

# Turkey: Referendum planned for direct election of president

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Just three months after the national elections on July 22, which resulted in a landslide victory for the Islamist Justice and Development Party (AKP), Turkey will hold a popular vote on October 21 on a controversial constitutional change allowing the election of the president by popular vote. Voting at Turkish border posts has already begun.

In line with the decision to hold early elections, the proposed change to the constitution was a direct reaction by the ruling AKP to the successful attempt by the Kemalist establishment, led by the military, to stop the election of then-Foreign Minister Abdullah Gul as president by a parliamentary vote in May.

Along with a series of mass demonstrations targeting the AKP and opposing the notion of an Islamist as president, the general staff posted a thinly veiled coup threat on its web site. Soon afterwards the Turkish Constitutional Court halted the country's presidential election with a farcical legal ruling.

The AKP's constitutional amendment provides for the election of president by popular vote for a five-year term with a chance to be re-elected. The amendment reduces the tenure of parliament to four years instead of the current five, and alters the quorum in parliament from 367 to 184. The Constitutional Court declared the first round of the presidential election void on the grounds that the necessary 367 deputies (two thirds of all parliamentary seats) were not in attendance for the vote, following systematic boycotting by the CHP (Republican People's Party).

The constitutional amendment also includes a temporary article stipulating that the eleventh president will be elected by popular vote. However, on August 28 the eleventh president was already elected with the votes of the AKP. While the AKP has a large majority, it does not constitute two thirds. For a variety of reasons other opposition parties, such as the fascist MHP, the Kurdish-nationalist DTP and the Kemalist-nationalist DSP, decided not to join the CHP in its attempt to once again boycott the parliamentary vote and block the election. As a result the quorum demanded by the Constitutional Court was reached this time.

The AKP leadership was expecting then-President Ahmet Necdet Sezer, who effectively sided with the military's campaign against the AKP, to call for a referendum on a proposed amendment as a last resort. Sezer first sent the motion back to parliament for renewed consideration, but the AKP then passed the amendment package with the backing of the Motherland Party (ANAVATAN) without making any changes. The initial plan of the AKP was to conduct the national elections and the referendum on the same day. To this end, the AKP passed a law reducing the time period for holding a referendum from the current 120 days to 45 days.

Sezer, who declared that the constitutional amendment package is against Turkey's parliamentary system and could cause instability, took the maximum legal time allocated to him for investigation and finally called for a referendum. He also sent the law regarding the time period for holding a referendum back to parliament. This effectively killed the possibility of conducting the referendum and the national elections on July 22. More than 150 disappointed AKP deputies were left off the electoral list by Erdogan, which made it impossible for the AKP leadership to reconvene parliament.

The AKP leadership was eager to take such a step because polls preceding the elections showed that their party would gain a clear victory and a simultaneous vote on the referendum issue would have even further strengthened their electoral chances.

For many, including liberals, left-liberals and some petty-bourgeois radical groups, the AKP must be supported against the authoritarian traditions of the Kemalist establishment—and democracy expended—as long as the party sticks to its line of integrating Turkey into the European Union. Prior to the national elections, these same circles—basing themselves on the same rotten perspective—called, either explicitly or implicitly, for a vote for the AKP.

Now they are parroting the propaganda that electing the president by popular vote will bring more democracy to Turkey. In fact, under the current proposed legislation electing a president directly with a popular vote is not more democratic and has the potential of launching a much more repressive and antidemocratic regime.

In contrast to countries like France and the US, Turkey has no tradition of a presidential system based on a constitutional democracy. The president was never elected by popular vote, but chosen by parliament, just like the prime minister. The prime minister was traditionally regarded as head of the elected government, while the president has been, literally, the "head of state" and "guardian of the constitution." From the founding of the republic in 1923 to 1945, Turkey was a one-party state. Not unlike in the Stalinist regimes, the president was the infallible "national leader," deciding all major policy questions and brutally suppressing any dissent.

Especially with the multiparty system in 1946, the post of the presidency developed into a post of civil representative on behalf of the military's guardianship of the state. Following the third military coup (1980) the powers of the president were increased substantially. The president controls his own audit unit and has extensive authority over the appointment of senior civil servants, judges and state attorneys as well as university rectors. He can send laws back to parliament for renewed consideration; if the parliament accepts them a second time without amendment he can refer them to the constitutional court.

