Türkiye closer to the European Union^{xii}, but as the AKP continued to win elections, it consolidated power and promoted religious policies. The AKP blends strong promotion of conservative Islamic identity with right-wing populism, which manifest itself in policies that include, for example, in expanding İmam Hatip Schools^{xiii}, lifting the headscarf ban in 2013^{xiv}, and

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converting the Hagia Sophia into a mosque in 2020^{xv}. By 2011, Erdoğan's leadership displayed increasing authoritarian tendencies.

Erdoğan's presidency changed dramatically after the failed military coup on July 16, 2016, for which Türkiye blamed Fethullah Gülen^{xvi} a Turkish Muslim scholar and a preacher. Many people took to the streets to support him, and the coup was stopped within hours, but it left at least 251 dead and more than 2,200 injured. Erdoğan then declared a state of emergency that lasted two long years. In the aftermath, Erdoğan cracked down on anyone he saw as a threat, with tens of thousands arrested, jailed^{xvii}, or suspended for supposed links to the coup^{xviii}. Many saw this as Erdoğan using the crisis to tighten his grip on power and eliminate the opposition. This led up to the constitutional referendum that shifted Türkiye from a parliamentary to a presidential system.

In December 2017, the AKP put forward major constitutional changes that have changed how Türkiye is run. Here are the main amendments^{xix}:

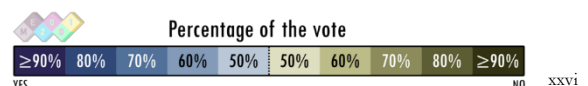
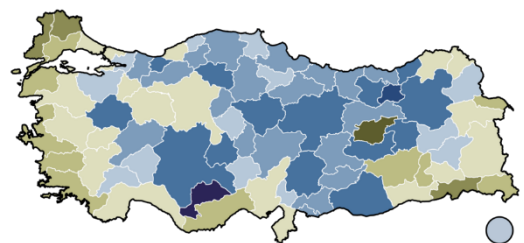
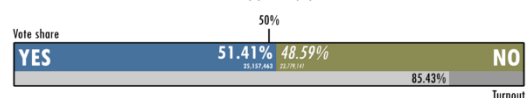
- The abolition of the office of prime minister and cabinet means the country no longer has a cabinet answerable to parliament. The president now holds all power to appoint and dismiss ministers.
- The president became the head of the executive power, with authority to issue decrees.
- The president no longer has to be neutral and can maintain ties to a political party.
- Presidential and parliamentary elections are held together every five years^{xx}. Previously, these were every four years, according to the 1982 constitution.
- Parliament lost the right to interpellation.
- The president has criminal liability, which means that the "Absolute majority of the Grand National Assembly of Turkey may table a motion requesting that the President of the Republic be investigated on allegations of a crime."^{xxi} as opposed to the large criminal immunity except for high treason in the before-2017 Constitution.
- The president acquired expanded authority over the High Council of Judges and Prosecutors. The council's membership decreased from 22 to 13

judges, with the president empowered to appoint 4 members^{xxii}.

These constitutional changes were rapidly approved by Parliament and subsequently passed in a national referendum in April 2017. This development steered the country toward a "Turkish-style presidency"^{xxiii} and represented a significant milestone in state development since the founding of the Republic of Türkiye. In contrast to international norms, the referendum presented 18 proposed amendments affecting 72 articles of the constitution as a single package, preventing voters from expressing preferences on individual amendments. Ultimately, 51.41 % of voters supported the constitutional changes (25,157,463 votes), while 48.59 % opposed them (23,779,141 votes). Notably, major provinces such as İstanbul province (51.35 % for "NO"), İzmir province (68.80 % for "NO"), and Ankara province (51.15 % for "NO"), as well as provinces with big coastal cities like Antalya province (59.08 % for "NO") or Mersin province (64.05 % "NO"), and Kurdish-majority provinces^{xxiv} including Mardin (59.06 % for "NO"), Diyarbakır province (67.59 % "NO"), and Batman province (63.65 % for "NO") voted against the amendments^{xxv}.

