

Professional Development Structure for Parliamentarians in Turkey

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Democratic governance aims at increasing state capability, accountability and responsiveness. Parliaments are pillars of democratic governance.ⁱ Three major functions of parliaments, namely law-making, supervision and representation, effectively contribute to viable democracy and open society. This is dependent on both on the institutional setting of the parliament, the members' capacity and the parliament's place and importance in national and international system.ⁱⁱ Especially in most of the countries including many developed countries too, parliaments are ineffective in terms of governance.(ibid.).

There are several factors for ineffectiveness of parliaments in this regard. First of all, parliaments lack institutional capacity to fulfill their functions effectively. Rules of procedure, committee structures, library, research and personal assisting services, information technology may not be provided adequately.ⁱⁱⁱ Other reasons include the existence of a weak democratic culture and limited capacity of members and institutional resources. Beyond educational and occupational background variables, parliamentarians lack the skills and experience to play an effective role in parliamentary processes. Moreover, their attitude which is mainly formed by former life experience may also affect their performance negatively.^{iv} Furthermore, parliamentarians' role orientation which is partly the outcome of their former socialization and experiences may influence the scope and extent of their involvement in and contribution to parliamentary performance.^v

Parliamentary structure and functions require certain knowledge and skills to be used in fulfilling the roles of being a member of parliament. In addition to their representation functions parliamentarians may face with several other responsibilities within the scope of their parliamentary or party duties including constituency service. In this respect, a candidate or a newly elected parliamentarian may have various resources to improve his/her information about the gridlock of parliamentary structures and processes. Political parties can provide training for the candidates and newly elected parliamentarians or the parliament itself organizes orientation programs or continuous seminars on the basic aspects of parliamentary life. In this respect, professionalization of parliamentarian may rest on developing skills to perform the expected functions effectively and specialization through learning from the experiences of daily practices of the position(s) held.^{vi}

In today's parliaments law making is a participatory process in which civil society organizations and other groups involve and shape the public policies which in turn require a parliamentary structure supporting and facilitating the participatory decision making processes and producing information and knowledge. Moreover, committee oriented parliamentary structures which provide a platform for in-depth analyses, extensive and technical discussions, become widespread. Furthermore, the role of parliaments in budgetary process and oversight function are increasing. While new measures are being taken to strengthen the traditional roles of parliaments, they are assigned new roles to monitor the financial targets and governmental performance. Measures to improve information and institutional capacity are essential. Finally, parliamentary diplomacy requires parliamentarians to play a more active role in international relations.

Grand National Assembly of Turkey: A general overview

Although parliamentary experience had a long history, more than a century in the Ottoman-Turkish polity,^{vii} the present Grand National Assembly of Turkey (GNAT) can be considered

as "one of the relatively new national legislative bodies of the world."^{viii} Since the end of the Ottoman period, Turkish politics has passed through various parliamentary experiences. The GNAT attempted to make some efforts towards institutionalization. As a result of reluctance of political elites and three military interventions in 1960, 1971 and 1980 in turn, further disrupted the institutionalization of the GNAT. In short, the process of legislative institutionalization in Turkey indicates "a cyclical pattern of convocation, transition, suspension and reorganization."^{ix}

In other words, the post-1983 GNAT can be defined as having at best a nascent institutionalization and a submissive nature, simply because of a lack of seniority and professionalization, an overwhelming control by party leaders and party executive committees, lack of legislative control of the executive, and an absence of formal rules determining the legislature's relations with the executive.^x Meanwhile, the Turkish parliament was perceived by the Turkish people as one of the nation's least trustworthy institutions in Turkish society.^{xi}

Despite the above-mentioned negative developments concerning the place and importance and public perception of the GNAT, it continues to be the core of Turkish politics at least in legitimizing the decisions taken somewhere else. The need for institutionalization of parliament in Turkey is obvious. Both the formulations of the 1982 Constitution regulating the GNAT's internal organization and operations and the amendments to the Rules of Procedure (RP), had been introduced for the reason of "increasing its efficiency and effectiveness in law-making and supervision activities."^{xii}

Composition of the Grand National Assembly

Legislative power belongs to the GNAT on behalf of the Turkish Nation (1982 Constitution Article 7). The GNAT is composed of 550 members of parliament who are elected by general suffrage every four years (1982 Constitution Article 75).