The first president on the basis of the new, military-crafted constitution of 1982 was none other than General Kenan Evren, the leader of the 1980 coup and head of the military junta. He remained president until 1989 and ensured that the state bureaucracy and constitutional court were made up of “reliable” people. His successor, Turgut Özal, came from an Islamist background but served as minister of economics immediately after the coup and then as prime minister until 1989, when he replaced Evren.

Özal had carried out market reforms dictated by the IMF and opened up the Turkish economy to the world market. His policy favoured the rise of Islamic capital and was also completely in line with the interests of the military at the time, which wanted a counterweight to left-wing and Kurdish-nationalist forces.

However, Özal appeared reluctant to fully support the all-out “special war” by the Turkish military against the PKK (Kurdistan Workers’ Party) in 1993 and allegedly preferred a compromise with Kurdish nationalists. The military did not accept this, and Özal died under disputed circumstances the same year.

Up until now the president’s post was firmly in the hands of the Kemalist establishment and on occasion even served as a counterweight on the part of the state and the military to parliament. The direct election of the president would enormously increase the office’s political weight. The president would be able to claim democratic legitimacy and to represent the “whole nation,” in contrast to a parliament dominated by political parties. It is beyond doubt that an elected president would be much stronger than his predecessors, concentrating considerable power in the hands of a single person.

The election of a president with massive and excessive powers by popular vote would not make his office more “democratic.” Once elected, he would stand above any popular control.

Kemalist opponents of the AKP government have criticised the party leadership, and especially Erdogan, for making haphazard legal changes based purely on the immediate tactical needs of the AKP and with possible uncalculated future risks for the system as a whole. This criticism is certainly justified, but is hypocritical because these critics fail to mention that the impetus for this chain reaction—the campaign against the AKP government—came from Kemalist establishment under the guidance of the military. Under conditions of crisis, the bourgeois principle of the rule of law turns into a mere mockery. Turkey’s history is full of such moments.

The sleazy manoeuvres still going on with regards to the preparations of a new so-called “civilian constitution” merely reflect a deep crisis and the power struggle between the military and the AKP, which in the final analysis is a power struggle within the Turkish bourgeoisie.

At the moment no one is sure about the possible legal and political implications of the upcoming referendum. Only a small number of commentators have discussed the issue up to now, and their attitude was mainly limited to voicing their concerns by pointing out a major ambiguity.

On September 25, Mustafa Oguz of the *Turkish Daily News* summarised the arguments concerning the fate of the current president Abdullah Gul, writing, “Secularist circles argue that Gul’s tenure would expire if the package is approved by the people while the ruling Justice and Development Party (AKP) claims that Gul’s presidency would not be affected.”

The temporary article of the constitutional amendment stating that the eleventh president will be elected by popular vote makes the situation even more complicated. It is highly disputed whether the

referendum will affect the term of Gül—i.e., if he will remain president for seven years without the chance of re-election, according to the present constitution, or “become” president for five years with the chance of election, as proposed by the referendum. The YSK (Supreme Election Board) announced that it will make its decision after receiving the referendum results.

On October 4, the AKP submitted a proposal to parliament to remove the reference to the eleventh president from the constitutional amendment. However, as the election process has already started, this could lead to further complications.

While the military uses every opportunity to express their barely disguised hostility to the elected government and a president elected according to a constitution crafted by the generals themselves, the AKP has no interest in mobilizing for the referendum, although this would obviously strengthen the legitimacy and power of “their” president.

The English-language Turkish daily the *New Anatolian* reported: “Political commentators claim that the AK Party actually believes that this referendum may spark another new controversy they should have to deal with. The party already achieved its goal to elect Abdullah Gul as the eleventh president of Turkey and does not want to open a new discussion front while they are already working on the controversial constitution draft.”

The AKP has good reason to avoid a popular mobilization: They already have made clear that they will press on with market reforms and social cuts against the working population in line with the demands of international capital. At the same time the new ministers for justice and the interior have indicated they will, as demanded by the military, refrain from making any amendments to Article 301, a law penalizing “insulting Turkishness,” which has been widely used to suppress dissent.

This background shows that the planned referendum lacks any democratic or progressive content and should be rejected by voters. The struggle for democracy cannot be left in the hands of either the Kemalists or the Islamists and their liberal hangers-on. A new party based on an international socialist program must be built to lead an independent movement of the working class.



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