



مركز الجزيرة للدراسات  
ALJAZEERA CENTRE FOR STUDIES

## Policy Brief

### The Significance of the 'YES' Vote to the Constitutional Amendments in Turkey and Its Repercussions

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**The referendum's outcome is not expected to have a direct impact on heated regional issues, particularly in Syria, as well as most regional issues [Reuters]**

### Abstract

The Supreme Electoral Council of Turkey has officially announced that the Yes camp has won the constitutional amendments by just over 51 per cent, in contrast to the camp rejecting the amendments which received just over 48 per cent, although these results are not yet final.

Surprisingly, an overwhelming majority of the Nationalist Movement Party (MHP), though its leadership and the majority of its parliamentary bloc supported the amendments, voted 'no'. The five major cities – Istanbul, Ankara, Izmir, Adana and Antalya – all voted 'no'.

The Kurdish vote clearly played a very important role in the Yes supporters' victory. In other words, those who said 'yes' to the changes in cities with a significant Kurdish population exceeded the total votes of the Justice and Development Party (AKP) and the MHP in the recent parliamentary elections.

In the external sphere, the referendum's outcome is not expected to have a direct impact on heated regional issues, particularly in Syria, as well as most regional issues.

### Introduction

Sunday, 16 April 2017, was a difficult and burdensome historical day in the Republic of Turkey, as was the declaration of the republic itself (29 October 1923) on the ruins of the Ottoman Empire. From the early morning, in the third referendum held by the AKP government since coming to power in 2002, tens of millions of Turks went to vote on a series of radical constitutional amendments that would change the way Turkey's affairs are run and the system of government from parliamentary to presidential. The long day ended with the the adoption of the amendments, albeit by a small margin.

Commenting on the results, Turkish President Recep Tayyip Erdogan, who the opposition has successfully portrayed as being personally linked to the constitutional amendments, said that, "The adoption of the presidential system puts an end to the 200-year-old dispute over governance", in reference to the beginning of Ottoman rule in the middle of the nineteenth century, which established the political turmoil of the late Ottoman era and the republic's repeated crises since 1923. However, opponents point out that the referendum has shown that public opinion is divided on the issue of the presidential system. The results neither put an end to this controversy nor rule out the possibility of the next presidential election being contested on a reform platform.

How should the results of the presidential referendum in Turkey be understood? And why did the proposed constitutional amendments cause all this controversy and a climate of division? What are the expected procedural and political effects of the constitutional amendments?

### **The referendum and its results**

Fifty-eight million Turkish citizens were entitled to vote in the referendum, 55 million within the country and three million abroad. There are large Turkish communities in countries such as Germany, the Netherlands and the United States. According to Supreme Electoral Council figures, voters abroad number nearly 1.5 million, in addition to more than 49 million voters across 174,000 ballot boxes inside the country. Thus, this is 86 per cent of the total number of eligible voters, which is very high, relative to voter turnout in Western democratic elections, both in Europe and the United States.

Although the Supreme Electoral Council officially announced victory for the Yes camp, the official vote results will not be known until the end of appeals within two weeks after the referendum. Therefore, the results announced after the vote counting, which gave the Yes camp just over 51 per cent and the No camp just over 48 per cent, are not final. However, the outcome is not expected to change significantly, especially since Yes votes are comparatively greater than No votes.

The vote distribution map revealed predictable and traditional results in some aspects as well as a surprising shock in electoral behaviour compared to the past fifteen years; however, it provides the necessary explanation for the Yes camp's victory by a small margin.

As expected, the constitutional amendments were adopted by a large majority in most of the provinces of Anatolia and the Black Sea, while the No camp achieved tangible results in the western provinces of the Mediterranean, Marmara and Aegean coasts which are traditional areas of influence by the opposition.