2017 Turkish constitutional referendum

Results mapped by province



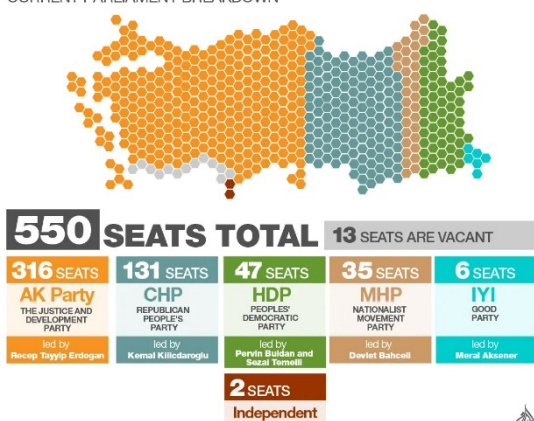
European allies warned that Türkiye was sliding toward dictatorship. Opposition and international

observers questioned whether the referendum was free and fair. A critical report from Organization for Security and Co-operation in Europe (OSCE)^{xxvii} stated that the High Election Board (YSK) released instructions late in the day that significantly changed ballot validity criteria, undermining an important safeguard and contradicting the law; however, the YSK responded by describing the OSCE report as groundless and questioning its credibility^{xxviii}. At this point, Türkiye was visibly losing checks and balances and moving toward one-man rule. Some sources argued this simply formalized an existing system. The government, however, claimed the new system would bring stability by synchronizing elections and setting fixed five-year terms.

After 15 years in power, Erdoğan tightened his hold when the AKP won again in 2018. He called early elections 18 months ahead of schedule, at a time of high inflation, a weak currency^{xxix}, and a stronger, allied opposition. The vote happened while the state of emergency was still in place. Erdoğan claimed victory two days before the results were official^{xxx}, and thanks to the referendum, he started his second presidential term with more power and a weaker parliament^{xxxi}. Almost 59 million people were registered to vote, and turnout was about 90 %. Erdoğan received 52.59 % of the vote in the presidential election, and the AKP's alliance with the Nationalist Movement Party (MHP) won over 53 % of the seats in parliament^{xxxii xxxiii}.

Turkey Elections 2018

CURRENT PARLIAMENT BREAKDOWN



SOURCE: AL JAZEERA | JUNE 16, 2018

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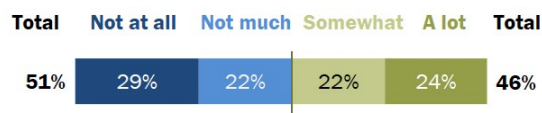
The MHP is a far-right group and was an unexpected partner for the AKP^{xxxv}. In 2014, MHP leader Devlet Bahçeli was a strong critic of Erdoğan's push for more power, his economic policies, and his stance on the Kurdish issue. Bahçeli even backed an opposition candidate against Erdoğan that year. Their partnership started quietly in late 2016, after the coup, when both parties supported the controversial constitutional referendum. The alliance worked out well for both, whether it was simply due to a political strategy or changing party goals.

Motivation behind the change

In November, MHP leader Devlet Bahçeli, an ally of Erdoğan, suggested that the constitution could be changed to let Erdoğan stay in power, saying it would be a missed chance not to do so^{xxxvi}. Earlier this year, Erdoğan said he had picked a team of lawyers to draft a new constitution. He denied that this would let him stay president after 2028, saying he had no plans to run again. Still, many doubt he will step down after more than twenty years in power. Legally, he would need a constitutional amendment or early elections to extend his term, which requires 360 votes in the 600-seat parliament. The AKP and MHP together have 318 seats, but they might get support from the pro-Kurdish Peoples' Equality and Democracy (DEM) Party^{xxxvii}, which has 57 seats. This could be enough to pass the new constitution in parliament, but a referendum would still be needed, since getting 400 votes for direct passage is unlikely. Erdoğan faces challenges here. In 2023, he started his third term, but soon after, the AKP had its worst election result ever, and Erdoğan's popularity has been falling since^{xxxviii}. About 51 % of people think the government does not act in the country's best interest, and even more question whether the 2023 election was free, one of many reasons being the government's control over about 90 % of the states' media^{xxxix}, digital censorship, and the government's control over the internet^{xl}.

