This supplementary (online) appendix for "*Justices 'en Garde': Ideological Determinants of the Dissolution of Anti-Establishment Parties*" includes:

A. The list of party dissolution cases between 1983 and 2011.

B. Coding procedure, and operationalization of the dependent and independent variables

C. Descriptive statistics

D. Robustness checks.

A. Party Dissolution Cases 1983-2011

Party Name	Ideology	Date	Cause of Dissolution	Procedural
Sacred Mission		25.8.1983		Yes
Peace	Religious	25.10.1983	Secularism	No
Our		01.11.1983		Yes
Conservative		03.11.1983		Yes
New Order		09.11.1983		Yes
True Path	Center-right	28.9.1984		No
Socialist	Socialist	08.12.1988		No
Flag	Nationalist	02.5.1989		Yes
United Communist of Turkey	Communist	16.7.1991	Separatism	No
Republican People's	Center-left	24.9.1991	Succession	No
Nationalist Task	Nationalist	24.9.1991		Yes
Socialist	Socialist	10.7.1992	Separatism	No
People's Labor	Socialist	14.7.1993	Separatism	No
Freedom and Democracy	Pro-Kurdish	23.11.1993	Separatism	No
Socialist Turkey	Socialist	30.11.1993	Separatism	No
Green	Green	10.2.1994	Procedural	Yes
Democracy	Pro-Kurdish	16.6.1994	Separatism	No
Democratic		13.9.1994	Procedural	Yes
Socialist Union	Socialist	19.7.1995	Separatism	No
Democracy and Change	Pro-Kurdish	19.3.1996	Separatism	No
Labor	Socialist	14.2.1997	Separatism	No
Reawakening	Religious	18.2.1997	Procedural	Yes
Democratic Peace Movement	Alawite	22.5.1997		No
Welfare	Religious	16.1.1998	Secularism	No
Democratic Mass	Pro-Kurdish	26.2.1999	Separatism	No
Virtue	Religious	22.6.2001	Secularism	No
People's Democracy	Pro-Kurdish	13.3.2003	Separatism	No
Socialist Labor of Turkey	Socialist	14.10.2004		Yes
Justice		14.10.2004		Yes
Justice of Turkey		14.10.2004		Yes
Grand Justice		14.10.2004		Yes
Turkey is Happy with Handicapped		14.10.2004		Yes
Revolutionary Socialist Labor	Communist	14.10.2004		Yes
Main Path		14.10.2004		Yes
Rights and Freedoms	Pro-Kurdish	29.1.2008		No
Justice and Development	Religious	30.7.2008		No
Socialist Labor of Turkey	Socialist	09.07.2009		No

Communist of Turkey	Communist	09.7.2009		Yes
Justice and Development	Religious	09.7.2009		Yes
Democratic Society	Pro-Kurdish	11.12.2009	Separatism	No
Democratic People's	Pro-Kurdish	24.2.2011		Yes

B. Coding Procedure, and Operationalization of the Dependent and Independent Variables

In this section, we explain in detail how the dataset employed in the empirical analyses is compiled. Our raw dataset, available from the authors, includes 41 dissolution cases, and 2074 judicial review cases between 1982 and 2011.

We recoded justices' decisions in dissolution cases such that their votes against dissolution of political parties or prohibition of individual members of the parliament (MP) score 0. We also recoded 329 judicial review cases to calculate the mean left-right score for each justice, which is employed as the primary independent variable in Model 2 in the article, and Models 2 and 4 in Section D. We employ 726 judicial review cases for estimating w-nominate ideal points introduced in the remaining models. The justices' decisions in those cases were not recoded for the estimation of w-nominate ideal points.

