

A COMPARISON OF PARLIAMENTARY AND
PRESIDENTIAL SYSTEM WITH SPECIFIC
REFERENCE TO TURKISH POLITICAL
CULTURE

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1. The material included in this thesis has not been submitted wholly or in part for any academic award or qualification other than that for which it is now submitted.

2. The program of advanced study of which this thesis is part has consisted of:

- i) Research Methods course during the undergraduate study
- ii) Examination of several thesis guides of particular universities both in Turkey and abroad as well as a professional book on this subject.

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ABSTRACT

University : **Fatih University**
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A COMPARISON OF PARLIAMENTARY AND PRESIDENTIAL SYSTEM WITH SPECIFIC REFERENCE TO TURKISH POLITICAL CULTURE

ERDAL AYDIN

The aim of this study is to figure out Turkish Governmental system by comparing and contrasting the presidential and parliamentary systems. It firstly discusses the types, systems and forms of a government in respect to different approaches and definitions. The characteristics, as well as the advantages and the disadvantages of these two systems are being explored and compared in that regard. In this study, then, the parliamentary regime of the United Kingdom is compared to the presidential system of the United States of America. The political systems of these two countries are being seen as well working examples of the parliamentary regime and the presidential system. Finally, these two systems are elaborated with a special reference to Turkey, considering its political culture and historical experiences.

It seems that although Turkey started to adopt a democratic system in the 19th century, it was not able to completely succeed in its adaptation and this democratic system has always been interrupted by military interventions. It may be evidently said that Turkey has acquired a great democratic experience thanks to its historical background, having behind the constitutional regimes of the Ottoman Empire.

In this thesis, it is being discussed that in the 21st century Turkey needs a stable, as well as a strong and democratic government. For having such a government, Turkey needs either to transform the government as the actual strong authority of presidential office in the parliamentary regime like in the case of the U.K or to adopt a presidential system as in the U.S. This will probably give Turkey the chance of having strong governments and thus becoming a strong global actor. Although the systems operated in the U.K. and in the U.S. are fundamentally different from each others and have some certain shortcomings in respect of democratic principles, as a matter of fact, both of them have strong and stable governments. It is empirically evident that both presidential and parliamentary systems have advantages and disadvantages. The task of this study is to find out the most appropriate alternatives for Turkey by considering their advantages and disadvantages.

KEY WORDS: Presidential System, Parliamentary Regime, Separation of Power, Republic, Constitutional Monarchy, Stable Government, Rational Parliamentarism, Political Culture.

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TÜRKİYENİN SİYASAL KÜLTÜRÜ GÖZÖNÜNE ALINARAK PARLAMENTER SİSTEM VE BAŞKANLIK SİSTEMİNİN MUKAYESESİ

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Bu çalışmanın amacı Türkiye'nin Siyasal ve Toplumsal Şartları çerçevesinde parlamenter sistemle başkanlık sistemini karşılaştırarak, Türkiye için istikrarlı, güçlü ve demokratik hükümet şeklini anlamaktır!

Bu çalışma evvela, farklı tanım ve yaklaşımlarla Hükümet Şekillerini ve Tarzlarını ve aynı zamanda başkanlık ve parlamenter hükümetlerinin temel vasıflarını, maslahat ve mazarratlarını mukayese ederek ele alıyor. Akabinde, Amerika Birleşik Devletleri'nin Başkanlık Sistemiyle, İngiltere'nin Parlamenter Rejimini tarihi seyri içindeki süreciyle ve temel kurumları ve siyaseten fiili işleyişiyle geniş bir şekilde karşılaştırılıyor. Hem Amerika Birleşik Devletleri'ndeki başkanlık sisteminde hem İngiltere'deki parlamenter sistemde hükümetin güçlü olmasının ve iyi yürümesinin sırları keşfediliyor. Son Bölümde ise Türkiye'nin tarihi, siyasal ve kültürel tecrübe ve şartları nazara alınarak, Başkanlık ve Parlamenter sistemin Türkiye için bir değerlendirmesi yapılıyor.

Her ne kadar 19. yüzyılın ikinci yarısı itibariyle Osmanlıda Meşrutiyet ile demokrasi macerası başlamış olsa bile, maalesef siyasal sistemimiz çok defa askeri müdahalelerle karşılaştı. Her şeye rağmen, Türkiye demokrasi macerasında, Osmanlı meşrutiyet tecrübesi ile büyük bir siyasal birikime sahip.

Netice itibarıyla bu çalışma, Türkiye'nin 21. yüzyılda küresel bir aktör olması için güçlü, istikrarlı ve demokratik bir hükümet modeli geliştirmesi gerektiğini gösteriyor. Bunun içinde ya başkanlık sistemine geçmesi ya da sembolik zayıf bir devlet başkanının olduğu fakat öte yandan güçlü bir başbakanın hâkim olduğu parlamenter hükümet (rasyonel parlamentarizm) geliştirmesi kanaatimce isabetli olacaktır. Gerçi İngiltere'deki Parlamenter Rejim ile Amerika Birleşik Devletlerindeki Başkanlık sistemi temelde birbirinden çok farklılar ve demokratik anlamda her iki sisteminde belli nakıslıkları var, fakat iki sistemde de çok güçlü ve istikrarlı bir hükümetin olduğu aşikâr. Her iki sisteminde önemli avantajları ve dezavantajları var. İşte bu araştırmamla, Türkiye için bu hükümet sistemlerinin avantajlarını ve dezavantajlarını derinlemesine kavramaya ve gün ışığına çıkarmaya çalışıyorum.

ANAHTAR KELİMELER: Başkanlık Sistemi, Parlamenter Rejim, Güçler Ayrılığı, Cumhuriyet, Meşrutiyet, İstikrarlı Hükümet, Rasyonel Parlamentarizm, Siyasal Kültür.

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INTRODUCTION

In my thesis, I try to compare two forms of governmental system in order to comprehend and attain Turkish governmental system as a stable, strong and global power. These models of the parliamentary system in the United Kingdom and the presidential system of the United States of America is a significant opportunity and facility to make the Turkish Governmental system a successful and stable power in regard to the democratic experience of Turkey.

In this thesis, while I focused and worked on the Turkish governmental system, I preferred the United States and the United Kingdom as special cases of presidential and parliamentary systems due to their historical and democratic characteristics. As it is well known, both of them are the oldest governments in the sense of presidential and parliamentary systems in the world. Observing this fact ,I have used a comparative method in my thesis, using relevant statistical data and official documentaries.

Starting from the constitutional period initiated in 1876, in the republic of Turkey, there has been a search about a stable and strong government. After the war between Russia and Ottoman Empire, Ottoman assembly, being an extension of the constitutional period, was closed for almost thirty years. During the Committee of the Union and Progress in the Ottoman State, democracy was not sufficient over political system due to militaristic power and manipulations. Upon the announcement of the declaration of the republican regime in 1923, a single party system was established and unfortunately, it had been dominant over the political system in the following twenty seven years.

Turkish system transformed into multi-party system in 1950, nonetheless, it faced a number of military coups or memorandums interrupting the democratic system. One may claim clearly that the inconsistency and relatively weak power of the civil governments have played a fundamental role in this process. That is one of the main reasons of a weak government and democracy is a coalitional government.

The long period of establishing a coalitional government and the unsuccessful life of a coalitional government has been crucial shortcomings and caused a political chaos which gave opportunity to the military forces for intervention. One should be reminded that the Turkish Government should be free of any undemocratic interventions if a democratic system is desired to be survived in Turkey. That is the main reason why I focused on the government models: to provide information for more democratic, stable and strong government.

In the parliamentary democracy of Turkey, the conflict and dilemma is being caused of its being with two heads, that is the head of the government and the head of the state, which make the unstable governments. Particularly, the Turkish constitution of 1982 grants the president an uncontrolled power. When the preferences of the prime minister and that of the president clash and oppose to each other, then the political system unfortunately gives rise to political chaos in the country. That also has fundamental negative results over the economy.

The power and dominant orientation of cabinet over assembly is another problem in parliamentary regime that needs to be solved in respect to democracy and separation of powers. When government has majority of members in assembly, in other words, there is only one party in power it has great orientation and domination over its party. It causes its party members only as supporters and followers. Party members do not work, decide, and vote with their free democratic opinions. Unfortunately, they are just like soldiers of a party army. In this sense, no separation of legislation and execution has appeared and implemented.

I have tried to look at political cases and phenomena from the lenses of different approaches. I think we need encouragement and free opinions to explore the best governmental system for the future of Turkey. The worst kinds of hegemony is that you think you only know the best and so you do not give any opportunities to others to make comparison and you impose your outlook and choices to others.

Turkish political history has generally been restructured by some elite groups. These elites have thought that only they knew the best and only they were able to make the best in the name of people even though if their policies are against the public opinion.¹

It is empirically seen that Turkish media is quite a dominant power in leading of the political issues. Indeed, you can not neglect the media as a political actor in the world, as well as in Turkey. Since some elite groups that possess the media power, dislike the ideas of presidentialism and they always fear and avoid bringing the presidential system to the agenda.

It seems that some media groups are in opposition to the presidential system even though they haven't got any acceptable reasons. They oppose it since they do not want to see strong governments. Moreover, a strong government means strong representation of people. If government is strong enough it will perhaps damage the interests of some classes like media patrons who have economic power and interests.

On the other hand, subject to constitutional guarantee of fundamental rights and establishment of basic democratic political institutions, I advocate a stable government in my thesis. Otherwise, it is always possible to abuse the powers by the government. Eventually, it goes and transforms despotic and omnipotent power which is the worst thing for the public. That is why there are emphasis and firm and

¹ Zürcher, J. Eric, "*Turkey A Modern History*", (London: I.B. Tauris Publishers 1998) 187-190.

strict separation of powers and guarantee of the fundamental human rights in the constitution of the U.S..

This thesis is consisted of three important chapters and phases to figure out the best political system for Turkey by comparing and contrasting presidential system of the U.S and the parliamentary regime of the United Kingdom.

In the first chapter I explain the classifications of governments with regard to presidentialism and parliamentarism; monarchy and republic; federalist and unitary; democratic and undemocratic. It is significant to know and distinguish and consciously to use those approaches of government in political science. I show characteristics, elements, advantages and disadvantages of the parliamentary system and presidential regime.

In the second chapter, I study two cases for parliamentary regime and presidential system. I prefer the United States for presidential system and the United Kingdom for parliamentary regime. Both cases, in my opinion, are very important to understand the forms of a strong, democratic and stable government.

Since the presidential system of the U.S. is a model in respect to the democratic system, in this study I refer to the United System by using presidential regime or system while I give the United Kingdom as an example of parliamentary regime or system since it is the oldest and one of the most successful parliamentary regimes in the world.

First of all, I focus on the background and the process of existence and development of the presidential system. It is significant to comprehend why and how the presidential system appeared and progressed in order to measure and evaluate criteria in the name of the presidential system.

Therefore, I summarized the U.S presidential system beginning from the colonized era to the Independence War and from the Independence War to the need of confederation and from confederation to the national constitution, which allowed and emerged the presidential system.

In my opinion, it is very important to understand why and how the presidential system was born and grew and operated. In the presidential system, the legislature, the judiciary and the executive are based on check and balance of power by means of constitution². I try to show that how there is separation of powers between legislature, executive and judiciary body of the United States in the presidential system.

Although the Constitution drew and established check and balance system, this thesis points out how the system altered in favor of presidency. Moreover, this is the story of how the presidential body became dominant in the U.S. political system and this is known as one of the special feature of the U.S political system. Particularly, it is important to see that how the Supreme Court played significant role by giving decisions on behalf of the executive in the process of presidency, being the dominant power.

One of the fundamental reasons of the strong government of the presidential system is that the United States completed its democratic development of political system and guaranteed fundamental rights to its citizens. In the presidency such basic values as liberty, equality, and freedom of property, as the American Creed or Pillars, are the pride of the system.³

Although in its foreign policy the United States follows occupations and acts in the name of power instead of justice, it is defined as free lands. Together with the September11, the U.S. began to spread out in the world, particularly in the Middle

² Woll, Peter (Ed.), *"American Government"*, (New York: Pearson Education 2002) 3-4.

³ Singh, Robert, *"American Government & Politics"*, (London: Sage Publications 2004)9.

East in the name of dissemination of democracy and envy of the despotic and terrorist regime. If you do not approve and appreciate the U.S., unfortunately, it is predicted as if you are against democracy and freedom after September 11.

In my opinion, the domestic and the foreign policy of the U.S. should be distinguished. Although I do not definitely appreciate the U.S. foreign politics based on interest, occupation and power by excuse of democratic reasons and promises of freedom, I accept and appreciate that among the other contemporary democratic states, the U.S. is currently one of the best strong democratic states with best guaranteed fundamental rights.

Being compared, both the presidential system of the U.S. and the parliamentary system of the United Kingdom are based on strong cabinet government. Both of the systems were completed political institutions of democratic process. Although in the United Kingdom there is a monarchy, it is symbolic and not active in politics. Besides, the parliamentary system of the United Kingdom is one of the oldest systems in the world; however, there are some important shortcomings in respect to democracy. I try to show how the British parliamentary system works and what are its advantages and disadvantages.

Finally, I make comparison of the parliamentary regime of the United Kingdom and the presidential system of United States for the sake of Turkish Government, and meanwhile I consider Turkish political circumstances and culture. I emphasize the democratic background of Turkey from the Ottoman era, especially the efforts of the Young Ottomans and Young Turks; how CUP (*İttihad ve Terakki Cemiyeti*) was founded and the role of CUP alongside the development of the constitutional democracy in order to comprehend the political culture and institutions. It seems that there were great efforts in the 20th century for the public opinion concerning the European democratic developments.

At last chapter, there is a summary of the political history from Tanzimat Edict of Ottoman State, to the emergence of the Republic and the present political

state in sense of democratic parliamentary development and governmental power and stability. I give importance to the constitutions and make comparison of 21, 24, 61 and 82 constitutions with regard of the possession and balance of power among the president and the prime minister.

Therefore, in this study, I try to analyze and compare and contrast the presidential system and the parliamentary regime with regard to the Turkish Political system. My aim is to figure out and catch better stable, strong and democratic system for Turkey.

1. COMPARISON OF PRESIDENTIAL SYSTEM AND PARLIAMENTARY REGIME

In this chapter, I primarily wish to figure out and comprehend the classifications of governments. I explore the classifications of governments in respect to the governmental concept. It is important to figure out the foundation of a government and some different approaches about governmental models. That provides us the opportunity to elevate the matter of government, relying on stable reasons.

Moreover, I focus on the characters, the advantages and the disadvantages of the parliamentary regime as well as the presidential system. I point out the essential common elements of both systems while I concentrate on some skeptical matters about them.

1.1. Classification of Governments

I try to focus on types of governments and try different approaches for models of governments in order to figure out and shape and determine the presidentialism and the parliamentarism, associating my research in this thesis for the best and the reasonable governmental model in Turkey.

Unfortunately, in the Turkish textbooks, the criteria of models and separations of classifications of governmental types are not obvious, sufficient, and clear to add more data to my study and search about the present thesis, presidentialism versus parliamentarism. That is why I think it is useful and meaningful to dedicate the first part of my study to divisions and models of different governmental types with distinct parameters.

However, it should be remembered that to classify government models is relative, for it is not certain and too firm. In my opinion, it is easy and functional to classify governmental models relying on four different general approaches in order to study and research distinct dimensions of government, the political systems and the institutions.

The first type of government is determined according to separation of power, establishment and formation of government, which is presidentialism and parliamentary. Presidentialism, compared to the parliamentary system is defined as a firm separation of power, while the parliamentary system is accepted as the light separation of power.

Since the legislature and the executive power in presidentialism has distinct, firm, certain and clear responsibilities and authorities, the power has been distinguished and more independent, contrasting parliamentary system, where government is formed and consisted from national assembly or houses of commons in the countries having bicameral houses.

Second type of government may be done according to republics and monarchies. Although today, in current political arena monarchial power is symbolic, it still has significant ground in state forms. Today there are many republic states but not exactly contemporary democratic like China and many third world states while there are monarchial states but democratic like Belgium, Holland and the U.K.

The third model of government may be done according to unitary and federal government. Especially as the unitarian national state, the topic of federal system is a hot-potato in Turkey! Unfortunately, there are not deep scientific studies over the federal system in Turkey.

Finally it is more functional and pure to make a general approach for the rest of governments under the separation of democratic and non-democratic governments. I want to shortly touch those classifications of governments. In my

opinion, for getting great and brilliant results for system of presidentialism and parliamentary, I need to clarify those separations and classifications of governments.

I think it is meaningful, rational and functional to see definitions and distinct approaches for structures and models of governments in order to focus and distinguish the topic of my thesis, presidentialism versus parliamentary considering the political circumstances in Turkey!

1.1.1. Political Systems by Distribution of Power: Presidentialism and Parliamentarism

Power is crucial criteria in political science. The source and the distribution of power are determined according to the types of governments. Government models with regard to power may be classified in two types; first one is unity of power, the second one is separation of power which also is distinguished as soft or strict separation of powers.

In the form of unity of power, executive and legislature is held by the parliament. Assembly has two functions both executives and legislature. On the other hand, in the separation of power, there are strict and firm divisions of power such as presidentialism and soft, light separation of power, that is to say, parliamentarism in which most world types of governments have.

In presidential system, one person is both head of the state and head of the government, while in a parliamentary regime the head of government is elected by the assembly, not directly by the vote of the citizens⁴. If the outcome of elections for the assembly does not determine the head of government and government loose several times due to votes of no confidence, we can say that it is an assembly

⁴ Mayer 52-53.

dominated system. On the other hand, any parties have the sufficient members to establish a government after the outcome of elections we call it a cabinet system.

1.1.2. The Form of State: Republic and Monarchy

For the form of state, I will focus on two systems, monarchy and republic. In fact, in political science and doctrines, there are many different definitions, classifications and different points of view for some basic issues such as democracy and government. Therefore, when it is being approached and evaluated a political system, we need to be sensitive and careful in order to choose and use terminology and concepts of the political institutions.

Monarchy is a system where there is an individual rule as a head of state. He often stays lifelong or until abdication. Currently 44 nations in the world have monarchs as heads of states, 16 of which are Commonwealth realms that recognize Elizabeth II of the United Kingdom as the head of the state.

There are absolute monarchy and constitutional monarchy. In an absolute monarchy, the monarch rules as an autocrat, having absolute power over the state and government, for example, the right to rule by decree, promulgates laws, and imposes punishments. Absolute monarchies are not necessarily authoritarians. As Aristotle points out, monarchy is a good system if it uses its power in the name and favor of the public.

The second type of monarchy is constitutional, that is, the monarch is largely a ceremonial figurehead and subject to a constitution. Sovereignty remains formal and is carried out in the name of the Crown but politically rests with the people (electoral), as represented by the parliament or other legislature. Table 1.1. shows that the constitutional monarchs in the 20th century have spread over and absolute

monarchies had been forced to transform as symbolic monarchies in rest of the world following the democratic trend of the Europe! ⁵

Table 1.1.

Nation	Head of Government	Head of State
Brazil	President	President
Canada	Prime Minister	Governor-General
France	Prime Minister and	President
Germany	Chancellor	President
India	Prime Minister	President
Ireland	Prime Minister	President
Israel	Prime Minister	President
Italy	Prime Minister	President
Japan	Prime Minister	Monarch
Portugal	Prime Minister and	President
Russia	President	President
Spain	Prime Minister	Monarch
Sweden	Prime Minister	Monarch
UK	Prime Minister	Monarch
USA	President	President

Constitutional monarchs have little real political power and are constituted by tradition and precedent, popular opinion, or by legal codes or status. They serve as symbols of continuity of the state and carry out largely ceremonial functions. Still, many constitutional monarchs retain certain privileges (inviolability, sovereign immunity, an official residence) and powers (to grant pardons, to appoint titles of nobility). Additionally, some monarchs retain reserve powers, such as to dismiss a prime minister, refuse to dissolve parliament, or withhold Royal Assent to legislation, effectively vetoing it.