Surprisingly, an overwhelming majority of the MHP, though its leadership and the majority of its parliamentary bloc supported the amendments, said 'no'. In other words, the party leadership could not persuade its popular base to back the presidential system. The five major cities –Istanbul, Ankara, Izmir, Adana and Antalya – all voted 'no'. However, with the exception of Izmir, a stronghold of the opposition Republican People's Party (CHP) in which No supporters won 68 per cent of the votes, the difference between the two camps was minimal in all cities. Adana, of course, is a nationalistic city, and because the majority of MHP supporters voted 'no', it is unsurprising that it went to the No camp. However, in Istanbul and Ankara, the AKP usually wins a comfortable majority of the vote in parliamentary elections. Failure to get support for amendments from the two cities raises worrying questions about the AKP leadership and its government. In fact, out of the thirty cities with large municipalities (including Buyuksehir, which has a population of over 700 000), seventeen cities the majority voted 'no'.

What seems clear is that the referendum results came closer to the presidential election results in the summer of 2014 in which Erdogan won nearly 52 per cent of the votes while facing a competitor backed by the opposition parties with significant differences in the distribution of votes. Certainly, the MHP's support did not add anything to the Yes camp, but a significant segment of AKP supporters from the well-educated, middle-class urban population chose to say 'no'. The main reason behind these people's position is their lack of conviction over the justifications provided by advocates of the need for constitutional amendments. How, then, did the amendments' supporters replace part of their traditional support base and win the referendum?

The Kurdish vote clearly played a very important role in the Yes camp's victory. The No camp certainly won in the Kurdish-populated areas, but the percentage of No votes in these cities was much lower than that of the Kurdish national opposition in the November 2015 parliamentary elections. In other words, those who said 'yes' to the changes in the Kurdish-populated cities significantly exceeded the total number of AKP and MHP votes in the recent parliamentary elections. For example, in the parliamentary elections, the AKP and MHP accounted for 17 per cent of the vote in Hakkari, while 32 per cent of the voters there voted 'yes' in the referendum, as in Diyarbakir (22 and 32 per cent), Sirnak (16 and 32 per cent), Mus (35 and 50 per cent) and Agri (27 and 43 per cent). The significance of these results is that they reveal the loss of confidence of the Kurdish public in the Kurdistan Workers' Party (PKK) and its return to the policy of war against the state and society in the last two years. It also shows the AKP government's success in gaining the confidence of larger sectors of Kurdish public opinion in the southeast.

There is no doubt that the opposition succeeded in persuading a large segment of Turks that the presidential system is not the government's project, nor even the AKP's, but

Erdogan's personal project. On the other hand, the AKP leadership and its government, like President Erdogan, campaigned for the elections for the adoption of these amendments by at least 55 per cent of the vote. In the end, the amendments were approved, but they passed by a small margin so that the results of the referendum represented a message from two sides: the people have not lost faith in the president. They gave him approval for a transition to the presidential system, but this approval was not accompanied by great amounts of joy.

### **Division around amendments**

Turkey has been governed by the parliamentary system according to the constitution since the birth of the republic in 1923. However, the first two republican presidents, Mustafa Kemal Ataturk and Mustafa Ismet Inonu, enjoyed enormous moral powers which greatly influenced their prime ministers and policies. Because the country was ruled by one party, the CHP, until 1950, Ataturk and Inonu did not suffer from the parliamentary system's problems. However, in the beginning of political pluralism in 1950, the dilemmas of the parliamentary system have emerged. Turkey, like all eastern countries, is in a state of political division and loss of unanimity on major issues. Since the beginning of multi-partyism, the parliamentary system has led to weak coalition governments which have caused a significant disruption of the development process and a series of direct and indirect military coups.

