

Thomas Kyriakis
University of Hamburg

The two Plebiscites and Constitutions of 1968 and 1973

Both plebiscites and their results, the constitutions, shall be compared with each other and interpreted in the historical context of the late sixties and early seventies. The working hypothesis of my paper concerns the fact that the Greek military junta conducted itself differently in its organisation and management of the plebiscite and constitution in 1973 than in 1968, when it was inexperienced in the exercise of power. In the first case (1968), both the plebiscite and the constitution were used by the regime to legitimise itself, to consolidate power and gain time. The second time around (1973), however, the regime was under pressure due to internal factionalism and external political and economic problems, and sought to acquire a more political solution. Thus, I classify this solution as the highest action of the regime's "limited political pluralism" that threatened its consolidation and led to its regression in November 1973.

1. Introduction

What can be the point of an examination of the plebiscites and constitutions of an authoritarian system that is based on an unconstitutional state order? The answer to this question should be sought, primarily, in the nature of the authoritarianism, which is more an indication of the politically contradictory mentality of its representatives (both military and civilian), rather than a representation of a unified basic political attitude, let alone a practice of democratic conformity.

2. Two Opinions

Two diametrically opposed political science points of view, concerning the relationship between military dictatorship and politics, should be presented at this point.

According to Eric Nordlinger, authoritarian military regimes seek to set up a façade of democracy through rational-legal methods. They pass laws and draw up a constitution; they declare elections with pre-ordained candidates; they hold referenda in which the government receives the support of over 90% of the votes; and they declare the regime to have been “civilianised”, whereas all that the military leaders have actually done is to take off their uniforms.¹

The basic idea of Nelson Kasfir is completely different; writing about the background to his micro-analysis of Sudan, he maintains:

“Political life does not stop when military regimes come into power in developing nations. The new military government must search for new policies to establish its own legitimacy...A dilemma is created by the removal of those structures through which the military might test its own acceptance and perhaps consolidate its support.”²

In spite of their opposing viewpoints, both authors are concerned with the question of the political, which I also intend to pursue.

3. Theory, Methodology and Purpose

According to Juan Linz’s Concept of Interpretation, authoritarian regimes are defined as political systems which have “*a limited, non-answerable political pluralism*; they possess distinct mentalities rather than a formulated, guiding ideology; and, within them, there is no extensive, or intensive, political mobilisation, other than at a few specific moments in time. The political involvement of a limited number of independent groups or institutions becomes institutionalised.”³

My paper focuses on a point which is not without controversy – to the extent that it is almost taboo – in the literature relevant to the subject: the analysis of the mentality – in other words the forms of conduct and the conceptions – of the Greek military dictatorship, concerning possible forms of both short- and long-term political articulation, and perhaps also participation. Initially, such conceptions were clearly in contrast to the repressive and brutal apparatus of the regime (the police and the military; cf. Althusser), and remained no more than empty promises; however, from our present-day viewpoint, and against the background of both the “liberalisation experiment” and the regression of 1973, such “political”

¹ Nordlinger 1977: 133f.

² Kasfir 1975: 344-346.

³ Linz 2000: 129, 131.

conceptions constituted a lasting, and at the same time painful, accompaniment to the dictatorship which, after much hesitation, eventually came to the belated decision to open itself up, politically. This relatively slow – and in many respects contradictory – process of political development in the dictatorship, from a level of limited mentality through to the practical realisation of their political conceptions, is the centre of my scientific concern. The question that we should bear in mind, therefore, is whether or not a “limited political pluralism” occurred in the Greek military dictatorship – and, if so, what form did it take?

