

TURKEY'S SEARCH  
FOR A NEW  
**03** POLITICAL  
SYSTEM

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**DEMOCRACY AND THE  
PRESIDENTIAL REGIME**  
DESIGN AND  
PERFORMANCE

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## PREFACE

The system debate is arguably the most pressing and consequential subject of Turkish politics. Turkey has been having a governmental system discussion for a period of time, and the next few years will appear to be in intense debate and search.

Turkish parliamentary system experience (1876-2017) often dealt with interruptions. As a result, it has not only failed to produce general satisfaction in politics and society but also has been unsuccessful in yielding economic stability. Similarly, the outcome of the last five years of the Presidential Government System (or the Presidential System with its widespread use) could not generate stability.

The parliamentary system has had a hostile place in public memory. Because it is usually associated with military coups, the weakness of civil politics, military and civil bureaucracy tutelage over elected bodies, fragile and inconsistent coalition governments. Usually, instead of dealing with the structural shortcomings of Turkish democracy, bashing the parliamentary system was a safe debate tool under the military tutelage years. The shortcut savior happened to be the presidential system. It was supposed to protect Turkish democracy from military tutelage, political instability or coalition governments. During the 1980s and 90s, strong political leaders, such as Demirel and Özal, voiced that the parliamentary system was malfunctioning, and that Turkey should move into the presidential system. However, despite such occasional political and academic disclosures, the system change did not become a serious part of the public agenda until 2014.

The most significant break in system change occurred in the Presidential elections in 2007. As the reactions to Abdullah Gül's Presidential candidacy turned into a severe political crisis over the April 27, 2007 memorandum and the decision of the Constitutional Court to block his candidacy; the AK Party has turned to change the presidential electoral system.

The constitutional amendment electing the President by the people instead of the parliament in a referendum also gave solid political capital to the President. This new election system gave the President legitimacy of representing at least 50% of the voters. Moreover, it empowered him to push the boundaries of the classical parliamentary system with the 1982 constitution and symbolic role of the President.

Erdoğan as the first president elected directly by the people, has adopted a persistent policy of switching to the presidential system. For years, the presidents elected through parliament experienced a severe political clash with the elected governments due to their constitutional powers. The new system empowered the President with two additional power dynamics: being elected by the people (Erdoğan received 52 percent) and having a ruling party in the parliament. Ironically it was not only a new power surge but also paved the roads to new clashes and rifts between elected bodies.

Between 2014-2017, the anomaly caused many political crises. After the July 15 coup attempt, the deadlock was attempted to be resolved in line with the presidential system through the initiative and support of MHP leader State Bahçeli with the motto "de facto situation should be de jure." Without much public debate, the constitutional amendment, drafted in line with the preferences of the AK Party and MHP, was adopted with 51 percent support on April 17, 2017, referendum while the July 15 coup trauma was still in effect.

The presidential system, which took effect in the June 24, 2018 elections, has also produced a high dissatisfaction over its political and administrative performance since 2018. It has been criticized for the unification of powers, weakening the checks-and-balances mechanisms, eroding the political party

identities, pushing them to establish alliances, and deepening polarization. In addition, the ruling bloc, which favors the presidential system, has avoided revisions that will make the current system more operational, and further deepened the system's discomfort.

Public opinion studies show that support for the presidential system has fallen to 35 percent, and a possible referendum on the return to the parliamentary system will gather powerful support. Opposition political parties had a window of political opportunity created by dissatisfaction with the system. It helped opposition parties to develop a political strategy and rhetoric through the return to the parliamentary system. It allows many political parties with different political priorities to act together on the same goal while camouflaging the motivation to defeat Erdoğan in elections. They are currently asking to return to the parliamentary governmental system creating a political rhetoric on the axis of authoritarianism-democracy. In this framework, the system debate and the goal of restarting the parliamentary system have become the essential issue of the political struggle between the ruling and the opposition blocs.

Starting from 2021, the opposition political parties have prepared and publicly disclosed their parliamentary system proposals. This year they formed a joint working group and agreed on the basic principles, and finally presented the public "Strengthened Parliamentary System" proposal. Now six opposition parties decided to gather at the leadership level monthly—their main agenda focusing on governmental system change. It is a game-changing step in a fractured and highly polarized Turkish political atmosphere. Will the goal of returning to the parliamentary system be good enough to keep opposition parties united in the face of the ruling alliance, is questionable. However, it would be fair to argue that the parliamentary system proposal may ripen into the political alliance of opposition.

The search and discussion of the governmental system appear to be the most critical topic of politics for the next few years. Regardless of the outcome of the June 2023 elections, the system debate will be the most crucial topic of politics in the short term. If the current ruling alliance wins, they need to reform the system. If the opposition wins, they need to keep their election promise to change the system. In any scenario, Turkey is heading towards either imposing alterations or structural reform. Therefore, the system debate will settle itself as one of the top political issues in Turkey in the coming years.

Meeting this demand and preparing enhanced research on the governmental system will play an essential role in the quest for a possible change. Comprehensive research should present a comparative, global, political, and constitutional base for the debates and assist decision makers in political parties and the public in finding an enriched discussion floor.

Within the framework of this program, Ankara Institute plan to publish ten academic analyzes that will contribute to the search for systems over the next year in order to meet this end.

The research plans to conduct two workshops with the participation of stakeholders that we predict will contribute to the system discussion and hold a detailed public opinion survey.

This study in which Ersin Kalaycıoğlu evaluates the design and performance of the Presidential System is the third of the academic contribution series that made out of 10 reports.

Over the next year, we believe that this research project, which will continue through analysis, workshops, and public surveys, will contribute significantly to the quest for a system that progresses only through the harsh contrasts of government versus opposition parties dynamics and provides qualified academic background, common sense consultancy, and poll data.

## INTRODUCTION: DEMOCRATIC GOVERNANCE MODELS

Although the democratic governance of political systems is not a recent phenomenon, it has acquired a globally compelling context only in the second half of the 20th century. We can acknowledge democracy as a governance model composed of structural, legal and behavioral constituents organized in order to ensure that people can govern themselves. We can term this principal design a political regime of democracy that determines the instrumentality of institutions and organizations in accordance with the norms and regulations for this governance model to function in harmony. When it comes to political systems which have a codified, written constitution, the aforesaid legal texts constitute the core of their political regime. In democracies, it is imperative to incorporate the relevant laws and rules of procedure that determine the functioning of the legislative system into the core of the political regime as well. However, as well as the abstract rules comprised in written legal texts, the valid and effectual norms and behaviors required for enforcement of the abstract rules constitute the basis of the political regime. In this sense, when we make reference to the political regime, we should comprehend all of the written and unwritten rules of the game adhered to by those who hold and struggle for political power to govern in a political system.

When it comes to democracy, the rules which constitute the political regime can be established on two grounds: First, a design where the public has the legitimate authority to make decisions directly, underpinned by sanctions, as a consequence of perdurable and regular discussion and negotiation on every single political issue. The second is a design for the governance of the people based on decisions taken by deliberation and negotiations through the agency of their representatives, who have the legitimate authority to make decisions supported by the power of sanction, endowed with the same authority as that of the people, in the absence of the people. The first of these two basic designs constitute direct democracy, and the second constitutes the implementation of representative democracy.

With respect to the first known form of democracy, it was characterized by a regime designed in accordance with the direct democracy model. However, in this practice,

which was originally based on extremely restricted public participation, only men who were deemed as the head of their household and family legitimately held the right to rule. Women, youth, slaves and servants were not considered as part of the people and were not permitted to take part in the making of political decisions. Those entitled to participate in governance and holding the right to vote maintained the opportunity to contribute to the political decision-making process and were also from time to time elected to govern and enjoyed a chance to execute political decisions as well. Under this design, those who were designated as voters for a period were enabled to also assume the role and duties of governors for a certain period, and vice versa. Under these circumstances, we can contemplate that democracy commenced with a political regime that we will briefly call direct democracy. However, this design, which was originally implemented in the city states from antiquity onwards, was eventually ruled out in the course of time, and lost ground to representative democracy after the Industrial Revolution.

