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The Impact of the Implementation of the Principle of Separation of Powers on Achieving Democracy in Contemporary Political Systems: A Comparative Study Between Presidential and Semi-Presidential Systems (Using the Turkish and French Systems as Models).

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ABSTRACT

The objective of this study was to elucidate the principle of separation of powers and examine the structure and functions of the three branches of government in modern political systems, specifically the presidential and semi-presidential systems, by comparing the Turkish presidential system with the French semi-presidential system. The study employed comparative techniques and the descriptive-analytical method to attain its objectives. The study concluded that the effective implementation of the separation of powers principle in modern political systems is essential for achieving the desired democracy globally.

The study demonstrated the presence of parallels in the implementation of the principle of separation of powers within the Turkish and French systems, especially with the establishment of the executive and judicial branches, as well as the authorities of the legislative and judicial branches in both systems. The study demonstrated that the Turkish presidential system has attained comprehensive democracy through the effective implementation of the separation of powers concept, in contrast to the French semi-presidential system, which has forfeited its constitutional and comprehensive democratic essence. This is evident in the establishment of the French legislative branch, which was not formed entirely by popular election. This branch is divided into two components: the National Assembly, formed through direct popular elections, and the Senate, created through elections for specific categories, consisting of senators, representatives of councils of French expatriates, and municipal councilors, without a general referendum, which violates the principle of separation of powers.

A closer examination highlights the intervention of the executive branch in the judicial domain within the French semi-presidential system. This is evident in the authority granted to the French president to issue pardons in specific cases after judicial decisions have already been rendered. Such authority challenges the proper application of the principle of separation Of powers.

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Chapter 1: Background of the Study

1. Introduction

Gradual progress in different historical eras has facilitated the birth of many political systems and governance structures that have influenced societies in different human civilizations. Regimes have historically varied from just and reformist political systems to authoritarian and corrupt regimes. The rise of dictatorial regimes, which violated individual rights and increased corruption and authoritarianism, negatively affected society, culminating in widespread revolutions that caused significant loss of life and the dissolution of long-established political systems. Furthermore, the disintegration of states reduced their strength, resulting in them lagging behind in the worldwide competition for power, development and other aspects of human progress. Political systems recognized that the implementation of democratic principles – defined by justice and equality – was essential to achieve political stability, stability and comprehensive development and progress of the state. This acceptance continues even today with the rise of modern political governance.

The constitutional system spread among modern political systems due to its ability to provide legitimacy to political regimes through the principle of separation of powers, which is the basis for the creation of global constitutions. The idea is fundamentally based on human rights norms along with promoting the authentic essence of justice, equality and democracy. It guarantees that individuals are sovereign in the formation of legislative authority, thereby creating the executive and judicial branches. The idea of separation of powers naturally facilitates the implementation of democracy by enabling self-government among the masses. Nevertheless, some political systems insist on constitutional status and offer a preamble that advocates the separation of powers, which governs and regulates the behavior of the political system while guaranteeing citizens the rights to liberty and a dignified existence. Nevertheless, these systems are still in conflict with the principles of justice, equality and respect for individual and communal rights and freedoms. It is significant that these systems lack the basic principles of democracy, a reality that became evident in recent years, especially during the revolutions of the Arab Spring. The aim of these uprisings was primarily to combine the political system with the people's demands for freedom, democracy, pluralism and respect for human rights. Nevertheless, these demands were primarily addressed with repression, including murder, enforced disappearances and humiliation of individuals, despite the fact that these systems have constitutions rich in legal provisions that explicitly uphold the separation of powers and the protection of human rights, ultimately aimed at fulfilling the aspirations of the population.

In contrast, many countries are globally recognized as constitutional states and have shown greater success than others in implementing the idea of separation of powers. This has led to the welfare of their citizens and the satisfaction of their human needs, as well as the advancement of these countries through competitive elections where the members of parliament or presidents strive to achieve maximum success for their people, under the effective implementation of the principle of separation of powers.

Consequently, it is necessary to examine the extent to which the principle of separation of powers has been implemented and what impact it has had on the realization of democracy in modern presidential and semi-presidential systems. This will be addressed in this survey.

1.2 Problem of the Study and its Questions

The question of study stems from the inconsistency of democratic levels within modern political systems, despite the fact that these systems are classified as constitutional states due to their constitution's adherence to the principle of separation of powers, which is basically designed to realize democracy in all its manifestations and norms. A discrepancy exists between the theoretical and practical applications of the principle of separation of powers in different political systems, resulting in a research problem that the investigator must explore: the knowledge gap between the theoretical basis of this principle and its implementation in presidential and semi-presidential systems. The main subject of the study is: What is the impact of implementing the concept of separation of powers on the realization of democracy in modern presidential and semi-presidential political systems?