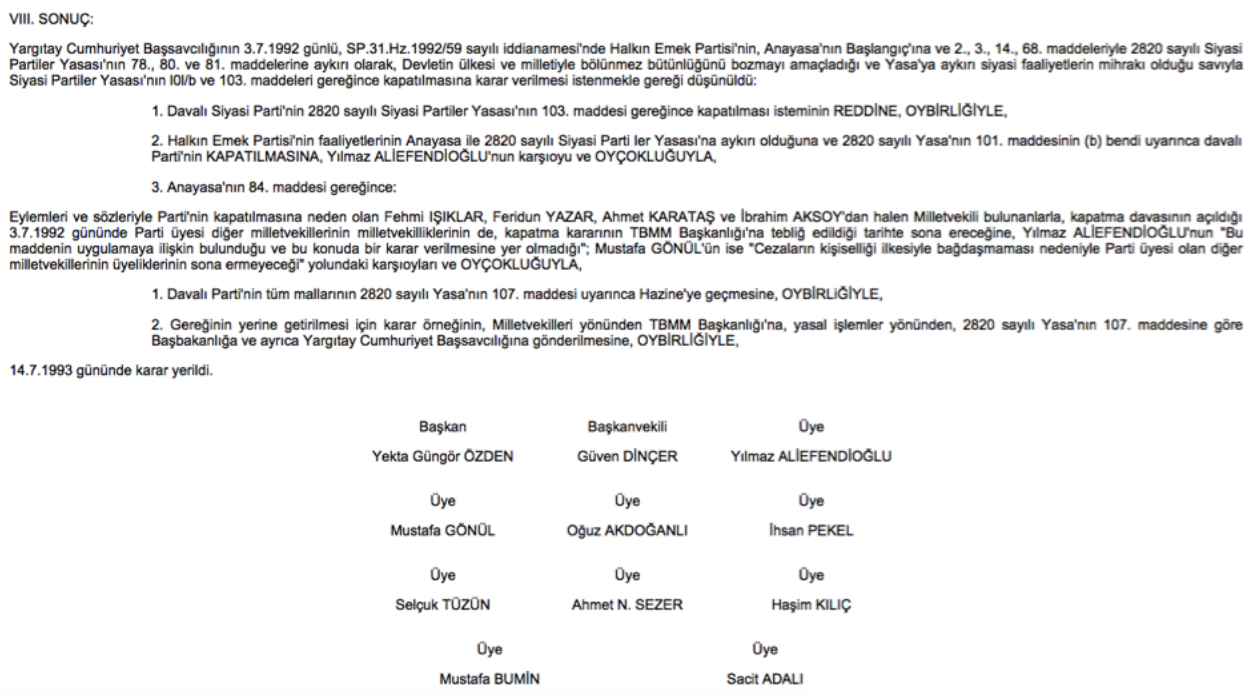
Before we get to the operationalization of our independent variables, we first explain the coding procedure of our dependent variable. We provide a sample dissolution decision in Figure 1 below. Downloaded from the official webpage of the Constitutional Court of Turkey (retrieved on 07.16.2015) using which we coded justices' decisions in judicial review and dissolution cases, Figure 1 shows the decision, dated 7.14.1993, on the dissolution of the People's Labor Party (Halkin Emek Partisi - HEP) and the prohibition of its MPs from politics. While the latter decision is arguably more procedural, thus less prone to the ideological dispositions of justices playing a role on their decisions, we nevertheless examine the prohibition decisions of the Court as separate cases, which provides a more conservative test for our theoretical expectations, and increases the number of case-level observations to 51 in our sample.

The Court decided on the dissolution of the People's Labor Party with ten votes for the dissolution, and one vote against, while the decision for the prohibition of individual MPs from politics was made with 9 votes for, and 2 votes against. Note that because the People's Labor Party is dissolved and individual MPs were prohibited, we did not recode justices' votes in this case. In 19 other instances, where the final decision is against the dissolution or prohibition of individual MPs (i.e. party dissolution cases listed in Section A without any cause of dissolution), we inversely coded minority opinions that are in favor of the dissolution as 1, and majority opinions that are against the dissolution as 0 so that our dependent variable accounts for whether a justice votes for the intervention of the Court to the political domain.