Every Turkish citizen who has completed 25 years of age and is a graduate of primary school can be elected as a member of parliament. There are other qualifications for eligibility to be a member of parliament such as completion of military service for men and criminal records (1982 Constitution Article 76). Judges and prosecutors, members of the higher judicial organs, members of the teaching staff at institutions of higher education, members of the Higher Education Council, employees of public institutions and agencies who have the status of civil servants, other public employees not regarded as laborers on account of the duties they perform, and members of the Armed Forces shall not stand for election or be eligible to be a deputy unless they resign from office.

The rights and obligations of the members of the parliament, including parliamentary immunity, activities incompatible with membership, salaries and allowances and loss of membership are regulated by the Constitution (1982 Constitution Article 82-86).

Functions of GNAT

The basic function of the GNAT is to make laws and supervise the executive. According to the Constitution the functions of the Turkish Grand National Assembly, are as follows: to enact, change and repeal laws; to supervise the Council of Ministers and Ministers; to give the authority to the Council of Ministers to issue governmental decrees having force of law on certain matters; to debate and approve the budget draft and the draft law of the final accounts; to decide to print currency and to declare war; to see fit to be ratified of international agreements, to decide with the three fifth's of the Turkish Grand National Assembly on the

proclamation of amnesties and pardons; to decide to be applied death sentences passed by the courts and to exercise powers and execute functions envisaged in the other articles of the Constitution.

An important function of the Assembly is to supervise the executive and to monitor the policies applied by the Council of Ministers. Among other, "written and oral questions," parliamentary inquiry, parliamentary investigation, interpellation and general debate on are major ways and means of supervision and collecting information about governmental policies.

Standing Committees and Inter-parliamentary relations

The committees, which constitute the foundation for the legislative and supervisory activities of the Assembly, are specialized committees, which undertake activities on various subjects. They perform duties on behalf of the General Assembly. There are 18 committees in the GNAT that have been established according to the provisions of the Constitution and the RP. The political parties are represented in these committees in proportion of their seats in the parliament. Numbers of members in these committees vary between 15 (Committee on Final Accounts of GNAT and Petition Committee) and 40 (Plan and Budget Committee). Each committee has at least one full time expert and/or consultant.

The overwhelming part of committee time and most of plenary time is taken up with legislative work. By contrast, committees are very rarely used for purposes of executive oversight and scrutiny. Even plenary time that is, in principle, reserved for this purpose is often reallocated to law making. Thus, Parliament serves primarily as a legislature.

GNAT is a member of various international organizations such as Parliamentary Assembly of the Council of Europe, Parliamentary Assembly of the Conference on Security and Cooperation in Europe, and Inter-Parliamentary Union. The members of parliament are in a continuous and intensive relationship with the international organizations, the inter-parliamentary- visits and the inter-parliamentary friendship groups that are reciprocally established, and with the parliaments and parliamentarians of other countries. The foreign relations of the Assembly have been organized with a law.

Political Party Groups

Political parties which are represented by at least twenty members of parliament in the TGNA have the right to form a group. The political party groups are working according to their by-laws which they have made themselves. In general they gather once a week and they make decisions and determine strategy on various subjects through debates and evaluations related to the activities.

Party groups dominate in the operation of Parliament. Many parliamentary rights are invested in the party groups rather than individual Deputies. The groups, led by the party leaders, exercise tight control over the activities of their members, especially as regards legislation, but also when it comes to parliamentary questions and motions. Group discipline is expected and strictly enforced.

Administrative and Service Units

The General Secretariat of the GNAT is attached to the Speaker's Office to provide support services on the subjects such as law making and supervisory activities of the parliament, the administrative, financial and social requirements of the members of parliament, relations with the press, visitors and internal security.

