

# Cabinet, President, Referendum: Turkey's Complex Political Calendar

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## Brief Analysis

On August 9, the Turkish parliament elected Koksal Toptan, a deputy from the Justice and Development Party (AKP) as its speaker. The AKP, which won 46 percent of the vote in July 22 parliamentary elections, controls 341 seats in the 550-member Turkish parliament. Thus has Turkey begun a very busy political season, with serious issues put off since the April constitutional crisis over the AKP's attempt to appoint its foreign minister, Abdullah Gul, as president.

The new parliament's first order of business will be securing a vote of confidence for the AKP's new cabinet. Then the legislature will face the constitutional mandate of electing a new president, an executive post with important prerogatives such as appointing judges to the secular constitutional court. But while the Turkish parliament prepares to elect a president, Turks will vote in an October 21 referendum on constitutional amendments that would stipulate the direct popular election of the president. What are the timelines for these overlapping political processes and how smoothly will each of them run?

### Round I: Forming a New Government

The next step for the AKP is to form government. According to Article 116 of the Turkish constitution, a new cabinet of ministers must be formed and then approved by the president and the parliament within forty-five days after the president authorizes the leader of the winning party to form government.

The process of forming a government commenced on August 6, after Turkish president Ahmet Necdet Sezer commissioned AKP leader Recep Tayyip Erdogan to select a cabinet. The AKP has until September 21 to do so. First, Erdogan will compile a list of ministers. The finished list will go to Sezer for approval. After that, the new government will submit its program to the parliament for a vote of confidence, which requires a simple majority to pass.

Even though the AKP has the required majority for a vote of confidence to form a government, the party seems inclined to slow the process down. On August 6, Erdogan said he "has forty-five days" during which he has to present a list of ministers to the president for approval. This suggests the AKP might want to elect a president and replace Sezer before the September 21 deadline to form a government so that the list of ministers in the new AKP cabinet will be reviewed not by Sezer -- who has provided a major check against the AKP since the party came to power in 2002 -- but by a new president of the AKP's choosing.

This presents a potential problem, in that the new parliament would have to elect a new president and also form a new government. There is an ongoing debate among constitutional jurists in Turkey as to whether or not the processes of forming a government and electing a president may run concurrently; some constitutional jurists argue that the parliament cannot engage in any other program, such as forming a government, while it is electing a president.

### Round II: Electing a President

Turkey must choose a new president to replace the outgoing Sezer. Although Sezer's term expired on May 16, he remains in office due to a constitutional requirement for the sitting president to act as a caretaker until a new appointment is made.

The Turkish constitution currently requires parliament to elect the president, a process that can start only after parliament elects a speaker and must be completed within thirty days. This process began on August 10, after the election of Toptan as the parliamentary speaker. In the first ten days of the presidential election process, presidential candidates will be nominated; in the following twenty days, four rounds of elections will be held with a minimum of three days between ballots.

Under the most likely calendar, the first round of voting in the presidential election will be held on August 20, when 367 votes are needed to elect a president. If this cannot be achieved, the second round will be held on August 24, when 367 votes again are needed. If no candidate wins 367 votes on the second ballot, a third round will be held on August 28 in which only 267 votes will be needed to elect the president. With its parliamentary majority, the AKP would likely elect a president at this threshold. In the unlikely event that the third round fails to produce a president, a final fourth round would be held on September 1, when the candidate with the plurality of the votes becomes president.

In the previous parliament, the opposition Republican Peoples Party (CHP) abstained from the presidential vote. At that time, the constitutional court annulled the vote, saying that the required two-thirds quorum was not present. In the current legislative, the CHP, which has 99 seats, cannot block a quorum by itself, and other parties in the parliament seem unlikely to join in any attempt to block voting. One opposition party, the 70-seat Nationalist Action Party (MHP), might nominate its own candidate for the presidency in a symbolic move.

The AKP seems intent on electing a president as soon as possible so that this new president approves the next AKP government. In the unlikely event that the presidential election process moves slowly, the presidential calendar could be thrown off schedule, though only by a few days. Should parliament fail to elect a new president by the end of its thirty-day deadline on September 10, parliament will be dissolved, paving the way for new legislative elections.

### Round III: Referendum to Change the Method of Electing a President

Whether or not the Turkish parliament succeeds in electing a president, Turkey will hold a referendum on October 21 to change the way it elects the president.

The referendum stipulating direct presidential elections -- a popular proposition in any democracy -- will likely pass. If parliament elects a president by the September 10 deadline, then direct election of the president will go into effect at the end of the parliamentary-elected president's seven-year term. If, however, the parliament fails to elect a president by September 10 and is dissolved pending new elections, then the next Turkish president would be chosen by direct popular vote following the October 21 referendum.

In the most likely scenario, the AKP will succeed in electing a new president in parliament and forming a new government, followed just five weeks later by a major constitutional referendum. That would make the July-October trimester the busiest period in recent Turkish political history. If the AKP fails in either of its parliamentary efforts, Turkey would face another round of legislative elections and its first direct presidential election, packing the year's political calendar even further.

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