Operationalization of Justice Ideology

Our empirical analyses in Section 6 and the robustness checks we report in Section D of the supplementary file introduce two sets of independent variables approximating the justice ideology. We treat the mean left-right score as our primary independent variable in Model 2. To calculate the

Figure 1: Sample Dissolution Decision



VIII. SONUÇ:

Yargıtay Cumhuriyet Başsavcılığının 3.7.1992 günlü, SP.31.Hz.1992/59 sayılı iddianamesi'nde Halkın Emek Partisi'nin, Anayasa'nın Başlangıç'ına ve 2., 3., 14., 68. maddeleriyle 2820 sayılı Siyasi Partiler Yasası'nın 78., 80. ve 81. maddelerine aykırı olarak, Devletin ülkesi ve milletiyle bölünmez bütünlüğünü bozmayı amaçladığı ve Yasa'ya aykırı siyasi faaliyetlerin mihrakı olduğu savıyla Siyasi Partiler Yasası'nın I0l/b ve 103. maddeleri gereğince kapatılmasına karar verilmesi istenmekle gereği düşünüldü:

1. Davalı Siyasi Parti'nin 2820 sayılı Siyasi Partiler Yasası'nın 103. maddesi gereğince kapatılması isteminin REDDİNE, OYBİRLİĞİYLE,

2. Halkın Emek Partisi'nin faaliyetlerinin Anayasa ile 2820 sayılı Siyasi Parti ler Yasası'na aykırı olduğuna ve 2820 sayılı Yasa'nın 101. maddesinin (b) bendi uyarınca davalı Parti'nin KAPATILMASINA, Yılmaz ALİEFENDİOĞLU'nun karşıoyu ve OYÇOKLUĞUYLA,

3. Anayasa'nın 84. maddesi gereğince:

Eylemleri ve sözleriyle Parti'nin kapatılmasına neden olan Fehmi IŞIKLAR, Feridun YAZAR, Ahmet KARATAŞ ve İbrahim AKSOY'dan halen Milletvekili bulunanlarla, kapatma davasının açıldığı 3.7.1992 gününde Parti üyesi diğer milletvekillerinin milletvekilliklerinin de, kapatma kararının TBMM Başkanlığı'na tebliğ edildiği tarihte sona ereceğine, Yılmaz ALİEFENDİOĞLU'nun "Bu maddenin uygulamaya ilişkin bulunduğu ve bu konuda bir karar verilmesine yer olmadığı"; Mustafa GÖNÜL'ün ise "Cezaların kişiselliği ilkesiyle bağdaşmaması nedeniyle Parti üyesi olan diğer milletvekillerinin üyeliklerinin sona ermeyeceği" yolundaki karşıoyları ve OYÇOKLUĞUYLA,

1. Davalı Parti'nin tüm mallarının 2820 sayılı Yasa'nın 107. maddesi uyarınca Hazine'ye geçmesine, OYBİRLİĞİYLE,

2. Gereğinin yerine getirilmesi için karar örneğinin, Milletvekilleri yönünden TBMM Başkanlığı'na, yasal işlemler yönünden, 2820 sayılı Yasa'nın 107. maddesine göre Başbakanlığa ve ayrıca Yargıtay Cumhuriyet Başsavcılığına gönderilmesine, OYBİRLİĞİYLE,

14.7.1993 gününde karar yerildi.

Başkan	Başkanvekili	Üye
Yekta Güngör ÖZDEN	Güven DİNÇER	Yılmaz ALİEFENDİOĞLU
Üye	Üye	Üye
Mustafa GÖNÜL	Oğuz AKDOĞANLI	İhsan PEKEL
Üye	Üye	Üye
Selçuk TÜZÜN	Ahmet N. SEZER	Haşim KILIÇ
Üye		Üye
Mustafa BUMİN		Sacit ADALI

mean-left right score, we have examined 2074 judicial review cases between 1982 and 2011, and left out the cases where the appellant was not a political actor with an identifiable political ideology. In the 329 judicial review cases where the appellant was a member of the Turkish Parliament, we consulted to the Comparative Manifesto Project data (Volkens et al., 2013) to assess the ideological stands of appellant MPs. In cases where the appellants were from different political parties, we weighted the ideological stands of appealing parties with their respective seat shares in the Parliament in order to dichotomize the appellants as left or right wing. We then computed the mean left-right score for each justice by assigning a score of 1 to their opinions in favor of the demands of left wing (socialist, center-left), and -1 in favor of the demands of right wing (center-right, far right and nationalist) legislative parties or groups of parties. Mean left-right scores are then calculated for all justices who have attended to more than three cases by dividing the total score of each justice by the total number of judicial review cases for which she has attended to the decision-making.