About half of Turks do not trust their government to serve national interests

% of Turkish adults who trust the national government to do what is right for their country ...



% of Turkish adults who are ___ confident that the May 2023 election was conducted fairly and accurately



% of Turkish adults who are ___ confident that the government will take the necessary measures to prepare for future natural disasters



Note: Those who did not answer are not shown.

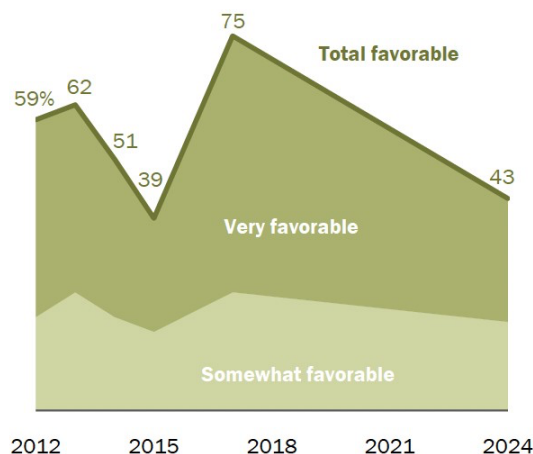
Source: Survey of Turkish adults conducted Jan. 29-March 11, 2024. "Turks Lean Negative on Erdoğan, Give National Government Mixed Ratings"

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Turkish adults far less likely to see Erdoğan favorably today than in 2017

% of Turkish adults who have a ___ opinion of President Recep Tayyip Erdoğan



Source: Survey of Turkish adults conducted Jan. 29-March 11, 2024. "Turks Lean Negative on Erdoğan, Give National Government Mixed Ratings"

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Another thing was that, after the 2023 election, the crackdown on journalists intensified, making it even harder for democracy to function^{xliii}. Reporters Without Borders says Türkiye dropped 16 places in the world press freedom rankings, from 149th in 2022 to 165th in 2023 out of 180 countries^{xliv}. This is partly because of a 2022 "disinformation law" that, according to Amnesty International, could mean up to three years in prison for sharing information^{xl}. Also, İstanbul's former mayor, Ekrem İmamoğlu, was convicted in December 2022^{xlvi} for "insulting state institutions" in a trial many saw as political. He was convicted again in 2025 and got a 20-month^{xlvii} prison sentence. These moves look like Erdoğan is trying to remove a major rival before the next presidential election. As protests broke out across the country in 2025 over İmamoğlu's jailing, the parallel with Erdoğan's history is striking, as he himself was once a famous, charismatic mayor of İstanbul who was jailed for political reasons by a corrupt government^{xlviii}.

What could the new constitution bring?


Looking at what a new constitution could mean, there are three main scenarios for Türkiye after 2028.

The first scenario, widely discussed, involves the formal strengthening of presidential powers and the explicit legitimization of Erdoğan's autocratic governance, making a return to the previous system incredibly challenging. Since the transition to a presidential republic in 2017, presidential authority has expanded, particularly over the executive and judicial branches. According to Human Rights Watch, immediately following the attempted coup, a list of 2,745 judges and prosecutors was issued for suspension on July 16, 2017, without concrete evidence, thereby violating the rule of law and the right to a fair trial. "In addition to the 2,745 judges and prosecutors from lower courts, the investigation includes 48 members of the Council of State, Turkey's highest administrative court, two members of the Constitutional Court, 140 members of the Court of Cassation, and four members of the Higher Council of Judges and Prosecutors," as reported by Human Rights Watch on August 5, 2016^{xlix}. A 2014 report also recommended that Türkiye "Strengthen the independence of judges and prosecutors from the executive and from all forms of political interference,"^{li} yet subsequent developments have moved in the opposite direction. Comparative international examples illustrate the broader risks of such centralization: for instance, constitutional reforms and executive consolidation in Hungary and Russia have resulted in diminished judicial independence and reduced opposition voices, leading scholars to characterize these states as competitive authoritarian regimes. Similar patterns have undermined the rule of law and pluralism, hampering avenues for democratic restoration. In Türkiye, this scenario would likely widen the gap within the nation and further distance it from the European Union. Moreover, any constitutional reform perceived as consolidating autocratic rule could trigger negative responses from international actors, particularly the European Union and the Council of Europe, which might

initiate political or economic measures to address concerns over the rule of law and democratic backsliding. This may leave EU-Türkiye cooperation solely at the level of mutual strategic interests such as security in the Black Sea, migration, and regional stability in the Middle East. In terms of democratic standards, Türkiye is already among the lowest-rated countries by Freedom House, scoring only 33 out of 100^{li} in the "Freedom in the World Score," compared to 95 for Czechia.

