What are the Drivers of Constitutional Change in Turkey?

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Abstract

This paper explores the reasons for the last constitutional reform in Turkey. This paper argues that the strong Presidency in the 1982 constitution and 2007 amendments paved the way for the presidential reform in Turkey and the internal fragmentation and weakening tutelage of the military opened a window for institutional change. The power of Erdogan for mobilization of masses and the strong personalization of power around him provided a resource for the last constitutional reform. The failed coup attempt on 15 July 2016 triggered the regime change. The study was conducted by employing the method of causal process tracing and the theory of windows of opportunity as well as different approaches of path-dependence. This paper contributes to the literature by exploring the reasons for the institutional change by considering its historical and political context.

Keywords

Constitutional Changes; Institutional Change Theories; Regime Changes; Regime Transitions; Turkey

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Introduction

The erosion of democracy is a common experience in the world in recent years. Bermeo (2016) states that one of the trends in democratic backsliding is "executive aggrandizement" nowadays. It implies weakening checks on executive power gradually by elective actors through institutional changes. Turkey could be seen as a good example of it. This process reaches a peak point on 16 April 2017, when Turkey held a referendum to change its constitution from parliamentarism to presidentialism and presidentialism was approved with 51.4 percent of the votes. If Turkey's historical, political, and social contexts and the comparison of features of parliamentary and presidential systems are considered together, it can be understood that this is a confounding incident.

It can be asserted that executive aggrandizement may take place easier in presidential systems than parliamentary systems for a fragile democracy due to some of the features of presidential systems. Linz (1990) asserts a similar claim by comparing parliamentary and presidential systems. He concludes that parliamentary regimes are more likely to preserve democracy. This conclusion is based on two remarkable features of presidentialism. The first one is the democratic legitimacy of presidents which can coincide with an opposed and strong legislative majority (Linz 1990, 53). From Linz's perspective, in this case, both president and the legislator directly obtain their power from public votes. This situation always tends to create a conflict that can damage democratic stability and give armed forces a ground to interfere as a mediating power. The second feature is the president's fixed term in office which leads to personalization of power as well as discontinuity of political process and policies (Linz 1990, 54). This feature also has the potential to exacerbate tension and polarization in society because of zero-sum elections in the system. On the other hand, it can be easily asserted that parliamentarism has institutional features to prevent these kinds of problems and perils in presidential systems. This idea is widely accepted and supported in the literature (Lijphart 2007; Norris, 2008).

However, Turkey, which had a parliamentary culture for nearly one century and has always tried to have a stable democracy, changed its constitution from parliamentarism to presidentialism. Turkey has a political history with military coups and crises as well as a social structure with minorities and a deep cleavage between seculars and conservatives. As mentioned above, these features are more hazardous in a presidential system for a fragile democracy like Turkey. If these are considered, it can be asserted that the ratification of this referendum has the possibility of exacerbating Turkey's democratic backsliding (Esen and Gümüşçü 2018).

It is important to explore the ongoing effects of the referendum on Turkish democracy and its results. However, it is also important to explore reasons for the referendum and its

approval. This paper aims to explore possible drivers of constitutional change in Turkey. Undoubtedly, the exploration of the reasons for constitutional change in Turkey has vital importance in foreseeing and analyzing the future of the new system and Turkish democracy. Besides, it may help to discover the factors or events that have an impact on regime transitions for other countries. Turkey is an interesting case because it has experienced political, social, and historical conditions that resulted in the formation and conservation of parliamentary system for nearly one century. At the same time, it has conditions that have paved the way for the transition from parliamentarism to presidentialism.

While various studies examine the previous constitutional choice in Turkey (Ahmad 1985; Turan 1990; Heper and Çınar 1996; Özbudun and Gençkaya 2009), there are few studies about the current constitutional reform. Aytaç, Çarkoğlu and Yıldırım (2017) try to explore the electoral views about transition from parliamentarism to presidentialism and find that after twin-elections in 2015, public support for presidential system had increased and partisan cues are one of the factors for public support for presidential system. Esen (2017) evaluates the new "Turkish style presidency" and argues that this new system "is founded on an unbalanced relationship between the executive, the legislature and judiciary in favor of the executive". Scotti (2017a) emphasizes the role of the Army in Turkish political history and its effects on the presidency discussion and the possible risk of the 2017 amendments for Turkish democracy. Esen and Gümüşçü (2018) pose that the new system has the potential to institutionalize personalism and majoritarian rule in Turkey. Similarly, Cilliler (2021) focuses on the negative effects of the new system on Turkish democracy and how this new system escalates the authoritarian turn.