4. The Two Referenda

Referenda are a part of the political mentality of military dictatorship, serving the purposes of legitimisation and self-vindication both domestically and abroad. A dictatorship will often present “the benevolence of the state, without impairment to the power of the regime”⁴ as the motive for introducing a referendum. Further pretexts for referenda are direct opportunities for participation in decision-making in the affairs of state, secure provision for the will of the people in decisions of major significance, etc.⁵

The Greek dictatorship’s reasons for presenting the populace with two referenda (on 29th September, 1968, concerning the decision about drafting a constitution, and on 29th July, 1973, concerning the question of form of government) were certainly to do with self-legitimisation. Nonetheless, there are a number of other hypotheses⁶ which, for reasons of limited time, I will simply list here:

- a. The military dictatorship wanted to compensate for the loss of faith in the political world which had been produced by the coup.
- b. The aim was to procure consensus, particularly following the serious political crisis of 15th July, 1965, and its consequences.
- c. The junta wanted to demonstrate the ideologically conditioned unity between the authorities and the people – a central characteristic of authoritarian regimes.
- d. When they are carried out in democracies, referenda acquire a “quality of directness”. Yet dictatorships also aspire to this same quality, all the more so when they are constantly talking about the goodwill of the people. The Greek dictatorship, as well, wanted to make use of the principle of direct participation. In their conception of politics, the referendum was a substitute for the dreaded election. Basically, however, the Greek regime was forcibly extracting from the people a posterior confirmation of two political changes (1968: the military dictatorship; 1973: the republic) which had already been reality for some time. In the light of this, one can hardly speak in terms of truly direct participation.⁷
- e. Referenda contain a symbolic quality of theatricality; they serve as:
 - i. a substitute for the elections which are being forever promised but never delivered;
 - ii. a celebration of co-operation, consensus and unity. They transmit a politically unified image beyond fanaticism and radicalism (in fact, they make a demonstrative denial of the significance of individualism); furthermore, they serve
 - iii. the self-presentation of the regime.

⁴ Schleifer 2006: 131.

⁵ Schleifer: 131

⁶ <http://hsozkult.geschichte.huberlin.de/termine/id=10378&sort=datum&order=down&search=elections+under+>;
<http://hsozkult.geschichte.huberlin.de/termine/id=11240&sort=datum&order=down&search=elections+under+>

⁷ Alivizatos³1995: 281.

- f. In crisis situations – such as those following 13th December, 1968, or the “Velos Revolt” of May, 1973 – referenda serve as a “deus ex machina”.
- g. They are a further variable of indirect repression, in that they may be used as an opportunity for “negotiations”, and the supposedly open expression of differences of opinion.
- h. However, the risks inherent in referenda must not be forgotten, because:
 - i. The people can use them as an opportunity for protest;
 - ii. they can lead to the disruption of internal balance. In this case, the reactionary circles – the so-called “hard-core” of the regime – see the dangers of political transformation in the referendum; loyalty is called into question, and contradictions become significant.

5. The Two Constitutions

I will now turn my attention to the two constitutions⁸ and I will concern myself solely with the aspects of state that they contain – in particular, with the armed forces, the form of government and the head of state.

During the talks on the constitution in 1968, Papadopoulos had already intimated that the state had, up until then, been showing signs of weakness that were based either in the arbitrary conduct of its executive organs in relation to the people, or in the ineffectiveness of the law. Therefore, according to Papadopoulos, it was necessary to establish a balance between the function of the state and the activities of its citizens.⁹

5.1. The Armed Forces

“The main provisions of the 1968 constitution revealed the desire of the regime not only to politicize the armed forces but also to grant them complete operational autonomy. Articles 129 to 132 of the 1968 constitution elevated the status of military professionals and gave them complete jurisdiction over civilian affairs. The commander of the armed forces, appointed by the government, would now govern the military; once appointed, he could not be dismissed. Law 58 set the boundaries of the commander’s jurisdiction. He could reorganize the bureaucracy and day-to-day proceedings of the Supreme Council of National Defence in the way he chose and, under (ill-defined) ‘special conditions’, could take over the administration of one or more parts of the civilian authorities’ apparatus.”¹⁰

