

Turkey: an Overview of the Country's Situation

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Turkey began 2017 with great political momentum. In January a constitutional reform package was signed off aimed at substantially modifying the semi-presidential system and replacing it with a full-blown presidential one. This granted broader powers to the President, thus giving him control over legislation and the judiciary, as well as the most senior posts in the state administration.

Having failed to attain the absolute majority needed for passing constitutional reforms in Turkey's Grand National Assembly (TBMM), these reforms were sanctioned by the President Recep Tayyip Erdoğan and a referendum was scheduled for 16 April, in which the Turkish people would have to decide if they were in favour or not of the proposed legislative changes. The lead-up to the parliamentary debate (which was both polarized and heated) had been preceded by a politically tumultuous year, marked by a failed coup attempt which, although neutralized, would have major aftershocks in the political and social spheres.

The Road towards Presidentialism

A previous referendum, held in 2007, had transformed the parliamentary regime that emerged from the 1982 constitution into a semi-presidential system, through which, the Turkish people could elect

their President directly, for the first time in the Republic's history.

In 2014, the first presidential elections were held in the framework of this new political system. In an electoral race against two other candidates, Ekmeleddin İhsanoğlu (the candidate proposed by the centre-left Republican People's Party, CHP and ultranationalist Nationalist Movement Party, MHP) and Selahattin Demirtaş (member of the pro-Kurdish Democratic People's Party, HDP), Erdoğan won the elections with an outright majority, taking 51.79% of the votes.

Right from the outset, Erdoğan was clear about his intention to impose a strong presidency, as well as push forward the constitutional changes needed to guarantee such a role. In his election campaign, he had promised the dawn of a new era, of a "New Turkey." Erdoğan ushered in the new era with a new presidential palace, complete with over 1,000 bedrooms and built in a protected natural reserve, thereby contravening a court ruling. The complex was to replace the Çankaya Mansion in Ankara, which had served previous presidents as their official residence. The symbolic nature of the new palace came with a reorganization of the presidency, increasing the number of general directorates from four to 13. Furthermore, although the 1982 Turkish constitution contemplated the president's right to preside over the Council of Ministers, the two predecessors in the post did not exercise this prerogative. Erdoğan, however, as of 2015, has chaired the Turkish cabinet.

In election terms, 2015 was to be a key year thanks to the general elections, in which the Justice and Development Party (AKP), the party governing the country since 2002, would run with the aim of gaining a par-

¹ Article finished in April 2017

liamentary majority, thereby enabling it to reform the constitution and switch to a presidential system.

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The elections held in June 2015, however, did not give the AKP an absolute majority, for the first time since 2002, and so it was forced to enter into talks for a coalition government. When these broke down, Erdoğan refused to offer the main opposition party, the CHP, the option of joining negotiations to form a government and immediately called new elections, which took place in November 2015. These were held in a climate of violence, marked by a resurgence of the conflict between the Kurdistan Workers' Party (PKK) and Turkish security forces in the country's east, following the breakdown in negotiations between the government and Kurdish guerrillas, which led to the tragic death of hundreds of civilians, according to reports written by international human rights organizations. Terrorist attacks attributed to Daesh would also have their tragic effect on the campaign, and security fears forced the pro-Kurdish HDP party to cancel political rallies. The PACE (European Council) electoral report concluded that the terms under which the campaign had been led were unequal and unfair for the different political parties.

Turmoil in the Main Political Parties

In the elections held in November 2015, the AKP gained a new absolute majority in the House and Ahmet Davutoğlu, Erdoğan's successor at the head of the party, was appointed Prime Minister. The substantial differences between the new Turkish Premier and the President led to the replacement of Ahmet Davutoğlu, as leader of the AKP and Prime Minister, by Binali Yıldırım in 2016. Davutoğlu was neither an advocate of the change towards a presi-

dential system, nor of lifting the parliamentary immunity of HDP deputies, despite Erdoğan's insistence on these matters. The divergence of positions on these and other issues, which also affected the control and organization of the party, led to Davutoğlu's departure, replaced by a Prime Minister, Binali Yıldırım, who was more aligned with the presidency. In May 2016, the Turkish Parliament approved the lifting of MP's legislative immunity opening the door to the prosecution of HDP deputies for alleged terrorism crimes. This significant vote was supported by the ruling party, the AKP, the ultranationalist MHP and a number of deputies from the main opposition party, CHP. The reform's critics sustained that it was yet another way of weakening the political opposition and thereby favouring the path towards presidentialism. The Council of Europe's Venice Commission criticized the decision to lift parliamentary immunity and called for it to be reinstated.