All the heads of major governments since 1950 have called for a transition to the presidential system, including Menderes, Demirel, Ozal and Erbakan. Erdogan is not the first to talk about the need to move from the parliamentary system to the presidential system. There is no doubt that Ahmet Davutoglu, who succeeded Erdogan as prime minister and led the AKP between summer 2014 and spring 2016, has made great efforts to persuade the main opposition parties to support the draft of a new constitution for the country. However, Davutoglu could not obtain the support of the CHP and the MHP for a constitution based on the presidential system. Despite the majority enjoyed by the AKP in parliament, it was not enough to pass a new constitution there or even have enough parliamentary votes for a referendum. However, the failed coup attempt on 15 July 2016 generated a major change in the political climate.

The coup attempt was a clear indication that the Turkish state remained at great risk. The fate of the Turkish state is central to the mind of the MHP, so the party leadership quickly moved from a camp that rejected the presidential system to support it. The MHP's accession to the AKP in the call for the presidential system paved the way for drafting the eighteen-article constitutional amendments and then for the amendments to receive enough votes in parliament to hold a referendum.

However, the parliament's adoption of the amendments to hold a referendum did not put an end to the debate that broke out around it. The CHP took a stand against the idea of the presidential system – as did the Democratic People's Party (HDP), a Kurdish nationalist party affiliated with the PKK, which has been internationally classified as a terrorist organisation. But the controversy over the amendments was much broader than the bases of the two parties and their supporters in the spheres of politics, culture and media. Perhaps, there were doubts about the amendments within the AKP itself and among the MHP, the most worrying for the camp supporting the amendments.

Unlike the CHP and the HDP, the vast majority of the AKP and perhaps even MHP leaders and parliamentarians saw the need to move to the presidential system. Therefore, uncertainty about the amendments between the two parties concerned some, not all, articles in the package of the amendments, particularly those whose critics say they give the president great powers, weaken the powers of parliament, and may lead to weakening the system of multi-partyism in the Turkish political arena, thus, weakening the political vitality of the country. Reasons for the lack of popular response to the Yes vote campaign include: lack of enthusiasm within AKP ranks for the amendments, the emergence of a group of active MHP leaders who opposed the party leader and called on party bases to vote against the amendments, and the loss of the electoral campaign advocating for the amendments because of their professionalism and political wisdom. President Erdogan and Prime Minister Yildirim, who ran the Yes campaign, appeared unable to provide sufficient justification for the transition to the presidential system or present a convincing argument for its feasibility and positive impact on the country's stability and the speed of its development.

### **Questioning legitimacy**

Within a few hours of the announcement of the initial results, voices emerged in the CHP and the HDP questioning the victory of the Yes camp. Officials from the two parties confirmed that they would call for a recount of nearly 60 per cent of the ballot boxes across a wide number of polling stations. However, even if the two parties give convincing reasons to the Supreme Election Council justifying the recounts, the results declared on Sunday evening, 16 April, will not change substantially. If the difference between the percentages of votes that went to each of the two camps is not large, the difference of votes, which is likely to exceed 1.3 million, is certainly great.

This, of course, did not prevent opponents from questioning the legitimacy of the amendments' approval. Constitutional amendments to the government system require a greater majority, in the eyes of sceptics, than those obtained by the amendments' supporters. On the other hand, supporters of the amendments say that everyone knows that the country is divided on major political issues, and that the referendum results are no different from the presidential elections of 2014 and that the distribution of votes

between the ruling party and the total votes for opposition parties in the November parliamentary elections. Moreover, the 1987 referendum on political participation confirmed the political return of pre-1980 coup politicians by more than 50 per cent of the vote by one decimal point. In the 2010 referendum on the list of major constitutional amendments made by the AKP government, which was supported by large sections of the Turkish population including liberal and secular circles, the amendments were not approved by more than 58 per cent of the vote.

This is the nature of political life in the Republic of Turkey, as confirmed by supporters of the amendments; and whatever the extent of the difference between the two sides, the people have said their word. Supporters point to the UK referendum in the summer of 2016, on Britain's membership of the European Union, which ended with the Brexit, the largest decision in the history of Britain since the Second World War, by a number of votes no greater than those obtained by supporters of the presidential system in Turkey. In addition, the percentage of those who voted in the Turkish referendum was significantly higher than that of the British referendum.