The second scenario is that a new constitution brings only insignificant changes. This would give the government more room to act while still weakening checks and balances, even if it appears the country is maintaining the current level of human rights and rule of law, if there are any left. In this scenario, the gradual implementation of minor amendments could lead to a subtle but persistent weakening of democratic institutions over time. By introducing changes incrementally, the government could lessen immediate public resistance and international scrutiny, allowing alterations to accumulate without triggering widespread unrest or organized opposition. This strategy makes it harder for civil society and opposition groups to mobilize, as each individual change may seem minor or technically justified. However, the cumulative impact of these piecemeal reforms could erode institutional autonomy, concentrate executive authority, and restrict political pluralism. As a result, major social or political crises might be postponed, but the gradual loss of meaningful checks and accountability could undermine democracy just as significantly as a more abrupt transition, only proceeding in a less visible and more insidious manner.

In the third scenario, which is the least likely, but still cannot be ruled out, the constitutional reform fails either because Erdoğan does not gain enough support in parliament or among the public, for the referendum. As the DEM party's support is still unclear, and even though tensions between Kurds and the government have eased a bit, especially after the Kurdistan Workers' Party (PKK) leader Abdullah Öcalan called for laying down arms^{lii}.



Erdoğan's troubled history with the Kurds could make any alliance difficult. Releasing Öcalan from prison might help relations with the DEM party and Kurds in general, which could be something Erdoğan needs to stay in power.

Conclusion

Türkiye is at a turning point in its politics. The plan to draft a new constitution under Erdoğan is not just a legal process, but a political move with big future effects on democracy. Since the 2017 referendum, more power has gone to the president, the courts have lost independence, and opposition has been pushed aside, but not yet totally destroyed or banned. This raises real concerns that changing the constitution could be used to prolong authoritarian rule rather than restore balance.

All the likely scenarios discussed here pose serious risks for Türkiye's democracy. Whether power is openly consolidated, checks and balances are quietly weakened, or reform fails, and the population fragments, the debate over the constitution will likely deepen social divisions and put more strain on relations with Western countries, however, a complete withdrawal from international relations on the part of the West and the EU seems unlikely, as Turkey remains the second largest army in NATO, right after the US, and despite its democratic decline, it is still the more stable country in the region. Lastly, even if the constitutional reform does not succeed, the process could still be used for political deals, to suppress opposition, and to make democratic decline seem normal.

According to my predictions, Erdogan will proceed rather slowly, gradually, and above all cautiously, because he will not want to cause such a stir, given that even with the MHP alliance, he does not currently have enough seats in parliament to call a constitutional referendum, let alone bypass one. He is therefore interested in securing the support of the Kurdish minority and the pro-Kurdish DEM party, which will be of the utmost importance to him if he wants to remain in power, and I, like everyone else, do not believe that he would want to retire given his current situation.

In the end, Türkiye's democratic future will be shaped not only by the content of the new constitution but also by political will, the strength of institutions, and the degree of societal resistance to authoritarianism. The scenarios discussed above, ranging from the consolidation of autocratic rule, through incremental democratic decline, to the potential failure of reform efforts, underscore the uncertainty of the country's trajectory. For the EU and NATO, this period represents a crucial test of how to engage with Türkiye while maintaining commitments to democracy and human rights. As Türkiye stands at this crossroads, the decisions and actions taken in the immediate future will not only determine the fate of its democratic institutions but may also influence broader regional stability and international relations. Ultimately, the years ahead will reveal whether Türkiye moves toward continued democratic erosion, further entrenchment of authoritarianism, or a reversal towards greater political openness and accountability.

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