The following sub-questions arise from this primary request:

1. What is the principle of separation of powers and why is it important to implement it?

2. What are the organizational structures of the three branches of government under the presidential and semi-presidential systems?

3. What is the competence of the three branches of government in presidential and semi-presidential systems?

1.3 Objectives of the Study

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The main objective of this study is to examine the impact of applying the concept of separation of powers on the achievement of democracy in modern political systems, particularly presidential and semi-presidential structures.

The research also aims to fulfill the following sub-goals:

1. To understand the idea of separation of powers and its importance.

2. To clarify the establishment of three branches of government in presidential and semi-presidential systems.

3. To analyze the capabilities of the three branches of government under the presidential and semi-presidential systems.

1.4 Significance of the Study

The importance of this study is twofold:

1. The scientific significance of the study is proven by the development of scientific material that clarifies the principle of separation of powers and its impact on the realization of democracy in modern political systems. It also attempts to bridge the knowledge gap related to the degree of democratic deficiencies in some political systems that have this principle in their constitutions. Thus, it provides a well-informed basis based on scientific principles for future researchers to carry out and establish their own studies related to the relevant research topic.

2. The practical significance of the study is evident in the methodological approach and procedures used, which will facilitate the solution of the research problem and answer the questions. This will provide concrete results with recommendations based on scientific principles that political decision-makers in modern states can rely on to effectively enforce democratic standards through the best execution of the separation of powers principle.

Concepts of the Study

-The principle of separation of powers: This principle emphasizes the allocation of the primary functions of governance – legislative, executive and judicial – to separate and equal entities, each working independently of the others in carrying out their responsibilities.

-Democracy: It is defined as a governance system where the public engages through representatives, referendum, voting or popular approval. It is sometimes called representative democracy, where governance is limited to a select class, namely the government, because of the impracticality of involving the wider population in the administration of state affairs.

Methodology of the Study

This research uses the following integrated methodology:

Comparative method: The research uses a comparative method by analyzing the necessary data and information, including constitutional texts of the investigated political systems, comparing them to understand the similarities and differences both on theoretical and practical dimensions. This method seeks to highlight the shortcomings and shortcomings of the implementation of the principle of separation of powers in any system.

Descriptive-analytical method: Descriptive-analytical technique involves collecting the necessary information and data to formulate the theoretical and scientific framework for the study, provide a complementary description of it, and analyze it in line with the objectives of the study. The purpose of this approach is to determine the essence of the principle of separation of powers in modern political systems and its impact on democracy.

1.7 Previous Studies

Several previous articles related to this research question have been examined. The following is a summary of the most important studies:

Jannad and Talbi (2021), Title: The issue of separation of powers in modern constitutional systems: A case study of Algeria. This study sought to examine the principle of

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separation of powers, its implementation and its effects on modern political systems, with particular emphasis on the Republic of Algeria. Legal and institutional processes, in addition to traditional strategies, were used to achieve the intended objectives. The study concluded that the concept of the distribution of power is the mechanism through which contemporary political regimes gain legitimacy. However, there are significant shortcomings in practical implementation in many countries, particularly Arab nations. The Constitution of the Republic of Algeria upholds the principle of the separation of powers, and the Algerian political system is undergoing constitutional reforms in accordance with this principle.

A 2020 study by Tavas, entitled: The principle of separation of powers and its implications for the relationship between the executive and the legislature in the context of the 2016 constitutional amendment. This study seeks to clarify the fundamental nature of the principle of the separation of powers, its significance in the constitutional amendments of the People's Democratic Republic of Algeria, and to assess the extent of its implementation by analyzing the relationship between the branches of government, particularly the executive and legislative branches, within the People's Democratic Republic of Algeria. The study used descriptive analytical approach and case study to achieve these objectives. The study concluded with several conclusions, the most important of which is that in modern political systems there is no alternative to applying the principle of separation of powers, especially for the Algerian legislature. This prompted the legislature to adopt constitutional amendments in line with this principle, with the aim of achieving the greatest possible legitimacy for the Algerian political system while fulfilling democratic ideals and accommodating the demands of individuals, based on the goal of realizing the aspirations of modern societies with regard to justice, equality, democracy and national protection, human rights.

Oxford University Study (2021), Title: Separation of powers in principles of constitutionalism. The study, carried out by the University of Oxford, aims to examine the correct application of current constitutional documents relating to the principle of separation of powers. Descriptive and analytical methodology was used to achieve this. The study concluded with various findings, the most important of which is that most political systems around the world have deviated from the ideal implementation of the separation of powers principle. Nations that claim to follow this principle are suspect, since its application requires public disclosure; Otherwise, forces arise which prevent clear indicators of the adoption. Studies indicate that no modern global political system fully implements the principle of separation of powers, as evidenced by widespread unrest in nations and in international relations at the national level and frequent disregard for laws and constitutions.