Yet, these studies generally do not provide a broad perspective to be able to understand the effective drivers of constitutional reform because they mainly focus only on the results of constitutional change or the reasons for public support of the presidential system. This paper aims at filling this gap in the literature by considering the historical and political context of Turkish constitutional reforms and the dominant factors for recent institutional change.

This kind of endeavor requires a method that can understand and explain causal mechanisms in case studies by making possible to include different and complex contextual factors. The method of causal process tracing provides a well-grounded basis for it. In this article, causal process tracing (CPT) is used which aims to discover "the many and complex causes of a specific outcome" (Blatter and Haverland 2014, 59). In this method, existing theories have crucial roles to build a consistent framework and explain the case at hand.

By considering these, this article benefits from theories of path dependency and windows of opportunity to explain the constitutional reform in Turkey in 2017. It finds that the

strengthening role and power of the president as a result of the 1982 constitution and the 2007 constitutional amendment represent two important stages in terms of showing the gradual institutional change in Turkey. The historical background of Turkish constitutional designs and reforms is summarized to show the path as well as the dominant factors and actors of Turkish political life because changes in power relations are also significant components in this transformation process. The Turkish military, as one of the strongest power holder in the system, experienced divisions which contributed to the transformation. In this context, the failed coup attempt on 15 July 2016 opened a window to create public support for structural change. Moreover, mobilization of political support as a resource by elected actors, which were rival agents to the military and represent another strong group in power relations, furthered and completed the process of transformations from parliamentarism to presidentialism.

The Historical Context of Constitution-Making in Turkey

Turkey's constitutional tradition began with parliamentary practice. The constitution of 1921 is the first constitution of Turkey. It was accepted by the constituent and revolutionary assembly, Grand National Assembly of Turkey (GNAT), under difficult conditions following the aftermath of WWI and the occupation of Turkey (Gözler 2007). Özbudun and Genckaya (2009, 10) define it as a short document that was a solution for urgent constitutional problems rather than an actual constitution. Therefore, the second constitution was adopted in 1924 by the assembly which was elected in 1923. For these two terms, Mustafa Kemal Atatürk, the founder of the Republic of Turkey, had a key role as not only a political leader, but also a military leader as a result of the ongoing conditions of the war (Tachau and Heper 1983, 19). This situation deeply affected the political culture later in Turkey. Although Mustafa Kemal attempted to set the military apart from the political arena, the Army was considered as the guardian of the new regime and state (Scotti 2017a, 252). This is because of the link between the domination of Mustafa Kemal on the political arena thanks to his role as President of the Republic, as well as his supporters in the only political party, the Republican People's Party (RPP), in the assembly and Atatürk's and RPP's top figures' military backgrounds (Scotti 2017a, 252; Tachau and Heper 1983, 19-20). It can be asserted that this symbolic relationship between civilian leadership and the military continued with Atatürk's successor İsmet İnönü, who was the second president of Turkey with a military background as a general, in the period of uninterrupted rule by the RPP until 1950.

The single-party period under the sovereignty of RPP ended in 1946 and the Democratic Party (DP) won the elections in 1950. This victory was seen as the result of the social and economic developments which led to the rise of middle-class entrepreneurs and segments of the provincial

(Tachau and Heper 1983, 20). These groups generally supported DP against RPP. These developments gave hope for the consolidation of democracy in Turkey. However, in the late 1950s, the tension between the government (DP) and the opposition (RPP) increased because the government used its powers to suppress the opposition and take some authoritarian precautions by exploiting the absence of restraints on the legislative powers in the constitution of 1924 (Özbudun and Gençkaya 2009, 13). Eventually, on 27 May 1960, the military intervened and overthrew the government. Heper and Tachau (1983, 21) interpreted this action as "somewhat partisan" because of the sympathy of the military for RPP and the results of the coup which was the execution of three leaders from DP.