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Within the framework of the implementation of representative democracy, it is inconceivable for the people to be engaged in politics all the time. However, in absentia, representatives elected to exercise their legitimate authority to make binding political decisions on the people's behalf are engaged in governance activity. It is essential that the election of these representatives conforms to fair and free legal due process. Representatives are politically responsible and accountable to those who elected them, the people. The electoral institution creates an extremely convenient structure for both the determination of representatives and their accountability to the public. Elections are indeed regulations that certify that the representatives are legally determined fairly and freely, based on due process, and that the unsuccessful representatives are also dismissed from office. Elections are considered freely and fairly held as long as they are not held under any pressure or surveillance, and each candidate and voter can freely and fearlessly express his/her views, ideas and ideals. Elections are considered to have democratic legitimacy as long as they are held freely and fairly, which constitutes the preliminary initial step for the realization of representative democracy.

For free and fair elections to be held and for the representatives to be evaluated while fulfilling their elected duties, it is necessary for the people (in practice, the voters) to be informed without any restrictions (or censorship), for political and social associations and organizations of the realm to operate freely, and for new political parties to be established and stand for election. Otherwise, the freedom of information, and the preferences of the voters at the polls which are determined based on the quality of information they receive, will be hampered, the election will

be compromised by imperfect information and knowledge, as the voters will be misled by mis- or dis-information, and the resulting political outcome of the election cannot be considered as fair or just.

For this reason, representative democracy cannot be boiled down to merely free and fair elections; representative democracy can only be ensured provided that civil liberties and rights of the voters are fully respected. In this sense, representative democracy and the rule of law should be expected to co-exist simultaneously. In order to guarantee the rule of law, the existence of an independent judiciary operating with impartial and competent judges who act honestly in the legal decisions they make is an absolute necessity. Thus, in order for the judiciary to work effectively and (especially) free from those who control and wield political power, it becomes necessary to render it independent of the legislative and executive branches of the government.

This independence has been accepted as a basis in all representative democracy models. However, the relationship between the legislature and the executive branches has been designed to include significant distinctions in different models of representative democracy. In its original majoritarian form – the Westminster model, which emerged out of a political struggle and civil war fought against absolute monarchy in the 17th century – representative democracy emphasizes the congregation of the representatives of the people in the legislative branch of the government (parliament), which functions as the fount of all political legitimacy and sovereignty. This power cannot be shared by any other institution. Moreover, the popular representatives whose status has been registered through free and fair elections are the only delegation that legitimately has the authority to make political decisions on behalf of the people; for they are the ones whose authority to represent the sovereign will of the people has been legally registered through popular elections. The people (voters) have registered with the election process that they have transferred and handed over their popular power to be utilized in their place for the legal period for which their representatives have been elected. Therefore, in the original modern example of representative democracy (Westminster Model) in Britain, the parliament, which is the representative of the people (in practice, members of the House of Commons, which is its lower chamber) has the power and authority to make binding decisions legitimately on all kinds of issues. The representatives (Members of Parliament, MPs) are only accountable to the public (people, voters) for their political decisions during the election period. If the people (voters) do not approve of them, they express their disapproval by not voting for them. In this practice, the people have no direct influence on the administration of the po-

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litical system; the people may only affect public decisions indirectly (Held, 1987: 92–96; Lijphart, 1984: 4–8; Rasmussen and Moses, 1995: 71–78).

The design of the Westminster model was implemented in Britain by combining representative democracy with majoritarian election laws, an electoral principle that facilitates government formation and accountability. Arendt Lijphart has pointed out nine basic elements of this representative democracy practice in Britain (Lijphart, 1984: 4–6): The legislature is bicameral and the lower house mainly exercises political sovereignty. Party government is essential, and the prime minister and cabinet, exercising executive power, are also fused with and influential on the legislature. This regime operates based on a two-party system. The right-left ideological spectrum includes the simplicity of only one dimension based on social class. The electoral system is based on single-member districts where any candidate who obtains the most votes at the polls wins. A centralized and unitary governance system is sovereign. The Westminster system of government incorporates an unwritten constitution, which accords full exercise of political sovereignty to the legislature and functions as an exclusively parliamentary (representative) democracy. Although Lijphart does not include it among the basic elements of the Westminster model, a completely independent judiciary and a strong association must be seen as necessary for such a regime to work. Otherwise, a regime based on the dictatorship of the majority of the legislature emerges, and it is substantially doubtful whether such a regime is compatible with democracy. We cannot help but think that Lijphart's evaluation of the Westminster regime in the European context does not attach much importance to the requirements of judicial independence.

In short, the Westminster model, which emerged as a model for majoritarian representative democracy, has been one of the most basic implementations of representative democracy. It is possible to argue that many sub-types or derivatives of this model, which has over time inspired many democratic regimes, have emerged. One of the most striking of these is the presidential regime implemented in the United States of America (USA), which will be discussed later in more detail.

The major contrasting model, which differs from the Westminster model in terms of its structure, functioning, and the cultural context in which it is located, is consociational democracy. This political regime design – the most perfect and perhaps the most complex instance of which we observe in Switzerland – places the problem of forming a government, which is at the forefront of the Westminster model, into the background, and emphasizes political representation, such that no minority is ex-

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cluded from political decision-making, and democratic governance becomes comprehensive and integrative. For this purpose, this consensus-based democratic regime model is designed to maximize representation of each political view, ideology, community and interest present in society to take part in political decision-making. The fundamental aspect of this regime is to ensure the general acceptance of the legitimacy of the political authority through the establishment of the legislative institution by ensuring the political representation of each political force according to its size among the people (voters). Consociational democratic regimes are institutionalized in societies fragmented by various socio-cultural fault lines. The management of such societies with democracy and stability is only possible with the implementation of an understanding of participation and representation that embraces all views, ideologies, communities and interests. For this reason, proportional representation plays a fundamental role in consociational democracies, multi-partyism in the party system, balanced bicameralism, decentralization, and federalism contrary to centralism.

The separation of powers seen in the Westminster model is also essential here. It is now difficult to talk about a legislative system under party government and executive dominance. Instead, governing with a coalition or minority government appears to be the rule rather than the exception in a consociational design. In a context where political rules and institutions direct all kinds of minorities to participation and representation, the government's idea of turning a program into policies under the leadership of a certain leader loses its meaning. Here, a coalition in which every citizen and their elected representatives contribute a certain amount is essential for governing, taking care not to exclude any political force. Political stability is not limited to government stability, and party government may even become a threat rather than the basis of political stability. This contrast between government stability versus political stability of the system can be perceived most clearly in examples like Switzerland, Belgium, the Netherlands – and even Lebanon after 1958 – where the consociational model has been implemented for substantial periods of time.

Political regimes based on consensus have also partially accepted and institutionalized direct democracy practices. Applications such as referendum, recall and initiative have become institutionalized, especially in Switzerland. These practices, which are applied both in the local and in the central (federal) governments, are used for example to recall (replace) political leaders who lose their credibility and support in the eyes of the voters. The voters may also challenge the decisions taken by the legislature as well as ensure that an issue is enacted by popular vote without waiting for the agenda in the legislature by means of an initiative, which may be ta-

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bled upon the collection of a required number of voter signatures. In consociational regimes, there is no absolute transfer of the use of sovereignty to the legislature, and political participation and representation occur as a bundle of practices that have become almost cohesive. However, in the Westminster model, political participation and representation are handled separately from each other and as phenomena that are expected to occur in different contexts.

The institutionalization of representative democracy and direct democracy are both deemed essential elements in the consociational political regime. In this respect, consociational regimes should be considered as hybrid regimes of representative democracy and direct democracy. The fact that a component of direct democracy is included in their design is the distinguishing feature of consensus regimes. However, no direct democracy practice is included in the draft as an institutional constituent, especially in representative democracy designs that set off from the Westminster model. In particular, the coalition government regime in Italy from 1948 to 1991 or the Coalition and Minority Government phenomena implemented in Denmark in the same period are designs based on pluralism and de jure legislative supremacy. As Lijphart rightly states, the main difference is not between the Westminster regime and these majoritarian representative democracy regimes, but between the majoritarian democracies (such as the Westminster democracy) and pluralist consociational regimes. Other intermediate regime types are derivatives of these two basic designs. Apart from these derivatives, but still a hybrid regime, the semi-presidential regime has been the most striking design in many post-Communist countries and also in Turkey it was a source of inspiration in the making of the 1982 constitution. That is why I find it useful to briefly describe the semi-presidential regime.

