

In Hungary and Poland, the Council of Ministers is the main beneficiary of the strengthening of executive power, keeping the parliamentary system intact. The formal dimension differs from the political practice. Although the parliament receives new formal powers (e.g., the appointment of high-court justices)—in accordance with a populist call for “giving the power to the sovereign”—its position is increasingly weak in practice. It is becoming a subordinate body serving mainly the interests of the government. The opposition—left without a substantial impact on the legislative process—organizes protests, but these are ineffective (Bankúti, Halmai, and Lane Scheppele 2012).

In Turkey, the role of the president has been strengthened. The constitutional amendments accepted in the April 2017 referendum are leading to the introduction of a presidential system *a la Turca*, with the dominant position of the president as the head of government (Esen and Gümüşçü 2017). The parliament has lost some control measures vis-à-vis the executive and legislative competences, particularly during a time of emergency rule based on decrees of the executive.

Any legal short-term measures attempting to restore balance between the legislative and executive branches in Hungary and other countries seem to be either counterproductive (e.g., new competences for parliaments) or unrealistic (e.g., returning to procedures that guarantee the influence of all parties in the parliament). What remains is to consider long-term measures that may reverse the current trends in the party/political systems. These measures would be possible only through the will of political elites. However, this requires the development of their democratic political culture, including a critical attitude toward majoritarianism or dominant parties. In addition, a more advanced democratic culture within these societies (with a foundation in civil education) would be necessary to strengthen other participatory bodies beyond political parties (e.g., NGOs and trade unions) and to create more critical attitudes (reflected in the electoral behavior) toward any anti-parliament and anti-opposition undertakings of incumbents. ■

REFERENCES

- Bankúti, Miklós, Gábor Halmai, and Kim Lane Scheppele. 2012. “From Separation of Powers to a Government without Checks: Hungary’s Old and New Constitutions.” In *Constitution for a Disunited Nation: On Hungary’s 2011 Fundamental Law*, ed. Gábor Atilla Tóth, 237–68. Budapest and New York: CEU Press.
- Esen, Berk, and Şebnem Gümüşçü. 2017. “A Small Yes for Presidentialism: The Turkish Constitutional Referendum of April 2017.” *South European Society and Politics* 22 (3): 303–26.
- Ilnoski, Gabriella. 2007. “From Minimal to Subordinate: A Final Verdict? The Hungarian Parliament, 1990–2002.” *The Journal of Legislative Studies* 13 (1): 38–58.
- Mansfeldová, Zdenka. 2011. “Central European Parliaments over Two Decades—Diminishing Stability? Parliaments in Czech Republic, Hungary, Poland, and Slovenia.” *The Journal of Legislative Studies* 17 (2): 128–46.
- Pozsár-Szentmiklós, Zoltán. 2017. “Supermajority in Parliamentary Systems—A Concept of Substantive Legislative Supermajority: Lessons from Hungary.” *Hungarian Journal of Legal Studies* 58 (3): 281–90.
- Szymański, Adam. 2017. “De-Europeanization and De-Democratization in the EU and its Neighborhood.” *Yearbook of the Institute of East-Central Europe* 15 (2): 187–211.
- Zubek, Radosław. 2011. “Negative Agenda Control and Executive—Legislative Relations in East Central Europe, 1997–2008.” *The Journal of Legislative Studies* 17 (2): 172–92.

THE GRAND NATIONAL ASSEMBLY OF TURKEY: A DECLINE IN LEGISLATIVE CAPACITY

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This article focuses on the current challenges of the Grand National Assembly of Turkey (GNAT) in developing its legislative capacity, with a special focus on the availability of resources for individual legislators. On the eve of full implementation of a new presidential model in Turkey, the availability of resources dedicated to the improvement of legislative capacity is crucial for an effective system of checks and balances. This emphasizes the vital connection between the lack of resources available to individual legislators in their lawmaking and supervisory processes and the overall legislative capacity of the GNAT (Gençkaya 1999; Nakamura and Gençkaya 2010).

Various factors may influence the effectiveness of a parliament, such as the constitutional structure of the state (i.e., presidential versus parliamentary), the power of political parties, the functioning of parliamentary committees, the government oversight, the rules of procedure, and individual role orientations (Johnson 2005; Massicard 2005; Olson and Norton 1997).

The most important challenge of the 1982 Constitution is the empowerment of the executive by rationalizing the legislative process. Numerical requirements for lawmaking and supervision activities, except for written questions, are limited to parliamentary party groups rather than the parliamentarians. Considering the high part of discipline and lack of institutionalization in the GNAT, parliamentarians became less able to initiate any legislative proposal. On the contrary, the superiority of the parliamentary majority (party) in lawmaking and supervision activities was enhanced gradually. The “basic law” and “bag law” methods, which require special deliberation rules for bills in the general assembly, minimized the intervention of opposition parties and parliamentarians in this process. The GNAT’s supervision function of the executive also was limited by recent constitutional amendments in 2017. Interpellation and oral questioning were repealed. Contrary to the argument on the rationalization of legislative process, the procedural capacity of parliamentarians was weakened. That is, recent constitutional changes constrained parliament’s power.

After 16 years in power—surviving backlash from the old elites and their middle-class base—the Justice and Development Party in Turkey clearly has become the new status quo. However, rather than creating more democratic and inclusive rules of politics, Turkey has witnessed in recent years a democratic breakdown coupled with the development of a less-rule-based regime. The result of this political transformation has been a power shift from parliamentary supremacy to a very strong executive, deterioration of the independence and impartiality of the judiciary, and a lack of effective checks and balances (Bertelsmann Transformation Index 2018).