The constitution of 1961 was written by state elites including the members of the military, university professors, and the bureaucracy and it was adopted by the majority of votes in the referendum. It is claimed that one of the main purposes of the 1961 constitution's writers was the prevention of "the re-emergence of an authoritarian partisan regime based on massive parliamentary majorities" (Tachau and Heper 1983, 22). This aim resulted in a new kind of political system which was able to restrict "the government's freedom of action" by establishing new institutions such as a second parliamentary chamber or a constitutional court; it also made possible the access of the military to politics in a more institutionalized way through the agency of the strengthened National Security Council (Tachau and Heper 1983, 22). The majority of the members in the council included military members and they were expected to prioritize the council decisions by political members of the council.

Özbudun and Gençkaya interpreted (2009, 16) these restrictions as the reflection of the distrust of elected organs and thus the foundation of "an effective system of checks and balances". Moreover, Scotti (2017a, 253) commented as a confirmation of the tutelage through institutions. Yet, this tutelage was not limited to institutions; the next two presidents of the republic had military backgrounds.

Nearly ten years later, on 12 March 1971, the military intervened in political life again with a memorandum. However, this time the military did not dissolve the parliament and took control directly. They forced the government to resign on the pretext of rising violence and economic unrest in the country. At that time, the government was the Justice Party (JP) which was established as the successor of the prohibited DP. Tachau and Heper identified (1983, 23) the 12 March 1971 military intervention as "a veto over civilian authorities with the goal of preserving the social and economic status quo". After this intervention, the constitution of 1961 was amended in 1971 and 1973. The 1961 constitution had been criticized by the elected government due to its weakening of the executive power. These constitutional amendments fulfilled expectations about

strengthening the executive. Additionally, while the autonomy of the military was increased, certain civil liberties and the power of the courts were curtailed with these amendments (Özbudun and Gençkaya 2009, 18).

On 12 September 1980, the Turkish armed forces seized power directly once again by alleging persistent instability, which was seen as a result of the spirit of the 1961 constitution, as a pretext. Economic crisis, civil violence, and the unsuccessful and repeated attempts to elect a new president for more than six months demonstrated certain indicators of instability in the country (Tachau and Heper 1983, 25-26). Another reason for the 1980 military intervention by the military was considered to be a potential threat to secularism, which had been one of the fundamental values of the Republic. The National Salvation Party, which was one of the political Islamist parties, organized "a provocative political rally" immediately before the coup (Tachau and Heper 1983, 25-26). By considering these reasons, it is possible to interpret that the perception of the 1980 military junta indicated itself as a "guardian" for the regime rather than a political veto (Tachau and Heper 1983, 28).

On 7 November 1982, two years after the 1980 coup, the 1982 constitution was approved by a referendum with 91.37 percent of the votes. This constitution was written by less representative members than the 1961 constitution, where the influence of state elites was more than that of the 1961 constitution. Moreover, the 1982 constitution did not reflect a broad consensus in terms of the designs of political institutions and orders (Özbudun and Gençkaya 2009, 19). Rather, it projected the values, interests, and desires of preserving the status quo of the military onto the system. The referendum question was combined with the approval of General Kenan Evren, the head of the coup, as the president of the Republic. It is possible to interpret this incident as the first indicator of the desire for the continuation of the status quo. The high level of approval votes can be explained by the one-sided campaign, the restrictions to debate publicly the constitution and the statement of the National Security Council members which hinted that "… in case of a rejection of the draft, the military regime would continue indefinitely" (Özbudun and Gençkaya 2009, 20). This means that if the referendum was rejected, Turkey would not be able to return to civilian party politics for a long and indefinite period.

The hegemony of the military on political life continued in the process of transition to civilian rule and democracy. The military council vetoed several attempts at the formation of new political parties for the general election in November. This provides an insight into the hegemony of the military on political life in those days (Ahmad 1985, 214). They determined the political arena according to their desire through their veto power on political parties and politicians.

The 1982 constitution significantly strengthened the role and power of the president who was (or is) given comprehensive legislative and executive powers as well as the power to appoint important positions, like judges of the Constitutional court (Tachau and Heper 1983, 29). The aim was to provide the continuation of the role and the control of the military through a strengthened presidency. This new system can be defined as "weakened parliamentarism" because of the power of the Presidency of the Republic (Özbudun and Gençkaya 2009, 20). In consequence of the distrust of civilian political elites, the 1982 constitution created numerous tutelary institutions to check the elected agencies apart from the strong presidency (Özbudun and Gençkaya 2009, 20).