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The semi-presidential regime has a structural appearance that is designed as a derivative of the Westminster model but also benefits from the features of the consociational regime design from time to time. The first example of this type was implemented in Germany (with the Weimar Republic) and Finland in 1919. However, the most well-known semi-presidential model in the world is the French regime, which was the subject of the 1958 French Constitution and the Fifth Republic practices. This practice emerged as a product of the political crisis, which was also affected by the post-World War II decolonization process that France began to experience in the 1950s. Acting on the idea that the unstable governments of the Fourth Republic and the strong but multi-party legislature made France difficult to govern, a semi-presidential regime was established under the leadership of a national military hero, General Charles de Gaulle, to produce the practice of stable government (Hayward,

1983: 14–17; Pickles, 1962: 26). This regime is based on a constitution made directly on the wishes and directives of de Gaulle. In particular, after the 1962 amendment the French Constitution incorporated a president elected by the people for a single seven-year term; a bicameral legislature consisting of a National Assembly and a Senate elected by popular vote; a prime minister appointed by the president and responsible to the legislature by a vote of confidence, but who can be dismissed by the president; and operating with an independent judiciary. While proportional representation is preserved, it only functions through elections based on a run-off majority and a single-member district (Hayward, 1993: 36-75). Semi-presidential democracy thus produced a presidential institution equipped with extraordinary powers, especially when the same political power controlled both the presidency and the majority of seats in the legislature.

The most critical institution in the French semi-presidential regime is the Presidency, which is equipped with the powers to dissolve the parliament, hold early elections, apply for a referendum, and manage defense, security and foreign policies (Hayward, 1993: 38–45). Thus, the executive branch was divided into two: a President, and a Prime Minister and her/his Council of Ministers, working under the mandate of the President. The powers of the legislature were limited to the domains of law-making aforesaid in the 1958 French Constitution, and its supervisory powers were reduced by infrequent meetings of both the National Assembly and the Senate. Moreover, the political effectiveness of this institution was diminished, by being limited to asking questions to the Prime Minister and the Ministers, and a small number of permanent commissions only recommending changes to the government draft bills (Machin, 1993: 120–49; Howorth, 1993: 150–89). French political scientists and constitutionalists call this the “rationalization of legislation,” whereas in practice it is limitation of the powers of the representatives of the people. It is highly doubtful that this situation has anything to do with reason or rationality. Establishing a dual executive with a semi-presidential regime and empowering it to rule the country through decrees and referendums with the force of law, eliminating the effectiveness of the legislature in law-making and in controlling the executive, culminates in the erection of a legislature as a form of “super notary public” that disguises the legitimacy by approving the decisions taken by the executive without much consultation.

Although the judiciary is independent in the semi-presidential regime established in France, since the Constitutional Court was a committee composed of members elected by the President, it preferred not to cause any problems, especially during the reign of General de Gaulle, and to enforce the Constitution (Rasmussen and

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Moses, 1995: 340). Thus, General de Gaulle, who was immune from effective legislative and judicial control, ruled France between 1958 and 1969, equipped with powers that would resemble the famously despotic King Louis XIV. In this context, the semi-presidential model can be construed as a regime produced to solve the problems of a certain political period in France. For this reason, we should consider the design as a special composition or hybrid implementation developed using the Westminster model – generally grounded in the representative parliamentary regime model but married with the presidential regime design.

In contrast to the regime practices discussed so far, we can propound that it also is possible to manage by addressing local problems; generating solutions and policies in communities such as the cantons of Switzerland or the town councils established in small cities in the north-east of the USA (New England). Since there is no longer a representative election phenomenon within an arrangement like this, where every adult gets a chance to participate in person, there is no representation. Political decision-making becomes only a participatory phenomenon. Provided that the entire adult population participates, engaging in discussion and exchanging ideas and criticism, both accountability and decision-making function in such a context. The executive may consist of an elected board, or it may consist of a single mayor and affiliated bureaucracy. In these communities, which look like a city-state, all the legislative functions are undertaken by the citizens, and the phenomenon of political representation in this sense disappears. Since it may be possible to transform the judiciary into a board where all the people will participate, there may be a government structure consisting of the elected executive and the legislature and the judiciary carried out with the participation of the people. We do not know whether this or a similar regime, which has never been implemented except in very small units, can be used to govern countries with millions of inhabitants. However, we can safely assert that there is no state that has so far dared to implement direct democracy (for more theoretical insight, see Held, 1987: 105–39). All existing democratic administrations today derive from either majoritarian Westminster or pluralist (consociational) democracy models. The first example of Westminster-type democracy applied to Republican state was the presidential democracy in the United States.

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## PRESIDENTIAL DEMOCRACY: THE EXAMPLE OF THE USA

Twenty-five years after the Industrial Revolution began, and 45 years after Montesquieu's famous work *The Spirit of the Laws* was published, a group of British colonies in North America set out to establish a new state in the wake of their victory in the war of independence against the United Kingdom. American patriots had rebelled against the tyranny of excessive taxation by the government of the UK under King George III. Seeing themselves as British citizens, the settlers of the colonies had demanded, without success, to be represented in the British Parliament. Ultimately, the first republic in modern times was founded. When the war was won by the American patriots, these 13 former colonies and newly independent states realized that they were faced with a fundamental political problem generated by these circumstances, especially when the necessity of uniting in a common political system emerged for economic reasons. Now that they were freed from the tyrant and his government, if they were to establish a similar kingdom, how were they to avoid resurrecting, in one form or another, the same tyranny they had fought to end? In a society in which individual freedom and collective independence have been achieved by getting rid of tyranny, how can the risk of resurrecting tyranny by government officials be eliminated? The responses proposed as answer to these questions created a new form of democratic government.

American revolutionaries, who set out from three basic determinations and assumptions in the treatises published in the following years under the name of the *Federalist Papers*, reached an interesting conclusion. Their initial assumption was that the kingdom (monarchy) by its nature tends to turn into personalized power. Since personal power is arbitrary and tyrannical, as demonstrated by King George III, it is unsuitable for a people freed from such tyranny. Thus, instead of "personal power," "people's power" (popular power) should be established, and the people should govern themselves; and this is the republican regime (Hamilton, Madison and Jay, 2003: 46–48).

Their second assumption was that because people's power is also "power" per se, it will have the same drawbacks as the personal power of a King and his absolute monarchy. Even if it is determined by the will of the people, whoever uses the power will tend to abuse it and deviate from justice due to the characteristics intrinsic in the content of power. The will of the people cannot make just that which is unjust (Hamilton, Madison, and Jay, 2003: 48–50; also similarly formulated by Lord Acton).

To create and run a non-autocratic power, the protection of individual freedoms and the rights of those who are in the minority at any given time (safeguarding civil liberties and minority rights) must be the fundamental mission of the constitution.

Their third assumption was that power tends to corrupt (Hamilton, Madison and Jay, 2003: 46–52), which would be expressed by Lord Acton in the 19th century as a fundamental scientific law of politics, and that this tendency will not change regardless of whoever wields that power: “Power tends to corrupt, and absolute power corrupts absolutely!”

Therefore, to create and run a non-autocratic power, the protection of individual freedoms and the rights of those who are in the minority at any given time (safeguarding civil liberties and minority rights) must be the fundamental mission of the constitution. The conclusion eventually reached is as follows: The structures of the popular/democratic government should be built in such a way that the power does not become absolute and does not exceed the specified limit. For this reason, it is necessary to construct a limited government by restraining and limiting the power of the government, even though it has the support of the majority of the people. For this, it is imperative that the political power (especially that of the executive), no matter how strong it is, must be balanced and controlled (checks and balances) by pitting against each other governmental institutions and structures that are completely separated from each other and exclusively powerful in controlling their respective turfs.

The US presidential regime, popularly adopted in 1789, is a system of separation and equality of powers of government. Legislative, Executive, and Judicial duties and functions are separate. The existence of one of these institutions does not depend on the others and they have equivalent power against each other. Representatives of the people are elected directly or indirectly to all three branches of government.

The legislature decides on financial matters on behalf of the people, the executive can only propose budget laws and the President can veto legislative bills, but the veto can be overcome by a legislative act. In the last quarter of the 20th century, the US legislature (Congress), which evaluated and assessed the quality of the information provided to it by the US revenue office (Internal Revenue Service) as insufficient, developed its own independent financial organization (Congressional Budget Office) to prepare the budget, including collecting and assessing the financial information and documents necessary for the composition of the budget. The legitimacy of representative politics in the US depends on the making and management of the budget by the representatives of the people, otherwise, US democracy is exposed to the jeopardy of losing popular support. All sorts of law-making are included in the internal process of the legislature (Congress), and the executive cannot be involved in giving directives concerning these issues. The legislative power is bicameral. The lower house consists of representatives of the people and is called the House of Representatives. The upper

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house is the Senate, which represents the 50 states that make up the federal system. The Speaker of the Upper House is the Vice President of the United States, and the Senate is empowered and entrusted with the approval authority for the President's appointments. From the members of the President's cabinet to the appointment of ambassadors and to the appointment of judges to the Supreme Court, no major appointment can be made unless the Senate approves, or it can only be made by proxy and for a short period of time, and such a practice is not preferred by presidents. A 60% majority is required in the Senate to make decisions, including laws and budgets. Party discipline in Congress is remarkably loose, as US political parties are organized separately in the individual states. For this reason, Senators from the President's party can also vote with the opposition on some decisions; the opposite is also true. A simple disciplined party majority logic does not operate under these circumstances.