The General Secretariat and its auxiliary units carry out many duties and services such as performing the required procedures during the activities of promulgation and supervision of laws; being of assistance to the members of parliament in the preparation of proposals; preparation of reports on the activities of the committees; drafting and printing of the minutes; obtaining all kinds of information and documents; library, document and archive services; various printing services; press and public relations; health and social activities; communications; transportation; and care, operation and repair of the parliamentary buildings and gardens. The General Secretariat is run by a Secretary General. Directorates and Department Chairmanships connected to three Deputy Secretary Generals for legislative, administrative and technical work.

Members of Parliament

GNA has a high turnover rate at every election, so that a large proportion of the newly elected members of the GNA do not have any prior parliamentary experience. This is mainly because of the transformation of party system since 1983. Another factor is the nomination process, which is basically determined by the central party organization. The high turnover rate increases the importance of the question of parliamentary socialization. How do newly elected members get familiarized into parliamentary practices and procedures and participate fully in all parliamentary activities?

Table 1. Parliamentarians with previous parliamentary experience in proportion to the number of seats in the TBMM (1983-2011)

<u>Period</u>	<u>Year</u>	<u>%</u>
17	1983	9
18	1987	49
19	1991	41
20	1995	45
21	1999	45
22	2002	19,4
23	2007	50,7

Source: Compiled by the author from TBMM Albums.

Members' occupational background is very important factor for them to easily get accustomed to the parliamentary setting. Therefore, former bureaucratic experience in public administration is a priority consideration. Although parties may have different preferences in selecting candidates, four occupational groups dominate the parliamentary scene. They include members with a background in economics and business (the figures for 2007, 2002 and 1999 were 25.9%, 22.7% and 20.2% respectively); education, (the figures for (2007, 2002 and 1999 were 19.5%, 18.2% and 19.8% respectively); law (the figures for

2007, 2002 and 1999 were 15.9%, 15.3% and 13.6%); and engineering (the figures for 2007, 2002 and 1999 were 15.9%, 16.2% and 18.9% respectively).

The number of women representatives significantly increased especially during the last three elections (the figures were 9.1 %, 4.4 % and 4.0 % in 2007, 2002 and 1999 elections respectively). Simultaneously, the number of younger members of the parliament has been increasing recently.

Role Orientation

Different factors influence role-orientation of members of parliament. Role orientation is very much constrained by the resources of MPs. Personal preferences; institutional factors (RP) and especially relationship with the party strongly influence positions, strategies and abilities of members. Since parties play a crucial role in the nomination process, considering the connections with the masses, a good image, specialists in negotiation. Therefore, nomination process is a partial and selective professionalization of members of parliament (Massicard, 2005). In this process, “politics-facilitating” occupations such as lawyers, civil servants, are given priority.

Although, earlier studies (Kalaycıoğlu, 1988) argue that the job of members of parliament is highly professionalized, there is no effective ways and means of role learning, “neither through the main ways of transmission of political roles (party and elected offices) nor through the professionalization of legislative activity.” (Massicard, 2005). In other words, parliamentary learning and socialization process varies from an individual to another (Kalaycıoğlu, 1995).

On the other hand, parliamentarians’ focus of attention in parliamentary setting is diversified such as committee work, plenary debates, extra-parliamentary activities etc. These also require different skills, capabilities and experience. What shapes MPs’ role orientation?

Basically, three main factors strongly influence the MPs’ role orientation: pre-parliamentary position in the party, Professional background and skills, and constituency relations. However, especially for committee assignments professional experience (especially in bureaucracy), technical expertise, educational background are major resources. Social relations including constituency support is another distinct value in the formation of role orientation.

Current Needs of Members of Parliament

Below, the major highlights of the three in depth analysis of needs of parliamentarians at work are summarized. These are “the World Bank Report for Capacity Building for the Parliament and Parliamentary Budget Office in the New Public Financial Management Framework, 2009”; “General Secretariat of GNAT Strategic Plan 2010-2014” and “Sigma Peer Review Report on the Administrative Capacity of the Grand National Assembly of Turkey, 2010.”