The dominance of the tutelary spirit in the 1982 Constitution and its features have led to severe criticism, and it provided a basis for constitutional amendments. It has been amended several times. One of them is particularly important in terms of the scope of this paper where I argue that it paves the way for presidentialism in Turkey: the 2007 Constitutional Amendment that proposed the election of the President of the Republic with popular votes.

The Implications of Institutional Change Theories for Turkey

It is widely accepted that one of the fundamental components to study institutional change is the context. There are several theories that consider different aspects of contexts to explain institutional changes, such as historical conditions, actors, or evolutionary processes (Kingston and Caballero 2007, 19). Thus, when analyzing possible reasons or triggers of the last constitutional change in Turkey, one should consider special historical and political conditions. From this standpoint, two institutional change theories provide a broad understanding of the background and conditions of the last changes in the Turkish context.

The first theory is path-dependency theory. Mahoney and Thelen (2009) created a theory, which is mostly based on historical institutionalism. However, this theory also reflects an eclectic approach with rational-choice institutionalism to explain gradual institutional changes. They argued that "the interaction between features of the political context and properties of the institutions themselves" has an important role to explain institutional changes (Mahoney and Thelen 2009, 31). Therefore, institutional reform can be interpreted with the notion of "path dependence".

Institutional change generally happens gradually in the long run. Institutions are generally considered connotative of continuity rather than changes. However, when they are conceived as "distributional instruments laden with power implications", they also provide a basis for changes (Mahoney and Thelen 2009, 7-8). Although some traditions in institutional change theory, such as punctuated equilibrium model, point out the purpose and persistence of continuity and the role of

crisis or "abrupt institutional breakdown and replacement" in institutional changes and historical discontinuities; Streeck and Thelen (2005, 8) emphasized the importance of incremental process on the gradual institutional transformations which indicates actually "major historical discontinuities". In these incremental changes, one of the significant parts is the distribution of power in terms of institutions and the other important part is the degree of openness for actors to interpret and enforce the existing rules (Mahoney and Thelen 2009, 4).

This shows that agents and their strategies – which are affected by institutional environments – are important drivers for institutional changes (Mahoney and Thelen 2009, 31). The relations and interactions between the rule-makers and rule-takers, who are the competing main actors in a regime in conflict with each other, are a determinant factor for the transformation of regimes (Streeck and Thelen 2005, 13). In this regard, the significance of institutions is related to resources – which are mostly political or political-economic- and their roles in resource allocation between these actors: "… many formal institutions are specifically intended to distribute resources to particular kinds of actors and not to others" (Mahoney and Thelen 2009, 8). Institutions generally reflect the preferences of certain actors as well as the conflict among different actors whose institutional preferences and motivations differ from other actors (Mahoney and Thelen 2009, 8). Therefore, institutions represent not only stability but also vulnerability for a potential change at the same time (Mahoney and Thelen 2009, 8). While actors who benefit from existing arrangements desire continuity and stability of institutions, disadvantageous actors pursue changes (Mahoney and Thelen 2009, 9). These statements show the importance of "ongoing mobilization of resources" which include political support (Mahoney and Thelen 2009, 9). Political support is one of the key resources for different actors for their desire for continuity or change in institutions. The true and persistent mobilization and channeling of this support accommodate a significant potential for political aims in the long run.

Another important claim in Mahoney and Thelen's theory is that one of the effective reasons for institutional change is the shift in power relations over time. "Divided elites" and "united subordinate groups" are two important themes to explain reasons for a change in power relations as well as institutions in path dependency theory. If there are divisions among power holders which have remained ahead of the game until a certain time and in contrast to this, if disadvantageous subordinated groups have been organizing and enhancing their power to challenge the established power relations through institutional arrangements at the same time, this can result in institutional changes (Mahoney and Thelen 2009, 9-10).

At this point, the extent of openness of interpretation and implementation of institutional rules comes into prominence in terms of resource allocation and institutional changes (Streeck and

Thelen 2005, 19; Mahoney and Thelen 2009, 10-11). Actors have a significant role in terms of the interpretation and implementation of rules. Because "… institutional 'winners' and 'losers' have different interests when it comes to interpreting rules or dedicating resources to their enforcement" (Mahoney and Thelen 2009, 14). This aspect of institutional rules makes important to "the 'gaps' or 'soft spots' between the rule and its interpretation or the rule and its enforcement" for institutional changes due to raising the importance of actors' preferences and the coalitions (Mahoney and Thelen 2009, 14). This point emphasizes the role of coalitions for possible changes in the system in time.