Loughlin Study (2019), Title: The Contemporary Crisis of Constitutional Democracy. This study sought to highlight the global crises associated with democracy and the factors contributing to the decline of democratic indicators around the world, particularly at a time when constitutions globally endorse democracy and advocate for its highest-quality implementation. To achieve this, the study employed a descriptive analytical methodology. The study concluded with several findings, the most important of which is that democracy has become a largely symbolic concept in the constitutions of many nations, lacking genuine implementation and thereby weakening the constitutional legitimacy of these governments. The primary reason for the inability to implement genuine democracy is the essential failure to uphold the principle of separation of powers, which guarantees the widespread implementation of democratic ideals. Research indicated that the decline of global democracy is due to the supremacy of one of the three branches of government (executive, legislative and judicial) over the others, which undermines any theory of global democracy. Failure to correctly and optimally implement the separation of powers principle will lead to a worldwide crisis in the future.

Chapter Two: Theoretical Framework

Chapter two clarifies the definition of the principle of separation of powers and its importance, as well as its role in promoting democracy within political systems, exemplified by the presidential system in the Republic of Turkey and the semi-presidential system in France. This will be examined in the following sections:

Section One: Definition of the Principle of Separation of Powers and Its Significance in Application.

The idea of separation of powers is known as the foundation on which global constitutions are built, providing legitimacy to political regimes by unifying the democratic qualities required by populations around the world. Before clarifying the definition of the separation of powers principle, it is necessary to clarify the concept and concept of democracy, which has been expressed in various scientific and academic contexts as "people's rule". In contrast to this, democracy has been characterized in many ways, all with a focus on self-government by the population or rule by the majority. The Greek historian Herodotus identified democracy as the rule of the majority and outlined various aspects of democracy, including the following (1).

True democracy is characterized by state rule by the majority through elected representatives. Democracy must uphold the principles of justice and equality across all social

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classes. The public should include an autonomous authority to make and regulate laws, with the ability to hold government officials accountable and judge them, as well as the ability to scrutinize and correct the failures of any executive institution of the state.

This notion, as expressed by the Greek Herodotus, corresponds closely to the principle of separation of powers. This theory clarifies the delineation of three branches of government, with the legislative branch as the basis. This legislative authority is established primarily by public self-government through parliamentary elections, where all social classes engage in electing parliamentary members on the basis of majority principles for candidate succession. After the creation of this council, that is, the parliament, which acts as the sole embodiment of legislative authority, this council undertakes the formation of the government, the main representative of administrative power. The judiciary is established through legislative authority or through cooperation and coordination between legislative and executive authorities. As a result, the three powers are not centralized in a single institution, but distributed among different bodies, each according to its expertise and role (2).

Therefore, the principle of separation of powers is defined as: "Not the concentration of the three powers of the state - the legislative, the executive and the judicial - in the hands of a single body, but their distribution among several bodies, each according to its own expertise and function. The legislative power is responsible for making laws, the executive power is responsible for passing laws, and this does not mean that the law is completely responsible. Independence between the powers, but rather the existence of cooperation between them in the state"(3).

This definition states that the principle of separation of powers depends on the state's separate division of responsibilities to effectively carry out government functions in accordance with public aspirations, improve individual quality of life and promote institutional development, thereby ensuring the prevention of a tyrannical authority that centralizes all three powers. This will prevent attempts to control internal social dynamics. Oversight between powers reduces corruption in society and increases the efficiency of state institutions and agencies as a whole.

Jada (2022) claims that the importance of the separation of powers principle is proven by the guarantees it provides to maintain justice and equality for all individuals with respect for human rights and personal freedoms. This principle is expected to establish the rule of law and regulate all government activities through the three branches of government, thereby protecting the supremacy of rights, freedoms and democratic values. The legislature, embodied by its elected representatives, makes laws and regulations, while the judiciary adjudicates upon those laws to resolve conflicts and

maintain justice and equality among members of society. This process improves the legal and constitutional status of the state, thereby ensuring the protection of all rights in modern states. The executive effectively enforces laws and judicial decisions in accordance with the law, thereby ensuring the fulfillment of individuals' goals for a dignified existence under the supremacy of democracy in the state.This definition states that the principle of separation of powers depends on the state's separate division of responsibilities to effectively carry out government functions in accordance with public aspirations, improve individual quality of life and promote institutional development, thereby ensuring the prevention of a tyrannical authority that centralizes all three powers. This will prevent attempts to control internal social dynamics. Oversight between powers reduces corruption in society and increases the efficiency of state institutions and agencies as a whole.