The World Bank team prepared a need assessment report for the Budget Office in the GNAT in early 2010. This report included the results of in depth interviews with the members of the Plan and Budget Committee and its staff (World Bank, 2010). Interviewees shared the judgment that they needed to develop greater budgeting and oversight functionalities to meet evolving expectations. Parliamentarians expressed the fact that “they do not have the time, resources, usable information, and support necessary to make informed decisions about a variety of subjects including: (1) the realism of revenue projections and other macro-economic concerns and assumptions, (2) the relative merits and priorities of budget

provisions, (3) the performance of ministries and other administrative units in delivering on goals promised in the past, (4) the impact of other pending legislation on the finances of the state, and (5) the extent to which state expenditures have followed the requirements of the law.”

Within the scope of Law No. 5018 on Public Financial Management and Control, the General Secretariat prepared a Strategic Plan for 2010-2014. This plan included internal and external stakeholders' surveys on strengths and weaknesses of the organizational capacity. Interviews with the members of the parliament underlined the need for information and expertise provided by the Secretariat. Members can hardly reserve sufficient time for the legislative process which needs a preparation for collecting information and opinion on the subject matters. In this regard, human resources capacity and the ways and means of supplying information and knowledge from other available sources effectively are the major considerations. Information is needed especially during the committee stage. Therefore, it was underlined that information supply for committees' work should be increased. In order to increase the quality of information, the Secretariat should hire more qualified human resources.

The Sigma report discusses the administrative capacity of the GNAT. This analysis covers the parliament's position in the Turkish political system, the main parliamentary functions and processes; and its political and administrative organization. A major issue is the need for providing continuing professional training to GNA staff and the members of parliament and their advisors in “approaches and methods that can enhance the legislative process and the improve quality of legislation.” In this regard, the intention to establish a Legislative Academy, as signaled in the Strategic Plan, could be an important contribution. The report found that not all members are assigned to a standing committee, and the opportunities for back-benchers in shaping the policies are very limited. This is “coupled with weak incentives for specialization: turnover in Parliament is high; committee assignments uncertain; and committee memberships might change after two years.” In other words, the lack of institutional channels for influencing policy in what appears as a fairly top-down policy-making system and insufficient incentives for specialization. Finally, individual advisors are mostly dealing with constituency problems not legislative activities. Parliamentary expert support provided to committees is, inevitably, aimed at the committee as whole rather than individual members. “Thus, access to policy expertise is both difficult and the ‘payoffs’ of specialization for members... are, at best, uncertain.”

Current Opportunities: Advisors, Committee Experts, Research Section

The GNA provides some services for the whole parliament and individual parliamentarians in law-making and supervision activities. These are legislative experts, members' advisors and research services. Recently, the Secretariat has prepared and delivered a guide on legislation which mainly includes the sources of parliamentary law, ways and means of collecting information and supervision and parliamentary diplomacy.

Legislative Experts

In order to provide a more effective and efficient service, the status legislative experts were included in the Law on Organization of GNA in 1989. In pursuant to the Regulation adopted in 1990, a total of 20 deputy-experts were appointed in 1991. The number of legislative experts increased in the following years. Currently, there are about 80 experts and deputy experts

working in the Directorate of Laws and Resolutions, standing committees and other units. Legislative experts basically make research and investigations in the matters related to the legislative and supervision activities, provide information and document for these activities. More specifically, legislative experts provide all administrative and technical support for the Bureau of the Assembly, standing committees and individual members. They help the members in the preparation of drafts and individual bills in terms of legislative techniques. Moreover, they provide all kinds of services concerning the motions of supervision, including questions, and interpellations. Finally, they provide analyzed information for the members

Directorate of Research

This unit was established as a sub-unit of the Directorate of Laws and Resolutions. Later, it was reorganized as a separate directorate in 2006. The major objective of the directorate is to provide information for the members. It was structured in a multi-disciplinary manner, including law, comparative legislation, natural resources, science and technology. As of 2008, there are 31 researchers, one director, one deputy director and one officer in this unit.