⁵ Mayer, C. Lawrence, Burnett, H. John, Ogden, Suzanne, “*Comparative Politics: Nation and Theories in a Changing World*”, (New Jersey: Prentice Hall 1996) 47.

Any republic is not necessarily "good" or "democratic." Today almost all countries in the world are republics. Most of the remaining monarchies are figurehead constitutional monarchies such as those of northwestern Europe—Great Britain, Norway, Sweden, Denmark, Holland, and Belgium. Most of them don't see any reason to change. Australia, accepting Queen Elizabeth as its monarch in 1999 voted 45-55 percent against becoming a republic.

The traditional monarchies are being still found in the Arab world—Morocco, Saudia Arabia, Jordan, Kuwait—are probably doomed unless they turn themselves into limited constitutional monarchies. In the recent decades failure to do so has led to the overthrow of traditional monarchies and their replacement by revolutionary regimes in Egypt, Iraq, Libya, Ethiopia, and Iran.⁶

1.1.3. Federalist and Unitarian Government

In the world's political systems, both federal and unitarian systems could be seen in parliamentary regimes, while federal system is associated with presidentialism of the United States of America. A government is unitary when a power of government is concentrated in a single central government, with legal omnipotence over all territory within the state.

Local governments may and usually do exist, but they are out products of the central government and act as its administrative agents. Most of the national states of the world have a unitary form of government. I think the sensitivity to preserve sovereignty and central hegemony of power is significant elements for Unitarian states.

⁶ Wikipedia, the free encyclopedia, Monarchy, <<http://en.wikipedia.org/wiki/Monarch>>,(29 June 2008)

A government is federal if political authority is divided between self governing parts and the central whole, each operating and working within its sphere of action as defined in the fundamental law.⁷ Although the idea of federalism is old, the adoption of American Constitutional Convention of 1787 gave impetus to extensive adoptions of the plan by modern states such as Canada, Australia, Mexico, Brazil, and Switzerland.

The great advantage of federalism, compared to the Unitarian states with regard to the relationship of the parliamentary regime and the presidential regime, is that the federal governments are more democratic and transparent and also accountable and participative. The federal system has more ground for freedom for its citizens and allows wide geography and crowded population be represented and determine their voices and wills.

The Ottoman State existed almost for 600 years and there was great contribution of the federalism, allowing the Ottoman State live long by allocating and providing every different ethnic population, the exercise of their religions and cultures their freedom of education, religion, language and commerce.

By means of federalism, the non-Muslims had administrative representatives and had rights of education and freedom of judiciary according to their sacred principles. That is why there were harmony and tolerance and peace in multicultural, multinational, and multireligious society during sovereignty of the Ottoman States in the three continents.

Federalist structure of the U.S. is not fundamental and necessary for the presidentialism, but it has significant elements for the success of its presidential system. At the beginning of the Independent War, there were thirteen famous colonies, belonging to the United Kingdom in the north continent of the America. Federalism was attractive for them in order to come together.

⁷ Ferguson H. John, McHenry E. Dean, "*Elements of American Government*", (New York: McGraw-Hill Book Company, 1950)7-8.

After the Independence War, those colonies felt and understood that they had to come together and be unified with confederation. However, later on, it was seen that they needed a stronger national structure against any common threats. That is why they forced themselves to come together for unification under a federalist structure.⁸

1.1.4. Democratic and Non-Democratic Governments

Contemporary democratic systems are governed by people for the people on the base of rule of the law. On other hand, the non-democratic systems are based on the arbitrary power and interests even against the public. Democratic governments are legitimate and serve in the name of public and in favor of public interests, while the other despotic and authoritarian governments rule the state or country in favor of their interests and benefits instead of that of the public.

In a real contemporary and modern democracy, there are legitimate oppositions as varying kinds of parties, carrying different colorful political parties and there are regular fair elections in certain periods. That is the essential characters of contemporary and modern democracies.

While comparing the democratic regimes, we can say that the authoritarian regimes may be dictatorship or bureaucratic authoritarianism. Dictatorship also separates ordinary and populist dictatorship. The ordinary dictators have power on the sake of their interests through a monopoly control of the means of coercion. Populist dictators persuade society to subordinate them by means of ideology and the fear of being attacked by other powers. In the bureaucratic authoritarianism, the

⁸ Ferguson, 9-11.

discretion of the political leader is constrained by development of an autonomous public bureaucracy and/or military forces.⁹

According to J. Stuart Mill, a non-democratic government may rule country aiming at the development of the nation or subjects.¹⁰ In other words, monarchial, aristocratic forms of governments may be good ones but not democratic and legitimate. Let us say, if one person rules state and uses power for the public relief and security, this government, though it is a monarchial system, it is a good despotic system.

On the contrary, if a person has got a dominant power in his hands and abuses his power relying on his superiority and hegemony, this government is a bad despotic power. If groups of people rule country on behalf of all, it is aristocracy that is a good system. However, if a group of people rules for their own benefits, the government becomes oligarchy, and that is a bad type of rule.

According to J. Stuart Mill, neither of the democratic governments is perfect. Whereas if all people have voices and are represented, if the suffrage is extensive and not restricted and influence the government and act for justice, security and the prosperity of the government, it is the best democratic government.¹¹

Probably, what he had imagined with a representative government was a kind of a society based on virtues of civilization that all prefer security and prosperity for others as well. The community shares and helps each others and prefers others to be in a good position as he and she is in.

⁹ Kopstein, Jeffrey, Linchbach, Mark (Eds.), *“Comparative Politics: Interests, Identities and Institutions in a Changing Global Order”*, (Cambridge: Cambridge University Press 2002) 198-202.

¹⁰ Mill, J. Stuart, *“Considerations on Representative Government”*, (New York: Forum Books Inc. 1958) 39.

¹¹ Mill, 107-111.

1.2. Characters of Presidentialism

Well known main characters of presidentialism are one head of state instead of two heads in the executive branch. The fixed tenure of government and firm separation of power between three fundamental organs of state distinguish the parliamentary government from the presidential system.

However it should not be ignored that there are also secondary elements of presidential system depending on the main characters of the system. Those secondary elements are not basic functions of the presidential system but they have very important contributions for life of the system.

1.2.1. One Head of State and Government

One of the pure and fundamental characters of presidentialism is that both head of state and head of government is one person who is the president.¹² In democratic sense, it has been built in the United States of America. Before the declaration of presidential system, the United States of America was colonized by the United Kingdom. However, after levying of high taxes, the colonial states made revolution and war began against the United Kingdom. Actually, this caused presidentialism to be born on the world political arena even though nobody thought it.

After the success of the Independent War against the United Kingdom, there was an adventure and a story of the U.S. from confederation to the federalism. That was the new emergence of the national United States of America as a natural example of presidency. Today, as a leading head in the political science, the U.S. is a successful example of the presidentialism in the world.

¹² Sartori, Giovanni, "*Comparative Constitutional Engineering*", (New York: New York University Press, 1994) 84-85.

Historically, the U.S.'s political development and perfection is made in favor of the presidentialism. It was reasonable for the U.S. and a historical reality to prefer and establish a presidential system as an alternative of Westminster model of parliamentarism.

Actually the best and the clear emphasis on the character of presidential system is that, presidentialism has one head instead of two heads system of constitutional monarchy and republican states. What must be paid most attention and must always be focused on is that presidential system is a system, based on a head that comes to power by means of election. Thus it is very strong over bureaucracy and military. Next, coming in further places, I will point out and give details about the advantages and disadvantages of presidentialism, which has one head in its political system.

1.2.2. Fixed Tenure of Government

In the presidential system, the head of the government and the head of the state that is the president, comes to power by fixed, certain and limited tenure. During fixed tenure of power, the legislature can not dissolve the president and the president can not dissolve the legislature. Since there is no vote of no confidence, it allows government to be last long and to have stable program for implication.¹³

Government has opportunity to maintain policies for long time without fear of dissolution in order to progress. In my opinion, one of the best character, opportunity and allocation for the presidential system is that the tenure of the president as head of government, state and assembly is fixed, limited and clear.

¹³ Tosun, G. Erdoğan, Tosun, Tanju, "Türkiyenin Siyasal İstikrar Arayışı: Başkanlık ve Yarı Başkanlık Sistemleri"(İstanbul: Alfa Yayın, 1999) 83-85.

Compared presidentialism, there is not a fixed tenure of government. It is always possible to dissolve government while the government may also have power in order to dissolve the assembly. The weapon of dissolution is important barrier, obstacle and threat for government and assembly for acting bravely and to have free speeches and successful long life program for future.

The sword of dissolution is a kind of sword of Damocles over strong and stable government to work with trusted and forehead programs. The perils of use of dissolution may damage and be fear for both of the assembly and the government.

1.2.3. Firm Separation of Power

One of the main distinct characters of the presidential system is that it is established on the firm and strict separation of power. Since government is not derived of assembly, it can not give proposals and not attend directly the assembly in order to enact proposals.

Moreover, assembly is not dominated by cabinet since the government can not be found in the assembly. Especially, during the voting of the government budget, the congress has great and brilliant power and authority to shape and affect the government. It shows that although there is a great strict separation of power in presidential system compared to the parliamentary regime, the government and the congress also may find consensus and mainstream way to be close to each others and maintain the state.

Both the president and the congress have equal authority of power in sense of legitimacy due to attaining power by means of election. On the other hand, in a parliamentary system, the government is derived of parliament and as well as the members. The cabinet has great efficiency and orientation and dominant hegemony or power over the assembly or house of the commons since it has the majority party members of PM'S.

1.3 Advantages of Presidentialism

After mentioning the main and the distinct characters of the presidential system, I want to focus on and show how a presidential system has positive advantages and functional priorities in the sense of political activities.

What I have already done was to show some fundamental elements of presidential system. On the other hand, to analyze those characters in regards to the advantages and the disadvantages of the political system, it is important and necessary to compare and contrast them with the parliamentary system.

First of all, it is clear that one of the advantages of presidential systems is a strong and stable government. If we look at the presidential system in the United States, it is obvious that the system provides a long and stable government. However, is a successful implication of presidential system of the U.S., possible to allocate stable and strong system for other countries, too? On the further parts of my papers I will point out and try to answer this question.

Second important advantage of the presidential system is a limited government. What I mean by limited government is that the power is distributed according to the principle of separation of power. This separation of power is philosophical mentality of the presidential system for the founders of the United States, since they would have known the emperors and their abuse of power that held the power and authority in one hand.

The third crucial and significant character of presidential system is that it addresses the wide and the colorful identities and provides consensus. In the presidential system, there is not a coalitional government, so any candidate president should gain votes of majority in order to come to office of presidency. That is why

candidates should be close and address more and more voters in order to gain the competition in the election. However, it does not mean that there is a representative government.

In the U.S., electoral system is first past post. By means of first past post, there are two party systems. Since there is a two party system, minority is obliged to prefer one of strong parties instead of minority parties which have no other alternatives than to loose due to the electoral system.

Thus, in sense of minority groups, there are no representative parties for them but parties have to address more population consisting of minorities groups in order to be successful in the two-party system. That is what I mean by consensus and address of wide identities.

Fourth character of the presidential system is the direct identification of the president. Voters know whom to prefer and chose and which candidate is the possible president for the White House. However, in the parliamentary system, there are many possibilities. In the parliamentary regime it is like a puzzle to know who will be a prime minister due to a coalitional government.

Another important character of presidentialism is that it also brings accountability. Instead of the parliamentarism by means of coalition and two heads, it is easy for publics to ask the accounts of political responsibilities due to specific personality of the president.

Finally, direct election of the president is a significant character of presidential system in sense of democracy. Electors have right and opportunity to determine directly the candidate presidents. Thus, the president is responsible directly to citizens and the legitimacy of president comes from citizens. The assembly is not source and legitimacy of president and can not dissolve the president since citizens directly elect him or her.

1.4. Disadvantages of Presidentialism

In the presidential system, like in the parliamentarism, there are disadvantages of the system as well as advantages and positive sides. In this part I try to summarize and point out some basic disadvantages of the presidential system.

Although those disadvantages are not definite, and they are sometimes relative, those interpretations and outlooks should be considered for comparing both sides of the medallion concerning presidential system.

1.4.1. A Zero Sum Game

One of the disadvantages of presidentialism is a zero sum game. According to Juan Linz, when president gains, he would see himself as the representative of the majority and accepts every political activities as legitimate.¹⁴

There is an independent way of election by the population for the authority of president. It is a threat and a risk and may lead the president to do anything as if legitimate. President may turn embodiment of legitimate authority of the citizens. Minority would be a shadow of political activities in the presidential system.

There is not a possibility of new president due to the fixed tenure of the authority of the president. For oppositional groups, if they are not in favor of and are not appreciating the presidency, the revolution and intervention seems a threat for the political institutions. Strong hegemony and authority of the president may provoke those oppositional groups.

¹⁴ Juan Linz, "Başkanlık Sisteminin Tehlikeleri", çev. Ergun Özbudun), (der.) Lary Diamond , Marc F. Platner, **Demokrasinin Küresel Yükselişi**,(Ankara: Yetkin Yayınları, 1995), s.145.

With zero sum game, the Congress can not intervene in the political program of the president. The authority of the President is free of the congress. The president is not derived of the Congress and would not feel responsibility toward the Congress since it is not the source of the legitimacy for the presidential office.

According to Seymour Martin Lipset, president may see presidency as the center of the political power. He may alienate the demands of the electors who are minority and non-supporters of the presidential program. Thus, the demands of those non-supporters may not be considered by the president. It means that the rest of the population who are not in favor of the president will loose and the supporters of the president will gain all.¹⁵

1.4.2. Two Legitimate Organs: Cause of Polarization

In the president system, there is a peril of the gridlock. According to Huntington, taking into consideration the conditions of the United States in the 18th century, founder fathers made a kind of a copy of many institutions of the Westminster parliamentary model of the United Kingdom.¹⁶ The presidency may work through consensus and cooperation. Legislature and executive should cooperate and balance each others.

However, according to Juan Linz, since both organs, the legislature and the executive, come to authority with legitimacy of democratic election by citizens, it means that both claims be legitimate and cause chaos and struggle between

¹⁵ Seymour, Martin Lipset, “Siyasal Kültürün Merkezliği”, **Bülten**, Türk Demokrasi Vakfı Yayını, S.9, Nisan 1991, s.52

¹⁶ Huntington, Samuel “*Political Order in Changing Societies*” (New Haven and London: Yale University Press,1968.) 96-98.

themselves. Linz claims that it prepares a situation of chaos and uncertainty for the legitimacy.¹⁷

In my opinion, it is not a persuasive claim because both organs are not doing the same duties. Since their functions are different, it is very reasonable and democratic to be elected and legitimated by citizens. That is the source of all kinds of the legitimacy for all authorities. No authority may exist and derive without the consent and legitimacy of the citizens.

Congress is the sole authority of the legislature. The party discipline in the presidential system of the United States is not strict. Because the free liberal party solidarity and loyalty is weak, the PM's may not give support to some proposals that government needs. According to Nelson Polsby, we can understand how there is gridlock of the system between the Congress and the President by means of acceptance or rejection of the presidential proposals.¹⁸

If countries have weak disciplines, it is possible that they go gridlock of the system. Since the president is a sole and an ultimate and a constitutional authority, the Congress can not directly execute and intervene to the executives. In case of a president is not successful, there is nothing that Congress can do.¹⁹

According to Lijphart, there are not necessary and obligatory reasons for the president to cooperate and take support of the opposition. The constitution defines, accepts and promotes the president with a super power and a sole executive power. Thus, for Lijphart, it is a danger and it leads the president to act solely. Therefore, in this system there is not any mechanism of accountability. The accountability of the president is weak and nothing else may be done.²⁰

¹⁷ Linz Juan J. "Virtues of Paliamentarism", *Journal of Democracy*, vol:1, no:4:84-91.

¹⁸ Polsby Nelson W. "Congress and Presidency" (New Jersey: Prentice Hall,1986) 188.

¹⁹ Turhan, Mehmet, "Parlamerter Sistem mi Yoksa Başkanlık Sistemi mi?", **Mülkiyeler Birliđi Dergisi**, Mayıs-Haziran 1995,S:179-180. C:XIX, s.81.

²⁰ Arend Lijphart, *Parliamentary versus Presidential Government*" (Oxford: Oxford University Press, 1992) 38-41.

On the other hand, David Horowitz disagrees that the presidential system is a kind of a gridlock system. For Horowitz, the traditional system of presidentialism shows that the state organs work and mutually maintain cooperation in harmony. The limit of the authority for the state organs is determined and drawn by constitution. That is the guarantee that the system will work.²¹

Although some claim that these characters of the presidential system may cause polarization, the spirit and the mentality of the presidential system necessitates that these two constitutional organs should be untouched to each others. That is the philosophy of the presidential system.

1.4.3. The Threat of Abuse of Power: A Despotic Government

All the arguments about the presidential system in Turkey are generally based on the abuse of power and despotic president. What they show as examples, are the presidential models of Latin America. In the section of the Turkish Politics in regard to the parliamentary regime and presidentialism, I will focus on the Turkish Scholar arguments. Now it is suitable to summarize the world political scientists with regard to the situation of the despotic transformation of the presidential system.

According to Duverger, if the democratic system is not perfect and has serious shortcomings, it is too dangerous to have presidential system. In these circumstances, the president may make demagoguery and act omnipotently with sole authority, which we unfortunately see in the Latin and the African presidential systems. Duverger claims that strong and well developed democracy is obligatory for a presidential system.²²

²¹ Horowitz David, "Demokratik Sistemleri Karşılaştırmak", çev. Ergun Özbudun), (der.) Lary Diamond , Marc F. Platner, **Demokrasinin Küresel Yükselişi**,(Ankara: Yetkin Yayınları, 1995),162-164.

²² Duverger, Maurice, "*Siyasal Partiler*", (İstanbul: Bilgi Yayınevi, 1974) 58-59.

Unfortunately, instead of having a research and an understanding on the models of a presidential system, some scholars only try to make arguments of fear and pressure to prevent the presidential system be freely spoken about. In this thesis, what I emphasize and focus on and support, definitely the presidential system of the United States. Thus, no one may claim that the presidential system of the United States is despotic and authoritative.

Today in the contemporary world, the presidential system of the United States is one of the best systems that guarantee the human rights and the minority rights. Political system in the United States is accepted and defined as a center of freedom for all ethnical, religious, and cultural identities.

What I say in this thesis is for the domestic political institutions of the United States. The foreign affairs of the United States of America are not my matter to be deal with! The foreign policy of the U.S. is not parallel with domestic rules and order of it.

According to Scott Mainwaring there are 31 democracies that work for the last 25 years until 1992. Those democratic regimes of 24 are in the parliamentary regimes: 4 of them are presidential regimes and three of them are semi-presidentialism.

Scott Mainwaring claims that the presidential system is very open and attractive for despotic governments and that is why there are many coups in Latin America. As a result of coups and revolutions, despotic regimes would grow and dominate the public and the political life.²³

Like Mainwaring, Arend Lijphart points out that compared to the parliamentary regime, in the presidential system there is not a trend and a tendency to work and consult the Congress. Moreover, this leads the president to be more

²³ Mainwaring, Scott, "Presidentialism, Multipartyism and Democracy: The Difficult Combination", *Comparative Political Studies*, vol:26, no:2: 202-205.

strict and firm in political issues. However, in a parliamentary regime, political issues are more softer and flexible approaches.²⁴

1.5. Characteristics of the Parliamentary Regime

In this part of my study, I try to summarize the main elements and characters of the parliamentary regime with regard to all common implications in the contemporary political world.

The fundamental elements of the parliamentary regimes are two heads of executive. Formation of cabinet from inside of parliamentary is another important element of the parliamentary regime. Finally, light, soft separation of power, existence of referendum, check and balance distinguish the parliamentary system from the presidential system.²⁵

According to Douglas Verney, there is a process and some phases of the emergence and development of the parliamentarism. It may be said that at the beginning of the politics, monarchs were absolute authority and in the second phase, there were privileged or elite consultants who limited the authority of the king or the monarch.

