

Why Erdogan Could Push for Early Elections: Turkey's Regulatory Bodies in a New Era

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Brief Analysis

Under a coalition government, President Erdogan would likely face a gradual decline in his oft-abused power over agencies that regulate a wide swath of Turkish life, so he might push for early elections to avoid that scenario.

Turkey's Justice and Development Party (AKP), which lost its thirteen-year legislative majority in the June 7 elections, now faces a new reality: working with other parties to form a coalition government. In addition to affecting Turkish policy on a wide range of foreign and domestic issues (e.g., see the [recent PolicyWatch series "Turkey's Political Scene Post-Election" \(http://www.washingtoninstitute.org/policy-analysis/view/turkeys-political-scene-post-election-part-1-the-akp-chp-option\)](http://www.washingtoninstitute.org/policy-analysis/view/turkeys-political-scene-post-election-part-1-the-akp-chp-option)), the ongoing negotiations with opposition factions could weaken the AKP's control over state regulatory institutions.

BACKGROUND

After coming to power in 2002, the AKP increasingly dominated the various bodies regulating Turkey's media, Internet, universities, courts, judiciary, and banking/financial sectors. Through its control of the parliament and presidency, the party appointed a majority of the individuals who make up these bodies, using them as instruments of censorship (in the case of media), political control (in the case of universities), and retaliation against unfriendly businesses (in the case of the financial sector).

Now that it has lost its legislative majority and been forced to share executive power, the AKP could gradually lose at least some of its ability to singlehandedly appoint regulatory officials. A broader weakening of its regulatory

dominance might then ensue -- assuming the AKP does not regain its parliamentary majority via early elections, which would have to be called for if the next government is not formed within a constitutionally mandated forty-five-day period that is supposed to begin this week.

RADIO AND TELEVISION SUPREME COUNCIL (RTUK)

RTUK is responsible for ensuring the impartiality of Turkey's radio and television content. The nine-member council is selected by the parliament based on each party's number of seats. Members serve six years and elect their chair and deputy chair every two years. The council currently consists of five members from the AKP, two from the Republican People's Party (CHP), and one each from the Nationalist Action Party (MHP) and Peoples' Democratic Party (HDP). Since only a simple majority is required for RTUK to meet and pass decisions, holding five seats has given President Recep Tayyip Erdogan and the AKP effective control over the council.

RTUK has become a platform for government censorship under the AKP. During the 2013 Gezi Park protests against the ruling party, the council attempted to shut down the Hayat television channel, which supports Turkey's main opposition party, the CHP. RTUK has also been a tool for the AKP to advance its conservative morality, censoring content such as kissing scenes and depictions of the LGBT community.

On July 15, three council members' terms will expire, including those of two AKP members. Moreover, the party will only be allowed to hold four seats in the next RTUK. Without an AKP majority, more liberal elements from the CHP or HDP could move into the council, relaxing restrictions on content and, even more important, promoting impartiality.

COUNCIL ON HIGHER EDUCATION (YOK)

The YOK is in charge of the higher education system, regulating university funding, training teachers, and electing university presidents (known as "rectors" in Turkey). It consists of twenty-one members, each serving a four-year term. One-third of these members are direct presidential appointments, another third are appointed by the cabinet, and the remainder are selected by the Inter-University Council, composed of professors and rectors. Between Erdogan's appointments and those of the all-AKP cabinet, the party controls fourteen seats. Although the Inter-University Council appointments are categorically more liberal in disposition, they are rendered useless in light of the AKP majority.

Among other things, the AKP has used the YOK to cement its political control over hot-button domestic issues. Earlier this year, for instance, the council barred academics from conducting independent research on Turkey's nearly two million Syrian refugees, insisting that scholars obtain approval from government ministries before broaching the controversial topic. And in January 2014, it restricted academics from performing research "outside their immediate field," according to a recent Freedom House report.

Erdogan appointed new YOK members in April, thus solidifying his control over the council for the immediate future. Should a coalition government form, however, the AKP could gradually lose its grip, since a majority of the seven members to be appointed by the cabinet in 2016 would share opposition sentiments, as would the seven members chosen by the Inter-University Council.