The politicisation of the armed forces basically resulted in the opposite effect, namely the militarisation of the state. In addition to this the constitution of 1968 was also concerned with the institutionalisation of the regime, which was to be secured through further constitutional articles and laws. In Article 49 (1968), for example, whilst the king retained his right to give orders to the armed forces, the authority of command was now put into the hands of the government. Moreover, a further rule was imposed upon the armed forces, within the framework of which the regime not only further secured its political position in the state, but also advanced its civilianisation. It involved the listing of rules concerning the political conduct of the military – primarily, to do with their sense of nationality, and with how to combat subversive groups and movements opposed to the existing state and social order, etc. “Article 130 §2 (1968) and Article 130 (1973) were deliberately drafted in such a way as to define *national security* very broadly, thus legitimizing the interference of the armed forces in

⁸ <http://www.verfassungen.eu/griech/verf68-index.htm>

⁹ National Printing Office 1969: 8.

¹⁰ Article 129 § 1 and 2 (1968) und Article 128 (1973); Duman/Tsarouhas 2006: 410.

matters of civilian concern. This tactic aimed at the intervention of the military into civilian affairs whenever ‘social and political conditions’ deemed it ‘appropriate’ and hence the institutionalization of the regime.”¹¹

At the very latest, this intervention of the military into political affairs was authorised once and for all in Article 138. This Article, amongst other things, prohibited the formation of political parties until further notice. Thus, the military was to operate as the only “civilianised” group, as a substitute party.

It is only in relation to an examination of the constitution of 1968 that we should now return to the question that was posed at the beginning of this paper: whether or not a “limited political pluralism” is the case in the role and significance of the armed forces in this first constitution. So far, the following characteristics may be observed in the armed forces: politicisation, operational autonomy, civilianisation and the role of substitute party. In the conception of the colonels, all four of these may be regarded as being politically relevant, as they were authorised by a constitutional document. The constitutional order of 1968 was, however, defensive-reactionary, in that it was primarily concerned with disconnecting civilian society from politics, and replacing it (civilian society) with the army. In my opinion, this displacement of civilian society under a repressive state apparatus in no way constitutes a limited political act. On the contrary, politics were being eliminated by a single state apparatus. In the political conception of the dictatorship the state is not regarded in its entirety; rather, it is shrunken down to one single part, which the dictatorship idealises and instrumentalises for its own purposes.

On the other hand, in 1968, the regime was inexperienced in the exercise of power. In this case both the plebiscite and the constitution were used by the regime to legitimise itself, to consolidate power and gain time. A limited political pluralism can be categorically ruled out, during this early phase in the life of the regime – thus we can concur with the view of Eric Nordlinger.

From this point of view, the attitude of the colonels towards ‘politics without politics’ may be interpreted as instrumental and defensive. There are two main points: on the one hand, the setting up and putting into place of an exclusive sovereignty for the military in the new state order – a role which they had been obliged to share with the king and the parliament during the 1950s and 1960s; on the other hand, the regime’s conception of its own identification with the state. The constitution of 1968 gave them an institutionally legitimised cover for this purpose. There can be no question that what we see here is a freedom-consuming state of exception in which the political say had been claimed by the military, through the regime.¹²

5.2. The Form of Government and the Head of State

The king’s coup, on 13th December, 1967, put the relationship between the king and the regime under severe strain, and further challenged the legitimacy of the regime. This led to a rift within the armed forces.¹³ Nevertheless, the colonels stuck to “monarchic democracy” as the official form of government in their system of rule.¹⁴ A declaration of lasting loyalty to the king, on the part of all members of the regime, emerges from the constitutional acts of 1968. However, political calculation plays the major role here. In particular, the sustaining of political unity within the armed forces, and the avoidance of international isolation – against which the royal institution always provided a safeguard – made the colonels very sceptical with regard to the abolition of the monarchy at this early stage. The retention of the monarchy

¹¹ [Zimpoulakis 1969] Constitution of 1968; Constitution of 1973; Duman/Tsarouhas 2006: 410.