While calculating the mean-left right score, we assume that the political space in Turkey is unidimensional. Moreover, each judicial review case has to be read in order to decide on the ideological stand of appellants for measuring justice ideology. To relax the assumption of unidimensionality, and to provide readers with a more reliable measure leaving little room to coding errors and subjective evaluation, we also introduce w-nominate ideal point estimates calculated from 726 judicial review decisions with at least one dissent opinion.

Although w-nominate ideal point estimates are widely used in the literature on judicial and legislative decision-making outside of Turkey, we believe it will be useful to briefly explain the procedure

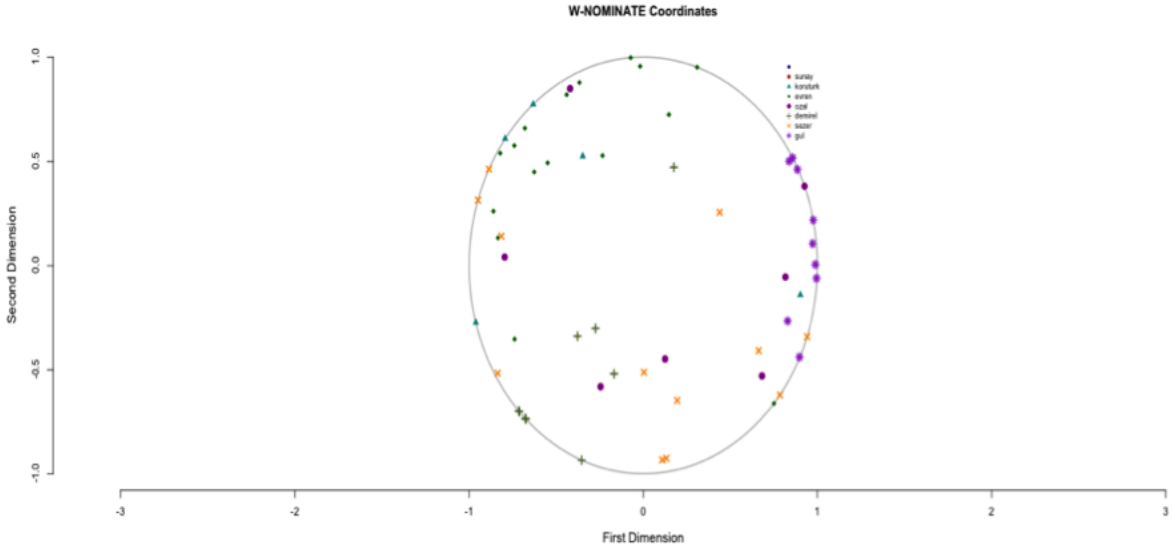
here. While decision makers may have diverse preferences across different policy domains, their attitudes are organized by positions along a smaller number of latent ideological dimensions. Hence, the goal here is to employ a scaling procedure in order to find out these underlying fundamental dimensions of an abstract political space (Armstrong II et al., 2014). Such fundamental dimensions are found to be useful abstractions in explaining legislative as well as judicial decision-making (Martin et al. 2005; Epstein et al. 2007).

The 'wnominate' package in R (Poole et al., 2011) is used in estimating the ideal points of justices. Given our expectation that the justices' ideologies play an important role in their decisions in the party dissolution cases, and our assumption that the political space in Turkey is multi-dimensional, we calculate justices' ideal points in a two-dimensional political space. We employ those ideal points estimates in our empirical analyses on the justices' decisions in party dissolution cases. The multidimensionality assumption is in line with the previous literature employing similar spatial models of party competition in Turkey (see Carkoglu and Hinich, 2006; Schofield et al., 2011). In addition, our estimates show that the data from judicial review cases in Turkey are most likely to be two-dimensional (with only two dimensions with Eigenvalues more than 1). As a matter of fact, Model 1 in the article, and Models 1 and 3 in Section D employing justice' ideal points in the two-dimensional political space reveal a better fit to the data than other empirical analyses introducing the single dimensional left-right score as the primary independent variable do.