Verney claims that finally the assembly grows and strengthens and thus the defeated monarch becomes the source and representative of authority and legitimate power in the name of the public!²⁶ And this struggle of power results in favor of the assembly.

²⁴ Lijphart, Arend, "*Presidentialism and Majoritarian Democracy: Theoretical Observations*", (San Diego: University of California, 1989.) 2.

²⁵ Onar, Erdal *Türkiyede Başkanlık ve Yarı Başkanlık Sistemine Geçilmesi Düşünülmeli midir? Başkanlık Sistemi*, Teoman Ergül (Ankara: Şen Matbaa 2005) 73-78.

Leon Epstein emphasizes that the unique attitudes of the parliamentary regime are that the government is derived and based on the assembly. It is the result of the historical development of the parliamentary regime in the United Kingdom. The government is not responsible to king or queen or president, but only to the assembly. In fact, that is the mentality of the parliamentary regime.

In my opinion, it may be said that if there is a challenge, war of power and authority between the monarch and the parliamentary, the existence of the monarch and the privilege of dynasty of monarch is nonsense even the monarch is currently symbolic and has weak power. Therefore, lack of a monarch and to solve two head problems by a presidential system is more democratic and reasonable.

1.5.1. Two Heads Of Executive

First of all I want to focus on the fundamental characters of the parliamentary regime. In the parliamentary system there are two heads of the executive. The head of the state may be a monarch or a president elected by the assembly while the head of the government should be a member of the assembly.

The head of the government is determined after the general elections by establishing an assembly. People do not vote and determine the president. First of all, an assembly is being determined and the president is derived and elected by the assembly.

It is traditional that the president of state gives authority to most successful party leader after the elections. In the parliamentary regime, the power of president is being assumed and expected to be symbolic, however sometimes it may be different and may cause problems which later I will explore.

²⁶ Verney, Douglas V. "The Analysis of Political System" (London: Routledge&Kegan Paul Ltd. 1959.) 19.

In the parliamentary regime, the president does not have a political responsibility. According to the principle of counter-signature, the responsibilities belong to the government. Indeed, this is firmly and seriously criticized. If you have an authority and you are legitimate, and if you use that legitimate power as well, why and how the government may be held guilty and responsible.

I think that to be politically irresponsible by means of the counter-signature principle, is due to the ruin of the hegemony of a monarch and a privileged dynasty. The president is not innocent and angel. Certainly, like all individuals, he has weak emotions and it is probable that he may make some mistakes, then why is he to be shown and accepted like a sacred authoritative power?

1.5.2. Formation of Cabinet From Inside of Parliamentary

In the parliamentary regime the cabinet is derived inside of the parliament. There is an important relationship of cabinet and parliament in regard to political authority. The president of the state gives authority to the party leader who takes most votes in the election to establish the cabinet.

In the parliamentary regime, cabinet comes to power by the approval of the assembly. Therefore, the legal and the legitimate source of power of the cabinet and government is the assembly.²⁷

However, in the presidential system, the president is directly determined and given office at the White House as the result of the elections. In the parliamentary regime, the members of the cabinet are coming from inside of the assembly and sometimes they may come outside of the assembly.

²⁷ Schmitt, Carl, "Parlamentar Demokrasinin Krizi", (Çev.) Ergun Özbudun, (Ankara:Dost Kitabevi 2006) 42.

On the other hand, the cabinet members can not be members of the assembly in the presidential system. If they are members of the Congress, they have to resign to be able to work in the cabinet. The Cabinet members or secretaries of the president are not being approved by the assembly; they are directly determined by the president. This allows the president to have strong authority over them. Whenever he wants, he is able to dismiss the secretaries.

1.5.3. Weak Separation of Power

In the parliamentary regime, there is a light and a weak separation of power. It means that there is a close independency and a relationship of the government and assembly since the government is derived from assembly and has to be based on the vote of confidence by the assembly. Thus, in the parliamentary regime, there is not a gridlock of the system; it is flexible to maintain the politics.²⁸

The executive brunch has a power over legislation and may intervene legislation. As well as legislation too has a power over the execution as a result of the light separation of power or fusion of power. Legislation has weapons of vote of no confidence and may take government down from power.

Moreover, government may enact proposals and may have hegemony over legislation by means of using and maintaining the party members in assembly. The government generally has a majority of members in the assembly and it is great opportunity to maintain these members in the course of enactment that government needs!

²⁸ Siaroff, Alan, "Comparative Presidencies: The Inadequacies of Presidential, semi-presidential and parliamentary distinction" **European Journal Of Political Research**, S:42 s.287-312 2003.

1.6. Advantages Of The Parliamentary Regime

As a first democratic model of government, the parliamentary regimes have advantages such as checking and balancing and a flexible structure and a unity of nation. Through check and balance, the parliamentary regime provides accountability and responsibility by means of vote of no confidence, referendum and vetoes.

Another important thing is a flexible structure that prevents any gridlock which may be possible in the presidential system. Finally, due to owning two heads, the parliamentary regime allows a president to represent and be a symbol of the national unity which is psychologically important contribution for a nation.

1.6.1. Check and Balance: Accountability and Responsibility

What I consider as advantages of the parliamentary regime in respect to check and balance are the vetoes and the use of vote of no confidence and the interpellation. By means of checking and balancing, the parliamentary regime has more democratic image and spirit of representation.

Government is not out of the control and checks in balance. The government has to answer and persuade the assembly about the political decisions, the activities and the programs. Otherwise it is always possible to be dismissed by the weapon of vote of no confidence like the sword of Damocles.

It is always important to follow and ask questions to the government. That is the advantage of the parliamentary regime. This allows the members of the parliament to check and balance the government politics in the favor of the public. If anything goes

wrong, the parliamentary regime cares and debates. Its result is beneficial for all of the society.²⁹

However, if a party system has a strict discipline and there are party group decisions and if a party leader model is dominant, unfortunately, it is just symbolic to use power of interpellation. As a result, a party member will use his thoughts, his demands in a way, determined and orientated by the party and the party leader will be the government.

1.6.2. Flexible System

By means of flexible system, neither the legislation power, nor the executive power will be radical and deviated. Both of these two organs secure the politics to go on the mainstream guide. If there is any gridlock situation, it is possible to take down the government and to establish a new alternative government.

On the other hand, the president may dissolve the assembly and decides that new elections should be held by offering this to the prime minister. Therefore, in order to get rid of the gridlock, it is a good advantage of the parliamentary regime, compared to the presidential system. In fact it is a good democratic advantage.

This flexible system may turn to unstable situation. With the flexible system, the parliamentary regime allows changes of the government but it damages stability and the reliability of the government. If the government was dismissed many times by means of the vote of no confidence, how the regime would maintain and preserve a stable political government?

²⁹ Duverger, 50-57.

That is actually the dilemma of the parliamentary regime that needs to be dealt with! It seems that many parliamentary regimes have two preferences: whether it would have a stable and strong government or more democratic government by concluding an unstable position for the political arena.

1.6.3. Unity of the Nation in the Personality of the President of the State

The president is the head of the state in the parliamentary regime. Also, He is an icon that represents the common values and the national unity. After the victory of the House of Common in the parliamentary regime, the monarch became just a symbolic and weak figure.

After the 17th century, it became traditional that all offers and proposal were signed and passed by the monarch. Therefore, the political authority of the president was lost and became symbolic. Whatever monarch or a head or a president make, is only rituals in the United Kingdom. However, today in the contemporary world, all the parliamentary regimes are not like British Westminster System.

In the 20th century, there has been a strong head of the state like in France. It is a deviation of the parliamentary regime. This is not suitable for the common traditional parliamentary regime. That is why it is called a semi-presidential system since it resembles the presidential system as well as carrying some parliamentary roots of the Westminster regime of United Kingdom.

Moreover, many heads of the states are elected from the assembly. Sometimes they are from the party leaders and sometimes from the prime ministers. If they are elected and derived of the assembly, how they could be seen as impartial and irresponsible? I think that expectation that they are impartial and represent all kinds of distinct ideas and political views is not a realistic and a reasonable approach. How

those persons, coming from parties and prime ministers that have got their private and political views and ideologies, can be alienated?

It seems that the head of the state resembles and replaces the mediaeval high religious authority of Christianity and accepts irresponsibility. They figure out that they are free of the partiality and the high representation of the all the public. It is such an extreme and a difficult thing to be valid for human beings.

It may be said that they are out of the daily political activities, but they still have many crucial authorities which lead them to prefer something. Actually, to prefer and to decide something proves that they are not impartial. They have authority of the veto or transfer bills for referendum. The will and the authority of preference show that they have to use their will according to some criteria which can not be independence of the political and the social activities.

1.7. Disadvantages of Parliamentarism

Although the parliamentary regimes are dominant in the democratic states, there are many questions and criticisms towards the parliamentary regimes. In the European history, especially in the United Kingdom's history, the parliamentary regime was successful against the despotism and the omnipotent monarchs.

The parliamentary regime has very important contributions to democracy. However, there are some disadvantages of the parliamentary regimes. First of all, there are two heads in the parliamentary system. These are fundamental and most important shortcomings of the parliamentary regimes. Two authorities and two powers in the parliamentary regimes may cause a collapse.³⁰

³⁰ Schmitt, 45.

Although in the parliamentary regime of the United Kingdom the Monarch is not given an important power and political activities, the parliamentary regime is still open to many threats in the rest of the most parliamentary regimes. Many parliamentary regimes have been given functional authority and power to both the head of the state and the head of the government. It seems that the nature of using the will with regard to the authority of power may bring both heads face to face and cause them to challenge each others.

If you give authority and power to someone, it is natural that they will use it. If both of them try to use it, it is possible that there may be different views and preferences. Moreover, those different preferences and views may challenge and cause the system be damaged. I think there is no need to have two heads. One head is reasonable and that allows the system to be stable and strong.

Another important disadvantages and shortcomings of the parliamentary regime is that there is a separation of power but it is not an open, clear and serious and strict like the presidential system of the United States. This is a second important deficiency for the parliamentary regimes. The relationship of government and legislature are interdependent form each other in the parliamentary regime by means of the fusion of power. The system is sensitive to the abuses of politics.

In the fusion of power, there are two possibilities in the course of establishment of the government. The first situation is that there may be a party taking majority of the votes. If a party gains with high majority of the votes in the elections, it is easy to establish a cabinet. In the parliamentary regime, the cabinet is established within assembly by the party leaders, who won the elections.

Therefore, the leader party who establishes the cabinet will be a dominant power in the assembly since it has a party in the assembly. This party is the first party in the assembly because it gains majority of votes. In such a situation, in the parliamentary regime, the prime minister may be very strong.

Some political scientists claim that in regard to this position, the prime minister has stronger authority than the president. The president in the presidential system only controls government and is independent from the Congress. The cabinet in the presidential system is not derived from the Congress and so the president's authority over the parliament is weak.

However in the parliamentary regime, since prime minister and cabinet are derived of the assembly, he has a great dominant authority over the assembly. He maintains and makes any politics as a result of present supports of his dominant party in the assembly.

Second position of the parliamentary regime in regard to its disadvantages is that the cabinet may consist of a coalitional structure. In the parliamentary regimes, if the party systems and the electoral systems allow many small parties to enter assembly, it is necessary for weak parties to come together in order to establish the government, that is a coalitional government. If a coalitional government has sufficient supports of the members from its base and from the party, it may last long. However, if the support comes from the different party members out of the coalitional parties, it is possible to be dismissed. The other PM's may draw their support back and dismiss the coalitional government.

In the coalitional government, it is difficult to perform and compromise political program if the philosophies of the parties are distant to each other. On the other hand, if the party spectrum of ideologies is close to each other, it is probably that there will be more stable and good cooperation. It should be remembered that in the politics, it is difficult even for the close party ideologies to compromise, because the interests and the party members may challenge with each others. That is why the life of coalitional government is short.

2. THE PRESIDENTIAL SYSTEM OF THE UNITED STATES OF AMERICA AND THE PARLIAMENTARY REGIME OF THE UNITED KINGDOM

In the second chapter, I will give two models and cases of the presidential system and the parliamentary regime by comparing and contrasting the United States of America and the United Kingdom. I have preferred and chosen them because both of them are associated with presidential and parliamentary systems. Both states are also accepted as the current modern founders of their government models. Therefore, they have developed their government regimes and have been successful in the world political system.

I show how the parliamentary regime and the presidential system are being applied and work in practice of real politics by examples of the United States and the United Kingdom. We have to comprehend both the parliamentary regime and the presidential system with regard to the real political institutions. We may compare them by figuring out the relationship of the political institutions.

2.1. The Presidential System of the United States

In the contemporary world politics today, the United States comprises a distinctive people and political system. Founded in a revolution against despotic government and unjust taxation, both American identity and the fabled 'American Dream' remain linked to the political values that originally formed the Declaration of Independence (1776) and the US Constitution (1787). These values - commonly referred to as the 'American Creed or Belief' - contribute to a political culture that is anti-authoritarian and suspicious of government (the federal/national government in particular) and of politicians in general.

That is the reason why political values are associated with the classical liberalism of the eighteenth century: individual liberty, equality before the law, free markets, constitutionalism, democracy and a respect for the 'common man' can not be separated from the identity of an American history. As a result, United States has had neither a pull between nationalism and ideology, nor a genuinely influential socialist, fascist, communist, Tory, Christian Democratic or Social Democratic tradition. On the other hand the profound conflict- regional, racial, ethnic, class based and religious- has existed during the American history, in large part deriving from the conflicting values within the Creed.

Americans often differ on how to apply those common values to day-to-day reality - so much so that American citizenship is defined by values rather than blood, language or race. Since there are different religions and segments of religions and distinct ethnics, it has led them to unity and live together with peace, relief and respect towards each others, instead of the superiority and the hegemony of certain classes.

But in a complex society, characterized by a remarkable social diversity and heterogeneity in religion, the values such as region, race, ethnicity and incomes, articulated in the Declaration and the Constitution continue to provide a common focus for national unity and, ultimately, a powerful source of political stability.

Those common values that unite the people of the United States point out the nation as different from those of the other democracies. Thus, considering the current American social and political position, we should know the emergence of the U.S. and its historical development and development of the political system, especially the institution of the presidency.

The United States originally began as a settlement of 13 colonies on the northeastern sea-board of America, and was a subject to the rule of the British crown. With exploration of the American Continent, most European powers began to come here. They came with different reasons. Some came for the rich lands, gold

and valuable lands of the new Continent. Some left the Europe due to the pressure of the Catholics and Despotic Monarchs.

This last group, including generally the Protestants were especially more oriented and intended and imagined to live in relief and in a peaceful society. They had the same eagerness to build the lands for the free men. That is way we see that the religion in social life of the U.S., compared to that of Europe, had a significant role. Those movements throughout the district necessitated the people to come and live together. This harmony and the difference of public colors and ideas made them more tolerant and respectful towards each others. Every different character, in sense of religion, ethnic groups, race and the other differences made them more peaceful and sincere towards each others.

Actually, it was not easy at the beginning. There were struggles and conflicts between the immigrants and inhabitants and between the north and the south people. However, in the end those different parts of the society joined together in harmony, dialogue and freedom. Everyone accepted, respected and tolerated each other. The hegemony and conflicts were ended on peaceful grounds by the free society of the United States.

Each colony had some amount of self-government and was mostly independent from the others. Until the late 1700's, the British political authority had relatively little effect on day-to-day life, but the passage of a series of acts to gain revenue for the British by taxing the colonists - to pay for war debts - prompted a popular American revolt under the banner of '***no taxation without representation***'. By 1776, the Second Continental Congress asked Thomas Jefferson to write the document that later became the second most famous and influential document in the American history: *the Declaration of Independence*.

The Declaration of Independence eloquently expressed the colonists' frustrations with seemingly arbitrary British rule and set out the Enlightenment ideals of the consent of the governed and their natural rights (including life, liberty and 'the pursuit of happiness'). Thereby, the Declaration provided rational legitimacy for the revolutionary War of Independence against the British.

For the best, a short introduction to American political thought is good to begin with the Declaration of Independence. After years of colonial debates, armed rebellions arose in several English colonies by July 1776. The Continental Congress that was formed as a result of this, formally accepted the Declaration on July 4 - subsequently having being celebrated as 'The Independence Day' - by a 12 to zero votes, with New York abstaining, which approved the measure with five days delay.

The document was drafted mostly by one of the founding fathers, Thomas Jefferson, who later claimed that he had been doing little more than expressing the 'common sense' of his age in affirming the existence of inalienable rights to life, liberty and the pursuit of happiness and the duty of the government to protect these rights:

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, liberty and the pursuit of Happiness. To secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."*³¹

³¹ Singh 7.

2.1.1. Confederation

After the independence, there had been a confederation which was offered in 1777 and was approved in 1781 amongst the 13 colonies in order to unite against any kinds of enemies and attacks since they were new states. According to the confederation, there would be a Congress of the members representing the states, coming together every year.

However, the confederation was not a sufficient ground and had not a power and authority of unification. That is why the federalists appeared and supported the federalism instead of the confederation. Confederation was necessary for strong unity of the colonies.

The con-federation's national government had no power either to impose taxes or regulate commerce among the individual states. With no tax-raising power it could neither pay war debts nor provide an adequate national defense.³² Such major problems rapidly became apparent and prompted the establishment of the Constitutional Convention of 1787 to devise another set of arrangements by which the states could be governed in a better way.

Besides, the small and the weak states did not welcome this offer because of the fear that the great power of states and the national authority in a federal structure may damage their conditions and they may use their privileges. Actually, it could be reasonable but later time showed that if there had not federation, those small colonies had also had dangerous threat for their future against possible attacks and occupation. Thus, they also had to accept the offer of the federalism instead of the confederation

³² Singh 27.

2.1.2. American Constitution

Due to disputes of borders between Virginia and Maryland in 1786, the members of five states came together for solution and decided to postpone a convention that would be held in 1787 in Philadelphia. The disputes of Virginia and Maryland showed that it was necessary to establish a central authority that is the government. Thus, with the great efforts of Madison, Hamilton, Franklin, and Washington, it was agreed to prepare a constitution.

On the 17th of September, 1787, the constitution of the U.S., written by the governor of New York, Morris was appointed and signed by 39 of the 55 members of the constituent assembly. In fact, this was a great victory of the federalists and later they persuaded the rest of the three states to accept the constitution. Exhibit 2.1. shows crucial cases in the history of the United States in order to comprehend the adventure of democracy and development of a new state.

The first Congress of Federalism was held in May 1789 and the members elected the first president, George Washington due to his high services and efforts during the Independence War of America against the United Kingdom. The first president of the U.S. originally comes from a military post.

Comparing world states, there are always trends of intervention and coups. The human nature, if not civilized and not educated enough, possibly tends to ruling others, gaining power and abusing power over the rest. An uneducated human character is very proud and aims at attaining high ranks. A man always desires power for himself and usually is not much considerate of other people.

That is why the constitution is one of the best ways in preventing such kinds of abuse of power and authority. Every task, every institution and all the organs of a state are being defined and drawn through a constitution. The constitution makes fragments of fundamental rights that legislature can not make.

Exhibit 2.1. Crucial events in the process of American democracy

British laws and taxes that led to the Declaration of Independence

1764	Sugar Act (Repealed by Parliament in 1766)
1765	Stamp Act (revised by Parliament in 1766)
1767	Townsend Duties (taxes on a range of imported goods, including tea)
1776	Declaration of Independence
1776-81	War of Independence
1781-87	Articles of Confederation

The Constitutional Convention

1787 (May)	Representatives convene in Philadelphia
1787 (July)	Virginia Plan is presented and ultimately rejected
1789	Constitution voted on and ratified by the individual states
1791	Bill of Rights ratified by the individual states

The democratizing of American government

1865-70	13th, 14th and 15th Amendments to the Constitution grant citizenship to the former male slaves
1920	19th Amendment grants all women the right to vote
1964-65	Civil rights legislation helps African Americans overcome local restrictions on voting in the South
1971	26th Amendment grants 18-year-olds the right to vote

Source: <http://www.infoplease.com/ipa/A0902416.html>

2.1.3. Federalism

The federalism in the United States is the system of government in which power is divided between a central government and the government of each state. It contains numerous rights and responsibilities of the state governments and the state officials in a federal government.