The executive power operates under the leadership of the President. The President is elected by the people in a two-stage (indirect) election. It is not necessary to win the majority of votes to be elected president, it is sufficient to ensure that the majority of the electoral college votes in the states are obtained by a candidate, and sometimes candidates who achieve this can be elected by a minority of the electorate popularly supporting them at the polls. For example, President-elect George W. Bush, who was elected in 2000, received fewer electoral votes than Al Gore, who lost the election, but was declared the winner because candidate Bush received more electoral college votes than did his opponent. The President's cabinet members (secretaries) are recommended by him and approved by the legislature (by the Senate). The President cannot dissolve the legislature. The legislature takes decisions that will resolve all issues related to the election and dismissal of the President. The Senate has the power to impeach the President by convening as a court under the chairmanship of the President of the Supreme Court upon the initial decision of the House of Representatives to impeach the President. President Nixon in the 1970s, President Clinton in the 1990s, and President Trump in 2021 were tried in this way.

The executive-legislative conflict is resolved by the Supreme Court. However, the Supreme Court does not have a role in resolving disputes, especially over the budget. Budget law in the USA does not consist of a single law as in many countries; it consisted of 13 laws for a long time, and now consists of 12. Regarding some of these, political parties, the President and the majority of Congress often disagree. In this instance those budget laws concerning the agencies of the federal state that have not been approved by the Congress can cause the government to shut down, which has forced layoffs of around 800,000 federal civil servants from time to time since the

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1990s. During the Clinton Presidency, such practices took place for up to four months from 1995 to 1996; and during the Obama Presidency, such processes were experienced for a shorter period of time between 2010 and 2012. Since 1976, the binding of budget laws has not been possible before July 1 of each year, which coincides with the beginning of the US fiscal year, and so the process has been extended until the end of October. However, even this extension did not produce the expected agreements over the budget bills during Clinton's and Obama's Presidencies; these dates were passed, and the budget process could not be completed even at the end of the calendar year.

However, apart from such cases, the Supreme Court is the last court of appeal for every law and, with a decision in 1803, every constitutional change. The Supreme Court is also the institution that has the last say in disputes between the federal government and the state governments. The President proposes the new members of the Supreme Court, and the legislature (Senate) reviews and approves the appointments through a transparent process (hearing). A candidate without legislative approval cannot be appointed. Supreme Court judges are thus appointed with the consent of two branches of the government and the representatives of the states. In these appointments, the approval of 60% of the Senate members is required. For this reason, it is essential to manage the country in a style that will ensure the reconciliation of the parties in government and in opposition. In US politics is called bipartisanship. In this system, if the government and the opposition cannot agree, the government is gridlocked and neither decision, law nor policy can be produced for so long as the gridlock persists.

The final solution to the disagreements of the three branches of the government is the voter. The ultimate solution to the government's paralysis is the biennial House and one-third Senate renewal elections and the four-year presidential elections. In the event that the public leans towards one side of the conflict and elects a large enough majority in the House of Representatives and the Senate and the candidate of the same majority as President, the dispute can be resolved. However, if the public is also divided on this issue, there can be no solution. This means that it is almost impossible to change the basic policies and make reforms quickly and effectively. We should not overlook the fact that the purpose of the US presidential system is not primarily the establishment of an effective government, strong administration or concentration of power that makes quick decisions; as a matter of fact, the basis for this regime is to protect the individual rights and freedoms of citizens at all costs.

Another aspect we will underline here is that in the US presidential system, there is no President who, as a representative of the people, is a potent, unaccountable lead-

The purpose of the US presidential system is not primarily the establishment of an effective government, strong administration or concentration of power that makes quick decisions; as a matter of fact, the basis for this regime is to protect the individual rights and freedoms of citizens at all costs.

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er who wields unchecked and limitless power. On the contrary, since the US Constitution provides for a limited government, the President has political authority whose powers are within certain limits, checked and balanced by other institutions, accountable to them and restrained by them. Most importantly, the most fundamental and indispensable value stipulated by the US Constitution is that the civil liberties of American citizens are not endangered as the Constitution safeguards civil liberties. In the USA, the government may be paralyzed, the budget may not be issued, the government's debt ceiling may not be raised, and the American government may be tied up and unable to make any payments, but civil liberties of the individual citizens cannot be given up. The US presidential regime is built around protecting the freedoms of the people even when the government is paralyzed; and so far this system has functioned for more than 230 years and still does so.

During this long period, the United States and the world have gone through various changes. The electorate in the USA has expanded to a great extent with the participation of women, citizens of African and other minority descent, immigrants, youth and non-proprietors. In the same period, the federal (decentralized) political system formed by the 13 founding states of the USA expanded to 50 states and spread over a very large territory. The US became an actor that changed the course of world history with its participation in the two World Wars. Since the 20th century, the USA has become a superpower with the world's highest domestic product and income, and nuclear weapons. After World War II, it not only became one of the two main actors of the Cold War in a bipolar world order but also completed the 20th century as the victorious party of that contest.

During this period, the rights and freedoms granted to individuals (civil liberties) have greatly expanded with the amendments made to the US Constitution since the 18th century. In the 75th year of its establishment, the USA experienced a civil war with the separation and conflict of agricultural interests using slave labor in production in the South versus the economic and political forces representing modern industrial interests in the North, but emerged from this conflict without being disintegrated. However, although slavery was abolished, racism, which is an extension of it, has never completely disappeared, especially in the southern parts of the country. On the other hand, the rights given to minorities, especially those of African origin, have been subject to a new conflict since the 1950s, and as a result, the influence of minorities in politics has increased with the widening of political participation with the recognition of new rights and freedoms since the 1960s. The USA, whose multiculturalism has increased with the waves of immigration mainly from Latin America and Asia, has been a country where political and socio-econom-

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ic rights, including cultural differences, have been seriously influential in politics from time to time. Since the 1970s, gender differences and equality between men and women have been added to racial differences in the political agenda, as another cultural issue concentrated on abortion. The scope and substance of political rights and freedoms enjoyed in the country has followed the path of political conflict and contention, which has expanded or narrowed from time to time, while always occupying a prominent place in the political agenda of the country.

These developments have led to a very active political life in the USA, both at the federal and state levels. At the same time, with the reflection of these conflicts and developments on the vote, Congress has often been at the center of discussions and conflicts. At the same time, the Supreme Court in particular has been in the midst of the same political conflict and debate as the ultimate judicial appellate authority on all such issues. Today in 2022, a decision on abortion given by the Supreme Court in 1973 is at the center of the political agenda of both the Supreme Court and the entire US government and society, where both gender and religious values seem to be addressed in the political debates and deliberations in the country.

Despite these conflicts, the width of the American political geography has been able to prevent the intensity and deepening of such conflicts to new levels, for those on the different sides of those divides have been able migrate to other parts of the vast territory of the US political geography and establish their styles of life with relative ease. Due to the federal (decentralized) administrative structure, notable differences have been able to exist together, but without being squeezed into constantly encountering and conflicting with each other.

On the other hand, the US presidential regime has been an example of policy stability, and has been, in the words of Tsebelis, rarely successful in changing public policies and making reforms (cited in Lipset and Lakin, 2004: 48). The Senate has had difficulty in making decisions on many issues because of the 60% vote requirement for implementation of the filibuster rule. Presidents' vetoing of laws enacted by Congress has also from time to time prevented attempts at change. Although the killing of a large number of people with automatic military weapons has become an epidemic in the USA recently, Congress has not been successful in changing the interpretation of freedom of possession based on the Second Amendment of the Constitution. Various and powerful interest organizations (lobbies) have a great influence on Congress and this contributes to the stability of policies by effectively stopping the amendment of laws they do not approve of. In the rigid separation of powers of the presidential system, the reconciliation of the three powers has been the exception rather than the

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rule. However, the sensitivity was shown to limited government implementation, the federal structure and decentralization, the fact that the market is highly independent of politics, the scarcity of political regulations affecting it, and the independent judiciary operating on the basis of the rule of law had been effective in reducing further damage and the phenomenon of prolongation of gridlock of forces.