In the end, whatever the repercussions of this debate are, the way in which the transition is managed will certainly have a significant impact on assuaging or exacerbating political polarisation in the country. According to the constitutional amendments, the process of transition to the presidential system will be complete only after the parliamentary and presidential elections are held together, on the same day, in autumn 2019. Thus, there are two full years for the president, the AKP leadership and the government to show good faith and consensus towards those who voted 'no', including within the traditional support circles of the AKP.

### **The path to the new system**

Once the Supreme Electoral Council announces the final official referendum result, expected within two weeks, a gradual process of transition to the presidential system will begin. Some of the articles of the constitutional amendments could be applied immediately after the official referendum result, such as the president re-gaining the right to membership of a political party, as was the case in Turkey before the 1961 Constitution, instituted by the coup leaders of May 1960. However, the transition to the presidential system will not reach its final stage until after the concurrent elections of autumn 2019, when the post of prime minister will disappear and executive powers will be transferred to the president of the republic.

This is at the purely procedural level of the transition process. But the most important issue concerns the political level, not only with regard to the choices of Erdogan and the AKP, but also with regard to the future of the MHP and the CHP. The referendum revealed the failure of the MHP leader, Devlet Bahçeli, to lead the party's popular base to

support the constitutional amendments, and the great influence of the leaders against him, which will revive the movement to overthrow him. Despite the sceptical statements of its leaders about the referendum results, it is clear to a large segment of CHP members that its leader, Kemal Kilicdaroglu, has failed again in the face of the AKP, and that perhaps it is time for him to go.

There are also equally important questions about the AKP's future, including the possible resignation of prime minister and party leader Yildirim, who does not seem happy with his relations with some of his aides who are close to Erdogan. He now feels he has done his job and is no longer required to remain in office. In addition, the party must begin to identify the reasons, both political and campaign-related, that led to its failure to achieve 55 per cent of popular support for the constitutional amendments, and thus the loss of support from traditional party strongholds such as in the Eyub, Fatih and Zeytinburnu regions in Greater Istanbul. The party, especially after the overthrow of Davutoglu's government and the exclusion of the group that surrounded it from leading positions, seems to have lost much of its dynamism and vision for the future. Over the next two years, will Erdogan work to embrace those again and inject new blood into the AKP, especially after his return to the party ranks and leadership? To achieve a collective parliamentary and presidential victory in 2019, Erdogan, like the AKP, needs not only to reconstruct his image and perception, but also to create a new vision and discourse.

At the national level, despite MHP support for the amendments and the presidential system, the party's failure to bring a concrete mass to the supporters' camp in the referendum meant that the AKP does not owe much to Bahceli and his party. What was expected before the referendum was that bipartisan rapprochement would limit the AKP's ability to manoeuvre through the Kurdish issue. Now, relative freedom from the burdens of the MHP relationship opens up more room for the AKP to move towards a different approach to the Kurdish issue, at least in the medium term.

In the external sphere, the referendum's outcome is not expected to have a direct impact on pressing regional issues, particularly in Syria. As for most regional issues, Turkey's policy towards the Syrian crisis is not determined by the nature of the country's system of government, but by the nature of the balance of forces in the Syrian arena and Turkish relations with Russia and the United States.

On the other hand, the reactions of European capitals to the referendum results will play a direct role in exacerbating or assuaging the current tension in relations between the two sides. In light of early European criticism of the environment in which the referendum was held, there seems to be no imminent normalisation of Turkish-European relations on the horizon. If Turkey adopts capital punishment, as the president promised on more than one occasion during the election campaign, the EU will certainly confirm a

formal freeze on Turkish membership and begin to search for different parameters for Turkey-EU relations. What could be a consolation for the Turkish President is US President Donald Trump's call on the evening of 17 April to congratulate him on the referendum.