¹² Albrecht 2006; Constitution of 1968, Art. 138.

¹³ Diamandouros 1991.

¹⁴ Constitution of 1968, Art. 2 § 1.

until 1973 guaranteed their institutional legitimacy. Similarly to Spain under Franco, the connection between the royal institution and the drawing up of the constitution was intended to give the impression of a “constitutional monarchy”.¹⁵

The situation changed in 1973, when the regime was faced with the dilemma of “politicisation or repression?” A compromise was forced, between continuity and change, and so the term “limited politicisation” applies here. There are three examples which argue in favour of this: the abolition of the monarchy in 1973 was thought of in terms of a political change; the transition from repression to gradual liberalisation indicated a further step in this direction; and the armed forces were no longer meant to be the exclusive representatives of the state – rather, they were to operate as political presenters in the background. In my opinion, this is a significant indication of political evolution in the regime, manifested in such measures of political openness in the civilian society, which were born of the necessity for presenting publicly a clear political countenance. This same political evolution is nonetheless distinguished by its “limited nature”. What lay behind it was the well thought-out strategy of the dictatorship to regulate the political transformation in such a way that it would have no seriously aggravating consequences for them. The move towards the gradual demilitarisation of the political state was to be accompanied by a decision which guaranteed the future role of the armed forces in the state. The dictator Papadopoulos took upon himself responsibility for the risk involved in this decision. The constitution of 1973 conferred upon him, a colonel, political duties and jurisdiction of central importance. Although they were intended to give the armed forces a secure role in the new political order, they nevertheless signified, for junior officers, an overlapping of political and military functions which favoured the political. Accordingly, the president of the republic was not only the head of state, but also the symbol of national unity, held in high esteem by the armed forces. He could nominate and dismiss the ministers and vice-ministers for foreign affairs, public order and, most importantly, national defence¹⁶ – which was intended to have a positive effect within the armed forces. Moreover, Papadopoulos took over the executives of the three key ministerial portfolios (foreign affairs, public order and national defence) in addition to the post of president of the republic. This, in its turn, was intended to provide security within the armed forces.¹⁷ Article 49 §2 (1973) also gave the president the right to issue orders to the armed forces, and to exercise the power of command. In the same article, the president, once again, was now responsible for choosing the commander-in-chief and commanders of the army, the navy and the air-force.

The accumulation of so many offices and responsibilities undoubtedly made Papadopoulos into an over-powerful man, and led automatically from the militarisation of politics to their personification. The aforementioned role-change of the armed forces, from “substitute party” to political presenter – similar to that in Turkey after 1963 – meant a loss of political prestige for them. The call for elections before 31st December, 1974, was perceived by them as a direct threat. Such moves towards liberalisation were particularly worrying for the hard-core of the regime, which brought an end to the short-lived Markezinis government on 25th November.

Similarly to Franco’s Spain, Greece also managed to force a state-regulation slowly into the background, and to modify it so that the repressive state opened itself to civilian society step by step. Franco’s basic constitutional laws did not emanate from the sovereignty of the people. Their representative was not the people but the head of state. Once again, in the case of Greece, we have a similar tendency, with Papadopoulos as the strong man of the regime. However, we do not know in what way the political liberalisation might have developed, or where it may have led to, because the Markezinis experiment was brought to an abrupt end by

¹⁵ About Spain see Beck 1979: 155.

¹⁶ Article 30 § 1 and 43 § 1 (1973).

¹⁷ Article 49 § 1 (1973).

the reactionary Ioannidis Group. In this respect, the constitution of 1973 remained unfinished.¹⁸

6. Conclusion

From this point of view, one can speak of 1973 as a deliberate, though uncompleted, “limited process of politicisation”, the main feature of which was the internal struggle with regard to the question of “transition: yes or no?” The change from the militarisation of public life through the politicisation of the armed forces within the framework of a political vacuum (1968), to the liberalisation of public life through the institutionalisation of the president and within the framework of limited political concessions (1973) was one that would never be experienced.