The point to be noted here is that the success of the US presidential regime seems to have been affected by the constitutional-structural elements as well as by the features in the subsidiary institutions and structures of democratic politics – such as decentralization, the federal state structure operating in a large country, and the actors involved showing sensitivity to the functioning of democracy. Relating to this last factor, when President Donald Trump and those who supported him in the Republican Party did not like the election results in the 2020 elections and rejected them without any credible evidence, and staged demonstrations that culminated in raiding the US Congress and turned into an uprising on January 6, 2021, democracy was in danger of collapse. It has been proven once again how important the unwritten rules (norms) of politics are for the functioning of a democratic regime, even in a 230-year-old democracy. When President Trump ignored the rules and intricacies of the game, the US presidential regime entered a major crisis from which it still has not been able to emerge. Although this feature is not present in Juan Linz's (1990a: 51–69) list, it also points to another cultural phenomenon that should be considered as a design flaw of presidential regimes. It is not difficult for presidential regimes to shift out of democracy when there is a president who does not internalize the rules and values of democracy, and a large electorate who support him.

The strict separation of powers results in the inability to pass any law or decision on an issue on which all three powers cannot agree. Therefore, social changes and reform initiatives rarely take place. In this case, civil liberties and rights are protected, but in many cases urgent decisions cannot be made. The two chambers of Congress and the President, who sometimes cannot even agree on budget laws, may not even make a budget on time. The point to be noted here is the necessity of reconciliation between the two parties in the USA. There is no coalition government in the Presidential regime, since the agreement and harmony (bipartisanship) of the government and opposition party is required to run the system, which is even more difficult than managing a coalition government (Sundquist, 1997: 69). Examples of protracted political conflict and ensuing gridlock abound. The differences between presidential and parliamentary democracy practices will be discussed comprehensively in a more systematic framework in the following parts of this paper.

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## AN OVERVIEW OF PRESIDENTIAL REGIME IN ACTION

The US presidential regime has been in place for more than two centuries in a federal and decentralized state structure. This practice also spread among Latin American countries as they gained their independence from the Spanish, Portuguese, British and French through the decolonization processes in the 19th and the 20th centuries. With this spread, great differences began to emerge in the practices of this regime. Various features of the US presidential regime have emerged more prominently in Latin American practice, as Juan Linz (1990a) determined in his work. In the presidential regimes Linz points to the existence of multiple centers of power or at least a dual-headed legitimacy that becomes evident in the relations between the executive and the legislature. Secondly, this duality produces confrontational politics, and if the same party does not have a majority in the legislature and also holds the presidency, paralysis of the government results more often than not. Third, the president is elected for a certain, rigid period of time, which cannot be shortened without rendering the system inoperable by an impeachment mechanism. The president can be dismissed only if s/he commits very serious crimes. For example, it may not be easily possible for the president to be removed from office even if s/he loses her/his mental faculties. Fourth, in presidential regimes the political competition (electoral contest) often evolves into a zero-sum game, in which the winner wins everything, and the loser loses everything. This situation increases the stakes of the political game between the government and the opposition, causing them to enter into a deep and existential struggle. Under these circumstances, democracy turns into a war between the government and opposition rather than a competition.

According to Juan Linz (1990a: 51–69), the weakness of the presidential regime in Latin America also seems to be influenced by numerous civil wars, military coups or dictatorships that occurred in the last two hundred years. The socio-economic and cultural structure of these countries has also been very different from in the USA. There is no society in Latin America dominated by liberal market capitalism and its ideology with an emphasis on individual freedom. Therefore, in the absence of such a widely

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shared creed of liberalism, social inequalities and injustices cannot be explained to the public as easily as in the USA. Although the heavy oppression of the indigenous peoples by the colonial Europeans has been scaled down over time, the institutions of colonial oppression still exist, and the differences in identity, the deprivation and the poverty that go along with these have a very different origin than in the US and have a vastly different political outcome. Change of power can lead to change in property rights and poverty. That is why, when presidents and their governments cannot afford to lose elections, instead of permitting the opposition to have a chance to win the next election, presidents opt to remain in power with or without the support of the army or even by making a coup. The president, who can argue that s/he is already elected by the vote of the people, can see her/his own political legitimacy as sufficient for continued administration, above and independently of the parliament. In those conditions, presidential regimes can turn into authoritarian regimes either through a palace coup (autogolpe) or a coup supported by a security organization. Opponents can be easily intimidated or paid off. Consequently, democratic life can be short-lived.

A century and a half after Latin America, new countries emerged through separation from colonial governments by wars of independence in Asia and Africa. Some of these countries have attempted to be governed by presidential regimes. Except for the government in Southern Cyprus, not a single democratic presidential regime has been established in Europe, and there has not even been a serious attempt in this direction. Hybrid forms of democratic regimes, known as semi-presidentialism in Europe, which also have double-headedness in government and dual legitimacy, where the president and the legislature are separately and directly elected by the people, have been established since 1919. This practice, which reappeared with the Fifth Republic regime in France under the 1958 Constitution, was also adopted in Eastern Europe as well as in Africa and Asia.

In the African and Asian countries that implemented the presidential regime, there was a sequence of dualism and gridlocks, conflicts arising from double-headed legitimacy, followed by martial law, state of emergency and regime crises, and eventually dictatorships, as Juan Linz put forward for Latin America. None of the presidential regimes in the Third World established after independence proved able to continue to elect the president and legislature by holding frequent, free and fair elections over a long period of time. Many countries in Africa, especially Congo, Nigeria and the Sudan, faced long-lasting civil wars. These have turned into constant conflicts that have mainly emanated from religious, sectarian and ethnic issues and conflicts in the 21st century, and none of which have been successfully resolved with the consolidation of

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democratic presidential regimes. The practices in Asian countries such as Vietnam, Korea and Pakistan could not prevent the civil wars that broke out and the long-term conflicts that gradually engulfed the superpowers. Korea and Pakistan were divided by these conflicts, whereas Vietnam was first divided and then reunited as an authoritarian regime after the socialist regime won the war in the 1970s. India, Japan, Australia and New Zealand have all been stable political systems with parliamentary democracy instead of presidential democracy, which remained democratic and were able to continue on their way in the same period. South Korea returned to democracy after 1981 and Pakistan after 2010. A new democratic semi-presidential regime was established in Tunisia after the 2011 Arab Spring, but it collapsed in the summer of 2022. However, if we make a general assessment, we can compare democracies with and without a presidential regime around three questions. What is the sustainability of democracies with and without a presidential regime? What are their achievements in economic development? What are the achievements of governance without political violence?

A country with a parliamentary regime leaving this regime and trying to switch to a presidential one is equivalent to reducing its life expectancy by 5–7 times.

### **The Sustainability of the Presidential Regimes**

The life expectancy of newborn babies is calculated every year and published by the Statistical Institutes. The life expectancy of a baby boy born in Turkey in 2020 is 75.9 years, and of a baby girl is 81.6 years (<https://www.aa.com.tr/tr/turkiye/turkiyede-beklenen-yasam-suresi-78-6-yil/1976189>). Likewise, what is the life expectancy if a newly established democracy has a presidential regime? Alternatively, what is the life expectancy of a parliamentary democracy?

Presidential regimes have a life expectancy of 15 years if they operate with a multi-party legislature, and 26 years if they are bipartisan (see Table 1). These rates are 111 years and 55 years for parliamentary regimes. Multi-party democracies, whether presidential or parliamentary, are more durable. Moreover, parliamentary democracies are seven times more resilient when they have multi-party systems than a presidential one (see Table 1). In addition, this gap does not close during periods of economic growth. While presidential regimes established during periods of economic growth have an average life expectancy of 24 years, parliamentary regimes can exist for an average of 143 years (see Table 1). Based on these data, a country with a parliamentary regime leaving this regime and trying to switch to a presidential one is equivalent to reducing its life expectancy by 5–7 times. In general, when evaluated independently of the party system and economic conditions, it has been seen that 1 out of every 23 presidential regimes (0.043) and 1 out of every 58 parliamentary regimes (0.017) collapsed from 1946 to 1999. Parliamentary regimes

are 2.5 times more durable than presidential regimes (Cheibub and Limonghi, 2002: 151). Strom (1990) and Cheibub and Limonghi (2002) revealed in their research that the need for a minority government and coalition is not different in both parliamentary and presidential regimes. According to Strom, 30% of parliamentary regimes and 22% according to the findings of Cheibub and Limonghi, worked with minority governments between 1946 and 1999. In another study, Cheibub (2007) calculated that the same rate was 40% in presidential regimes. Therefore, presidential regimes tended to produce government instability almost twice as much as parliamentary regimes. When the government leans towards presidential democracy to increase stability, the risk of being hit by hail while avoiding the rain is rather serious.