The federal government has certain *expressed powers* (also called *enumerated powers*), including the right to levy taxes, declare war, and regulate interstate and foreign commerce. In addition, the necessary and proper clauses give the federal government the *implied power* to pass any law "necessary and proper" for the execution of its expressed powers.

Powers that Constitution does not delegate to the federal government or forbid to the states are reserved to the people or the states. The power delegated to the federal government was significantly expanded by amendments to the Constitution following the Civil War, and by some later amendments-- as well as the

overall claim of the Civil War, that the states were legally subject to the final dictates of the federal government.

After this, the federal government has increased greatly in size and influence, both in terms of its influence on everyday life and relative to the state governments. There are several reasons for this, including the need to regulate businesses and industries that span state borders, attempts to secure civil rights, and the provision of social services. In federalism of the U.S., the states have small examples of the national central political institutions like Congress consisting of two chambers and governor like president.

Because of the lack of central authority and due to fear of attacks by European Super Power and also because of the great geographical lands of the American Continent, the federal state, that is the national state of the U.S. from the emergence of the country till present, always tend to grow and be powerful.³³

However the federalism was not the obstacle for the states to live and operate. Because the Senate is representing the states, the structure of the federalism is being preserved and welcomed. All states, consisting of the federal state of the United States have equal power in the House of Senate.

2.1.4. Check and Balance

Founding fathers established constitution revealed by famous European philosophers like Montesquieu and Locke.³⁴ They are especially affected by the ideas of the Montesquieu that, three powers of government -executive, legislative and judicial - should be separated among different branches of government.

³³ Kozak, C. David, Ciboski, N. Kenneth (Eds.), *"The American Presidency"*, (Chicago: Nelson-Hall Publishers 1987) 105-111.

³⁴ Cunliffe, Marcus, *"The Presidency"*, (U.S.: American Heritage Library 1987) 275.

Rather than implementing the type of clear and consistent separation favored by Montesquieu, however, they devised a series of 'checks and balances' so that no one branch of government could possess a monopoly over its particular power.

The result was a system that accords each fields of a government with the necessary power to prevent the other branches from absorbing more power, and that further checks the power of government as a whole.

Executive actions and laws must conform to the Constitution's provisions. The Constitution divides and balances powers among the legislative, executive and judicial branches: *legislative* power is assigned to Congress under Article I; *executive* power is delegated to the president under Article II; and *judicial* power, or the power to interpret laws, is entrusted to the Supreme Court under Article III. But each branch has only incomplete control of its particular governmental power, with the institution of 'checks and balances.

The Constitution restricts the power, authority and activities of the national government with regard to individual citizens through the Bill of Rights (the first ten amendments to the Constitution, ratified in 1791, that was approved four years later as of the constitution due to promise).

The power of the national government is limited by granting state governments their own legal and political power and authority by the terms of Article IV of the Constitution and the Tenth Amendment. Today the Constitution has patterned the structure of government and politics from 1787 to the present. It is great success and pride for the U.S. political system to have a constitution lasted over 200 years.

2.5. Roles of the President in the U.S. Political System

One of the easy and best things to figure out the power and authority of the President of the U.S. is to look at the Constitution. Article II of the Constitution

regulates and mentions most basic outlines of the power of the presidency. Besides, it is important to be noticed that in addition to this basic authority which constitution enumerates, the power of presidency has grown immensely as a result of statues and customs, the growth of government, America's role as global actor and its activist presidents.

Most of the political scientists call the American political system as generally presidential system although some of them claim that it is a kind of a juristocracy. According to the U.S. Constitution, there should be some qualifications of the Candidate President. He or she must be a natural born U.S. citizen. The second qualification is that he or she must be at least 35 years old. Finally, he or she must be a U.S. resident for at least 14 years.

TABLE 2.1. US presidents in the era of the modern presidency (post-1933)

President	Party	In Office	Reason for Leaving
Franklin D. Roosevelt	Democrat	1933-45	Died in office
Harry S. Truman	Democrat	1945-53	Decided not to run again
Dwight D. Eisenhower	Republican	1953-61	Completed two full terms
John F. Kennedy	Democrat	1961-63	Assassinated
Lyndon B. Johnson	Democrat	1963-69	Decided not to run again
Richard M. Nixon	Republican	1969-74	Resigned after scandal
Gerald Ford	Republican	1974-77	Defeated at election
Jimmy Carter	Democrat	1977-81	Defeated at election
Ronald Reagan	Republican	1981-89	Completed two full terms
George H.W. Bush	Republican	1989-93	Defeated at election
BIN Clinton	Democrat	1993-2001	Completed two full terms
George W. Bush	Republican	2001-	

SOURCE: <http://www.presidentsusa.net/presvplist.html>

The person having the greatest number of votes for being a president, shall be the President, in case this numbers are a majority of the whole numbers of the appointed electors; but there is not any candidate and then the three candidates, having the highest number of votes, will be immediately chosen by the House of Representatives by ballot. Table2.1 is significant to figure out which parties gained

the election. It gives significance clues for power of parties in the United States' politics.

Each state of the representation has one vote in choosing the president. In case of the removal of the president from the office or his death or resignation, the Vice President shall become a President.

The age for voting of the citizens in the U.S. is 18 years old. However in practice every state puts different requirements to be eligible. Some states require that one should not be illegitimate and should stay at least two years in the boundary of the regions or should have at least some properties and so on. There are not such as strict obstacles in the Turkish Democratic of the Parliamentary System. In fact, it is not easy to express, to advocate and to put many obstacles to prevent citizens to be eligible with regard to democracy. Exhibit 2.2. demonstrates the qualifications for the office of the presidency.

The most significant role of the authority that president has is about executive sphere of the day to day activities. By means on the executive power, the president individually represents monopoly of power in sense of executive branch, since there is not monarch and another partner of the state.

Bureaucracy and all appointments are done according to one hand authority of the will of President, which some interpret as more famous and authoritative than that of the King or the Monarchs. For appointment of the top officers, they should be approved by the Senate, too.

Exhibit 2.2. Qualifications for the office of the presidency

Under the US Constitution, a president must be:

- A natural-born US citizen.
- At least 35 years old.
- A US resident for at least 14 years.

Source: <http://www.presidentsusa.net/qualifications.html>

It shows that the constitution gives priority to the House of Senate, for the appointments instead of the House of Representatives since operations and duties of top offices are related to the states. Therefore, the House of Senate has a position, as important as that of the House of Representatives. Thus, this is a result of the separation of power, shaping fundamental philosophy of the United States.

President **as the executive of power**, holds his Office during the term of four years with a vice-president chosen for the same term.³⁵ John Locke anticipated the situations, where the executive power must act according to discretion for the public good without the prescription of the law and sometimes even against it. Table 2.2. points out the rate of the use of executive orders as powerful weapons

Actually, these ideas of John Locke became imagination and revelation of the frame of the presidential authority for federalists. Moreover, as executive power, the president is held primarily accountable for the ethics, loyalty, efficiency, frugality, and responsiveness to the public wishes of the two or three millions of Americans in the national administration.

Table 2.2. Average number of executive orders per year

President	Executive	President	Executive
Eisenhower I	66	Carter	80
Eisenhower II	55	Reagan I	53
Kennedy	71	Reagan II	42
Johnson	65	G.H.VV. Bush	40
Nixon I	62	Clinton I	49
Nixon II	59	Clinton II	41
Ford	72	G.W. Bush	55

Source: <http://www.archives.gov/federal-register/executive-orders/disposition.html>

President is the **head of government** as well as the **head of the state**. Both powers are held by the president in the name of the United States. Sometimes

³⁵ Woll 279.

presidents complain because of the burden of the ceremonial and ritual programs of the state. On one hand, he has very heavy responsibilities as an executive power and on the other hand, he is obliged to follow the ritual protocols. Those kinds of ceremonial duties become an obstacle before the other significant responsibilities and the government politics.³⁶ Indeed table2.3 shows how public opinions approach governmental power in five countries. U.S. public opinion is the highest rate for its governmental power.

Table2.3. Public opinions on government in five democracies

Question	Percentage of those				
	US	Canada	France	Germany	Japan
What about government's power?					
<i>Too much</i>	66	46	44	34	21
<i>About right</i>	30	44	41	41	13
<i>Too little</i>	4	6	16	11	47
Should government redistribute wealth?					
Yes	33	42	71	53	44
<i>Mixed feelings</i>	24	15	13	17	23
No	43	41	16	21	26
Should government provide jobs for all who need them'					
Yes	39	35	73	76	49
No	61	39	27	19	29
Should government provide a decent standard of living for the unemployed?					
yes	48	65	82	78	58
No	52	31	18	14	22

Source: Gosling (2000: 141).

The President meanwhile is a **Commander in Chief of the Army and Navy** of the United States, when called for duty.³⁷ He may require the opinions in writing of the principal officers, employed in the executive departments, with regard to any

³⁶ Yanık, Murat, "Başkanlık Sistemi ve Türkiyede Uygulanabilirliği", (İstanbul: Alfa Yayınları 1997) 41-42.

³⁷ Yanık 43.

subjects relating to the duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in cases of Impeachment.

The president shall have power, by and with the advice and consent of the Senate, **to make Treaties**, provided that the two thirds of the Senators present concur. *Therefore, the international authority is one of the national aspects of the U.S. that makes it a great country as a result of unity of power which the states deliver to the presidency through federalism .*

One of the best and strong authorities of the president is the **veto of bills**. It is a very long process and a difficult task to pass laws in the Presidential System, . Probably, when offer for federalism was made, almost many of the states did not welcome it. The states later accepted it. due to the realistic reasons,. When they wrote constitution, they did not want the Congress to enact the laws easily. Table2.4 demonstrates how the uses of presidential vetoes are high and significant political weapon.

Table2.4. Presidential Vetoes 1933-2001

President	Regular vetoes	Vetoes overridden	Percentage overridden	Pocket vetoes	Total vetoes
Roosevelt	372	9	2.4	263	635
Truman	180	12	6.6	70	250
Eisenhower	73	2	2.7	108	181
Kennedy	12	0	0.0	9	21
Johnson	16	0	0.0	14	30
Nixon	24	7	29.1	17	41
Ford	48	12	25.0	18	66
Carter	13	2	15.3	18	31
Reagan	39	9	23.0	39	78
Bush	29	1	3.4	17	46
Clinton	37	2	5.4	1	38
Total	843	56	6.6	574	1,417

SOURCE: <http://www.senate.gov/reference/resources/pdf/presvetoes.pdf>

That is why the process is long and it is highly possible to be vetoed by the president. If president vetoes the bill, than the Congress should override two-thirds

majority of the both houses. Comparing the presidential system, the veto is an important weapon in the parliamentary system of the Turkish Republic while there is not a right of veto of the monarch in Britain in practice.

The President has **authority of nomination**. President shall nominate and by and with the Advice and Consent of the Senate, may appoint Ambassadors, other public Ministers, Consuls, and Judges. The Congress may vest the Appointments of such inferior Officers by law.³⁸

Power of the will of presidency by means of nomination may cause the top officers act in favor of the president. In fact, since the president does not have political parties and political relationship with the parties, he appoints specific high top officers and it does not break the stability of harmony of the state in the parliamentary regime in Turkey.

Exhibit 2.3. the formal and informal resources of the presidency

Formal Powers

- Veto
- Executive orders
- Nominations
- Recommendations
- Commander-in-Chief
- Head of State and Head of Government

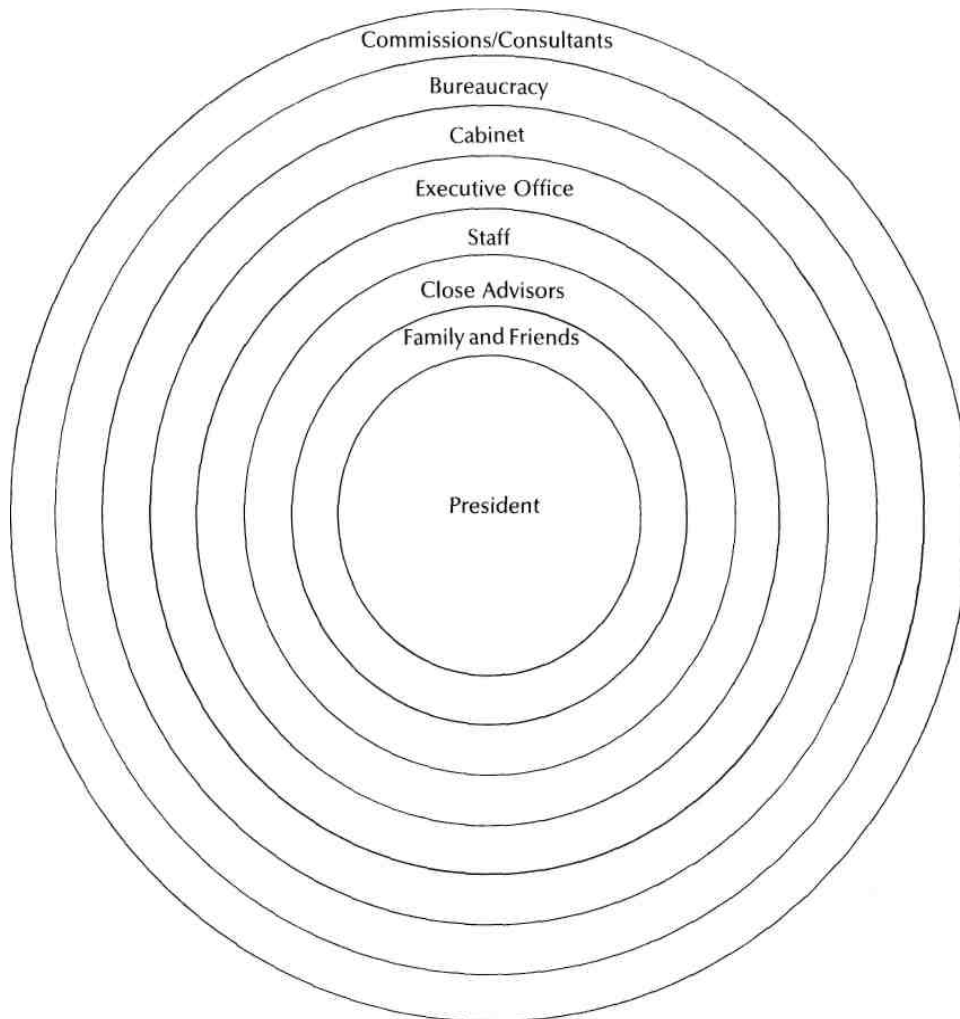
Informal Resources

- Staff in the executive branch
- Party ties
- Mass media
- International contacts
- The 'bully pulpit'

Source: Office of the Pardon Attorney, Department of Justice.

³⁸ Singh 130..

Table 2.5. Presidential Advisory-Circles of Influence ³⁹



Another important feature and character of the presidential system is that although the president directly does not go to the Congress and his legitimacy and authority is not based on and derived from the Congress, it is necessary that he may give **information to the State of the Union** and in some extraordinary occasions, convene both of the houses.

As already mentioned, president have the authority of nomination by and with consent of the House of Senate, whereas he alone may dismiss them, which act is

³⁹ Kozak 204.

called a **Removal Power**. In fact, it has been debated for a long whether the president solely has the authority to remove the top officers without the consent of the House of Senate.

By the decision and the interpretation of the Supreme Court by the Chief Justice Taft in 1876, it is approved that the president has the authority of the removal power without any restrictions. Removal Authority is one of the great weapons of the president. By means of the Removal Power, he always has power to dismiss Officers without any obstacle. That is why it is called a **spoiled system**, for when the new president comes to office, he generally dismisses most of the officers.

President can not make a **declaration of war**. The Congress takes the decisions of declaration of war and the President, as the Commander-in-chief, makes plans and orders and accounts every detail for and of the war. Therefore, although the president personally can not take a decision of war, he may command, lead, organize and appreciate the beginning and the end of a war.⁴⁰

In case the **president dies** or is unable to serve out his or her term in office, the Congress establishes a **line of succession** to the presidency as follows: the vice- president; the Speaker of the House of Representatives; the president *pro tempore* of the Senate; and the president's cabinet members in the order in which their departments were created, starting with the Secretary of the State. As already mentioned above, the vice president is elected together with the president and the vice-president is also the head of the House of Senate, whereas in practice, the House of senate elects its head because of the overburden of the vice- president.

Impeachment for and Conviction of Treason, Bribery, or other high Crimes and Misdemeanors is the only way of removing the president from his office. All top officers of the United States like the president, the vice-president may be impeached because of those reasons mentioned above. It is reasonable for the president and the other officers to be removed from their offices if the impeachment is proved. A

⁴⁰ Woll 363-368.

trial is done by the head of the Chief Justice of Supreme Court in the House of Senate.⁴¹

Although it is not mentioned in the constitution, in the U.S. history every president is also a **leader of a party**, except the first one, George Washington. In the presidential system, if the party of the president consists of the majority in both of the Houses, it is a great advantage to enact laws. Relationship between the party and the leader is not very necessary and obligatory. The president can be dismissed by vote of no confidence or by the Congress, as in the presidency, and the relationship of the president as a leader of a party and the members of the party are not too necessary.⁴²

The border and content of the **Executive orders** and **reorganization offices** are also discussed among the political scientists who are experts on the presidency of the United States. Some political scientists claim that the president neglects the Congress by means of executive power. Instead of attempting to enact laws, he easily uses the power of executives.

Moreover, the supreme courts allow the president to make any disposition over the executive offices by means of reorganization. Thus both of the discretions strengthen the hands of the president to become powerful.

Finally, the great authority and power of the president comes from his **role in the global scene**. Despite the World War I and War II, the United States won victory over both of them. Today the United States plays a significant role in the Middle East, in the Far East and almost in all the strategic regions. .

In most of the coups and the revolutions done in the world, the power and the authority of the U.S. are clear and obvious and can not be underestimated. Thus,

⁴¹ Kozak 14.

⁴² Yanık 46.

those roles of the U.S. make the president a very important character, an actor and a leader of the World Politics.

2.1.6. Congress

From the foundation to the present of U.S., the institution of the presidency has gained a power, so it may be said that the Congress has lost its power. There is big influence of the Supreme Court's decisions in favor of the Presidency. Let it say that, the president should receive the approval of the Congress during the nomination but when he wants to dismiss them, there is no need to be approved by the Congress. Another example and one of the most disputable issues is about of the executive orders. The president does not need the Congress to enact law by means of the executive orders.⁴³

Table 2.6. Public confidence in American institutions (2000 v. 2002)

2000		2002	
institution	(%)	Institution	(%)
The military	64	The military	71
Organized	56	The White House	50
The police	54	The Supreme Court	41
The Supreme	47	The executive branch	33
Banks	46	Colleges and universities	33
The presidency	42	Medicine	29
The medical	40	Television news	24
Public schools	37	Organized religion	23
Newspapers	37	Congress	22
Television news	36	Wall Street	19
Big business	29	Major companies	16
Organized labor	25	The press	16
Congress	24	Law firms	13
The criminal	24	Organized labor	11
Health organizations	16		

Note: the 2000 column is the percentage of respondents expressing 'a great deal' or 'a lot' of confidence;

Source: (Singh 155)

The Congress of the United States has two chambers; the House of Senate and the House of Representatives. The House of Senates is representing each state

⁴³ Woll 345-349.

while the House of Representatives represents all the publics of the U.S. Unfortunately, table2.6 shows that public confidence to the congress is too low comparing office of the presidency.