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The importance of the principle of separation of powers lies fundamentally in its democratic foundation, which emphasizes self-government by the public through legislative authority, which serves as the cornerstone of the three branches of government in modern states and systems. Effective implementation of the principle of separation of powers underpins the claim of state democracy regarding the establishment of authorities and their competence, thus fulfilling the state's goals and the public's wishes. In its absence, expressions of true democracy will be lacking in political systems as a whole. In this context, it is noteworthy that some political systems offer an illusion of democracy in their governance by allowing freedom of thought, speech, communication and other democratic forms of governance supported by the public. However, these systems fail to implement the correct and precise application of the principle of separation of powers. In these cases, these systems cannot be claimed to be democratic within the framework of scientific studies,

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as any lack of proper implementation of the concept of separation of powers would scientifically undermine the fundamental nature of democracy.

Section Two: Formation of the Three Branches in Presidential and Semi-Presidential Systems

This section examines the establishment of the three branches within the presidential political system of the Republic of Turkey and the semi-presidential system exemplified by the French model, organized into the following two subsections:

Subsection One: Formation of the Three Branches in the Turkish Presidential System: The Republic of Turkey is regarded as a nation with a presidential system that adheres to the idea of separation of powers in its constitution. The establishment of the three branches will be elucidated through the subsequent key points:

Establishment of Legislative Authority in the Turkish Presidential System: The Republic of Turkey is a democratic republic with a presidential system that seeks to uphold democratic requirements through effective implementation of the principle of separation of powers enshrined in the Constitution. It is considered within the constitutional corporation of the state's supreme authority, i.e. legislative authority.

This authority is constituted through legitimate popular elections, free from any outside interference or undue influence on political establishments, and embodies the basic principle of democracy – separation of powers. Within this framework, legislative authority represents one of the most important and important powers in the country. In Turkey, the legislative authority is vested in the Turkish Parliament, officially known as the “Grand National Assembly of Turkey” (Türkiye Büyük Millet Meclisi). (5). Article 75 of the Turkish Constitution states: "The Grand National Assembly of Turkey consists of six hundred members elected by universal suffrage"(6).

The Turkish legislative body, the Grand National Assembly of Turkey, consists of 600 members elected through direct universal suffrage. Presidential elections are held on the same day

and are conducted by direct popular vote among all eligible citizens, excluding individuals under the age of eighteen and those legally deemed incompetent (7).

Establishment of the Executive Authority in the Turkish Presidential System:

> The Republic of Turkey has experienced various events over the last century, notably military coups executed by the Turkish military against the governing systems, which opposed the country's governance trajectories, even when they resonated with the aspirations of the Turkish populace. The events encompass the military coup against Prime Minister Adnan Menderes in 1960, succeeded by coups in 1971, 1980, and 1997, as well as the unsuccessful coup attempt against President Erdoğan in 2016. Nevertheless, the successful military coup ignored the need to establish true democratic foundations in Turkey, leading the Turkish public to embrace the principle of separation of powers and advocate the establishment of a constitutional democracy fundamentally based on this principle, especially with regard to the executive branch, which has historically been vulnerable to military interventions that have disrupted the democratic country. (8).

In the Turkish constitutional system, the principle of separation of powers dictates that the executive authority is established by the head of state, who is elected through general popular elections and serves a term of five years. The head of state appoints ministries, high-ranking state officials, and diplomatic envoys overseas. Generally, the majority are chosen from the party with the most legislative seats, and the head of state is affiliated with that party. Ministers are prohibited from occupying a parliamentary seat in the Turkish Parliament (9).

The establishment of the Judicial Authority under the Turkish Presidential System: The judicial authority in Turkey's presidential system operates independently from both the legislative and executive branches. Article 9 of the Turkish Constitution stipulates: "The judicial power is exercised by independent and impartial courts, on behalf of the Turkish nation"(10).

This article states that the judicial authority is completely independent from any intervention by the executive or legislative branches in its establishment. It is formed by a specific statute for the formation of courts in accordance with the principles of judicial independence. This law regulates the nomination of judges and public prosecutors, and describes their responsibilities and powers. The Ministry of Justice is responsible for the judicial authority's administrative functions and

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structure, and ensures that neither the Ministry nor any members of the legislative or executive branch, including the head of state, interfere in legal proceedings (11).

Subsection Two: The Formation of the Three Branches of Power in the French Semi-Presidential System

France suffered prolonged hardships under the dictatorship of several political regimes, particularly during the reign of Louis XIV, which included corruption, autocracy and totalitarianism, as well as widespread poverty and an impoverished state. This pattern of governance persisted until the time of Louis XVI, whose leadership from the 18th century was characterized by inefficiency and an inability to manage both public and official institutions. This eventually resulted in a widespread revolt against the political system, the most notable of which was the French Revolution, which took place from 1789 to 1791. The revolution forced the French political system to establish legislative life as an elementary element of democracy, ending the regime's authoritarianism and human rights abuses. This also resulted in the promulgation of the French Declaration of the Rights of Man and Citizen at the same era.(12), which stated in Article 16: "Any political community that does not ensure the separation of powers and does not guarantee individual rights has no constitution whatsoever"(13). This compelled the political system to adhere to the principle of separation of powers, emphasizing the appropriate establishment and jurisdiction of these powers, thereby rendering the French Republic a more stable and prosperous society, safeguarding the sovereignty and strength of the state among various nations through a democratic framework grounded in the application of the principle of separation of powers. The organization of the three branches of power within the French semi-presidential constitutional framework shall be delineated as follows:

Formation of the Legislative Branch in the French Semi-Presidential System: The legislative branch in the French semi-presidential system is composed of two chambers as outlined below:

National Assembly: The National Assembly constitutes the primary and most significant component of legislative authority, as it is established by the collective desire of the populace. This house comprises 577 members, referred to as deputies, elected in direct public elections for a five-year tenure. The president of the state is usually affiliated with one of the parties or coalitions that have secured the most seats in the National Assembly(14)

Senate: The Senate is the secondary house of the legislative power in the French semi-presidential system, including 348 members referred to as senators. Senate members are not chosen via general popular elections; instead, they are elected by deputies, municipal counselors, members of the High Council of French Communities abroad, and representatives of municipal councils from various regions of the French Republic, all regarded as representatives of the French populace. Senators serve a tenure of six years.(15).

Formation of the French Executive Authority: The executive authority in France comprises the President of the Republic and all individuals occupying government positions, both military and civilian. (16). Article 6 of the French Constitution describes the structure of the French executive, specifying: "The President of the Republic is elected by direct universal suffrage for a five-year term..." (17). In addition, Article 8 of the Constitution states: "The President of the Republic appoints the Prime Minister ... The President of the Republic appoints the members of the government and performs their duties on the basis of the recommendation of the Prime Minister". (18).

Formation of the French judiciary: The judiciary in France is structured in two divisions. The initial part has judicial jurisdiction over judges and is headed by the President of the Court of Cassation. This part consists of five judges, a public prosecutor, a public prosecutor nominated by the Council of State, a lawyer and six prominent legal figures from French society, who ensure that they are not members of the parliament. Two of these individuals are designated through a concord between the President of the Republic, the President of the National Assembly, and the President of the Senate. The second division of the judicial power, responsible for public prosecution within the nation, is led by the Chief Prosecutor of the Court of Cassation. This section comprises five members of the public prosecution, one judge, a State Counsel, one attorney, and six legal practitioners with expertise in legal affairs from French society.(19)

The Turkish presidential system demonstrates a more rigorous application of the principle of separation of powers than the French semi-presidential system. This was abundantly evidenced in the establishment of the legislative branch. In the Turkish presidential system, legislative authority is exclusively vested in the Grand National Assembly, comprising 600 members elected directly by the populace,

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devoid of external influence, and lacking a second chamber appointed or elected by designated officials, unlike the French semi-presidential system. Legislative authority is divided between two houses. The first is the National Assembly, which functions as a parliament elected by the general public, similar to the Turkish Grand National Assembly. The Senate, the second chamber, is created through the election of senators, city councilors and foreign representatives, without full public elections for this chamber. This can also shatter the notion of independence of the legislative department, which is completely dependent on the needs of the public, without taking the example of other businesses.

On the other hand, there is a fundamental difference in the status quo of the judiciary between the Turkish and French structures. In Türkiye, the judiciary operates independently of the legislative and executive branches and is regulated through a specific prison structure under the supervision of the Ministry of Justice. This arrangement shows the best use of the separation of powers principle.

In contrast, in the French semi-presidential system, the judiciary is established through the cooperative participation of the government and legislative branches. This number indicates the ability to intervene with the help of these branches in legal cases, especially regarding the constitution of the judiciary.

1.1.1. **Table (1): Formation of the Three Branches of Government**

Branch of Power	Turkish Presidential System	French Semi-Presidential System
Legislative Power	Unicameral parliament (Grand National Assembly) fully elected by direct popular vote	Bicameral parliament: National Assembly elected by popular vote + Senate elected by specific bodies (not direct popular election)
Executive Power	President elected directly by the people; ministers appointed by the President and not members of parliament	President elected by popular vote; government headed by a Prime Minister responsible before parliament
Judicial Power	Independent judiciary regulated by a specific law with no direct executive or legislative interference	Judiciary formed with participation of executive and legislative authorities

Table (1) demonstrates the structural differences in the formation of the three branches of government between the Turkish presidential system and the French semi-presidential system. The table highlights that the Turkish model relies more heavily on direct popular legitimacy, particularly in the legislative branch, which strengthens the application of the separation of powers principle.

Section Three: Jurisdictions of the Three Branches of Power in the Turkish and French Political Systems

This study examines the specific powers assigned to the three pillars of governance within political and constitutional frameworks, such as presidential and semi-presidential systems worldwide, as illustrated by the Turkish and French models. The subsequent subsections delineate the jurisdictions of the three branches of government within each system.