Despite the additional explanatory power, a shortcoming of the w-nominate estimates is that labeling underlying dimensions of political spaces is not as straightforward as in the case of the left-right score in the CMP data. While the primary dimension in the U.S. is commonly labeled as liberal-conservative on economic matters, the second dimension is considered as social (Poole and Rosenthal, 2007). In the Turkish case, similar spatial models of party competition (Carkoglu and Hinich, 2006; Schofield et al., 2011) label underlying ideological dimensions of the Turkish political space as religion and nationalism. Since labeling of these ideological dimensions in the latter case is related to the wording of survey questions employed in above cited works, we label the underlying ideological dimensions from w-nominate estimates as liberal-conservative, and activist (anti-status quo) - restrainist (pro-status quo) after examining the ideal points of individual justices and the ideological dispositions of the presidents appointing them. Figure 2 below shows how individual justices appointed by different Presidents between 1982 and 2011 are located in the two-dimensional political space.

The second point about the estimation procedure that needs to be explained in more detail is regarding the polarity of dimensions. As noted by Carroll and his colleagues (2009a, 268), the polarity of dimensions in the w-nominate procedure is arbitrary. That is, the use of starting coordinates mostly serve to the purpose of leading the estimator to consistently find same polarity of the political space in each trial for bootstrapping, and to orient the estimated results in the desired direction. On the one hand, Carroll and his colleagues (2009b, 565), and Poole and his colleagues (2011) suggest that the use of polarity requires setting decision makers who have positive

Figure 2: W-nominate Ideal Points of the Turkish Constitutional Court Justices



ideal points in each dimension. On the other hand, Armstrong II and his colleagues (2014, 198) suggest that if one is uncertain about which decision-makers will correctly orient the political space, w-nominate procedure can post hoc determine which decision-maker should be constrained to hold positive scores in each dimension.

In these regards, we estimated two-dimensional w-nominate scores using different sets of justices to define the polarity. Among four trials, one being the above explained post-hoc procedure (Armstrong II et al., 2014, 198) and others using well-known individual justices, allowing Hasim Kilic and M. Yilmaz Aliefendioglu to define polarity provided the best fit to the data. Kilic and Aliefendioglu have often voted against the dissolution of political parties and the prohibition of political actors (Kogacioglu, 2004; Tezcur, 2009). Yet, these two justices differ considerably in regard to the legal justifications they present in their dissenting opinions and in terms of their voting patterns. Kilic was appointed by Ozal -the founder of the center-right Motherland Party, and ex-prime minister-, and Aliefendioglu was appointed by Fahri Koruturk -the former Commander of the Turkish Navy. Moreover, while Kilic voted for dissolution in half of 30 cases, Yilmaz only voted for dissolution in three of 14 dissolution cases during his tenure. In these regards, in estimating the w-nominate ideal points, we use these two justices to define the polarity of the political space. By doing so, we correctly predict 82.26% of yes and 90.9% of no votes, and correctly classify 82.26% and 85.71% of justices' ideal points.