Members' Advisors

The first individual advisors to the members were assigned in 1993. Later, The Bureau of the Assembly decided to establish "individual advisors" to the members to help them in legislative and research activities in 1999. Thus, this temporary position was transformed into a permanent staff. However, many of the advisors work on contract base. According to the decision of the Bureau of the Assembly, an advisor may hold a lycee diploma under certain circumstances. Due to such low requirements, members' advisors are assigned to deal with constituency work rather than legislative process in practice. In other words, this position does not require expertise, high level of education and qualification. So that, members' advisors can deal with any duty required by his member, the boss. In fact, the members can personally choose their own advisors according to their preferences.

What should be done?

Orientation and training programmes for new members designed to familiarize them with parliamentary organization and procedures are essential. This proposal does not detract from the responsibility of party groups to familiarize their members with the GNA's party political structures.

The establishment of a permanent centre for the provision of high-level training and competency formation and development in the form of a 'Legislative Academy' is a worthwhile objective. This body can provide training not only for staff but also for the new members. This unit can also collaborate with national and international agencies to enhance the quality of training.

ⁱ IPU, Parliament and Democracy in the Twenty-First Century, A Guide to Good Practice, IPU, 2007.

ⁱⁱ ODI, Parliamentary Strengthening in Developing Countries, 2007,

<http://www.odi.org.uk/resources/download/103.pdf>

ⁱⁱⁱ Ibid.

^{iv} World Bank, Parliaments at Work: A Conceptual Framework Measuring Parliamentary Performance, www1.worldbank.org/.../MeasuringParliam...

^v Elise Massicard, Differences in role orientation among Turkish MPs, EJTS, 3, <http://www.ejts.org/document499.html>

^{vi} Ken Coghill et al. Capacity Building for New Parliamentarians: Survey of Orientation and Induction Programmes, Journal of Legislative Studies, 15(4), 2009, 522.

^{vii} See, Robert Devereux, *The First Ottoman Constitutional Period*, Baltimore: Johns Hopkins University Press, 1963; Ergun Ozbudun, "Parliament in the Turkish Political System," *Journal of South Asian and Middle Eastern Studies*, 2 (1978): 44-73; _____. *Türk Anayasa Hukuku* (Turkish Constitutional Law), Ankara: Yetkin Yayinlari, 2. baski, 1989; _____. "Turkey," in Myron Weiner and Ergun Ozbudun eds., *Competitive Elections in Developing Countries*, American Enterprise Institute, Duke University Press, 1987 and Iler Turan, "The Turkish Legislature: From Symbolic to Substantive Representation," in Gary W. Copeland and Samuel C. Patterson eds., *Parliaments in the Modern World*, Changing Institutions, Ann Arbor: the University of Michigan Press, 1994, 105-28.

^{viii} Ersin Kalaycioglu, "The Turkish Grand National Assembly: A Brief Inquiry into Politics of Representation in Turkey," a paper prepared for the Conference on Change in Turkey: Politics, Economy, Society, Manchester University, May 5-6, 1993, 1.

^{ix} Ersin Kalaycioglu, "Cyclical Breakdown, Redesign and Nascent Institutionalization: the Turkish Grand National Assembly," in Ulrike Liebert and Maurizio Cotta eds., *Parliament and Democratic Consolidation in Southern Europe: Greece, Italy, Portugal, Spain and Turkey*, London and New York: Pinter Publishers, 1989, 184.

^x *ibid.*, 215; see also, Yasushi Hazama, "The Politics of Amendment in the Turkish Legislatures," *The Developing Economies*, 30 (1992): 284-98 and Rusen Keles and Yasushi Hazama, *The Policy Process in Turkish Democracy*, Tokyo: Institute of Developing Economies, 1993.

^{xi} Tusiad, *Türk Toplumunun Değerleri* (Values of Turkish the Turkish Society), Istanbul, 1991.

^{xii} Constitutional articles on the GNA were amended in 1995, 2001, 2002, 2004, 2007 and 2010. The current Rules of Procedure was adopted in 1973 and amended several times since then. The major amendments were approved in 1996.