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For its part, the MHP underwent internal strife with Devlet Bahçeli's leadership contested by the charismatic Meral Akşener, a woman who would eventually be expelled from the party in September. Akşener not only posed a challenge to Bahçeli, but was seen as a potential rival to the AKP, as she was widely thought to be the only candidate capable of revitalizing her party, following the previous year's disastrous November elections, by galvanizing votes from major ultranationalist sectors. The media highlighted suspicions that Bahçeli had joined forces with Erdoğan and the AKP to try to prevent Akşener from seizing the MHP leadership, through an extraordinary congress. This has been suggested as one of the possible reasons behind the subsequent support Bahçeli was to eventually give the establishment of Turkey's presidential system.

A Context of Violence

Throughout 2016, the spiral of violence between the state security forces and the PKK continued in major urban centres in the southeast of the country. Entire neighbourhoods were destroyed and hundreds of civilian deaths were reported. The inhabitants of the conflict-affected areas suffered cuts in water, electricity and supplies during the curfews imposed in the region. It is calculated that this conflict has forced the displacement of between 350,000 and 500,000 people. The United Nations Human Rights office issued a report published in March 2017 in which it urged the government to allow an impartial investigation to clarify concerning reports arriving from the area related with human rights violations and civilian deaths.

From January to December, there were also several major terrorist attacks in cities like Istanbul, Ankara, Diyarbakir, and Gaziantep, attributed to Daesh, the Kurdistan Freedom Hawks, TAK (a splinter group of the PKK) and the PKK itself.

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In July 2016, an attempted coup was thwarted with the help of the Turkish people, who stood up to tanks deployed by the military. The President urged the population to take to the streets in a message transmitted through Face Time on the CNN Türk television channel. The resulting clashes left more than 250 people dead. The declaration of the coup in the name of the "Peace Council," as it was dominated by the coup leaders, was not delivered by one of the army officials involved in the uprising, but instead was read out by a television presenter from the national broadcaster TRT. The government

and Turkish President accused the movement of the religious preacher Fethullah Gülen based in Pennsylvania, in the United States, of having orchestrated the coup.

For its part, a report leaked from the EU Intelligence and Situation Centre (EU INTCEN) suggested that the coup could have been driven by senior army officials to avoid a predicted military purge by the government. This purge would have affected Gulenists, secularists and those opposed to Erdoğan's politics with respect to the Kurdish conflict. This report declared not to have found any grounds for accusing Fethullah Gülen of being behind the coup. The president of Germany's Federal Intelligence Service (BND) Bruno Kahl expressed a similar sentiment.

Even columnists from pro-government newspapers drew attention to imprisonments based on false accusations

After the coup attempt, a state of emergency was declared. In the months that followed, a purge was carried out without precedent in the most recent decades of the country's history. Around 100,000 civil servants were fired from their positions or suspended from duty, around 47,000 people were placed under preventive detention, more than 150 of journalists jailed. The purges did not only affect people that were directly related with the attempted coup, but were also applied to sectors critical of the government, including figures from the academic world who had signed a letter in January 2016 urging the Turkish government to resume peace negotiations with the PKK. The purges have been carried out with no kind of legal security for those affected and have led to the confiscation of private property. A government minister declared in September that Gulenist assets to the value of 4 billion dollars had been transferred to the state coffers. Even columnists from pro-government newspapers drew attention to imprisonments based on false accusations and the harsh situation families were having to deal with after being stripped of their economic resources.

The political opposition was also hit hard by the detention and imprisonment of thousands of HDP members, including its two leaders Selahattin Demirtaş and Figen Yüksekdağ, who, along with 11 other deputies, were jailed in the wave of mass purges.

A Referendum under the State of Emergency

The referendum called on 16 April 2017 was carried out during the state of emergency. Election observers sent by the OSCE reported that during the campaign, supporters of the “yes” vote were backed by significant state resources and given wide media coverage, unlike the opposition, which suffered selective censorship as its campaign unfolded. The international observers also indicated that on referendum day there were serious irregularities in the vote counting, the most relevant being in reference to the Supreme Electoral Council’s decision to consider ballot papers that had not been officially stamped as valid. At least a million and a half votes were therefore called into question. Although the “yes” camp won 51.3% and the “no” 48.7%, the CHP and HDP opposition parties refused to accept the election results due to the reported irregularities.

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If, as requested by the European Commission, a transparent investigation is not undertaken into the

election results, the shadow of illegitimacy will be cast over the new Turkish presidency. The result of the referendum has left a country polarized and in the midst of major political upheaval. The report published by the Council of Europe’s Venice Commission in March 2017 highlighted the “dangers of degeneration of the proposed system towards an authoritarian and personal regime.”

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