PRESIDENCY OF TELECOMMUNICATIONS AND COMMUNICATION (TIB)

The TIB is Turkey's Internet watchdog, responsible for monitoring online content. President Erdogan and the Information and Communications Technologies Authority (BTK), which is under the president's office, have joint authority over the agency. The TIB has seven board members, all selected by the minister of transportation, maritime affairs, and communications and confirmed by the president. Given a five-year mandate that can be extended by the cabinet, these members choose the agency's entire staff. As a result, the TIB has been run by AKP-

affiliated personnel since being established in 2005.

The agency can restrict access to a website with a court order, at Erdogan's behest, or internally with a majority decision. Four months ago, it temporarily blocked access to Twitter, Facebook, and YouTube over the sharing of photos from an incident in which members of the violent Revolutionary People's Liberation Party-Front (DHKP-C) took prosecutor Mehmet Selim Kiraz hostage, subsequently executing him. As of March, the TIB had restricted access to 77,521 websites throughout its ten-year existence.

Currently, the TIB board has three openings, including the chair, whose mandate ended shortly before the June 7 elections. If a coalition government is formed, the party that takes over the Transportation Ministry will be able to nominate candidates to these positions, though Erdogan would still hold veto power over their selections. Should the ministry pass out of the AKP's hands, the new appointments would likely be stalled, leaving the TIB board with four members. Although a four-member board can still execute blocking orders on websites if they originate from the president or the courts, it cannot issue bans of its own without all positions filled, and the effectiveness of existing bans would be hampered.

BANKING REGULATION AND SUPERVISION AGENCY (BDDK)

The BDDK is the authority in charge of the country's banking and financial regulations. It controls the Savings Deposit Insurance Fund of Turkey (TMSF), which executes disciplinary actions against banks that commit fraud or other violations. Using a list of candidates prepared by the finance minister, the president appoints the BDDK's seven board members to five-year terms. Consequently, pro-AKP officials have taken an increasingly prominent role in the agency.

In February, for example, the BDDK and TMSF collaborated to take control of Bank Asya, an institution allegedly affiliated with Fethullah Gulen, a former ally of Erdogan who broke ranks with him in late 2013. Erdogan has long accused members of the Gulen movement of creating a "parallel state" that seeks to "undermine the Turkish nation," and he has initiated several purges of alleged Gulenists from government positions. The TMSF justified the February action by claiming that Bank Asya was close to failing and that its shareholders had to be protected. Currently, ninety-nine of these shareholders are suing the BDDK for one trillion Turkish lira in damages.

Over the next two years, the majority of the BDDK board, including the chair, will turn over, allowing opposition parties to fill the vacancies if a non-AKP official takes over the Finance Ministry. Until then, an opposition finance minister could potentially overrule the BDDK on decisions such as bank seizures and asset freezes.

CONCLUSION

In recent years, Erdogan has turned Turkey's regulatory institutions into censorship and sanctions bodies. Without an AKP majority in the parliament or cabinet, however, he would be forced to accept a gradual decline in his power as these institutions undergo membership changes. In some agencies (e.g., RTUK), the AKP could lose its dominance altogether, while in others, a potential stalemate with the opposition would likely be in the offing. Ultimately, new laws guaranteeing these bodies' independence from the executive branch would be the best way to ensure their neutrality.

In the meantime, Erdogan will likely push for early elections -- the forty-five-day clock for that scenario will start ticking once parliament meets to select its deputy speakers, which is expected to happen soon. He no doubt hopes to once again endow his party with a legislative majority and full control of the executive branch. Preliminary indications -- such as [the election of the parliamentary speaker \(http://www.washingtoninstitute.org/policy-analysis/view/speakers-election-offers-clues-to-turkeys-political-future\)](http://www.washingtoninstitute.org/policy-analysis/view/speakers-election-offers-clues-to-turkeys-political-future) -- suggest that early elections could indeed be in the offing.

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