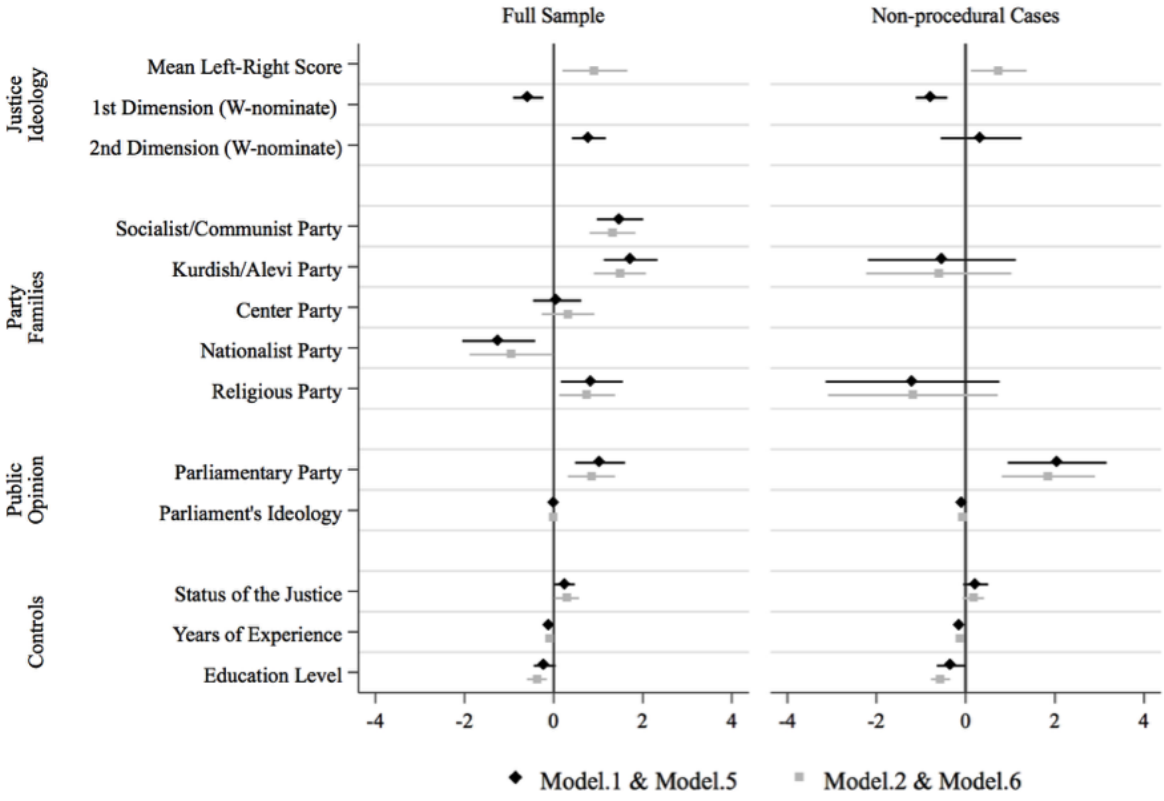
C. Descriptive Statistics

Variable	N	Mean	Std.Dev	Min	Max	N	Mean	Std.Dev	Min	Max
Vote for Dissolution	567	0.57	0.50	0	1	285	0.69	0.46	0	1
1st Dimension (W-nominate)	567	-0.11	0.64	-0.97	1.00	285	-0.12	0.65	-0.97	0.93
2nd Dimension (W-nominate)	567	-0.04	0.55	-0.98	0.99	285	-0.11	0.48	-0.98	0.99
Mean Left-Right Score	567	0.24	0.25	-0.35	1	285	0.21	0.19	-0.35	1
Fringe Parties	567	0.23	0.42	0	1	285	0	0	0	0
Socialist/Communist Party	567	0.19	0.39	0	1	285	0.27	0.44	0	1
Kurdish/Alawite Party	567	0.30	0.46	0	1	285	0.50	0.50	0	1
Center Party	567	0.08	0.27	0	1	285	0	0	0	0
Nationalist Party	567	0.04	0.19	0	1	285	0	0	0	0
Religious Party	567	0.16	0.36	0	1	285	0.23	0.42	0	1
Parliamentary Party	567	0.17	0.38	0	1	285	0.31	0.46	0	1
Parliament's Ideology	567	5.76	6.97	-1.72	16.79	285	9.79	6.56	-1.72	16.79
Status of the Justice	567	1.61	0.90	1	3	285	1.63	0.90	1	3
Years of Experience	567	5.07	4.14	-2	21	285	5.75	4.20	-2	19
Education Level	567	1.44	0.75	1	3	285	1.42	0.72	1	3

D. Robustness Checks

In this section, we present two sets of models to test the robustness of our empirical findings. While Models 1 and 2 in Table 1 are on the full sample, we limit our sample to non-procedural cases in Models 3 and 4 by excluding procedural cases in which mostly fringe parties were subject to dissolution. Limiting the sample to non-procedural cases is important in testing whether the inclusion of often unanimous and procedural dissolution decisions drives the statistical significance of our estimates. In fact, consistent empirical findings in Table 1 below rule out this possibility.