The second theory is the windows of opportunity theory. Cortell and Peterson (1999) state the effect of incremental changes in coalition buildings that is related to institutional transformations. Their theory on windows of opportunity corresponds with the emphasis of previous theories. Cortell and Peterson (1999, 179) indicate three factors for institutional change: international and domestic events which can be crises or pressures (triggers), the actions and interests of actors – who are generally state officials – after these events (change-oriented preferences), and institutional capacity to be able to make a change. This kind of theoretical framework shows the influences and relations of processes, political contexts, and institutional characteristics on changes concerning crucial events.

Some crucial international or domestic events (e.g., war, revolution, coup, or economic problems) discredit existing institutions and open a window that creates an opportunity for changes (Cortell and Peterson 1999, 184-185). Even though these kinds of triggers create the necessary conditions for structural change, they cannot effect change without actors (Cortell and Peterson 1999, 187). Elected or appointed state officials are the central agents in institutional reforms, and they exploit windows of opportunity according to their perceptions, preferences, and calculations which aim at seeking or maintaining power and positions at the office (Cortell and Peterson 1999, 183-188). The ability of actors for institutional reform is also related to institutional configurations: There are some structural obstacles for elected actors to make changes due to veto points or power distribution in political systems (Cortell and Peterson 1999, 190). The abovementioned triggers, which are generally evaluated as a threat, create an opportunity for state officials to overcome institutional and political obstacles by "granting governments greater freedom from democratic constraints" (Cortell and Peterson 1999, 186-191).

By considering these aspects in the path dependency and windows of opportunity theories, the following hypothesis can be generated for the last constitutional change in Turkey: 1982 constitution and its amendments in the past paved the way for 2017 presidential reform in Turkey in time by changing power relations and distribution of power and resources. The internal divides

in the military, which had represented one of the most effective state elite groups and power holders in the system, and the weakening of its tutelage triggered the regime change. Strong personalization around President Recep Tayyip Erdoğan, provided resources for generating legislative and public support for the presidential reform and lastly, the unsuccessful coup attempt opened a window for constitutional change.

Methodology

To analyze the drivers of the 2017 constitutional changes in Turkey, I conducted the process tracing. This method provides an opportunity to study deeply within-case research. However, it has many different variants, and its definition and implications are not clear (Trampush and Pallier 2016). This situation necessitates presenting a certain definition and approach which is adopted in this study.

This study mainly benefits from the methodological approach of Blatter and Haverland's (2014) "Causal Process Tracing". In this understanding of process tracing, an outcome (Y) is the center, and it is primarily focused on the struggle to answer "why" and "how" questions to unpack the complex causal conditions, mechanisms, and configurations of outcome Y (Blatter and Haverland 2014, 59).

Although CPT is criticized due to its limitations for generalizations for other cases (Beach and Pedersen 2011; Kay and Baker 2014), it is useful to analyze a social incident. With the implication of causal process tracing, it is targeted to uncover "the sequential and situational interplay between causal conditions and mechanisms" which create the present outcome (Blatter and Haverland 2014, 59).