TABLE 1: COMPARISONS OF PARLIAMENTARY AND PRESIDENTIAL REGIMES IN ESTABLISHED DEMOCRACIES

Regime Type in Democracies		
Benchmarks	Parliamentary Regime	Presidential Regime
Distribution of legitimacy among political authorities	<b>Singular Source of Legitimacy</b> (de jure Legislature de facto Prime Minister)	<b>Dual Legitimacy</b> (de jure Legislature-Legislation-Jurisdiction de facto President – Congress – Supreme Court or President – Prime Minister)
Gridlock in legislative-executive relations	<b>N/A</b>	<b>Available</b> (There are in fact legislative- executive battles in Latin America)
Terms of office	<b>Flexible</b>	<b>Rigid</b>
Governmental instability	<b>Available</b> (Unstable as the cabinet size gets larger, stable as the cabinet size gets smaller)	<b>N/A</b> (France's situation is uncertain)
Zero-sum game	<b>N/A</b> in Established Democracies	<b>Available</b> in all cases (USA is an exemption)
Political instability	<b>Much</b> in Italy, <b>slight</b> in England, <b>slight</b> in India	<b>Much</b> in France, <b>light</b> in the USA, <b>much</b> in all third world countries
Life expectancy	Multi-Party: <b>111 years</b> Bipartisan: <b>55 years</b>	Multi-Party: <b>15 years</b> Bipartisan: <b>26 years</b>
" "	<b>Recession: 26 years</b> <b>Economic growth: 143 years</b>	<b>Recession: 16 years</b> <b>Economic growth: 24 years</b>

**Note:** The life expectancy of political regimes is calculated as the arithmetic average of the survival of a newly established regime, just as in calculating life expectancy of newborn babies.

**Sources:** Linz (1990a and 1990b: passim), Riggs (1992: 216–22), Powell (1992: chapters 4, 7, 8 and 9), Lijphart (1984: chapter 5), Mainwaring (1993: passim), Przeworski et al. (1996: 46).

### Presidential Regimes and Economic Development

According to Adam Przeworski and his colleagues, who researched the relations of presidential and parliamentary regimes with the economy in the most comprehensive way, democracies survive in countries with a high level of economic development; in less developed economies democracies do not seem to survive for long (Przeworski et al., 2000). Of course, there is one big exception to this, which is India. Although India is among the countries with a high level of poverty, it has a multi-party parliamentary democracy that has been surviving and even thriving since 1947. India, whose democracy has never been interrupted, is in a different position even though it has suffered from crises of democracy from time to time. When all the countries that are trying to democratize are taken into account, democracy seems to have the best chance of survival in countries with highly developed economies. When we list the 26 regimes that are considered to be consolidated democracies in the world in 2022, it is seen that the first 16 are parliamentary regimes. The 17th and 26th regimes in this ranking are the Czech Republic and France, which have been semi-presidential since 2013, and there are few presidential regimes among the established democracies, namely South Korea, Uruguay, Mauritius, the USA and Costa Rica, which rank after the 18th. Ranking these regimes in terms of Gross National Income (GNI) or Human Development Index (HDI) shows that all of the established democracies with the 15 highest human development levels are regimes governed by parliamentary democracy, except for the USA (see Table 2 and Table 3). Thus, the United States is the sole exception, and about 70% of established regimes are parliamentary regimes. There is a close relationship between economic development and the parliamentary democracy regime; such that the only country among the top 10 democracies (in terms of development level) that does not have a parliamentary regime is the USA (see Table 2). Further, there seems to be a close relationship between the HDI and parliamentary regimes (see Table 3). These data only indicate a relationship, where it is difficult to say which is the cause and which is the effect. However, it is clearly seen that there are relatively few countries governed by the presidentialism among the more democratic countries as well as the countries that have reached the highest levels of development.

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TABLE 2: GROSS NATIONAL INCOME PER CAPITA AND DEMOCRATIC REGIMES

Established Democracies	GNI/cap. (PPP) \$ (2013)	GNI/cap. \$ (2020)	Democratic Regime
Norway	63909	78290	PARL
Luxembourg	58695	81110	PARL
Switzerland	53762	82620	PARL
United States of America	52308	64140	PRESIDENTIAL
Sweden	43201	54050	PARL
Germany	43049	57520	PARL
Austria	42930	48360	PARL
Denmark	42800	63010	PARL
Netherlands	42397	51070	PARL
Canada	41887	43540	PARL
Australia	41524	53680	PARL
Belgium	39471	45800	PARL
Finland	37366	49800	PARL
Japan	36747	42330	PARL
France	36629	39500	SEMI-PRESIDENTIAL
Iceland	35116	62410	PARL
United Kingdom (England)	35002	39830	PARL
Ireland	33414	65750	PARL
Italy	32669	32360	PARL
New Zealand	32569	42870	PARL
Spain	30561	27360	PARL
South Korea	30345	32930	PRESIDENTIAL
Malta	27022	25860	PARL
Czech Republic	24535	22070	SEMI-PRESIDENTIAL*
Uruguay	18108	15790	PRESIDENTIAL
Mauritius	16777	10230	PRESIDENTIAL
Costa Rica	13102	11530	PRESIDENTIAL

**Notes:** To summarize the situation for established democracies in the 21st century, data from The Economist Intelligence Unit, Democracy Index 2013 in 2013, as an average of 22 years, are taken as a basis.

“PARL” is an abbreviation for Parliamentary Regime. “GNI/capc (PPP) 2013” is Gross National Income in US dollars per capita; 2013 figures are calculated according to purchasing power parity. “GNI / cap. \$ (2020)” is Gross National Income figures in US dollars per capita.

(\*) The Czech Republic was a parliamentary democracy from 1990 to 2013 and a semi-presidential democracy after 2013.

**Sources:** The Economist Intelligence Unit, Democracy Index 2013; World Bank, Human Development Index (2014). For the data for 2020, the data specified as the most recent data of the World Bank were used (see [https://data.worldbank.org/indicator/NY.GNP.PCAP.CD?most\\_recent\\_value\\_desc=false](https://data.worldbank.org/indicator/NY.GNP.PCAP.CD?most_recent_value_desc=false)).

**TABLE 3: HUMAN DEVELOPMENT INDEX AND DEMOCRATIC REGIMES**

<b>Established Democracies</b>	<b>HDI Range (2020)</b>	<b>Democratic Regime</b>
Norway	1	PARL
Australia	7	PARL
Switzerland	2	PARL
Netherlands	10	PARL
United States of America	6	PRESIDENTIAL
Germany	5	PARL
New Zealand	14	PARL
Canada	15	PARL
Denmark	11	PARL
Ireland	3	PARL
Sweden	8	PARL
Iceland	6	PARL
United kingdom	15	PARL
South Korea	23	PRESIDENTIAL
Japan	19	PARL
France	27	SEMI - PRESIDENTIAL
Luxembourg	21	PARL
Austria	20	PARL
Belgium	17	PARL
Finland	12	PARL
Italy	29	PARL
Spain	25	PARL
Czech Republic	26	SEMI - PRESIDENTIAL*
Malta	28	PARL
Uruguay	57	PRESIDENTIAL
Mauritius	67	PRESIDENTIAL
Costa Rica	70	PRESIDENTIAL

**Note:** "HDI" stands for Human Development Index produced by the United Nations (UNDP). "PARL" is an abbreviation for Parliamentary Regime.

(\*) The Czech Republic was a parliamentary democracy from 1990 to 2013 and a semi-presidential democracy after 2013.

**Sources:** The Economist Intelligence Unit, Democracy Index 2013, World Bank Human Development Report (2022) (<https://worldpopulationreview.com/country-rankings/hdi-by-country>).