There are 438 members in the House of Representative while there are 100 members in the House of Senate. Every state has the same power of representatives in the Senate, but in the House of Representative, the criteria are done according to the rate of the population. For example, the population of New York is about twenty millions, whereas Alaska has only two hundred fifty thousand populations. That's why in the Houses of Representatives, the criteria of the population gain significance.

2.1.6.1. Houses of the Senate

It may be said that the power of both of the chambers in the Congress have equal power of balance. Comparing it with the parliamentary upper chambers, the Houses of Senate has a very valuable image and power in the world. The House of the Senate has emerged for the challenge of the colonized power of the United Kingdom and defeated it.⁴⁴

The Senates represents a kind of the flag of freedom, liberty and equality. The background of the Senate is brilliant, compared to the other upper chambers in the democratic countries. Generally, the upper chamber primarily represents the hegemony of one class over the rest of people, while in the presidential political institutions of the U.S., it has a distinct story. That is why the Houses of Senate has a great image.

The House of Senate has power of approving the nomination for the top officers. Moreover, the House of Senate approves the international treaties and the contracts of the governments by two thirds of the majority. The House of Senate may adjudicate top office services according to the constitution. Table2.7 shows that

⁴⁴ Yanık 66.

republics have elected after 90's whereas democrats generally elected in the house of senate.

Table 2.7. *The Senate, 1960-2003. source: (Singh 166)*

Year	Before		Incumbents lost		open seats lost		After election	
	D	R	D	R	D	R	D	R
1960	66	34	1	0	1	0	64	36
1962	64	36	2	3	0	3	68	32
1964	66	34	1	3	0	0	68	32
1966	67	33	1	0	2	0	64	36
1968	63	37	4	0	3	2	58	42
1970	57	43	3	2	1	0	55	45
1972	55	45	1	4	3	2	57	43
1974	58	42	0	2	1	3	62	38
1976	62	38	5	2	3	3	62	38
1978	62	38	5	2	3	3	59	41
1980	59	41	9	0	3	0	47	53
1982	46	54	1	1	1	1	46	54
1984	45	55	1	2	0	1	47	53
1986	47	53	0	7	1	2	55	45
1988	54	46	1	3	2	1	55	45
1990	55	45	0	1	0	0	56	44
1992	57	43	2	2	0	0	57	43
1994	56	44	2	0	6	0	47	53
1996	47	53	0	1	3	0	45	55
1998	45	55	1	2	2	1	45	55
2000	46	54	1	5	2	5	50	50

2.1.6.2. House of the Representative

The most important power of the House of Representatives is about the approval of the budget of the government. The budget is a basic map of the government. In order to make budget be approved, the president should consider the demands and the complaints of the House of Representatives.

If no side gains after the elections, the Houses of Representatives elects one of the first three candidates. To be elected, normally, the candidate president should take the majority of the votes, i.e. 270 votes, if not, the representative elects him. According to the constitution, the Houses of Representatives may impeach the top

office services while the Houses of Senate adjudicate them in a way as already mentioned.⁴⁵

2.2. Parliamentary System in Britain

In the United Kingdom the institutions that emerged as a compromise in the wake of the Civil War – parliamentary sovereignty and constitutional monarchy- have persisted to the present day. The most widely praised attribute to the British Political system is its stability. Britain has functioned with the same set of political institutions since 1689 and without any coups of revolution.⁴⁶

In fact, there are a few nations in the Continental Europe like Britain. Germany has gone through four regimes since its unity of formation in 1871 while France is on its fifth republic since 1815. The last battle fought in mainland Britain was at Culloden in 1745, when a Scottish rebel army was quashed. The general level of social unrest and political violence (except Northern Ireland) has been quite low.

Comparing the British strong democratic tradition, one of the best advantages of the United States is also that there is a strong authority of the civil government over the military. In my opinion, it was allowed that the U.S. became a World Global Super power. With any coup and military intervention in the democracy and the civil legitimate government, there would be shadow over the democracy and the development of the traditional democratic institutions as well as being obstacle of the growth of the political culture.

In order to compare and see the best pictures for similarities and differences of the parliamentary regime and the presidential regime, I want to summarize some fundamental characters of the British parliamentarism as the oldest one and one of the

⁴⁵ Singh 160

⁴⁶ Kopstein 45.

successful parliamentary regimes. One of the important steps in British Political History has been done in 1215, when King John signed the Magna Carta.⁴⁷

One of the basic distinction of the U.S. political system and the British Parliamentary system is that while the U.S. is based on the idea of a written constitution, a contract among the founders to form a new state based on certain principles, Britain is unrestrained by a written constitution or the separation of power. The Parliament has the power to enact any law it prefers and desires since there is not any concrete legal obstacles like a Supreme Court checking it. That is why some political scientists call this system as **an elective dictatorship**.⁴⁸

One of the positive aspects of the parliamentary regime is that the head of the state, whether a monarch or president, symbolizes the unity of nation. The occupant of this role performs many of the ceremonial functions that must be performed by someone who can effectively represent the state, such as honoring the nation's heroes, attending state funerals, and the like.

In republics with the parliamentary system, the president of the republic occupies this role. This president is a figure who has managed to rise above or stay aloof from the most controversial issues of partisan politics. Someone who may be called an 'elder statesman' frequently performs this functional duty.

It is significant to figure out that the head of the state in a parliamentary system usually has no substantive political power; this role is symbolic and ceremonial. However, the occupants of this role are not completely without actual or potential political functions.

In 1994, for instance, the Italian President Scarfalo apparently played an active role in the discussions whether to call new elections in the wake of Prime Minister Berlusconi's resignation or to find a new coalition to establish a cabinet, able to maintain the confidence of the existing legislature.

⁴⁷ BBC Homepage, 3 August 2001, <<http://www.bbc.co.uk/dna/h2g2/A591383>>

⁴⁸ Kopstein 61.

Royal prerogative remains legally available to Britain's queen but is probably only usable as an ultimate check on the gross abuse of power by the government or in the unforeseen case of a hung parliament, in which no party has a clear plurality. Sometimes this power is being challenged and opposed by the Labor Party, since it is political power and makes the Queen a kind of a threat and a strong opposition against the cabinet and the legislature.

Meanwhile, in Scandinavia Denmark's Queen Margrethe II can only rubber-stamp parliamentary legislation, and Sweden's King Carl XVI does not participate in the government at all. King Harald V of Norway, however, retains limited power to veto and is the nominal commander in chief of the armed forces.

However, it should be noticed that these monarch's ceremonial roles are sometimes important. The Queen Elizabeth II of Britain participated in 550 royal engagements during the year 1994, with a total of 2878 such functions attended by the ten most active members of the royal family. If all those kinds of burdens have failed upon the government, it would be heavy to carry them!

In a presidential system like in the U.S., the roles of the head of the state and the head of the government are combined in one office, that of the president. Clearly, the burden of the roles of the head of the state constitutes an excessive distraction from the critical and demanding tasks of the role of the head of the government.

Moreover, some political scientists claim that in as much as the president of the United States is inherently a partisan figure, he may, on one hand, be less effective in embodying the unity of the nation. On the other hand, the political statue of the president may transfer the general support he derives from personifying the idea of the nation to the partisan political goals.⁴⁹

This separation may facilitate the difference between loyalty to the idea of the nation or even to the constitutional regime and support for and oppose to the current administration or cabinet. In such system one may attack the position of the prime

⁴⁹ Roskin 235-237.

minister, still preserving and declaring loyalty and love to the monarch and the regime he or she represents.

In my opinion this outlook is not based on healthy grounds. If there is any visit to states, prime minister is generally seen and reviewed. It takes the time of the both officers. Moreover, instead of the office of monarch, there may be others to do the ceremonial activities in the name of the state. It is not obligatory to advocate existing reasons of office of a monarch!

2.2.1. British Chambers

British Parliament consists of two chambers, the House of Commons, consisting of members of parliament who are elected, and the House of Lords, consisting of unelected peers. The Sovereign, at the moment Queen Elizabeth II, is the third part of the Parliament. The government is officially known as Her Majesty's Government. The Queen has, in principle, a lot of power over the government, but chooses not to exercise that power. This is generally figurehead and symbolic. This position has emerged through the ages, though at one time the Sovereign exercised a lot of power over the government, and the country.

2.2.1.1. Members of the Parliament: The House of Commons

The House of Commons consists of Members of Parliament, who are elected. The United Kingdom (consisting of England, Northern Ireland, Wales and Scotland) is split into constituencies, and each constituency votes for a MP (Member of Parliament) to represent them, using the 'first past the post' system. *That is why there is two part system in British Political Party System. In fact, The First past Post System is applied in the U.S. and so there are two party systems too.*

It is well known that in two party systems, it is easy to establish the government and have confidence to preserve its life and lead state politics with stability. It should not be forgotten that the electoral system is not necessary for parliamentary or presidential system. It is different from what we mean about the forms of a government.

At least every five years there is a general election. The Prime Minister decides on the timing of the election, and can call an election at any time, but one must be called within five years of the one before. It is usual for an election to be called after four years. A motion of no confidence can be brought against a government, which, if successful, will result in an early general election.

There is a potential for a by-election where one constituency has to elect a new MP. This happens if the MP cannot serve as MP, such as if they die, resign, or become a member of the House of Lords. This allows a new MP to be elected. *In fact, it is reasonable by constituency to directly reelect the MP in favor of representation.*

2.2.1.2. The House of Lords

The House of Lords consists of both hereditary peers, who have inherited their peerage and their title, and life peers, who are appointed by the government, and stay in their positions lifelong. A large majority of the peers are lifelong peers. Also, important members of the clergy form part of the House of Lords, as do senior judges, or law lords, and other office holders, who have specific roles in the House. Only the office holders, such as the Leader of the House, are paid, the rest can only claim expenses.⁵⁰

By the parliament Act of 1911, the power of block and delay of the laws, the House of Lords has been done two years and later by the Parliament Act of 1949, decreased from two years to one year. Members of the House of Lords cannot become MP, or hold certain other elected posts.

⁵⁰ Kopstein 46-47.

However, lords are allowed to disclaim their title and when intending to become MP, for example, and reclaim their titles later. The rule is, however, that no-one can be a member of both houses at the same time.

The government is reforming the House of Lords, and has appointed the so called people's peers, who are not chosen for their affiliation to any political party, but are, in theory, appointed on merit, by an independent committee. This has not met with much success, as the people chosen were not ordinary members of the public. It may be because the House of Lords becomes fully elected, but it is unlikely to be the priority for any government, and the slow progress is likely to depend on this issue.

In Turkey, laicism has very strict mentality compared secular structure of the Britain's Parliamentary System. At the House of Lords, most of the peers are from the clergy, that are religious men and it does not seem to be an obstacle for the secularism. Moreover, In Britain, the House of Lords compared to the Senate of the United States is very weak and symbolic. The structure of the Senate historically is very rational and legitimate since they represent the states which was originally independent and they are elected.

However, the British Parliamentary system, having a chamber of aristocracy that is the House of Lords, whether hereditary or appointed lifelong peers, both of them are problems in the name of legitimacy for their democratic condition. Some political scientists strongly advocate that it is anachronistic institution that offends the egalitarian and the democratic sensitivities and therefore it should be banned in order to be more compatible system with a democratic and classless society.⁵¹

The centerpiece of the British Political System is the house of the Commons instead of the House of Lords, and the essence of the British Democracy is Prime Minister's Question Time. Question Time shows the important and radical differences between the American and British Legislatures. The American president never has to control his political adversaries face to face. His communications with the public are carefully managed through public statements, and occasional press conferences.

⁵¹ Mayer 223-224.

Therefore, to have facilities for accountability by asking directly questions to Prime Minister are advantages of the parliamentary regimes.

Indeed, The British parliamentary system or Westminster system is characterized by a high level of stability in its institutional fragments. One of the important successes of the parliamentary of the British system is that it has a sufficient patient and capacity to struggle with problems before they turn to violent. The parliamentary sovereign of the Westminster Model of prime ministerial government of the U.K. remained basically unchanged for more than hundred years.

2.2.2. The Passing of Laws

The process of preparing and presenting and defense and criticize the laws is very democratic and based on rational practice in the British Democratic Parliamentary Regime. Almost all laws that are made are proposed by the Cabinet. The Cabinet proposes laws to the House of Commons through a relevant minister, and then there is a debate on the issues.

The bills go through a number of stages in the House of Commons. First, the bill is announced in brief. This is called the first reading. Within a fortnight, the principles and some of the details of the bill are being announced and debated. This is the second reading. Here, there is a vote, and if the bill is not supported, then it cannot proceed further. Assuming a vote is successful, and then it is passed on to the committee stage.

The special committee is technically very crucial during the preparation and the discussion process and that is why it needs experts for the issues. At the committee stage, the bill is discussed in minute detail. A committee is a number of MP, meeting to discuss the bill. Sometimes a standing committee is set up to discuss the bill. Sometimes, a select committee, dealing with a certain area of government may

discuss the bill. On very important matters, the committee may consist of the whole House of Commons or of both of the houses of the parliament.

After this long stage, the committee report back to the House of Commons. Amendments to the bill can be proposed at this stage. The individual details of the bill cannot be discussed, however. This precedes the third reading, where the bill with any amendments is announced to the House of Commons. If the House approves, then the bill is passed to the House of Lords.⁵²

After passing from the first law chamber that is the House of Commons, The House of Lords will then debate the issues, following similar stages to those the bill must pass through in the House of Commons, although it is not usual for committees to discuss bills, but rather, it is more likely for the whole house to act as a committee. After this stage, both houses must agree on the final form of the bill, so if the bill has been amended, the assent of the House of Commons is needed for the amended bill.

In the process of making and passing the laws, in practice there are not any influences of the Monarch. If both houses accept the bill then it, possibly having been amended, will go to the Queen to sign it. The Sovereign is unlikely to decline this, and the last time the Royal Assent, as this is known, was refused was in 1707. At one time, the Sovereign would have used his or her power far more effectively, but recently the Sovereign has deferred this power to the parliament.

With few changes, the government will almost always have a majority. Mostly government bills are passed as stated, so if the government's MP vote with the government, they can usually show their force through bills. If the cabinet have the greater MP, it is easier to pass proposals. Most parties have individuals in them called Whips who have a role of keeping their party members informed of parliamentary business, and also try to make sure that the MP' vote in favor of their party.

On the other hand, if there is a coalitional government this conditions may vary according to philosophies of coalitional parties. The coalitional government is generally

⁵² Kopstein 61.

due to of electoral system. The electoral system is important factor for emergence of coalitional government.

2.2.3. The Government: The Cabinet

After a general election, the party with the most MP becomes the government, and the party with the next lowest number of MP forms the official opposition. This generally happens if one party has a majority of MP. The leader of the government party will become the Prime Minister. It is usually necessary for a government to have the majority of the MP in the country. If no party has an overall majority, the party with the most MP has the first chance to form a coalition.

In a coalition government, the government consists of two parties rather than one, and there will be some compromises on issues where the parties disagree, although the coalition will almost certainly be between parties with similar views. It is usually advantageous for the both parties, who will have more power together. *Maybe the worst result of the parliamentary regime is to establish a cabinet and take a vote of confidence if the outcome of elections there are not parties having majority of MP.*

The official opposition has few privileges attached to it, but usually the opposition has a greater voice in speaking out against the government, and the media will pay more attention to the opposition. There is very little that the opposition can do that other parties cannot, but the opposition having more MP has more power to oppose laws, especially if the government is divided over an issue. It can also use this power to help it dictate the business of the House.

That is, by the opposition the party, it is easy to pay attention to public opinions and change wrong decisions and activities of the government. The opposition always watches everything that government makes and so it is advantageous for the parliamentary system since the cabinet is made inside of the Assembly.

On the other hand, in the presidential system, since the president directly is elected by the government, there are not strong means of Congress and Opposition Party in order to press over the executives. Public may punish the president only through elections.

The Cabinet, including the prime minister, is **collectively responsible to the Houses of Commons**. The cabinet is consisted of main figures that run the country, with the Prime Minister in charge, and other ministers having their own department or ministry. Each of them is responsible for some spheres of public policy such as economy, industry, education, health and transport. A minister has some freedom in the decisions (s) he can make, but in some cases legislation is needed, which requires the support of both Houses of the Parliament. Ministers are chosen by the Prime Minister and are usually chosen from the government party.⁵³

In fact, there is not deep distinction between power of the prime minister over the ministers and power of the president over the secretaries. On the other hand, in cabinet of the presidents, members of the House of Senates or Representatives can not take responsibilities. To become a secretary, he or she should resign from the Congress while the members of the House of Commons and lords may be ministers. It shows that there is not any strict separation of the power between the Legislature and the Executive in the parliamentary regime.

Most cabinet posts need to be held by the MP. Some minor posts can be held by the members of the House of Lords, but only MP can debate issues in the House of Commons, so it would be unlikely for someone not a MP to have a high profile role in the government as they would not be able to defend their position in the House of Commons. Since the Cabinet dominates the policy making process to the extent that some prefer to call the United Kingdom system a cabinet government, rather than a parliamentary government. Especially because of the concept that is based upon the idea of a collective cabinet responsibility for policy making, there is a heavy authority of cabinet over the parliament.

⁵³ Mayer 54-55

3. THE EVALUATION OF THE PARLIAMANTARY AND THE PRESIDENTIAL SYSTEM FOR THE BEST SYSTEM IN TURKEY

In the light of the previous chapters, the presidential system and the development of parliamentary system, now I want to mention the case and political conditions and process of the Turkish government especially beginning from the early attempts of the constitutional monarchy during the Ottoman state in the 19th century.

In Turkey, especially after 80's, Özal talked about the presidential system and claimed that the presidential system was good for a stable government. According to Özal, during one party period and DP, 1950 and 1960 almost ten years, it was a kind of a presidential system. Özal claimed that for the development of economy we need a stable government which any presidential system has. Like Özal, Süleyman Demirel also emphasized that Turkey needed presidential system. Some scholars criticized that these leaders demand the presidential system to make their position more powerful. It was because of their self desire of power and not in favor of the country.⁵⁴

Actually, in academic world of Turkey, there are both groups that support and opposite both of the systems. Both groups points out the advantages and the disadvantages of the presidential system and the parliamentary system. It is important to remember that In all my emphasis of the presidential system, the United States is intended and my arguments and opinions and comparisons are based on the presidential system of the United States unless there is a different reference from other country governments.

My presidential interpretation and opinions and studies are based on the model of the presidency of the United State. Some political scientists make difference between authoritarian and dictatorship types of the presidency generally

⁵⁴ Barlas, Mehmet, "*Turgut Özal'ın Anıları*" (İstanbul: Sabah Kitapları, 1996) 293-294.

practiced in Latin American countries and in some African states and Russia and so on... However, it should be remembered that the government, the system and types of the system are only the means for better public service and relief and for the security of the country and citizens.

3.1. Ottoman Political Tradition and Culture

It is very crucial conjunction to comprehend the traditional Ottoman politics in regard to the foundation and relationship of the democratic process in the Ottoman State. Many political scientists consider the political culture of nations and states in order to evaluate political institutions. Political culture is an important element to discuss some political views and programs about the parliamentary regime and the presidential system.

I think it should be understood how the political culture is very crucial and important in political thesis and doctrine. Unfortunately, in Turkish academic textbooks, there are some scholars that have not focused on the Ottoman and Turkish political culture. Without being focused on the political culture of Turkey, they try to comprehend the presidential and the parliamentary regime in Turkey. However, it is not sufficient and not healthy to focus on the political institutions without any political culture.

Without caring and accounting of the political culture of states, it is not healthy to comprehend and generalize and support them, so they implicate other different practices and programs for that related countries. Generally, according to political culture, many theories of political views and institutions are formed and defended.

Consider that if there is not tolerance and dialogue and compromise in a country, it may be a conflict between the prime minister and the president in a parliamentary regime as well as between the congress and the president in the presidential system. Because of that political culture, some scientists argue that it is

possible that presidentialism may transform despotism and authoritative regimes. That is why we should not pass the presidential system.