1.1.2. Table (2): Level of Commitment to the Principle of Separation of Powers

Criterion	Turkey	France
Independence of the Legislative Branch	High	Moderate
Executive Interference in Judiciary	Limited	Present (Presidential pardon power)
Clarity of Powers Distribution	Clear	Overlapping
Impact on Democratic Practice	Positive	Relatively Negative

The data presented in Table (2) indicates that the Turkish system exhibits a higher level of compliance with the principle of separation of powers, especially in terms of legislative independence and limited executive interference in judicial affairs, compared to the French system.

Subsection One: The Powers of the Three Branches in the Turkish Presidential System

- The jurisdiction of the three branches of government, when exercised in accordance with the principle of separation of powers and aligned with a constitution that protects individual rights and liberties, effectively contributes to the realization of democratic principles in modern states. Accordingly, the Turkish political system has sought to incorporate the principle of separation of powers and its democratic implications into the functions of the three branches of government, as explained below:
- **The Jurisdictions of the Legislative Branch (Grand National Assembly) in the Turkish Presidential System:**

The legislative branch of Türkiye is assigned different jurisdictions, similar to legislative branches in global political systems. One of the most important jurisdictions is legislation, which involves passing laws and overseeing the executive branch's

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implementation of laws established by the Grand National Assembly. As a result, it can be argued that the primary and important jurisdiction of the Turkish legislative branch is the law itself (20).

The Turkish Constitution clearly delimits the power of the legislative branch, as expressed in Article 87, which defines the domain of the Grand National Assembly. These jurisdictions encompass the enactment, amendment, and repeal of laws, as well as deliberating the national budget, minting money, declaring war, and ratifying international treaties that shape Turkey's foreign relations. This authority possesses the jurisdiction to issue general amnesty orders and to propose new legislation (21).

On the other hand, the Grand National Assembly is responsible for overseeing the executive branch and its performance. This includes parliamentary questioning of executive members, public discussions, condemnation of actions that fall outside the scope of the executive's duties, as well as parliamentary investigations and written questions (22).

- **Jurisdictions of the Executive Power in the Turkish Presidential System:**

The executive authority is bifurcated between the President of the Republic and the Council of Ministers, each possessing distinct jurisdictions as delineated below:

1. **The President of the Republic**: The President of the Republic is accountable for many responsibilities that delineate his authority as conferred by his office. The President assumes all responsibilities designated to him as Head of State, regarding the practical execution of tasks, following consultations with the legislative authority and coordination with ministries and public entities to ensure the seamless operation of democratic life throughout the nation (23).

2. **Council of Ministers:** The Council of Ministers of the Republic of Turkey is directly linked to the President of the Republic in all its functions. The primary responsibility of the Council of Ministers includes the executive function, especially the implementation of all decisions and laws governing the operation of these ministries, derived from legislative authority and in accordance with the

principle of separation of powers to realize the necessary democracy in the nation. It involves the implementation of laws and legal decisions issued by the judiciary. Consequently, a fundamental responsibility of the executive branch, represented by the Council of Ministers and encompassing all ministries, is the implementation of laws, regulations, and duties designated to each ministry based on its area of expertise, including education, industry, foreign policy, and other obligations that the Council of Ministers and its ministries must fulfill to safeguard the nation and uphold citizens' rights. The second equally significant job, as outlined, is the collaboration with the legislative and judicial branches through the execution of laws, rules, and decisions promulgated by both branches to enhance their operations in accordance with the constitution (24).

The National Security Council of the country comprises the Council of Ministers, represented by the Ministry of Justice, the Ministry of National Defense, the Ministry of the Interior, and the Ministry of Foreign Affairs, alongside the President of the Republic, the Chief of General Staff, and the commanders of the army, navy, and air force. This entity is tasked with ensuring national security and implementing requisite actions to defend the nation and its populace (25).

- **Jurisdiction of the Judiciary in the Turkish Presidential System**

The judiciary, which includes all the courts and tribunals in the state, each with their own powers, has many areas of expertise. The main focus is on implementing the law and achieving justice and equality. It also includes classification of conditions based on their level. The major courts in Türkiye are classified into, among others, trial courts, administrative courts, military courts and superior courts. All these courts work together to achieve the necessary standards of justice, equality, democracy and effective law enforcement, striving to establish the rule of law in accordance with constitutional mandates that guarantee equality before the law and protect the rights of all individuals. The Turkish Constitution delimits the jurisdiction of the judiciary through the courts as follows:

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1- Supreme Court (Constitutional Court): The Turkish Supreme Court has the task of checking whether laws, presidential orders and internal rules of the Grand National Assembly are in accordance with constitutional principles. These courts decide petitions brought before them and have jurisdiction to review constitutional amendments for legal validity. The Constitutional Court of Turkey is regarded as the supreme court in the nation. Its authority encompasses the review of petitions concerning infringements by public authorities on individual rights and freedoms as stipulated in the European Convention on Human Rights, contingent upon their conformity with the Turkish Constitution to maintain democracy in the nation. The Constitutional Court possesses the jurisdiction to adjudicate cases involving the President of the Republic, the Speaker of the Grand National Assembly, members of parliament, ministers, members of the Council of State, the High Council of Judges and Public Prosecutors, the Court of Accounts, the Chief of General Staff, and the commanders of the army, navy, and air force, along with their deputies, in instances of misconduct or offenses pertinent to their respective roles (26).
2- **The Court of Appeals**: The Court of Appeal assesses judgments and decisions from the country's civil courts. It has jurisdiction over matters presented by Turkish law to resolve ongoing disputes between parties with the aim of achieving justice and equality between individuals and groups (27).
3- **Council of State**: The State Council exercises its judicial jurisdiction by monitoring decisions and judgments handed down by the country's administrative courts (28).
4- **Court of Jurisdictional Disputes**: This court resolves disputes between various types of civil courts and administrative courts in accordance with constitutional provisions. The resolution may be direct or may follow proposals issued by the Constitutional Court (29).

Subsection Two: Jurisdictions of the Three Branches in the French Semi-Presidential System

The three branches possess distinct jurisdictions, as observed in the Turkish presidential system. The following delineates the jurisdictions of the three branches, each separately, as outlined:

- **Jurisdictions of the Legislative Branch in the French Semi-Presidential System**: The legislative authority under the French semi-presidential system is apportioned between the National Assembly and the combined entities of the National Assembly and the Senate, as detailed below:

1- **Jurisdictions of the French National Assembly**: The French National Assembly's principal authority is its legislative responsibility, which includes voting on laws proposed by the French government. Moreover, the National Assembly possesses a political function that entails supervising the government's performance and ensuring accountability through the ministries. Furthermore, it may pose written or oral inquiries concerning the ministries' performance at joint sessions with the ministers, who are obligated to respond. This body possesses the authority to either confer or withdraw confidence from the administration and to set limitations upon it, based on the topics presented. The National Assembly votes on the state budget and ratifies legislation and treaties concerning peace and war, in addition to establishing and suspending martial law (30).

2- **Jurisdictions of the Legislative Branch with Both the National Assembly and the Senate Together**: The primary jurisdictions of both chambers of the French legislative branch encompass the proposal of private bills, the voting on laws pertaining to civil rights in various social domains, including nationality, marriage, inheritance, and the establishment of penalties, misdemeanors, and punishments as outlined in general statutes. Additionally, they are responsible for tax legislation, currency issuance, electoral system definition and organization, and the granting of amnesty. They also tackle all issues pertaining to public social life in France. The National Assembly and the Senate jointly appoint three members each, in conjunction with the President of the Republic, to constitute the judicial branch. Both chambers participate in the establishment of the nation's

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Supreme Court and the Court of Justice of the Republic. Moreover, the parliament possesses the authority to modify the constitution through a majority vote in both chambers. The French parliament possesses the authority to initiate accusations against the President of the Republic, the Prime Minister, or any government minister, all of whom are obligated to respond to inquiries from both houses of the French parliament (31).

- **Jurisdictions of the Executive Branch in the French Semi-Presidential System**: In the French semi-presidential system, the jurisdictions of the executive branch are allocated among the President of the Republic, the Prime Minister, and the ministers, as detailed below:

1- **The President of the Republic**: The French President possesses defined authorities as stipulated in the nation's Constitution. One of the principal jurisdictions is the appointment and removal of ministers, guaranteeing effective governance, maintaining state security and stability, and safeguarding its citizens (32). The President possesses the authority to preserve the Constitution and enact laws enacted by the French Parliament. The President possesses the authority to return laws or legislation to the legislative branch for reevaluation, akin to the previously referenced Turkish political system (33). Additionally, the French President possesses judicial powers, encompassing the power to grant amnesty and nominate three out of nine members to the Constitutional Council, which is regarded as part of the court. This may be perceived as a critique of the nation's democracy, as it contests the distinct separation of powers; the President's sway over the judiciary and capacity to confer pardons could jeopardize the constitutional integrity of the French state, considering the President's engagement in the judicial process and the issuance of amnesty post-court rulings (34).

The French President possesses military authority, acting as the Supreme Commander of the French Armed Forces throughout all branches and divisions. He serves as the chairman of several prominent military committees concerning national defense. The President possesses the authority to designate ambassadors and French diplomatic

representations overseas, as well as to receive foreign ambassadors in France. The President wields exceptional authority during exigent circumstances, including the ability to declare war instantaneously and to impose partial or complete martial law (35). comparable to the Turkish system.