TABLE 4: THE RELATIONSHIP BETWEEN DEMOCRACY REGIMES AND POLITICAL VIOLENCE

Democracy Regime	Median Electoral Turnout (%)	Median Execution Continuity (month basis)	Median Majority Check (%)	Median Annual Demonstration/ million (1958-67)	Median Annual Demonstration/ million (1967-76)	Median Annual Deaths / million (1958-67)	Median Annual Deaths / million (1967 -76)
Presidential	71	36	72	0.14	0.15	0.18	0.53
Majoritarian Parliamentary	73	33	94	0.07	0.03	0.01	0.03
Representative – Parliamentary (pluralist)	87	22	64	0.10	0.02	0.03	0.00

Note: The “median” is the middle value of a frequency distribution when ranked from the smallest to the largest number of that distribution.

Source: G. Bingham Powell Jr. (1992): 226–27.

### Democracy, Political Participation, Stability and Violence

Finally, looking at the relations of democratic regimes with political participation, stability and violence will show us which of the different democracy practices has a relationship with more stability, more participation but less violence. According to the findings of studies conducted in the second half of the 20th century, government stability is high, political participation is low, and deaths due to political demonstrations and violence are high in presidential regimes (see Table 4).

Research reveals that participation in elections and political representation performance in democracies that have adopted pluralism rather than majoritarianism is much stronger than in both majoritarian parliamentary and presidential regimes. On the other hand, the continuity of governments seems to be greater, and government tenure longer, in presidential and majoritarian regimes. While political participation and representation increase in democracies operating on the basis of pluralism, coalition governments emerge more frequently due to fragmented assemblies, and governments change more frequently under these conditions. However, in pluralist democracies, since there is no leader and party hegemony in the parliament, the rights of those in the minority are more protected, and the comprehensiveness and inclusivity of democracy are strengthened by turning the assemblies into a real place of negotiation, deliberation, exchange of ideas and reflection. Finally, the rate of people who died through taking part in demonstrations, marches, protests, and political violence in presidential regimes is many times higher than in parliamentary regimes (see Table 4). According to political science research, it is also understood that the most effective political measures for the elimination of ethnic political conflicts and reduction of political violence take place in the pluralist representative parliamentary systems, which ensure unconstrained representation of minorities (Reynolds, 2011).

## THE MORAL OF THE STORY FOR TURKEY

The implementation of the US presidential regime aims to establish a form of government in which civil liberties would be protected against all forms of tyranny. For this reason, the legislative, executive and judiciary branches of the government are rigidly separated from each other, and it is guaranteed that an official who serves in one branch does not also serve in any other branch at the same time. The President is both the head of state and government, but does not have legislative or judicial powers, and no one in the executive branch of the government can also serve in the legislative and judicial branches. The President has no legislative or judicial power. It is the duty and authority of Congress to make the budget and to give an account of its implementation to the electorate. The President proposes budget laws, but Congress changes or rejects them at will. The judiciary is independent. Judges are appointed by the President to the federal, higher judicial institutions and courts, subject to the approval of the Senate. If the Senate does not approve, the appointment cannot be made. In this case, each branch has its own call of duty and jurisdiction, which is separated from the others and belongs exclusively to it. If a binding political decision is to be taken, eventually all three forces must agree on the content of that decision. If there is no consensus, the decision cannot be taken and implemented. This is called the balancing of forces. Also, all of these decisions could potentially be reviewed by the Supreme Court. Executive decisions can be changed by a law enacted by the legislature. In this way, a system of forces that check and balance each other, often conflicting and occasionally reconciling, has been created. The founders of the US Constitution addressed this antagonism as a virtue and accepted it as a guarantee of individual freedoms and rights.

The President has limited power, controlled by the legislature and the judiciary. The President may not even introduce a legislative proposal or issue decrees having the force of law. All presidential decrees are subject to judicial review. The President is also checked and monitored by Congress and can be impeached if s/he commits serious crimes and misdemeanors. A large majority of votes in the legislature is not needed to initiate this process.

Legislative activities are possible as a result of the harmony of two different branches of the government. Parties in the House of Representatives and the Senate are not disciplined groups, and the same political party does not always have a majority in both houses. In cases where the distribution of votes is very close, even the in-

dividual Representative and Senator can oppose some draft laws and stop the legislative process. Moreover, the President has the power to veto laws. Laws are also subject to review by the Supreme Court.

As a result, this system is often clogged and gridlocked, such that even budget laws cannot be passed on time, the budget cannot be put into effect, many federal offices are closed, and federal civil servants can be fired temporarily. However, in this system, the rights and freedoms of individuals are generally protected. After all, the main goal of the constitution is the protection of individual freedoms and rights. This has been accomplished with great success. Another point to be noted here is that the political system in the USA is decentralized as a federation. The states have the main legitimate ruling power and a central (federal) government has been established with the same powers as the states have given (devolved) to the central government. In addition, the fact that the USA is spread over a very wide geography has made it possible for the existing conflicts not to be intensified and confined to a narrow area of its political geography. The conflicting parties can and often do migrate to different states to establish different lifestyles and to alleviate the impact of the conflict. Subjects and problems are not gathered in the center; on the contrary, they are distributed to the states, allowing for the emergence of different resolutions, practices, and lifestyles. For example, after the Supreme Court decision on abortion (Roe vs Wade) on June 24, 2022, abortion was left to the jurisdiction of the states, thus different women's rights standards began to emerge in different states. The impact and weight of the decisions taken by central institutions may be limited, and may lead to greater pluralism with decentralization and less confrontational results.

Now, if this system is desired for Turkey, a regulation should be made whereby the President has no influence on the legislative system. For example, the President cannot be the party leader in any way in the legislature, and neither can s/he play any role in the final determinant of the candidate lists of a political party in the elections. According to the democratic presidential system, the President cannot issue a decree having the force of law. S/he cannot directly appoint judges to judicial institutions without the approval of the National Assembly. The President can make the maximum number of proposals in the making of the budget, and veto the budget laws of the legislature, but cannot influence the final decision on the budget, which is the sole prerogative of the National Assembly, independent of the President. However, since the presidential regime debates initiated by Turgut Özal in the late 1980s, what has been produced in Turkey as the presidency has been a President who is not under the control of the National Assembly, is independent of the judiciary, is legally not responsible, is unaccountable, decides arbitrarily and in short does whatever s/he wishes. Such a presidential role has nothing to do with what is understood in the US presidential system; democracies do not have a presidential role of this sort. To

Since initiated by Turgut Özal in the late 1980s, the Presidential regime has been understood as a model in which President is not under the control of the National Assembly, is independent of the judiciary, unaccountable and decides arbitrarily.

quote Borowiak (2011: 3), “Democracy without accountability is tyranny.” In democratic Presidentialism, the executive, elected by popular vote, is accountable both vertically to the public (voters) and horizontally to the legislature and the judiciary, otherwise that regime is not a democracy no matter what it is labeled.

The culture of the political elite in Turkey is almost diametrically opposed to the characteristics of the US presidential system. In Turkey, there is a deep-rooted understanding of centralism and a unitary state system whose roots go back hundreds of years. All political decisions are prepared and implemented to have an equal effect on the whole country. The 1876 Constitution emerged as a consequence of the first modernization efforts after the Tanzimat Reforms (1839), and the government of Abdulhamid II became the contemporary variant of the patrimonial absolutist style of rule, reinvented to fit a modern veneer. Therefore, a form of government that we can call neo-patrimonial absolutism was influential in shaping the contemporary elite political culture starting from the end of the 19th century. The main feature of this form of government is the patrimonial traditional structure that accelerates arbitrary decision-making. As a natural result of the absolutist emphasis in this structure, the fact that the political authority is not held accountable has become a practice and a tradition. Since the neo-patrimonial absolutist government rejects pluralism, the political opposition is presented only as a focus of strife and seditious conspiracy. Abdulhamid II had the parliament Assembly and elections abolished, and the opposition was prevented from working openly. This same management style was introduced into the 1982 Constitution, which had reinforced the power of neo-patrimonial absolutism in the culture of the political elite by the end of the 20th century (Kalaycıoğlu, 2005: 15-17, 129-137).