On the other hand, consider that in Ottoman State the system was based on the dynasty and the nation was militaristic and administration was established on the strict firm discipline and punishment. There were not freedom and society was very closed and no one might criticize something. They were submissive to Sultan. As a result, you see everything as negative and you can not trust society and public. You can not believe that democracy develop and perfect. That is, all evaluation is done according to your observation and perspective.

In regard to the negative approaches to the Ottoman political culture, Zafer Üskül argues that 600 years of the Ottoman state was governed by one Sultan holding all power in one hand. Turkey as the heir of the Ottomans, it is possible to tend to an authoritarian regime if presidential system is accepted. He says that we as Turkish people continue the Ottoman State and still Ottoman Political Culture has important influence over the modern Turkish generations. Therefore, it is dangerous to pass the presidentialism.⁵⁵

Üskül claims that Turkish population was under omnipotent power of the monarch for 600 years. Turkish society does not use the power of will with individual tendency. Social groups have pressure and tendency to influence the Turkish individuals. They are not still capable of using power of will free of religious sects and tribes. Üskül claims that presidentialism is elective Sultan or monarch. What he claims is based on Latin and American presidential system which is deviated and not accepted in the exact original form of presidentialism of the United States.

I think those kinds of negative approaches to the Ottoman and the Turkish political cultures like those of Üskül are very radical and this insults the Turkish Culture and Civilization. According to Hekimoğlu, the Ottoman or Turkish politics are

⁵⁵ Üskül, Zafer, "Başkanlık Sistemi Seçilmiş Sülтанlıktır." <<http://www.msnbentv.com.tr/news/304623.asp>> (11ocak 2005)

very successful and deep and have great tradition in the world's history. Compared to the west culture, the Ottoman culture was not individual but this is not a negative. The social identity is very important in the Ottoman Culture. To have social identity, actually shows that the Ottomans were civilized. Civilization is based on the social groups with harmony and cooperation.⁵⁶

The nature of the human beings necessitates the people come together and cooperate and help each other, and the Ottomans had it. To have a commune culture does not mean that individual has no significance and value. All individuals have rights and the state is based on justice and that is why the Ottoman state lived 600 years in a multicultural, multinational and multireligious way.

In one sense, the commune society and culture is more democratic than the individualistic nations. To come together and have solidarity and cooperate with each other and to sacrifice individual goals and interests for the favor of the commune is a positive aspects of humanity and shows that they are able to share and exchange ideas and to attain success.

On the other hand, if there is hegemony and hierarchy, that is bad and dangerous to have submissive community. Indeed it can not be denied that that kind of commune characters of negative culture existed but it was limited. In my opinion, the positive side of a commune culture was dominant. This commune culture in sense of political culture is important to have a presidential system

I think we should not have prejudice and emotional approaches when evaluating states and nations. This kind of analysis necessitates being impartial in order to catch the realities of the societies. Otherwise it is a kind of hegemony and prejudice to evaluate nations only looking at their negative sides. In contrast, we can not reach real results relying only on love and admiration.

⁵⁶ Hekimoğlu, M. Merhmet, < <http://www.radikal.com.tr/haber.php?haberno=176493>>(23/01/2006)

In my opinion, in debates of the Turkish Government regimes, it is important that how you like and comprehend the political culture of Turkey. Your sociological perspective for state traditions may determine the perspective of your political culture. Let's say when you have eye glasses with green colors, you see every thing in green colors.

On the other hand, if you have eyeglasses with red colors, you see everything in red colors. I think this example summarizes the problem of approaching the political culture by the political scientists in the debates of governmental regimes. There are different approaches with the regard to the Ottoman political traditions and culture. That is why we have distinct approaches of the formula for a government.

In this part I try to show that from the experience of the Ottoman state, the Turkish nations have important political background which provides a great opportunity to be successful in democratic institutions for parliamentary regime as well as the presidential regime. The Turkish political culture and the traditional experience show that Turkey is able to establish a presidential system like a parliamentary regime. That is why I focused on the Ottoman political development in sense of constitutional monarch.

However, there are negative influences of the traditional Ottoman political culture. I try to point out some positive aspects of the Ottoman political culture as well as the negative sides of the political culture, looking from view of the history of the Ottoman political cases.

One time the Ottomans had dominant power over the world political system. With conquer of Istanbul, by the Great Fatih Sultan Mehmed, it closed one age that is the medieval age and opened the new age. In case of Turks, it is old attitude to establish a state and be aware of the political issues. The Ottomans used their power for security, justice and relief of its teba or reaya (today may equal citizens) in sense of great gathering of different social identities and cultures.⁵⁷

⁵⁷ Niyazi, Mehmed, "*Türk Devlet Felsefesi*", (İstanbul: Ötüken Neşriyat 1999) 9-16.

Actually, the efforts, aims and the conquers of the Ottoman and Islamic States and energy of motivation of Islamic States, the mentality and the messages of Islam should be known and understood in regard to the political culture and background. In Islam, İlay-ı Kelimetullah, that is presentation words and messages of Allah, is one of the great duties of the society. Since the state is representing the Islamic Society, to carry and present the message of Allah is the duty of the state. However, whenever any state or city is conquered, if population of city or country is submitted, the state should guarantee and protect their lives, liberty, and freedom of property, education, and religion.

For example, with conquer of Palestine by Yavuz Sultan Selim, there were varying kinds of members of religion and nations, like Christians and Jews and Muslims. However, they were in self-confidence and had peaceful relationship and cooperation of common social life. All had their places of worship, that is, Camii, Havra (Synagogue), and Churches. They had special private schools providing education of their religion and culture. They had autonomous courts as well.

Today, in the contemporary world, as Archbishop of Canterbury is the leader of 77 million-strong worldwide Anglican Communion has called to adopt some aspects of the Sharia Law, but he has been condemned and pressed by European Public Opinions. On the contrary, during the powerful Islamic States, as mentioned above, the minorities had fundamental rights. In fact, it is not my aim and not my thesis to support that the best system of freedom is provided by Islam, but only to give a broad picture and vision of Islam with some examples about the fundamental rights.⁵⁸

In Islam Meşveret (Consultation) has very significant components for administration and government in sense of political culture. The traditional Meşveret is very important practice in regard to the democratic background and experiment.

⁵⁸ Profile: Dr Rowan Williams, 8 February 2008, <http://news.bbc.co.uk/2/hi/uk_news/7234391.stm>

During Hz. Prophet Muhammed (p.b.u), he paid attention to the consultation in family life with wives and in social administrative and war affairs with companions. And in Qur'an Allah orders to apply consultation. (For example Şura 38 and Ali Imran 159). That is why during Selçuk and Ottoman States there were council of state and successful Sultans would give great importance to the consultation in state affairs.⁵⁹

However, neither a consultation nor a council of state is like a value and a system of the modern contemporary democracy. By the time, with needs of transformation, and may be needs of development and perfection of the traditional state councils, some groups like Young Ottomans and later Young Turks sought another alternatives.

Those groups observed the western system and believed to fallow some deep reformation and revolutions. Young Ottomans within the Ottoman territory and from outside, that is in Europe, always tried to work and spread the ideas of the constitutional monarch. Even though as already mentioned, there are fundamental rights and freedom of religion and education and courts, they are not sufficient any longer.⁶⁰

In Europe, with the decline of the empires and the emergence of modern states after French Revolution in the west, and the appearance of the United States, the limit and duties of state and fundamental rights of citizens clearly were guaranteed. It was not like the past, that is, the state intervenes and the hegemony had been restricted.

Therefore, power could not be omnipotent and citizens could not be slaves and subject to any orders and comments of the state. In fact Europe, because of the Medieval Ages, has learned that unlimited power always was proper for being

⁶⁰ Çavdar, Tefvik, "*Türkiyenin Demokrasi Tarihi*", (Ankara: İmge Kitapevi 1995) 14-18.

abused. That is why they would not ever want delivering their free wills under hegemony and powerful state.

In Europe, because of those reasons and wisdoms, after geographic exploration, the Renaissance, the Reforms, and the Industrialization and Enlightenment, the fundamentals of modern state have been built. People want to be represented. If we pay taxes, we should be represented and decide our future and that is democracy. This especially was basic mentality and legitimate reasons of the story of declaration of the United States. Later this idea and principle has been dreamt of other nations which were under colonies or under authoritarian and totalitarian regimes.⁶¹

Representation and accountability and participation were fundamental values in European political culture as a result of long challenge and struggle against monarchs. At the end, it has been successful and spread over the world. That is the idea and yearning and imagination of the Turkish elites, too. It led the Turkish elites to bring constitutional monarchy. As a result, contribution and articulation of the traditional political culture was allowed to transform the parliamentary democracy. It may be said that through the Ottoman political cultures, it was easy to be adopted and be aware of the parliamentary regime.

It is important to notice that the tradition of the elitists' orientation of the demand for constitutional democracy was in favor of the society. I think it was very brave and needs to be appreciated. It was very sincere to make public opinions for consciousness and spread the constitutional monarchy. This elitist movement was not under the authority of the state and not applied some politics over the public. This elitist group was in the name of the public and sincere to public. It is different from the elitism of one party period that supported revolutions in the name of the state against the publics.

⁶¹ Cunliffe 3-12.

3.2. Path Of Westernization To The Constitution In Sense Of Parliamentarism

I try to point out the dimensional factors that bring the Ottoman traditional state structure to the constitution with regard to the parliamentary democracy or regime. Especially with beginning of the 19th century, due to the unsuccessful affairs both inside and outside the state affairs, the Ottoman scholars and elites, and the intellectuals tended to study and observe the Western System. Sultan Selim III (1789-1807), established *Nizam-ı Cedid (The New Order)* to strengthen the central administration against the provinces. Besides, the *Nizam-ı Cedid* was an alternative to the Janissary but unfortunately, Sultan Selim III did not accomplish this task due to the rivals of the *Ulema* and Janissary soldiers which did not like this *Nizam-ı Cedid (The New Order)* because of the conflicts of their interests.⁶²

The Ulema and the Janissary army did not support the entrepreneurs and the attempts and the reforms of Sultan Selim III, because of the fear of losing their privileges. It should be noted that the reform of Sultan Selim III was related to the army but in the sense of Westernization. Later as it will be expressed, the other reforms would cover the education, the economy, the technology, and the most important one, the constitution and the democracy.⁶³

On 3rd of November, 1879, Sultan Abdülmecit declared the Tanzimat Fermanı (The Decree of Reforms) which was written by the leading reformers and the foreign minister, Resit Pasha, and was read in the Gülhane Park square in the Rose Garden. With Tanzimat-ı Hayriye, it was promised to effect of the four basic reforms.

The first one was the establishments of guarantees for life, honor and property of Sultan's Teba (subjects), the second promised a reform that was about a system of conscriptions for the army. The last one was related to the equality of all the subjects before the law, whatever their religion was. Thus, the post-1839 reforms

⁶² Akgündüz, Ahmed, Öztürk, Said “*Bilinmeyen Osmanlı*”, (İstanbul: Osav Vakfı 1999) 229-231.

⁶³ İhsanoğlu, Ekmeleddin (Ed.), “*Osmanlı Devleti Tarihi*”, 1.Cilt, (İstanbul: Feza Gazetecilik 1999) 72-79.

covered the army, taxation, education, and communication. The most new heavier emphasis of this reform differing from that of Sultan Mahmut II was about the judicial and consultative procedures.⁶⁴

3.2.1. First Constitution And Beginning Of Democracy In Sense Of Parliamentarism

19th century showed that the state needed reformation and reforms. It may be said that with Sultan Mahmut II, the westernization began and during the reign of Abdülmecit it had been strengthened but still not sufficient. With the reign of Sultan Abdulhamid II, the democratic development got relative success, that is, the Declaration of the Constitution.

Namık Kemal, Ziya Pasha, Prince Mustafa Pasha and other Young Ottomans despite the envy of the Ali Pasha and Fuat Pasha, worked for constitution and parliamentary regime that is the representation of the publics. Because of the writings and ideas about the demand of constitution and the European Liberal Reforms, they were exiled and later Prince Mustafa Pasha supported them and invited them to Europe and financed them for their journals and works for development and establishment of the public opinions and consciousness for Western Modern Institutions of Constitution and parliamentary.

Namık Kemal founded İttifak-ı Hamiyet (Alliance of Patriotism) and later published the newspaper Hürriyet with Ziya Pasha in London, Geneva and Paris against the policies of Ali Pasha and Fuat Pasha.⁶⁵

When Ali Pasha and Fuat Pasha died, the Young Ottomans returned and found good facilities to carry out their ideas. A group of leading politicians including provincial reformer Mithat Pasha, the minister of War, Hüseyin Avni Pasha, the

⁶⁴ Ahmad, Feroz, *“The Making of Modern Turkey”*, (Newyork: Routledge 2000) 26-28.

⁶⁵ Zürcher, J. Eric, *“Turkey A Modern History”*, (London: I.B. Tauris Publishers1998) 73-74.

director of the military academy, Süleyman Pasha, and the Şeyhülislam Hayrullah Efendi carried out a coup, deposing Sultan Abdülaziz on 30 May 1876.

Later when Sultan Murat had mental and health problems, Abdulhamit ascended the throne as Sultan Abdulhamit II on 1 September 1876,. During the Bulgarian Crisis on 23 December 1876 in Istanbul, the first Constitution of the Ottoman State was accepted and promulgated. On 14 February 1878, because of the Russian War and other problems, Sultan Abdülhamit II prorogued the parliament and suspended the constitution. This continued until 1908, when there was another coup or revolution.⁶⁶

3.2.2. Restoration Of Constitution As A Result Of Parliamentary Democratic Victory

During the Ottoman democratic challenge, it is important to notice that it was about the constitutional and the parliamentary democracy. In the conditions of the 19th century on the Ottoman political arena, the presidential system was not famous for democratic movements. To talk about presidentialism and desire and challenge, the presidentialism was not meaningful and reasonable.

To be in favor of the presidentialism in those days means to demand abolition of the dynasty. However, in the world, especially with regard to the emperor states and monarchial states, to demand public support and make public opinions about democracy in the sense of constitutional monarch was the first step against the omnipotent and the despotic regimes. It is not possible to abolish the old systems directly with radical changes. That is why democratic work and struggle of the Ottoman elite and civil movements were based on the demand of the constitutional monarch instead of the presidential system of the United States.

After hanging the first constitution by Sultan Abdulhamid, we see that there has been an organization and some secret activities to bring the constitution back.

⁶⁶ Çavdar 39-40

Since it was very dynamic, they reached ultimate goals. Under the pioneer of Ahmed Rıza who was a son of the member of the Ottoman Parliament and a director of education in Bursa, İttihad ve Terakki Cemiyeti (Committee of Union and Progress) was founded in 1895 and published the newspaper Meşveret (consultation). This works of the civilians and elites' efforts were highly efficient and powerful over the Ottoman generations in order to make them conscious about the parliamentary democracy.

Later because of the characters and far away of the religion and other reasons, instead of Ahmed Rıza, Mizancı Murat came to Europe and gained significant image and hard advancement to hear the voices of CUP. When Mahmud Celal Pasha fled to Paris with his two son, especially later on, he would be with the well known and the famous Prens Sebahattin, they participated CUP and financed them for organization and publication against Monarchy. Indeed, it was a great facility for anti-monarchial groups to make works in favor of constitution.

In 1906, Osmanlı Hürriyet Cemiyeti (Ottoman Freedom Society) was founded and was led particularly by Talat Pasha, who was a postal officer in Edirne. Immediately it was organized and spread in Macedonia within Third Army and Thessaloniki through a second army and later contacted with emigrants in Paris and decided to unit and used the previous names of constitutional movement that is CUP.

The center of activities and secret organization were carried on in Thessaloniki instead of Paris. Macedonian problem was the direct cause of the revolution in July 1908. In a coordinated campaign, the officers and the members of the CUP took the hills with their troops and demanded the restoration of the constitution and finally Sultan Abdülhamid II had been forced to apply the constitution on 23 July 1908 after an interval of 30 years.⁶⁷

⁶⁷ Ahmad 31-32.

It was great happiness and great success for CUP to restore constitution, however on 12 April 1909, there was a kind of a counter-revolution and it caused Hareket Ordusu (The Action Army) Mahmud Şevket Pasha, commander of The Third Army, reinforced by volunteer units, mostly Albanian, led by Niyazi Bey, one of the heroes for 1908 revolution, to move to Istanbul.

The Action Army occupied the city without encountering much resistance. After suppression of the revolt, two martial courts were instituted which convicted and executed the large number of rebels including Derviş Vahdetin. On April 27, the two chambers of the parliament deposed Sultan Abdülhamid, who succeeded by his younger brother Mehmed Reşad to the throne as Sultan Mehmed V.

Whenever needed, army tried to lead and intervene in the government matters especially, by the CUP members. After falling down of the provinces in the Balkans by the Bulgarians on 23 January 1913, with leader of Enver Paşa, Bab-I Ali coup had been done and CUP established new cabinet of government and stayed in power until 1918, the year of defeat due to the First World War⁶⁸

3.3. One Party Period: Strong Government In Form Of Presidentialism

It is important to comprehend one party period with regard to government regime. Although Turkey is a republic and has a parliamentary government regime according to the constitution, in practices there was only strong one party government for political revolutions over publics. In regard to the authority and power, some Turkish scholars resemble it to the presidential system. I try to focus on the one party period in respect of political culture and government models.

During one-party domination of CHP (Republican People's Party) although there were some parties, they were not allowed to live. The first movement was the Progressive Republican Party (Terakkiperver Cumhuriyet Fırkası). Actually as some scholars point out, the Turkish One Party Period was like a Presidential System in

⁶⁸ İhsanoğlu 124-135.

respect of the superiority of government. Indeed, some political scientists on modern Turkish History like Eric J. Zürcher, mention that instead of the modern democratic presidency, it was like the authoritarian system because of the monopoly of power by one oppressive dominant party.⁶⁹

CHP was very strict and decisive in order to perform and spread revolutions. To be successful by implication and encourage the reforms and revolutions, the party used power against any opposition and tried to make psychological fear for publics. *Rebellion was brilliant opportunity to make pressure and spread psychological fear over society in order to impose and practice all revolutions. When Sheikh Said's rebellion began, it was good opportunity to suppress and remove the political opposition. That is why two independence tribunals were Immediately reinstated, one for the eastern provinces and the other for the rest of the country.*

After resignation of Fethi bey, İsmet İnönü became a president and his first act was to pass the law called *Takriri Sukun Kanunu* which was opposed by PRP. According to the Tribunal, the members of the party had supported the rebellion and tried to exploit the religion for political purposes. Thus, on 3 June, the Progressive Republican Party was closed down by the government on the advice of the independent tribunal.

One year later with Menemen Conspiracy, in İzmir, many old famous Unionists were arrested and received prison sentences and heavy punishments. Thus by this case, one dominant elite group always observes and make pressure to another opposition and does not allow alternatives for themselves!

Those cases and examples probably give clues about the story of one part period. Abuse of power is clear and that is why some scholars called it an authoritarian regime! Some groups claim that because of one party regime, the government should be limited and restricted.

⁶⁹ Zürcher 173-178.

However, today we have facilities of good democratic level. If we complete fundamental rights with constitution by respecting citizens and values and believes of all the citizens, why should not we establish a strong and a stable government in order to become global actors! Indeed, the bad cases and abuses of power should not break our imagination and ambition for tomorrow! We can not live on fear scenarios. In order to be actor, you should be brave and resist the obstacles. That is what happened in the U.K. and in the U.S.

3.4. Weak or Firm Separation of Power in Sense of Constitutional Practices of Turkey

After the first world, struggle for independent war, eventually there was new assembly in Ankara. The assembly prepared and accepted the famous 1921 Teşkilat-ı Esasiye Kanunu. It was accepted as a constitution even though many legal procedure and forms were deficient.

Second Assembly in Ankara declared a form of government as a Republic on 29 October 1923. The first Assembly was practically a kind of a substantive constituent assembly, so it is sufficient criteria to make constitution and that is why the 1921 Teşkilat-ı Esasiye was accepted as constitution by the academic doctrines.⁷⁰

On the other hand it is very important to emphasize that the 1921 Constitution was based on unity of power instead of separation of power.⁷¹ The constitution was based on separation of power, executives brunch were vested by government independently of the parliament while in unity of power executives and legislature are vested to the assembly.