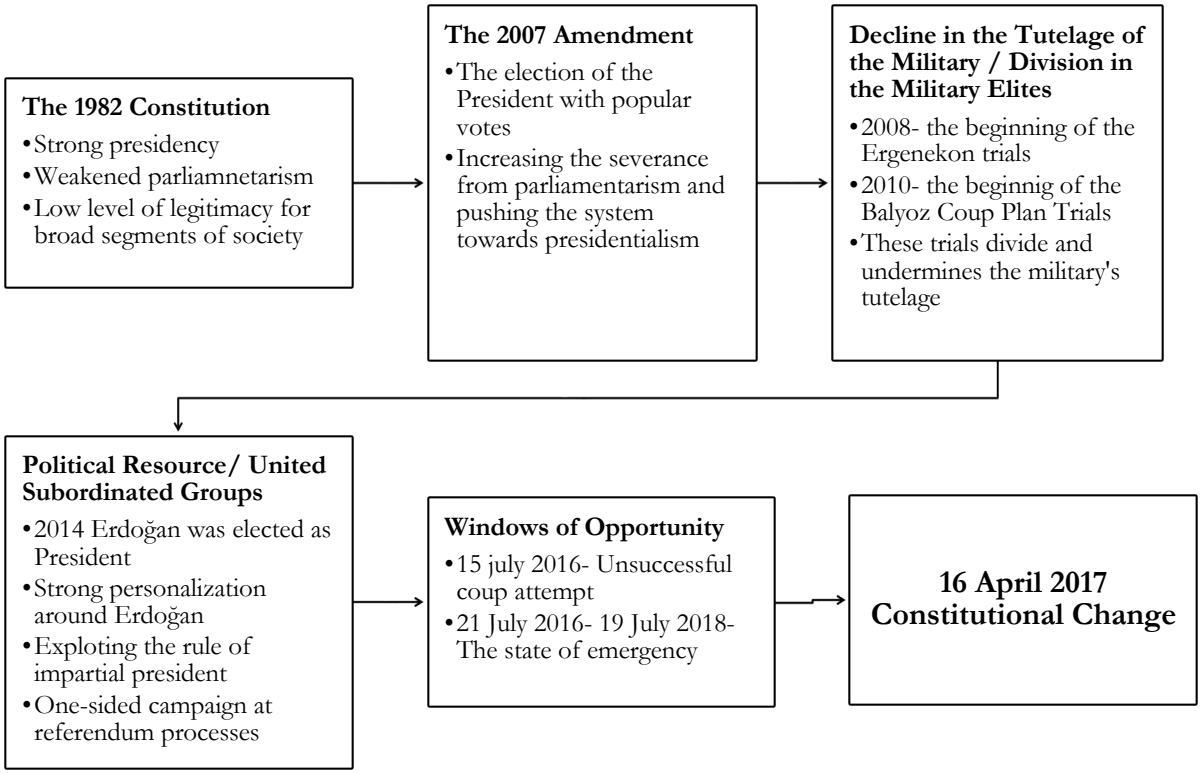
In causal process tracing (CPT), temporality and timing have substance importance (Blatter and Haverland 2014, 79). CPT can be defined as a method that focuses on processes and mechanisms to connect the causes and the effects (Blatter and Haverland 2014, 60). This point shows the emphasis on timing and temporality when it is tried to unpack the black box of a specific social outcome's causal inferences. Another crucial part of CPT is configurational thinking (Blatter and Haverland 2014, 64). Configurational thinking assumes that "social outcomes are the result of a combination of causal factors" (Blatter and Haverland 2014, 64). This stresses the role of process dynamics which is required to a comprehensive storyline (Blatter and Haverland 2014, 70).

In this study, the 2017 constitutional change in Turkey is at the center of analysis as an outcome (Y) and it is tried to discover the causal conditions or mechanisms which creates this outcome. I used CPT method to analyze the last constitutional reform in 2017. As mentioned above, firstly when it is used to understand why and how social outcome occurs in a certain time,

CPT offers a method which considers a comprehensive storyline, the value of processes as well as a strategic timing and combination of other different causal factors. Secondly, the method of CPT is benefitted from theories to analyze the outcome in a proper way. Thus, path-dependency and windows of opportunity theories are employed in this article to analyze the last constitutional reform in Turkey.

By considering all of these, first, I provide a background of Turkish political history and constitutions to construct a storyline of Turkish constitutional making until 1982 which is the last constitution. This makes easier to understand the effects of the processes, the context, and effective actors in the system on the last constitutional reform. After that, I explain theories of process tracing and windows of opportunity because they are highly relevant to understand the impressive causal factors on the issue and the strategic timing of the change. The presidential reform in Turkey is not the result of just one condition or one term. It reflects a complicated aggregation of many different mechanisms and their interactions with each other in time. The following chart summarizes the causal mechanism of institutional change in Turkey according to the CPT method.

Figure 1: Causal mechanism of institutional change in Turkey.



Source: Author.

Analysis

Presidentialism has been discussed in Turkey since the 1970s due to the military tutelage and instability in political life (Scotti 2017a, 254). Some influential political leaders have supported a presidential reform in Turkey (Scotti 2017a, 255). However, it also has been criticized and seen as a threat to Turkish democracy by broad segments of Turkish society (e.g. Turhan 1990; Tacir 2015). Moreover, the Turkish public had never shown its open support for this kind of institutional change before 2017. Bilgin and Erdoğan (2018, 39) analyzed different institutions' opinion polls held since 2010 and found that "public support for presidentialism was nearly 15 points lower than the actual "Yes" vote's recorded percentage in 2017". Therefore, it is important to discover the reasons and chains of mechanisms that resulted in the approval of the Presidential reform in 2017.