The Council of Ministers: The Council of Ministers, comprising ministries, governmental entities, and institutions, is accountable for the authorities delegated to it by the legislative and judicial branches, in implementing all legislation and laws promulgated by these branches. The Prime Minister is tasked with managing and supervising the activities of all ministries, safeguarding national security, and instituting laws and regulations for hiring and appointments in both civil and military roles. The Prime Minister additionally represents the President of the Republic in specific executive functions, both nationally and internationally, while overseeing ministries to execute their designated responsibilities within their respective domains (36).

- **Jurisdictions of the Judicial Branch in the French Semi-Presidential System :**The French judiciary, represented by the judicial authority, possesses multiple jurisdictions, principally as follows: The primary duty is the appointment of judges to the Court of Cassation, the President of the Court of Appeals, the President of the District Court, and numerous judges to courts throughout. Each court is allocated cases within its jurisdiction. The jurisdictional authority also creates disciplinary tribunals for judges. Moreover, the judiciary assists the public prosecution in matters concerning disciplinary actions. The judiciary's chief, represented by the Minister of Justice, attends sessions conducted in the divisions of the High Council of the Judiciary. The High Council of the Judiciary offers comments and recommendations to the country's numerous courts(37).

2- Table (3): Effect of the Separation of Powers on Democratic Outcomes

Aspect	Turkish System	French System
Popular Representation	Strong (fully elected legislature)	Partial (non-elected Senate)
Judicial Independence	Strong	Weakened by executive involvement

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Aspect	Turkish System	French System
Balance Between Powers	Stable	Imbalanced
Overall Democratic Level	Higher	Lower comparatively

Table (3) summarizes the impact of the separation of powers on democratic outcomes in both systems. The findings suggest that a clearer separation of powers contributes positively to democratic performance, as observed in the Turkish presidential system.

2. Conclusion

Global political structures are looking for to legitimize their governance by way of growing democratic degrees, which may be accomplished via effective application of the separation of powers precept. This study analyzed the impact of making use of the separation of powers precept on the belief of democracy in contemporary political structures through comparing presidential and semi-presidential systems, in particular the Turkish presidential system and the French semi-presidential gadget. The analysis became primarily based at the constitutional interpretation of both structures. The research reached several conclusions as follows:

3. Discussion

First: Based on the theoretical analysis presented in chapter , element one, the examine confirms that the principle of separation of powers is a essential pillar for achieving democracy in contemporary political structures. The findings display that democracy can't be found out through constitutional declarations by myself, however via powerful institutional implementation of this principle, especially thru ensuring popular participation in the formation of legislative authority.

Second: The comparative analysis carried out in chapter, part and summarized in Table (1) suggests that each the Turkish presidential system and the French semi-presidential system adopt the precept of separation of powers at a structural degree. However, the diploma of implementation varies notably, mainly with regard to the charter of the legislative department and mechanisms governing the independence of the judiciary.

Third: The results presented in Table (1) and similarly evaluated in Table (2) indicate that the Turkish presidential machine achieves a better level of democratic

legitimacy than the French semi-presidential system. This is mainly due to the entire famous election of legislative authority in Turkey, which strengthens legislative independence and strengthens the sensible utility of the separation of powers principle.

Fourth: The evaluation of the jurisdictions of the 3 branches in bankruptcy 3, supported by means of the signs in Table (2), suggests that at the same time as each systems provide equal legislative and supervisory powers to their parliaments, the French system shows a higher diploma of overlap among executive and judicial powers. This overlap undermines institutional balance and negatively affects democratic behavior.

Fifth: As summarized in Table (3), the study concludes that clearer and stricter distribution of electricity has an immediate effective effect on democratic effects. Turkey's presidential gadget, which is characterized by robust judicial independence and a solid stability of strength, achieves a better average level of democracy than the French semi-presidential gadget, where executive involvement in court cases undermines democratic integrity.

4. Recommendations

Based on the findings from the take a look at, the researcher proposes the subsequent hints:

- It is critical for worldwide political systems to apply the precept of separation of powers, because it allows reaching surest stages of democracy. As a end result, it increases the legitimacy of public systems in standard.

- The importance of successfully enforcing the principle of separation of powers, and ensuring that no branch of government infringes on the opposite's obligations or features. The status quo of 3 branches is vital to this belief of fostering actual competition among successive political structures in the same kingdom. This will boom competition and innovation in numerous systems, and lead to them delivering most suitable results for both individuals and the country. This will facilitate continued increase and improvement of democracy in these international locations.

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- The need for similarly research into the implementation of the concept of separation of powers and its effect on the realization of democracy in modern-day political structures. This region of expertise has the capability to be constantly studied, developed and disseminated, establishing medical and understanding-based frameworks that may assist policy makers promote strong democracy in their international locations. Furthermore, it'll gift the essential cloth and content for future students and researchers regarding the concern of this examine, so as to function a primary reference for his or her subsequent inquiries and investigations.

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