⁷⁰ Gözler, Kemal, “*Türk Anayasa Hukuku*”, (Bursa: Ekin Kitabevi 2000) 45-46.

⁷¹ Kuzu, Burhan, “Yeni Bir Anayasaya Doğru”, *ASBF*, Cilt:47, S:3, Haziran-Aralık 1992, s.226.

That is if legislature and executive are directly mixed and united and vested by Assembly, it is not a system based on the separation of power. In separation of power there are two types of governments which are based on whether strict or soft separation of power. If there is strict separation of power, it is called a Presidential System, however if it soft, it is called a parliamentary system or regime.

Comparing the 1921 constitution to the 1924 constitution, there is a trend or a transformation toward separation of power but not exactly yet. There are both attitudes of unity and separation of power. In 1924, it is mentioned that executive is vested by assembly while it allows establishment of the government by prime ministers and president. That is, in theory the assembly has executive power but in practice is vested by government, resembling the parliamentary system.⁷²

1961 and 1982 constitutions clearly expressed the forms of government as parliamentary regimes. On the other hand, compared to the 61 constitution, the 82 constitution gives more power to executives.⁷³ Our last constitution is practically not in conformity with the spirit of the classical parliamentarism. For Turgut bey, that was why we needed a new constitutional form of parliamentary regime instead of the transformation of the regime to presidentialism.⁷⁴

It was prepared and accepted according to the mentality for establishing strong executive body. Indeed, as Evren has mentioned, the government was rescued and free from the subordinate and subject of the legislation. Because of the powerful executives, some scholars call it a presidential system, as well as a semi-presidential system.

According to Metin Heper, in the 1982 constitution president sees himself as the guardian of the state. The president is not a chief political executive, yet his responsibilities are extensive and the fulfillments of these responsibilities may at times oblige him to transgress the political sphere. To blame the president relying on

⁷² Gözler, 57-75.

⁷³ Sezginer, Murat, “*Güçlü Yürütme Anlayışı ve Türkiye’deki Görünümü*” SHFD, C.3, S.1, 1990

⁷⁴ Turgut, Mehmet, “Başkanlık Sistemi, Ordu ve Demokrasi”, (İstanbul: Boğaziçi Yayınları 1998) 144-149.

the 82 constitution by means of impeachment is very difficult, comparing to that of Germany and France.

Heper claims that he can do this by drawing upon his ethically elevated station and position in the politics and in the last resort, by operating through the State Supervisory Board. On the other hand, the governmental system is parliamentary, therefore the president has to respect the cardinal principles of the regime.⁷⁵

According to Özbudun⁷⁶, the 82 constitution shows that state elites do not trust the citizens or electoral. The 82 constitution was planned to have strong presidents for a stable government. However, for Turan, this is opposite to classical parliamentary regime in the name of stability which is a kind of a dilemma between the democracy and the stability.⁷⁷ In my opinion, it was clear that founders of the 82 constitution did not like to face an unstable and a weak government.

3.5. Last Amendment Package in Regard of Regime Debates

According to last Amendment, the president of Turkish Republic will directly be elected by public for five years while according to the 82 constitution it was elected by The Great National Assembly of Turkey for seven years. The new amendment makes president a power on the base of legitimate ground by means of public vote. Previously, due to lack of the public legitimate, the president did not use the power recognized by the 82 constitution. By this amendment, the president power is based on a legitimate ground.

⁷⁵ Heper Metin, Çınar Menderes, "Parliamentary Government with a strong President: The Post-1989 Turkish Experience" **Political Science Quarterly** vol:111, Number 3 1996 492.

⁷⁶ Özbudun, Ergun, "The Turkish Party System: institutionalism, Polarization, and Fragmentation" **Middle Eastern Studies**,S:2, Nisan 1991, p.p.233

⁷⁷ Turan, İter, "Stability versus Democracy: The Dilemma Of Turkish Politics" **Toplum ve Ekonomi**, S:2, Eylül 1991, s.44

When the first rounding of voting was declared invalid by the Constitutional Court on the ground that the quorum of two-third was necessary, the government prepared a bill of constitutional package, but President Ahmet Necdet Sezer did not approve and vetoed it. The Great National Assembly of Turkey reaccepted it and this time President Necdet Ahmed Sezer referred to a referendum on 15 June 2007 due to lack of cancellation and veto according to the 82 constitution.

Eventually, on 21 October 2007, the public majority voted in favor of the new amendment. The new reform consisted of electing the president by population vote instead of the parliament; reducing the presidential term from seven years to five; allowing the president to stand for reelection for a second term; holding general elections every four years instead of five; reducing the quorum of lawmakers needed for parliamentary decisions to 184.

After these new amendments, there are many questions that are debated by the political scientists. Why did the government do these changes to choose the president? Is this a kind of a semi-presidentialism? With last amendments, how has the possession of the president changed in regard to the political neutrality? What is the balance of the power in sense of relationship of president and prime Minister? Has the last amendment brought more separation of power?

What changed with new constitutional package about possession of the president was only the way of choosing or electing a president. If there is only electoral reform, why are there many debates? The new constitutional amendments did not bring any additional discretion for the president.

Even though, according to the 82 constitution, the discretion (authority) of the president is very strong, he was elected by the parliament. That is why some political scientists criticized and offered that the president should be given more authority and he or she must be elected by a public vote. Otherwise it is not fair to use strong authority without public voting.

Some political scientists claim both of them at the same way. However, in France both of them are elected by public. In democracy, all political institutions take legitimacy on the consent of the public and act in the name of public.

Thus, to oppose public vote is not rational and proper with regard to the philosophy of the democracy. Why do you not trust the public vote? Do you think that they are illiterate and ignorant? You see them as ordinary and you do not respect them? Do you think that the president should be elected by an elite class? Indeed, we may ask and enumerate many other questions for those who are opposite of public votes.

There is not any democratic to oppose the public votes. However, it may be against the government consisting of two heads.⁷⁸ Why does a government have two parts? Is it necessary to separate and share and divide the heads of the executive branch? Moreover, the border and limit of the power divided between the head of the government and the head of the state should be disputed. Below I want to analyze and focus on and compare and contrast the issue of the head of the government and the head of the state and approach the limit and the border and the share of the power between them?

3.6. Two or One Heads for Strong Government?

In the parliamentary system there is a debate about two heads of executive branch.⁷⁹ If it is a monarchical government, it does not cause a great conflict and challenge to have two heads of executive since the discretion and authority of the constitutional monarch in the contemporary modern democratic system is too weak and most of it is symbolic and ceremonial.

⁷⁸ http://www.aksiyon.com.tr/detay.php?id=27419&yorum_id=19999Sayı:649 (14-05-2007)

⁷⁹ Erdoğan, Mustafa, <<http://www.liberal.org.tr/index.php?lang=tr&message=me&art=230>>(17/01/2005)

Moreover, in a republic regime, if the head of the state is weak and only symbolic like in the monarchial system, this in practice does not cause big problems and a dilemma and any political instability because Monarch does not intervene in the political issues.

On the other hand, if the head of the state is given a strong authority, he or she should be elected by a public vote like in France. The 82 constitution gave high and wide authority to the president but did not allow him to be elected by public votes. That was the unique problem and the feature of the Turkish Parliamentary system and caused a legitimate debate about the president due to lack of the public vote in the possession of great authority.⁸⁰

In my opinion, the new amendment gave meaningful ground for authority of the president. It says if you have power, you should base your possession and authority to the public vote. In contemporary democracy, every authority should be persuasive and reasonable on the legitimate ground. If this authority is used by the state and even by the president, it should be built on the form and spirit of a democracy.⁸¹

It may be argued that whether the president should have strong authority or not. This debate is different and important. What I have already mentioned is that the 82 constitution allowed a strong authority and it is rational and it was necessary to be elected by a public vote instead by the Great National Assembly of Turkey.

I think we should consider the experiment of the 82 constitution and French Parliamentary, since they already have applied it. The French experiment shows that when a prime minister and a president are from the same party, there is no conflict and the system gets along and goes properly with harmony since their mentalities and philosophies are approximately close to each others.⁸²

⁸⁰ Ay, Şadiye, <<http://www.mevzuatdergisi.com/>> (24-06-2008)

⁸¹ Yazıcı, Serap, "Başkanlık ve Yarı Başkanlık Sistemleri: Türkiye için Bir Değerlendirme"(İstanbul: İstanbul Bilgi Üniversitesi Yayınları 2002) 42-43.

⁸² Erdoğan, Mustafa, <<http://www.liberal.org.tr/index.php?lang=tr&message=me&art=229>> (20/01/2005)

In contrast, if the parties are visa-visa, it may cause awful conflicts, struggle and competition.⁸³ If there is a competition, a challenge and a conflict, the government leads country with instability and chaos and there may be anarchy. This is the fear of two head system and it is possible. If it is possible, is there a need to give risk and a threat to the state and the society and economy? Is it rational and reasonable to allow such bad possible scenarios that may be carried out every time?

In my opinion, *it should be noticed that to have strong executive is different from having strong president in a parliamentary republic regime.* In Britain the Parliamentary Regime and the cabinet is very strong and that is why it is called Prime Ministry Presidentialism or elective dictatorship ! Therefore, it is possible and more rational and reasonable to make a prime minister strong instead of the president.

Otherwise since both of them come with output of the public vote, both of them claim legitimacy and both of them may act and decide and cause collapse and conflict in the government. Thus, if we need a strong government in favor of the country, the solution is possible in the parliamentary system. The authority should adjust in favor of the prime minister instead of the president.

Another solution for strong government is the presidential system.⁸⁴ For good system, I give my support to that instead of having ritual and symbolic president, it is better to remove it. It is known that the existence of two heads in a parliamentary regime is generally because of the monarchy. In the medieval ages of Europe, the monarch was in power.

With process and development of democratization, however, the monarchs have lost their power and became only symbolic hereditary of the crown. It is famous that Monarch is in throne but can not govern! That is the defeat of the

⁸³ Tosun, 78.

⁸⁴ Ardiç, Engin <<http://www.aksam.com.tr/yazar.asp?a=93848,10,2>> (04.10.2007)

monarch in the twentieth century against democracy. I think in the 21st century the institutions of the monarch or the president as a head of state will be a kind of an alternative to the mentality and the philosophy of the monarchy, and it is meaningless.

3.7. Why Strong Government?

The supporters of the presidential regime generally claim that it is a strong type of a government. If we consider the history of presidentialism, we will witness and testimony that the presidentialism always grows and has got strength. We should know the characters and the special features of the political institutions of the U.S. to understand the reasons of power of the presidentialism.

Actually, whether as a symbolic head of the state or as the strong head of a government or whether with a presidential system, Turkey needs to have a strong government due to the below mentioned significant reasons. Therefore, we should have a strong government with a parliamentary regime or a presidential system!

Turkey as a successor of the Great Ottoman State, and is located on the world center geographically. Its geographical and its historical position makes Turkey very important. Turkey is a bridge between Europe and Asia. Turkey has been a cradle of civilizations for so many years. Since now it is the heir and the successor of all the past civilizations, it is reasonable to predict it as an actor of the great super power during the 21st century.

Turkey has connection with Central Asia's Turkish Republics. Turkey has respectful possession for those Central Asia's Turkish Republics like Uzbekistan, Azerbaijan, Kazakhstan and the other Turk Republics.⁸⁵ Recently, and particularly in the 21st century, the U.S. tries to be close to the Central Asia's Turk Republics because of their natural resources. Turkey should lead spiritual, cultural and historical relationship with Central Asia in order to become a strong actor!

⁸⁵ Zeybek, N. Kemal, <http://www.aygazete.com/?33926>>(02.05.2007)

Turkey has common roots with the Balkans in regard to the history, ethnics and religion. In the 20th century the Balkan Muslims and Turks had been under cruelty and were treated with an injustice power due to the Communist Satellites,. However, with the collapse of the Communist Soviet World, and with the rise of the democratization trend in East Europe that is, the Balkans, where there is a need of a strong actor to protect and represent the Balkan Muslims and Turks.

The best alternative is the Ottoman Successive that is Turkey. ⁸⁶Balkan Muslims like Turkey because of their deep historical connections and the religious and the ethnical common roots. That is why a strong government is a crucial key for Turkey for being an actor in the Balkans! Indeed, the Balkan Muslims and Turks need a protector and a strong actor in favor of them that is certainly Turkey, considering the countries in Western Europe and the former republics of the Socialist Russia!

Turkey is a very important actor in the Middle East. After the American occupation of Afghanistan and Iraq and the conflict and the disagreement between Israel and Palestine, the attention is drawn to Turkey for the solution to establish of a peaceful Middle East. Israel and the U.S. have lost power because of the hegemony and self-interest. The Middle East looks out to be a strong actor to help to agree for a peaceful compromise.

Turkey is a like model in sense of a democratic experiment and a republican background for the Muslim World. In the Muslim world there is a trend to imitate and take as a model Turkey and to follow it because of the monarchial domination. During the 20th century, the Muslim World has given great challenge for independence and many of the Muslims countries gained their independence. However, to be free and independent is not sufficient, they try to establish good political institutions.

⁸⁶ Kuzu, Burhan, "Türkiye İçin Başkanlık Hükümeti", **Amme İdaresi Dergisi**, C:29, S:3, Eylül 1996, s.59.

Turkey is one of the great examples for Muslim Realm to be followed in the sense of democratization. Therefore, to have strong government for close relationship with Muslim World is a very crucial role of Turkey. Turkey should have strong government in order to be an actor on the arena of the Muslim World, instead of other alternatives, particularly the U.S. and the U.K. and so on.

We need economically strong Turkey in the world,. That is also another important reason that leads us to a strong government. If we look into the world, the countries of economical power, politically have also strong governments. If you do not have political stability, you can not pull investment and capital to your state. For capitalists and world economic actors, the most important elements for good investment are the political stability.

However, when your electoral system or governments with two head are fighting each other, this attitude damages the political stability and prevents the capitalists to come to your country. That is why your political stability is very important factor for your economical power.

Some political scientists claim that every nation should have a system according to its past features and particularly its social cultural characters and traditions. Guaranteeing the fundamental rights, in my opinion, is a great opportunity to be a super global power by means of a presidential system. Many sociologists see the Turkish Nation as a Military Nation and of having a character of leadership and administration.

If we consider the historical Turkish States like the Ottoman, the Seljuk's, Karahanlilar and the others, it is easy to comprehend how Turks have ability of establishing a state. I do not want to mean we are militaristic society but society of leaders! During one party regime, M. Kemal and İnönü did not act in a different way than Monarchs! I do not advocate any of such as absolute power against publics in the name of any excuses. It can not be said that we should allow the Omnipotent

Leaders. I only emphasize the conditions of a clear fragment of authority of power, it is great and brilliant opportunity for us to have a strong actor in the world politics.⁸⁷

The story of attempts of the constitution and parliament during the Ottoman State shows that the army and the elite groups always see themselves as protectors and organizers and the authority of the state in the name of publics. That is why always the army intervened in the politics. In fact, this is contrary to the spirit and the origin of a democratic struggle and it is a kind of a dilemma. Democracy may emerge and spread and protect through support and participation and organization of the public levels instead of the upper elite power.

3.8. Representative Government

It is a crucial matter to determine which system is more representative whether the presidentialism or the parliamentarism. There are arguments claiming that both the presidentialism and the parliamentarism are more representative and democratic. Another important issue is to determine which system is more stable in regard to the representation?

If we consider those two questions, it seems that there is a kind of a dilemma whether more representative government or more strong and stable government will be a priority. What are the important elements of the representative governments? Moreover, what kinds of things may be done to have more representative governments?

According to John Stuart Mills, representative government is essential and meaningful for the spirit of democracy and story of struggle of democracy. Minority groups definitely should be represented. Majority should not make hegemony and pressure over the minority. It is an essential part of democracy that minorities should

⁸⁷ Dursun, Davut, <http://yenisafak.com.tr/arsiv/2003/nisan/24/ddursun.html> (24.04.2003)

be adequately represented. No real democracy but a false show of democracy is possible without it.

For Mill, the pure idea of democracy, according to its definition, is the government of the whole people by the whole people, equally represented. In a real equal democracy, every or any section would be represented not disproportional but proportionally. It is reasonable that majority of the electors would always have majority of representatives, but a minority of electors would always have a minority of representatives. That is the key elements of a true democracy and a representative government.⁸⁸

However, the representative governments may be an obstacle for a strong and a stable government. That is, why today many parliamentary regimes have elective dam or fence and makes two or few party system by the order of electoral system.

I think one of the important things for determination of representative government is to care and focus on the electoral system. If the electoral system is proportional, it provides more representation. However, if electoral system is first past the post, it gives opportunity for few parties and concludes the problem of the representation.

For a representative government, electoral system is not sufficient. If electoral system is proportional and there are multiparty systems, it is not a guarantee to speak about a representative government. The party system is another important element to provide and reach representative government. Consider if there is democracy inside of party, it will be more liberal and will participate to the political matters with free ideas and different views. However, if there are leader party models, it is difficult to represent the colorful opinions.⁸⁹

⁸⁸ Mill, 102-107.

⁸⁹ İba, Şerif, "Türkiyede Parlamenter Rejimin İşleyişi Açısından 3 Kasım 2002 Seçimlerinin Sonuçları" *ASBF*, S:2, 2003, Cilt:58, s.101-102.

If a general leader is dominant and popular and the party discipline is strict and if there are group decisions, those conditions prevent oppositions and different interpretations and it causes emergence of hegemony. Moreover, in such cases, the party leader as a prime minister in the parliamentary regime may determine almost all political future and the rest just one.

Therefore, in such circumstances, how it may be claimed as a democratic and a representative government. Certainly, the party leader also considers the party members and the public opinions but in such conditions it is not sufficient to be a more democratic and a representative model.

Compared to the parliamentary regime, in the presidential system, the president should consider the public opinions and give more significance to them, because he is responsible of the public and accountable to publics. President's source and legitimacy of authority is the public as a result of election. In the parliamentary regime, source and legitimacy of power is the assembly, since the prime ministry is derived of the assembly.

Thus, if there is a leader party system, he or she has authority over the members of the assembly and may act individually. He trusts his obedient party and makes politics solely. On the other hand, in the presidential system, president knows that everything is observed and evaluated by publics and be more sensitive toward demands of voters due to direct source of the president!

3.9. Rational Parliamentarism

Although those supporter of rational parliamentarism do not accept and approve presidentialism, they confess that the parliamentary regimes have some shortcomings and problems. Almost all of them accept that in the parliamentary

regime of Turkey there is a problem of government stability.⁹⁰ That is why we have many coalitional governments.

In my opinion, if we make a rational parliamentarism, it is sufficient to have results that we desire to see for a democratic representative government and a strong and stable government. May we find and attain more democratic participation and active representatives of parliament? Is it possible to prevent shortcomings of the foundation of parliamentary that is the collapse of the two heads of parliamentary regime?

Actually, I am not hopeless, this efforts of rational parliamentary are very attractive and reasonable. In order to carry our democratic flags to high places, we need to think and ask and benefit from all free views and opportunities and offers.

Those supporters recommend that we have parliamentary traditions and we have possibility and capacity to progress and perfect our current traditional parliamentary regime. To renew and change the parliamentary regime to the presidential system is not reasonable and rational. To reform and complete deficiencies and shortcomings of the parliamentary regime is healthy and more brilliant.

Some academic scientists like Süheyl Batum, Erdoğan Teziç and Erdal Onat suggest that parliamentary regime should be restored and reformed that is rational parliamentarism instead of the totally and completely new and different presidential regime.

The problem for Erdal Onat is a party leader authority.⁹¹ The party leaders determine the candidates of election for the parliament. There is not democratic ground and participation inside of a party establishment.