¹⁸ About Franco see Schleifer: 145, 189. Kaminis 1999: 63 talks about „fictitious Constitutions“.

Bibliography

- Albrecht, P.-A. (2006). *Die vergessene Freiheit: Strafrechtsprinzipien in der europäischen Sicherheitsdebatte*. 2nd ed. Berlin: BWV, Berliner Wiss.-Verl. [In German].
- Alivizatos, N. (1995). *The Political Institutions in Crisis. Aspects of the Greek Experience*. Translated by Venetia Stavropoulou. 3d ed. Athina: Themelio. [In Greek].
- Althusser, L., (1977): *Ideology and ideological states apparatuses (Notes towards an investigation)*. Hamburg / Westberlin: VSA. [In German].
- Beck, R. (1979). *The Governmental System of Franco*. Bochum: Brockmeyer. [In German].
- Constitution Draft (July 10, 1968). Athina. [In Greek]
- Constitution Draft (September 10, 1968). Athina. [In Greek]
- Diamandouros, N. P. (1986). “Regime Change and the Prospects for Democracy in Greece: 1974-1983”, in G. O’Donnell, Ph. C. Schmitter and L. Whitehead, (eds.), *Transitions form Authoritarian Rule. Prospects for Democracy*. Baltimore and London: Johns Hopkins University Press, 138--164.
- Verney, S./Couloumbis, Th. (1991). “State-international systems and the Greek transition to democracy in the mid-1970s”, in G. Pridham (ed.), *Encouraging Democracy: The international context of regime transition in Southern Europe*. Leicester: Leicester University Press, 103—124.
- Duman, Ö./Tsarouhas, D. (2006). “„Civilianization“ in Greece versus „Demilitarization“ in Turkey. A Comparative Study of Civil-Military Relations and the Impact of the European Union”, *Armed Forces and Society*, 32:3, 405--423.
- Kaminis, G. (1999). “Diktatur and Constitution in South Europe: Greece-Spain-Portugal”, in G. Athanasatou, A. Rigos, S. Sefereiadis (eds.), *Die Diktatur, 1967-1974. Political Practice-Ideological –Widerstand*. Athina: Kastaniotis, 61--74. [In Greek].
- Kasfir, N. (1975). “Civilian participation under military rule in Uganda and Sudan”, *Armed Forces and Society* 1:3, 344--346.
- Linz, J. (2000), *Totalitäre und autoritäre Regime*, ed. by Krämer, Raimund. Berlin: Berliner Debate Wis. Verlag [Potsdamer Textbücher 4]. [In German].
- National Printing Office (1969). *Typed Records of the new constitution of 1968*. Athina. [In Greek].
- National Printing Office (1973). *The Greek Constitution of 1973*. Athina. [In Greek].
- Nordlinger, E. (1977). *Soldiers in Politics. Military Coups and Governments*. New Jersey: Englewood Cliffs, NJ: Prentice-Hall.

Schleifer, W. (2006). *Mein Staat gehört nur mir. Die Verfassungsentwicklung in Spanien unter Franco von 1936 bis 1975*. Graz: Grazer Universitätsverlag. [Reihe Habilitationen, Dissertationen und Diplomarbeiten. Hrsg. von der Karl-Franzens-Universität Graz Bd. 5]. [In German]

Zimpoulakis, A. S. (1969). *The Greek Constitution of 1968*. Athina. [In Greek]

Online Sources

<http://hsozkult.geschichte.huberlin.de/termine/id=10378&sort=datum&order=down&search=elections+under+>

<http://hsozkult.geschichte.huberlin.de/termine/id=11240&sort=datum&order=down&search=elections+under+>

<http://www.verfassungen.eu/griech/verf68-index.htm>