Firstly, constitutional reform in Turkey can be explained with Streeck, Mahoney and Thelen's institutional change theory which indicates the significance of gradual transformations, power shift between agents in the political system, and mobilization of resources.

Presidential reform in Turkey has developed in an incremental process thanks to the structure of the last constitution and its amendments. As mentioned above, the 1982 constitution reinforced the power of the Presidency in the political system, and it was the first step that made the way for institutional change. With this constitution, the Turkish political system had experienced its first deviation from traditional parliamentarism. 1982 constitution established a strong presidency that exceeded the power and symbolic role of the President in a conventional parliamentary regime. For that matter, it was named as "weakened parliamentarism" (Özbudun and Gençkaya 2009). Besides, this constitution reflected a tutelage regime in the perception of some segments of the public and its legitimacy had been becoming a problem for years. It did not reflect a consensus of society. Rather, it was evaluated as the construction of the status quo that mainly reflected the mindset of the military. The issue of legitimacy provided an environment for the following amendments in time.

2007 amendments, which proposed the election of the President of the Republic with popular votes, led to a breaking point for the last constitutional reform (Aytaç et al. 2017, 3). In 2007, military and state elites showed a strong reaction to the government's (Justice and Development Party -JDP) candidate for the presidency and tried to prevent his election through the Constitutional Court. This institution inherited and reflected tutelage in the perception of some segments of society. Thus, elected officials conducted a referendum for a constitutional amendment. These developments show consistency with the point of conflict between rule makers and rule takers in terms of the function of institutions as the distribution of power and resources as well as the different interpretations of rules by them in path dependency theory.

This amendment increased the severance from parliamentarism while it pushed the institutional system toward presidentialism. Thus, it represents the second important development in the causal mechanism of the 2017 constitutional changes. This change supports the strong power and role of the President in the 1982 constitution, and it leads to gaining the advantage in the discussion of legitimacy in favor of elected officials or the President. Thus, this development is also crucial in terms of political support which is an effective resource.

While JDP and elected officials had been raising their power and resources in the system, the military had been falling from power in Turkish political life. This is the other important reason for constitutional reform. Since 1999, the autonomy and impacts of the military on Turkish politics were decreased through constitutional and institutional changes (Gürsoy 2014, 174). Moreover, as one of the strong state elite groups and power holders, the military suffered from fragmentation. The trials of Ergenekon and Balyoz, which included commanders and generals among the defendants accused of plotting the government, deteriorated the reputation of the military and weakened it (Deveci 2013; Deveci 2016). These trials also can be evaluated as the first indicators of the fragmentation of the military and this fragmentation became concrete on 15 July 2016 with the failed coup attempt resulting from internal conflict and partial participation in the coup attempt. The trials of Ergenekon and Balyoz also can be considered as reasons for the divisions of the military (Jenkins 2014). Because, after the coup attempt, some people claimed that these trials were launched by the members of the Gülen Movement, which was held responsible for the 15 July 2016 coup attempt, to damage people who were opponents of them and to provide high positions for their followers and supporters in the military (Aljazeera Turk 2015; Sputnik Türkiye 2016; Jenkins 2014).

If I interpret these developments in terms of Turkish political context and theories in this paper, I argue that the divisions in the Turkish army and its weakening tutelage and reputation caused power to shift between actors in Turkish political life. After all of these developments, the past role of the military as "a veto over civilians" or "a guardian of the regime" has been undermined. As mentioned earlier, Mahoney and Thelen argued (2009, 9-10) that "divided elites" is one of the reasons for institutional changes and the military had been one of the strongest and most influential power holders in Turkish political life to prevent institutional changes.

On the other hand, the election of Erdoğan as President of the Republic in 2014 provided an important political resource that raised the role and importance of rule takers in the system. This situation accelerated the power shifts in Turkish political life by taking advantage of political support. Unlike division in the state elites, Erdoğan mobilized and united broad segments of groups. Besides, he used the soft spots of the system which occurred after the 2007 amendments.