Figure 3: Comparison of Odd-Ratios across Models on the Full Sample and Non-procedural Cases



We also change how we treat the potential heteroskedasticity in our data. We employ robust standard errors clustered by cases in all models reported in Table 1 below. We also plot the odds ratios in Figure 3 for Models 1 and 2 in Table 1 in the main text, and Models 3 and 4 below respectively on the full sample and on only non-procedural cases.

Changing the clustering variable has very little effect on the statistical significance of our findings in Models 1 and 2. The significance of distinct measures of justice ideology does not change when we cluster the standard errors by the case id. On the other hand, when the sample is limited to

non-procedural cases, the activist (anti-status quo)-restrainist (pro-status quo) dimension in Model 3 is not significant whereas the liberal-conservative dimension retains its statistical significance and becomes substantially more significant. Because all the cases in our sample that are against centrist and nationalist parties are procedural in nature, this result is hardly surprising. Due to the exclusion of non-procedural cases, our base category in Models 3 and 4 is the socialist/communist party family. Given the statistically insignificant coefficient of the ethnic and religious parties in Models 3 and 4, we can hence argue that the justices' reactions against ethnic and religious parties are not distinguishable from their stances in cases against socialist/communist parties, which represent another salient social division in Turkish politics.

Table 1. Robustness Checks

	Model 1	Model 2	Model 3	Model 4
1st Dimension (W-nominate)	-0.573***		-0.764***	
	-0.161		-0.215	
2nd Dimension (W-nominate)	0.787***		0.347	
	-0.292		-0.552	
Mean Left-Right Score		0.923**		0.742*
		-0.374		-0.379
Socialist/Communist Party	1.487	1.319		
	-0.906	-0.894		
Kurdish/Alawite Party	1.724*	1.483*	-0.537	-0.606
	-0.883	-0.827	-1.007	-0.991
Center Party	0.076	0.321		
	-1.298	-1.238		
Nationalist Party	-1.238	-0.949		
	-1.172	-1.215		
Religious Party	0.852	0.748	-1.193	-1.188
	-0.991	-0.937	-1.187	-1.16
Parliamentary Party	1.040*	0.844	2.053***	1.855***
	-0.614	-0.596	-0.674	-0.634
Parliament's Ideology	-0.005	-0.004	-0.082	-0.077
	-0.05	-0.047	-0.051	-0.049
Status of the Justice	0.250***	0.290***	0.225	0.17
	-0.086	-0.086	-0.169	-0.147
Years of Experience	-0.102***	-0.097***	-0.145***	-0.134***
	-0.023	-0.022	-0.029	-0.026
Education Level	-0.205**	-0.379***	-0.324*	-0.562***
	-0.096	-0.094	-0.196	-0.131
Constant	-0.377	-0.28	2.649**	2.918**

	-0.541	-0.522	-1.234	-1.217
N	567	567	285	285
Pseudo R^2	0.149	0.111	0.177	0.147
Log likelihood	-330.32	-344.903	-144.333	-149.651

DV is Vote for Dissolution. Logistic regression coefficients.

Robust standard errors clustered by cases in parentheses.

Two-tailed tests: * p<0.1; ** p<0.05; *** p<0.01.

In testing our third hypothesis, limiting the sample to non-procedural cases increases the substantial significance of our findings. The parliamentary party variable accounting for the electoral support of parties facing the threat of dissolution is statistically significant and in the expected direction in three of the four models reported in Table 1. In fact, the substantive effects of the parliamentary party variable are almost two times as high as those in Models 1 and 2 when we limit the sample to non-procedural cases. Although this finding alone deserves a lengthy discussion pertaining to the impact of electoral support for anti-establishment parties on justices' decisions, we deliberately leave such discussion to further research on the selective activism of the CCT justices and the strategic interaction between the judiciary and legislative parties. Put simply, we accept our third hypothesis that activist justices defending the founding principles of the regime are more likely to vote for dissolution to the extent that extreme political parties have higher electoral support.

In addition to the robustness checks reported here, we ran several sensitivity checks by introducing diverse time controls for the justices' year of appointment and for the presidents who appointed the justices, as well as some additional controls for distinct higher courts that nominated the justices. Because these findings are substantially very similar to those reported in the article, we do not report them in the article for the sake of parsimony.

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