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This introduction to modern politics deeply affected the elite political culture, and the imitation of neo-patrimonialism continued throughout the Republican regime. When the multi-party system was adopted after 1945, the socio-economic structure of the country, which was separated by deep cultural fault lines, came to light and played a fundamental role in the establishment of political organizations and especially political parties. At the root of these cleavages are Sunni pious versus secular/laicistic and Sunni pious versus Alevi-based religious identities and divisions; ethnic Turkish nationalism versus ethnic Kurdish nationalism; and ethnic Turkish nationalism versus a homeland (vatan)-based definition of national identity. Various symbols, concepts and memes that serve to separate and deepen these cultural fault lines have been effectively used in politics, resulting in an extraordinarily confrontational political environment. This political environment has created a constant phenomenon of cultural conflict, and politics in Turkey has turned into a protracted kulturkampf (Kalaycıoğlu, 2022: 133–56). At the same time, the multiplicity of cultural fault lines led to the establishment of many political parties and the oppor-

tunity to reach voters by using different cultural identity codes. Again, instead of the two-party political system in the presidential practice in the USA, the political party system in Turkey has a multi-party structure and culture. The multiple political party system tends to create a multi-party structure within the legislature as well. Then the confrontational and divisive character of the relations between the legislature and the executive increases and reconciliation becomes difficult. The double-headed structure created by the separate popular vote of the executive and the legislature, when combined with the multi-party nature of the legislature, corrupts law-making and executive-legislative relations (Linz, 1990a; Mainwaring, 1993). In addition, images of the “good” and “bad/evil” and their definitions based on cultural identities fixed within the understanding of the political elite transform the relations between government and opposition into those of friend versus enemy, and relations between the elites into “no-hold-barred war” (Frey, 1975), which eventually undermines democratic practices and leads to democratic breakdown.

No research conducted in Turkey to date has found individual freedom to be a fundamental value in the political culture of the masses, that cannot be waived under any circumstances. Instead, the common voter expectation in Turkey is to receive services in return for votes or to access patronage opportunities. In fact, anomie seems to be the most prevalent value and habit in the country (Çarkoğlu and Kalaycıoğlu, 2009: 43–46). Although masses may confound liberty with anomie (acting as if no rules, laws, and regulations exist), anomic attitudes and behavior constitute a significant justification for violations of individual rights and civil liberties (Kalaycıoğlu, 2018). A democratic presidential regime will lose its meaning and function in an environment –as in Turkey – where there is no widespread expectation that the government works mainly to safeguard civil liberties and rights and may even be paralyzed and not work for the realization of such a goal.

There is no cultural context in Turkey that sees the government’s lockdown or failure to work quickly as a virtue. On the contrary, the argument that coalition governments work slowly, get stuck and are conflict-ridden lies at the root of the hatred and phobia of rule by coalition governments that has been fueled for years (Kalaycıoğlu, 2016: 31–38). Nevertheless, it is not inconceivable to desire a presidential regime that considers the government’s cohesion and non-operation as a virtue. In this case, however, there will still be the risk of arriving at a kind of neo-patrimonial regime when Turkey sets its sights on presidentialism. Such regimes, as we have seen, are not democracies but are autocratic in nature.

Under these circumstances, it is impossible to imagine a Turkish presidential regime that can continue on its path as a democracy. The characteristics and logic (*raison d’être*) of the democratic presidential system, which is diametrically opposed to both elite and mass (voter) culture, are not of a quality to be considered for Turkey.

No research conducted in Turkey to date has found individual freedom to be a fundamental value in the political culture of the masses, that cannot be waived under any circumstances.

Within the European Union, the presidential regime is implemented only in Southern Cyprus.

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## CONCLUSION

The presidential regime of democracy in the USA was able to continue as a democracy without collapsing despite a civil war due to the comprehensive protection of individual freedoms and rights, the full independence of the judiciary, the autonomy of the markets and the institutions that regulate them, a decentralized administration system and the society's spread over a wide geographical area. In the vast majority of countries trying to import the democratic regime of the USA and maintain it in another socio-economic, cultural and geographical environment, the presidential regime could not always be prevented from reverting to a form of dictatorship or the dictatorship of the president. Although certain political science studies have asserted that democracies that started out as a presidential regime can survive as democracies through taking various measures, it is useful to consider a finding in Jose Antonio Cheibub's research published in 2007: No democracy that was interrupted by a military coup can be consolidated. Cheibub states that it is neither possible nor reasonable to proceed by changing the regime type in democracy, if the democratic regime in question is undermined by a military coup and suggests searching for ways to eliminate those factors that hinder democracy instead. It would be useful to consider this proposal not only for Latin American countries but also for a country like Turkey, which has changed its political regime five times since 1945 when it tried to make the transition to democracy.

Within the European Union, the presidential regime is implemented only in Southern Cyprus. There are no countries governed by a presidential regime in Europe, especially in Western and Central Europe. France and some Eastern European countries are governed by a semi-presidential regime. The democratization performance of these countries does not seem to have matched the success of parliamentary democracies. Constitutional monarchies have neither presidential nor semi-presidential practices since heads of state are established through and by hereditary princi-

ples and procedures. While the most common example of consolidated democracy in the world is seen as parliamentary democracy, a small minority of presidential democracies have managed to maintain their democratic credentials.

Mass movements under the influence of white supremacists (racists), as well as fundamentalist Protestant (evangelical) movements that have been on the rise in the USA since the election of President Barack Obama – combined with reactions to the global economy and energized by the effective use of social media to mobilize large numbers – have been successful at penetrating the Republican Party and precipitating great changes threatening the performance of democracy in the USA. As a result of these developments, during the administration of President Donald Trump, who came to power with the 2016 elections, significant erosions occurred in the norms of democracy in the USA. Finally, a political uprising led to the raiding of Congress on January 6, 2021, after President Trump and his supporters rejected the results of the 2020 presidential elections without credible evidence. A Congressional committee established to investigate these events is still proceeding, and several of its revelations to the public point to serious evidence concerning the nature of the attack and erosion of democracy. However, it has been seen once again that the drawbacks that Juan Linz (1990a) mentioned can occur not only in Latin America but even in the US presidential democracy, which has been operating for more than two centuries and is generally recognized as consolidated, by political scientists and laymen alike. Democracy can easily degenerate and derail in a political setting where the President denies the established norms of democracy and enjoys wide-ranging partisan support – and where, moreover, instead of the President’s dismissal, his party protects him in a clash with the opposition, leading to a deep and inextricable conflict. It would indeed appear that the flaws claimed by Juan Linz are not only applicable to the non-consolidated democracies but are also valid even in the most consolidated practices of presidential democracy.

While the most common example of consolidated democracy in the world is seen as parliamentary democracy, a small minority of presidential democracies have managed to maintain their democratic credentials.

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The Ankara Institute is an independent and non-partisan research institution that focuses on political, economic, and geopolitical studies in Turkey and worldwide. The Institute, which performs regularly-based research on democratization, political pluralism, participation, accountability, and transparency, especially topics concerning Turkey's political and social life, has been the source of independent analysis and pluralistic dialogue. We offer solutions and draw roadmaps to Turkey's challenges.

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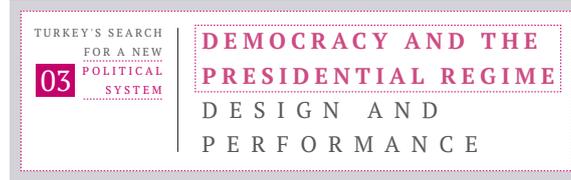
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Federal Foreign Office





The system debate is arguably the most pressing and consequential subject of Turkish politics. Turkey has been having a governmental system discussion for a period of time, and the next few years will appear to be in intense debate and search.

Turkish parliamentary system experience (1876-2017) often dealt with interruptions. As a result, it has not only failed to produce general satisfaction in politics and society but also has been unsuccessful in yielding economic stability. Similarly, the outcome of the last five years of the Presidential Government System (or the Presidential System with its widespread use) could not generate stability.

The search and discussion of the governmental system appear to be the most critical topic of politics for the next few years. Regardless of the outcome of the June 2023 elections, the system debate will be the most crucial topic of politics in the short term.

Meeting this demand and preparing enhanced research on the governmental system will play an essential role in the quest for a possible change.

Comprehensive research should present a comparative, global, political, and constitutional base for the debates and assist decision makers in political parties and the public in finding an enriched discussion floor.

Within the framework of this program, Ankara Institute plan to publish ten academic analyzes that will contribute to the search for systems over the next year in order to meet this end.

The research plans to conduct two workshops with the participation of stakeholders that we predict will contribute to the system discussion and hold a detailed public opinion survey.

This study in which Ersin Kalaycıoğlu evaluates the design and performance of the Presidential System is the third of the academic contribution series that made out of 10 reports.