In those days, the President of the Republic needed to be impartial. However, Erdoğan was not an impartial president, and he gave this situation as a pretext for the regime change by saying "it needs to be solved de facto situation" (BBC Türkçe 14 August 2015). He still directed the government (Aytaç et al. 2017, 3). He had many statements and actions in favor of JDP in those times and this has been interpreted as a reason for regime change by his supporters (Taşçı 17 August 2015). Aytaç, Çarkoğlu and Yıldırım (2017, 16) emphasized the effect of partisan cues on the support for Presidentialism. Contrary to the low level of support for Presidentialism among supporters of the opposition parties, the high level of support among the supporters of the JDP shows that political support can be mobilized and used as a resource for regime change (Aytaç et al. 2017, 8). From my perspective, this support is mainly based on the strong personalization around Erdoğan. This view can be supported by his organization of mass rallies during the election campaign in 2015 for "400 members of parliament" from JDP for constitutional reform instead of the formal leaders of this party (Aytaç et al. 2017, 3). Although he was the President of the Turkish Republic, he was not formally related to JDP at that time. Erdoğan held a public demonstration himself to gain more support and to assure the approval of the presidential reform in the assembly through JDP.

The last link in the causal mechanism is the coup attempt on 15 July 2016 which opened or broadened a window for a radical constitutional change in Turkey by increasing public support, creating new coalitions, and making it possible to overcome institutional constraints through the state of emergency.

In this failed coup attempt, 251 people were killed, and 2731 people were injured (Presidency of Republic of Türkiye Directorate of Communications 2020, 4). This event had a significant influence on the result of the 2017 constitutional change referendum due to the political and social unrest in the country. When we evaluate this event with Cortell and Peterson's (1999) theory, this bloody coup attempt intensified to discredit of the 1982 constitution, which had already low level of legitimacy in the perception of broad segments of society and reflected the tutelage of the military. This situation helped the government's actions for changes by building new coalitions and creating political support.

In both Cortell and Peterson's theory and Mahoney and Thelen's path dependency theory, the preferences of actors and coalitions play a determinant role. Although all opposition parties in the parliament – which are RPP, Nationalist Movement Party and Peoples' Democratic Party that are supported generally by Kurdish people- had been against a presidential reform in Turkey, the leader of Nationalist Movement Party agreed with Erdoğan to support the constitutional reform after the coup attempt because of the aim of the preservation of his leadership against a fraction

in the party (Paul and Seyrek 2017). This situation demonstrates the importance of agents' actions which are interest-driven and change-oriented.

However, more importantly, I argue that the failed coup attempt also helped the creation of support for and coalitions in the nationalistic and Islamic grassroots for an institutional change by stimulating national sentiment. One-sided campaign in favor of support for presidentialism helped the government to raise its influence on these grassroots. The referendum was held in the state of emergency and this situation created a misbalance of power in terms of access to media and public space visibility between the two camps (Esen and Gümüşçü 2017). The state apparatus was used in the referendum processes for the campaign in favor of presidentialism (Esen and Gümüşçü 2017). The unfair campaign process was also a resource for the ruling party in the transition of the system.

In this regard, it can be argued that the unsuccessful coup, which was considered a threat, and the subsequent declaration of the state of emergency opened a window for constitutional reform by creating new coalitions and overcoming institutional and political support constraints. Besides, the unsuccessful coup attempt and state of emergency broaden the windows of opportunity for the elected actors. They rise their capacity to overcome institutional and political constraints and change the system.

Conclusion

This paper contributes to the literature by considering the historical and political context of the last Turkish constitutional reforms and the dominant factors for recent institutional change.

This study explored possible drivers of constitutional change in Turkey by employing the theory of windows of opportunities and different approaches of path-dependency to explain the reasons for presidential reform in Turkey. It is explored that constitutional changes in 1982 and following amendments paved the way for institutional change in Turkey by rising the power of the executive. The weakening of the tutelage and reputation of the Turkish army forces created an opportunity to change the regime for political actors and strong personalization around Erdoğan provided the necessary resource to manipulate political support for constitutional reform. The 2007 constitutional amendments and the 15 July 2016 failed coup attempt can be considered turning points for the presidential reform in Turkey.

After the 2017 constitutional changes, the decline in Turkish democracy has been continuing. Freedom House Index has considered Turkey as "not free" since 2018. The 2017 constitutional change can be evaluated as a turning point in Turkey's democratic backsliding and authoritarian turn (Arat 2021). Thus, further studies should give priority to discover the different

aspects of background factors of the 2017 constitutional changes in Turkey by employing different methods and theories. This kind of endeavor may help the restoration of democracy and prevent a democratic collapse.

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