⁹⁰ Üste , B. Rabia, Başkanlık ve Yarı Başkanlık Sisteminin Türkiye İçin Değerlendirilmesi” **Amme İdare Dergisi**, S:1, Mart 2003, s.33-39

⁹¹ Onar, Erdal, 73-78.

The party amendments and law, unfortunately does not allow different views and social demands. Party philosophy is shaped and formed from upper elite members. The lower and other members are not very active. The culture of party order is important step in order to be more successful in the parliamentary regimes.

According to Günseli Özkaya, the problem is not the new changes of transformations of regimes. Instead of the regime transformation, our parliamentary regime should be reformed and progressed. As an Ottoman successor, Turkish political structure and culture is flexible and has capacity to make such reforms.⁹²

According to Özkaya , we need more democracy for individuals, especially for ordinary publics and weak ladies and women. Özkaya supports that the 82 constitution does not trust the citizens and the public power. It always forms and directs citizens. Unfortunately, the 82 constitution does not show fundamental expectations of publics. That is why the system is out and far from the spirit and foundation of democracy and freedom.

Teziç points out that the last two hundred years, there have been 174 constitutions and majority of them have been done after 1974. According to Teziç, it shows that in the world there are trends and tendency toward a transformation and research for more perfect system.⁹³ The question of transformation and research is based on that how we can attain and find a stable government and a representative effective assembly?

According to Teziç, to provide both strong and stable government and representative and independent assembly is difficult. He suggests that the background of successful regimes of presidential system is that it is based on the civil, free, liberal society. Furthermore, the best party system is found in the U.S.

⁹² Özkaya, Günseli, “21. y.y.da Nasıl Bir Türkiye ve Türkiyede Kadın” Cumhuriyetin 75. Yılında Parlamenter Sistemimizin Bugünü ve Yarını”(Ankara: Türk Parlamenter Birliği Yayınları,1998),80-85

⁹³ Teziç, Erdoğan, “Parlamenter Sisteminin Bugünkü Anlamı ve İşleyişi”, Cumhuriyetin 75. Yılında Parlamenter Sistemimizin Bugünü ve Yarını”(Ankara: Türk Parlamenter Birliği Yayınları,1998), 21-22.

That is why the United States is very successful. However, although Teziç, appreciates these aspects and important elements of presidential system, he definitely opposes the presidential system.

4. CONCLUSION

With the beginning of the 19th century, the Ottoman State began to adventure of democracy. Ottoman elites attempted and searched for the democratization in sense of the parliamentary regime. It was reasonable to struggle for a democratic movement with demand of parliamentary regime instead of the presidential system of the United States. Otherwise, to demand a presidential regime, was to equal to the demand of abolition of the Ottoman Dynasty which could not be declared and find enough supporters during the conditions of the century.

The first constitution was a great victory of the Young Ottomans but later it continued for a very short time.⁹⁴ The Russian war began and democracy was held for thirty years. With CUP's attempts and secret challenges to Sultan Abdulhamid, the parliament was replaced but this time, because of the Balkan, Italian wars and eventually due to the defeat of the First World War, the success of the democracy had been broken and cut. With the Independence War, the first assembly was established in Ankara instead of Istanbul, and the new center of growth for the future of democracy was Ankara.⁹⁵

With the era of multiparty and democratic grounds after one-party period, publics began to share and be close to political institutions but frequently there had been military interruptions and break of democracy with coups in the name of protection of the regime.

State elite and military intervention with coups always made publics out of the democratic progress.⁹⁶ It also has broken trust of society to the state institutions. The harmony and close relationship of the state and citizens have been damaged. Any success can be easily obtained; there should be public consciousness about democracy and freedom. Those kind of non-democratic interventions make the

⁹⁴ Çavdar 40-43.

⁹⁵ Ahmad 47-51.

⁹⁶ Zürcher 260-261.

public more wishful to have democracy and it leads publics to imagine and obtain the democratic institutions.

It seems that in Turkey the left parties oppose the presidentialism while the right parties are in favor of it. The right and the central parties in Turkey are more open and consider new alternatives whereas the left parties preserve the old system and oppose to the new alternatives. Indeed, this approach seems in the academic world, too.

If we consider the democratic stories of the United States and the British Constitutional Monarchy, it is clear that for them also it had not been so easy to complete and gain the democratic political institutions. It should not be forgotten that from the beginning of the Declaration of Independence until 01 January 1808 there had been a slave trade in the United States of America. Some founders of U.S. like Thomas Jefferson and George Mason were slave owners yet. It was not easy to abolish and ban it. By 1807, every state, except, South Carolina, had banned the slave trade. The Congress outlawed it in 1807, scheduling to ban to take effect on January 1, 1808.⁹⁷

Compared to the parliamentary regime, the presidential system is based on strict separation of power.⁹⁸ However, in the parliamentary system, there is a kind of soft separation of power because the cabinet is established among the assembly. If cabinet party is strong with party discipline, the cabinet dominates the assembly and may enact all laws that it wants. In such a condition, the assembly becomes symbolic, not active but just takes commands and orders of the cabinet.⁹⁹

It may lead the prime minister to maintain legislature. This provides more authority and power for prime minister because he is a leader of a party in legislature and head of the government. With those two wings, the prime minister may do any

⁹⁷ <http://www.un.org/apps/news/story.asp?NewsID=21735&Cr=slavery&Cr1> (02March 2007)

⁹⁸ Woll 41-42.

⁹⁹ Mayer 58-60.

political programs and damage the democracy. Therefore, the equivalence of legislature and executive is very hard in the parliamentary regime.

In the presidential system, the Congress does not have power of vote of no confidence. Due to lack of vote of no confidence, the Congress does not have strong authority over the president. Moreover, for president, it allows him to act and perform without pressure of accountability toward the Congress. In a democratic sense, it is the shortcomings and the deficiency of the presidential system that president does not have to give answers to the Congress. Thus president is not accountable to the Congress.

In the presidential system, the head of the government and the head of the state are combined whereas in the parliamentary system the head of the state and the head of the government is different. In the parliamentary regime, the head of the state is whether a monarch or a weak symbolic president even though it may alter in some parliamentary regimes.

However, at the end of 20th century there have been trend and transformation of president office being strong like in France with semi-presidential system and Turkey with its 82 constitutions. It shows that in the 21st century there will be more tendencies toward strong, stable and democratic executive branches.¹⁰⁰

Although many parliamentary regimes do not have stable governments, the United Kingdom has it. One of the important reasons is due to the electoral system.¹⁰¹ Like the United Kingdom and the United States, in 1950s in Turkey, there was an electorate system of first past too, and it was easy to have two-party system by means of electorate system. With two parties or at least few less parties, it is more likely to establish stable and democratically strong governments.¹⁰² However,

¹⁰⁰ Yanik 92-95.

¹⁰¹ Kopstein 62-64.

¹⁰² Singh 46-53

with representational electorate, there are many parties and because of the principle of confidence of no vote, life of cabinets are generally short.¹⁰³

With referendum package applied in October 2007, there is no doubt that the president has great legitimate authority. Since the 82 constitution, the president has been given strong discretion and with the 21 October referendum, the president is based on more legitimate conditions by means of election.

Some political scientists opposed president to be elected by public votes but these reasons are not democratic. If the president is allowed and given strong authority, why should not it be based on public votes? It is more democratic to elect a president by public votes since he has ability to use a great authority. In democracy, every authority and power should be based on legitimization and permission of the public.

On the other hand, in my opinion, the real problem is that with parliamentary regime we have two heads of executive brunch. With the 82 constitutions, wide strong authority has been given to the president and eventually, it is approved by a referendum held in October. If you divide and separate executive and provide important possessions for both of heads, it is dangerous and treat for the stability of the government. If two heads conflict, it brings chaos and instability. The system is closed and does not work. Actually, the French semi-presidentialism has approved these fears of conflict and fighting of two heads.

The solution for the fear of clash of two heads is whether we should abolish one head that is presidency or we should make one head weak and symbolic like monarchical parliamentary system of the United Kingdom. That is why both the United Kingdom and the United States have strong and stable governments. Otherwise it is hard and a problem to make both heads strong in regard to harmony of executive brunch. That is why the French semi-presidentialism causes problem of two heads to live together which is called 'cohabitation'

¹⁰³ For coalition governments from 1960 to present in Tukey see:
<<http://www.byegm.gov.tr/yayinlarimiz/kitaplar/fmd/tr/12257.htm>>

On the other hand, it should not be forgotten that one of the big problems in both parliamentary regime and presidential system is representation of the minority. Although today there are fundamental rights for all citizens, it is not sufficient for the demands of the rest of the publics or the minority. They are not exactly held and represented by the power of the government.

In fact, in a parliamentary regime, when party leader is strong, he controls the legislature and the government together. In other words, if there is not a democracy within a party, it causes the strong authority of party leaders. Thus, in the parliamentary regime it is possible that prime minister may have omnipotent power like elected monarchs. What some political scientists fear of presidential regime is not different with parliamentary regime in the sense of abuse of power. Maybe in the parliamentary regime, this fear of abuse of power is more higher possibility than presidential system in some aspects.

In my opinion, the presidential system or any other alternatives should be encouraged and considered for a better system in Turkey. In the 21st century, I think new generations are more open-minded and consider all the alternatives to carry Turkey to a more strong position in the world. I have hopes and trust new generations.

To conclude, Turkey should have a strong government because of its global and geographical roles. Turkey is located in a very crucial region between two continents, Asia and Europe. Turkey has historical connections and relationship with Balkans, Middle East and Central Asia particularly in respect to the ethnical, religious, linguistic and cultural values. In order to be active in all this regions I think that Turkish Government should be strong enough.

This seems to be possible through consistency of the government and thus the consolidation of the democratic system. It is empirically evident that the reason

why the U.K. and the U.S. are playing crucial roles in almost all parts of the world is that they have strong and consistent governments.

BIBLIOGRAPHY

Ahmad, Feroz, "The Making of Modern Turkey", (New York: Routledge 2000).

Akgündüz, Ahmed, Öztürk, Said "Bilinmeyen Osmanlı", (İstanbul: Osav Vakfı 1999).

Barlas, Mehmet, "*Turgut Özalın Anıları*" (İstanbul: Sabah Kitapları,1996).

Cunliffe, Marcus, "The Presidency", (U.S.: American Heritage Library 1987).

Çavdar, Tefvik, "Türkiyenin Demokrasi Tarihi", (Ankara: İmge Kitapevi 1995).

Çaha, Ömer, "Sivil Toplum Aydınlar ve Demokrasi", (İstanbul: İz Yayıncılık 1999).

Duverger, Maurice,"Siyasal Partiler", (İstanbul: Bilgi Yayınevi, 1974).

Erdoğan, Mustafa, "Anayasal Demokrasi" (Ankara: Siyasal Kitapevi, 1997)

Ferguson H. John, McHenry E. Dean, "Elements of American Government", (New York: McGraw-Hill Book Company, 1950).

Gosling, J. "Politics and American Economy" (New York: Longman 2000)

Golay, M.,Rollysson, C. "Where America Stands" (New York: John Wiley and Sons 1996)

Gözübüyük, Şeref, "Anayasa Hukuku" (Ankara: Turhan Kitabevi, 1995.)

Gözler, Kemal, "Türk Anayasa Hukuku", (Bursa: Ekin Kitabevi 2000)

Horowitz David, "Demokratik Sistemleri Karşılaştırmak", çev. Ergun Özbudun), (der.) Lary Diamond , Marc F. Platner, Demokrasinin Küresel Yükselişi,(Ankara: Yetkin Yayınları, 1995).

Huntington, Samuel P. "Political Order in Changing Societies", (New Haven and London, Yale University Press, 1968)

İhsanoğlu, Ekmeleddin (Ed.), "Osmanlı Devleti Tarihi",1.Cilt, (İstanbul: Feza Gazetecilik 1999).

Kopstein, Jeffrey, Linchbach, Mark (Eds.), "Comparative Politics: Interests, Identities and Institutions in a Changing Global Order",(Cambridge: Cambridge University Press 2002).

Kozak, C. David, Ciboski, N. Kenneth (Eds.), "The American Presidency", (Chicago: Nelson-Hall Publishers 1987).

Kışlalı, T. Ahmet, "Siyasal Sistemler" (Ankara: İmge Kitapevi 2003.)

Linz Juan, J. "Başkanlık Sisteminin Tehlikeleri", çev. Ergun Özbudun), (der.) Lary Diamond , Marc F. Platner, Demokrasinin Küresel Yükselişi,(Ankara: Yetkin Yayınları, 1995).

Lijphart, Arend, "Parliamentary versus Presidential Government" (Oxford: Oxford University Press, 1992).

Lijphart, Arend, "Presidentialism and Majoritarian Democracy: Theoretical Observations", (San Diego: University of California, 1989.).

Mayer, C. Lawrence, Burnett, H. John, Ogden, Suzanne, "Comparative Politics: Nation and Theories in a Changing World", (New Jersey: Prentice Hall 1996).

Mill, J. Stuart, "Considerations on Representative Government",(New York: Forum Books Inc. 1958).

Onar, Erdal Türkiye'de Başkanlık ve Yarı Başkanlık Sistemine Geçilmesi Düşünülmeli midir? Başkanlık Sistemi, Teoman Ergül (Ankara: Şen Matbaa 2005).

Niyazi, Mehmed, "Türk Devlet Felsefesi", (İstanbul: Ötüken Neşriyat 1999).

Özbudun Ergün, "Türk Anayasa Hukuku", (Ankara:Yetkin Yayınları 1998)

Özkaya, Günseli, "21. y.y.da Nasıl Bir Türkiye ve Türkiyede Kadın" Cumhuriyetin 75. Yılında Parlamenter Sistemimizin Bugünü ve Yarını"(Ankara: Türk Parlamenter Birliği Yayınları,1998).

Polsby Nelson W. "Congress and Presidency" (New Jersey: Prentice Hall,1986).

Sartori, Giovanni, "Comparative Constitutional Engineering", (New York: New York University Press, 1994).

Schmitt, Carl, "Parlamenter Demokrasinin Krizi", (Çev.) Ergun Özbudun, (Ankara:Dost Kitabevi 2006).

Singh, Robert, "American Government & Politics", (London: Sage Publications 2004).

Roskin, G. Michael, Cord, L. Robert, Medeiros A. James, Jones, S. Walter, "An Introduction to Political Science", (New Jersey: Pearson Education 2006).

Teziç, Erdoğan, "Parlamenter Sisteminin Bugünkü Anlamı ve İşleyişi", Cumhuriyetin 75. Yılında Parlamenter Sistemimizin Bugünü ve Yarını"(Ankara: Türk Parlamenter Birliği Yayınları,1998).

Tosun, G. Erdoğan, Tosun, Tanju, "Türkiyenin Siyasal İstikrar Arayışı: Başkanlık ve Yarı Başkanlık Sistemleri"(İstanbul: Alfa Yayın, 1999).

Turgut, Mehmet, "Başkanlık Sistemi, Ordu ve Demokrasi", (İstanbul: Boğaziçi Yayınları 1998).

Verney, Douglas V. "The Analysis of Political System" (London: Routledge&Kegan Paul Ltd. 1959.).

Woll, Peter (Ed.), "American Government", (New York: Pearson Education 2002).

Yanık, Murat, "Başkanlık Sistemi ve Türkiyede Uygulanabilirliği", (İstanbul: Alfa Yayınları 1997).

Yazıcı, Serap, "Başkanlık ve Yarı Başkanlık Sistemleri: Türkiye için Bir Değerlendirme"(İstanbul: İstanbul Bilgi Üniversitesi Yayınları 2002).

Zürcher, J. Eric, "Turkey A Modern History", (London: I.B. Tauris Publishers1998).

JOURNALS

Heper Metin, Çınar Menderes, "Parliamentary Government with a strong President: The Post-1989 Turkish Experience" **Political Science Quarterly** vol:111, Number 3 1996.

İba, Şerif, "Türkiyede Parlamenter Rejimin İşleyişi Açısından 3 Kasım 2002 Seçimlerinin Sonuçları" **ASBF**, Sayı:2, 2003, Cilt:58.

Linz Juan J. "Virtues of Paliamentarism", **Journal of Democracy**, vol:1, no:4.

Kuzu, Burhan, "Yeni Bir Anayasaya Doğru", **ASBF**, Cilt:47, S:3, Haziran-Aralık 1992.

Kuzu, Burhan, "Türkiye İçin Başkanlık Hükümeti", **Amme İdaresi Dergisi**,C:29, S:3,Eylül 1996.

Mainwaring, Scott, "Presidentialism, Multipartism and Democracy:The Difficult Combination", **Comparative Political Studies**, vol:26, no:2.

Özbudun, Ergun, "The Turkish Party System: Institutionalism, Polarization, and Fragmentation" **Middle Eastern Studies**,S:2, Nisan 1991.

Seymour Martin Lipset, "Siyasal Kültürün Merkezliği", **Bülten**, Türk Demokrasi Vakfı Yayını,S.9, Nisan 1991.

Sezginer, Murat, "Güçlü Yürütme Anlayışı ve Türkiye'deki Görünümü", **SHFD**, C.3, S.1, 1990

Turan, İlter, "Stability versus Democracy: The Dilemma Of Turkish Politics" **Toplum ve Ekonomi**, S:2, Eylül 1991,

Turhan, Mehmet, "Parlamenter Sistem mi Yoksa Başkanlık Sistemi mi?", **Mülkiyeler Birliği Dergisi**, Mayıs-Haziran 1995,S:179-180. C:XIX,

Üste , B. Rabia, Başkanlık ve Yarı Başkanlık Sisteminin Türkiye İçin Değerlendirilmesi" **Amme İdare Dergisi**, Sayı:1, Mart 2003,

Siaroff, Alan, "Comparative Presidencies: The Inadequacies of Presidential, semi-presidential and parliamentary distinction" **European Journal Of Political Research**, Vol:42, 2003,

WEB SITES

Ay, Şadiye, <<http://www.mevzuatdergisi.com/>> (24-06-2008)

Ardıç, Engin <<http://www.aksam.com.tr/yazar.asp?a=93848,10,2>> (04.10.2007)

Wikipedia, the free encyclopedia, Monarchy, <<http://en.wikipedia.org/wiki/Monarch>>, (29 June 2008)

BBC Homepage, <http://www.bbc.co.uk/dna/h2g2/A591383> (3August 2001)

Profile: Dr Rowan Williams, , http://news.bbc.co.uk/2/hi/uk_news/7234391.stm (8 February 2008)

http://www.aksiyon.com.tr/detay.php?id=27419&yorum_id=19999Sayı:649 (14-05-2007)

For coalition governments,
see:<http://www.byegm.gov.tr/yayinlarimiz/kitaplar/fmd/tr/12257.htm>

Erdoğan, Mustafa, <<http://www.liberal.org.tr/index.php?lang=tr&message=me&art=230>> (17/01/2005)

Erdoğan, Mustafa, <<http://www.liberal.org.tr/index.php?lang=tr&message=me&art=229>> (20/01/2005)

Hekimoğlu, M. Merhmet, < <http://www.radikal.com.tr/haber.php?haberno=176493>> (23/01/2006)

United Nation News Centre
<http://www.un.org/apps/news/story.asp?NewsID=21735&Cr=slavery&Cr1> (02March 2007)

Üskül, Zafer, "Başkanlık Sistemi Seçilmiş Sülтанlıktır."
<http://www.msnbcntv.com.tr/news/304623.asp>

11 Ocak 2005

Zeybek, N. Kemal, <<http://www.aygazete.com/?33926>> (02.05.2007)

Dursun, Davut, <http://yenisafak.com.tr/arsiv/2003/nisan/24/ddursun.html> (24.04.2003)

For key cases of American Timeline History
<http://www.infoplease.com/ipa/A0902416.html>

For the qualifications of the U.S. presidency see
<http://www.presidentsusa.net/qualifications.html>

For presidential vetoes <<http://www.senate.gov/reference/resources/pdf/presvetoes.pdf>>

For lists of US presidents see <<http://www.presidentsusa.net/presvplist.html>>