

## Turkey's critical constitutional referendum: an introduction

Ilke Toygür | Analyst, Elcano Royal Institute | @ilketoeygur 

Turkey has been undergoing exceptionally hard times. Very important elections in June and November 2015, followed by a coup attempt in July 2016, entirely changed its political scenery. As a new challenge to its democratic existence, the country is going to a constitutional referendum on **April 16<sup>th</sup>**, with a society heavily polarised between *Evet* ('Yes') and *Hayır* ('No'). It is fair to say that the 'Yes' campaign is led by the governing Justice and Development Party (AKP) with the support of the National Movement Party (MHP), while the 'No' has the backing of a number of different groups. The latter include not only the opposition Republican People's Party (CHP) and Peoples' Democratic Party (HDP) but also the rebel nationalists and other Islamist entities. For this reason, the main arguments of the 'No' campaign vary greatly. The polls predict a neck-to-neck race while mostly giving a couple of extra points to the 'No' camp. In the meantime, it is widely questioned if the referendum will be 'free' and 'fair' since the under the current state of emergency all rallies and protests are only possible with official permits, which means that the government holds the key to both campaigns in its own hands.



### The underlying story

Although the idea of reforming the constitution had been around for a couple of years, the biggest step towards doing so came just after the nationalist MHP declared that it would back the proposal. With the necessary majority guaranteed in Parliament (with a 60% threshold, or 330 MPs of the total 550), the government prepared 18 amendments to the constitution that would dramatically increase the President's powers. The main criticism at that time was the lack of political dialogue or public debate, very necessary conditions for a constitutional change in any country. Once the reform package was approved in Parliament with the support of 339 deputies, the country found itself running one of the most polarised referendums in its history under a state of emergency.<sup>1</sup>

---

"The core of the proposal is that the mostly symbolic post of President will become an executive presidency"

---

---

<sup>1</sup> Turkey has had another six referendums in its history: 1961 (60.4% Yes, 39.6% No), 1982 (91.37% Yes, 8.63% No), 1987 (50.2% Yes, 49.8% No), 1988 (35% Yes, 65% No), 2007 (68.95% Yes, 31.05% No) and 2010 (57.9% Yes, 42.1% No). Four of them have been constitutional referendums.

## What are the proposed changes?

The proposed constitutional reform would lead to the most significant political changes since the establishment of the Republic of Turkey in 1923. The core of the proposal is that the mostly symbolic post of President will become an executive presidency, with powers as head of state. In short, the amendments include a change from a parliamentary to a presidential regime, giving the President the authority to select Ministers and appoint the Cabinet while dramatically decreasing Parliament's monitoring and supervisory rights. According to the new constitutional proposal, the President will be elected directly by Turkish citizens for a maximum of two terms of five years. The need for an impartial President is thus removed, while the way is opened for having a head of state attached to a political party. The amendments also define new roles to the Vice-president(s), also selected by the President. In short, all executive powers will be in the hands of the country's elected President. In addition to this sharp about-turn, amendments include increasing the number of MPs from 550 to 600, while lowering the age limit for becoming an MP from 25 to 18. Furthermore, while decreasing the frequency of parliamentary elections from four years to five years, the amendments also schedule them to be held alongside the presidential elections. In addition, it is also stated that the President could propose budget and also appoint half of the members of the Board of Judges and Prosecutors. The main problem here is Turkey's lack of safety mechanisms. This is the most voiced fear of all the opposition, claiming that the country will be governed by a one-man regime since Turkey does not have necessary checks and balances.

---

"The President could appoint half of the members of the Board of Judges and Prosecutors"

---

## The current situation: any clues as to what will be the result?

No. There is no certain answer to this question. In addition to all secularists, a majority of the Kurds, a significant number of 'rebel' nationalists and certain groups of Islamists will say 'No' in April. Even if they share no ideological similarities, the 'No' campaign is based on protest votes. This side is relying heavily on the social media, since the current state of emergency makes it very difficult for opposition groups to campaign. In the meantime, the governing party will do *everything* in its power to campaign for 'Yes'. In this highly fragmented society, the level of participation will be the key. Even if Turkey is a country with a tradition of high participation compared with other European countries, both sides are expected to mobilise their voters more than ever. It should be bore in mind that there are rumours circulating the claim that Ankara is also considering a dignified exit plan if the level of support for 'Yes' fails to rise in opinion polls in the following weeks.

## What if the result is 'Evet' ('Yes')?

The constitutional amendments must be officially approved by both Parliament and popular vote. A transition period to 2019 is planned for changing the system from parliamentarianism to a Turkish-style presidentialism. If all goes as planned, President Erdoğan will take over the leadership of the AKP since the principle of impartiality will be impeached. According to the new electoral calendar, **in 2019 elections for both President and Parliament will be held**. Afterwards, Turkey will be governed by an executive presidency.

### What if the result is 'Hayır' ('No')?

First, this would be the **biggest electoral loss to occur to the AKP in the past 15 years**. The constitutional amendments would be expected to be shelved, at least for now. The situation would most likely lead to snap elections. It is very much open to question who would benefit from early elections in the event of a "No" vote. It is important to underline that both HDP and MHP are undergoing difficulties for different reasons. Both leaders and MPs of HDP are in prison, while there are many problems within the nationalist MHP. Such a situation could lead to a drop in their share of the vote, which may push them to the verge of the 10% threshold again. If this is the case, Turkey might end up by returning to its two-party system, with a very powerful AKP and a very weak CHP as the main opposition party. In any case, following weeks will be vital for the future of Republic of Turkey and its people.