Therefore, this article argues that increasing technical capacity of parliamentarians in lawmaking and supervision activities—especially at committee stages—may promote their and parliament’s overall effectiveness. Our analysis leads to a conclusion that parliamentary structures and functions require certain

knowledge and skills to be used in fulfilling the role of a Member of Parliament. Parliamentarians require continuous education and training programs and professional development to stay updated on emerging democratic and governance trends. In addition to their representation functions, parliamentarians may have several other responsibilities within the scope of their duties to the parliament, their parties, and their constituents. In this respect,

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candidates or newly elected parliamentarians may have access to various resources that may improve their awareness of the gridlock of parliamentary structures and processes. Political parties can provide training for candidates and newly elected parliamentarians, or the parliament itself can organize orientation programs and continuous seminars on the basic aspects of parliamentary life. In this respect, the professionalization of parliamentarians may rest on the development of the skills necessary to effectively perform their expected functions. Specialization may come through learning by experiencing the daily practices of the position(s) held (Coghill et al. 2009).

It is important to underscore the impact of international projects and programs on potential improvements in legislative capacity. Members whose major function is devoted to constituency service in practical terms can hardly reserve sufficient time for legislative processes, which require significant investments in preparation, information collection, and development of policy positions on complex subject matters. In this regard, human-resources capacity and the ways and means of supplying information and knowledge from other available sources are the major considerations that take on special importance. Reliable information and analysis are needed, especially during the committee stage. Individual advisers to legislators deal primarily with constituency problems and therefore are hindered in their attempts to address legislative-related activities. The lessons that can be drawn from similar situations in other countries are elaborated in the conclusion to this spotlight (Lewis and Coghill 2016). ■

REFERENCES

- Bertelsmann Transformation Index. 2018. “Turkey Country Report.” Available at www.bti-project.org/en/reports/country-reports/detail/itc/TUR/#management. Accessed June 19, 2018.
- Coghill, Ken, et al. 2009. “Capacity Building for New Parliamentarians: Survey of Orientation and Induction Programmes.” *Journal of Legislative Studies* 15 (4): 521–34.
- Gençkaya, Ömer Faruk. 1999. “Reforming Parliamentary Procedure in Turkey.” In *Aspects of Democratization in Turkey*, eds. Ömer Faruk Gençkaya, Ruşen Keleş, and Yasushi Hazama, 2–21. Tokyo: Institute of Developing Economies, Japan External Trade Organization.
- Inter-Parliamentary Union. 2007. *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice*. Bern, Switzerland: Inter-Parliamentary Union.
- Johnson, John K. 2005. *The Role of Parliament in Government*. Washington, DC: World Bank Institute.
- Lewis, Colleen, and Ken Coghill (eds.). 2016. *Parliamentarians’ Professional Development: The Need for Reform*. Heidelberg, New York, Dordrecht, and London: Springer International Publishing.

- Massicard, Elise. 2005. “Differences in Role Orientation among Turkish MPs.” *European Journal of Turkish Studies* 3:1–98. Available at www.ejts.org/document499.html. Accessed June 19, 2018.
- Nakamura, Robert T., and Ömer Faruk Gençkaya. 2010. “Needs Assessment for the Turkish Grand National Assembly of Turkey in Support of the Implementation of the Public Financial Management Act.” Unpublished report prepared for the World Bank and the Turkish Grand National Assembly.
- Olson, David M., and Philip Norton (eds.). 1997. *The New Parliaments of Central and Eastern Europe*. London: Frank Cass.

THE INDIAN PARLIAMENT: HOW PARTY POLARIZATION, THE RISE OF THE MEDIA, AND SINGLE-PARTY DOMINANCE LED TO THE DECLINE OF THE LOK SABHA

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India’s enviable record as a democracy is marred by a decline in the power and effectiveness of its parliament in recent years. An indication of this is that time lost in disruptions of parliament surged from 10% to 40% between 1996 and 2014 (Pandey 2015). This article argues that party polarization, the rise of the media, and single-party dominance have all led to a decline in the efficacy of the Lok Sabha (i.e., India’s lower and more powerful house).

Initially, India’s parliament enjoyed respectability due to Prime Minister Nehru, who frequently invoked the “majesty” of parliament. Despite the fact that his party, the Indian National Congress (INC), experienced a comfortable majority, he nevertheless routinely engaged with opposition Members of Parliament (MPs) (Malhotra 2014). This was visible in frequent debates on diverse issues, specifically one in which he was challenged by socialist MP Lohia, leading to a series of debates. Nehru’s tolerance and encouragement of the opposition as a vital part of parliament (Apoorvanand 2017) is notable. At that time, the Lok Sabha was marked by frank and open debate on policy matters. However, it lacked the power to hold organs of the government accountable in any way. Examples of this are the fact that treaties did not need ratification by parliament and, because the executive is part of the legislature, parliament did not make laws—it only passed (or rejected) them. Hence, its main function was as a deliberative body, in which issues were highlighted for the nation.

The tenure of Indira Gandhi, Nehru’s second successor, was marked by incremental deterioration in the parliament’s impact on policy. Crucial decisions—such as the declaration of the Emergency, during which civil liberties and rights were curtailed for 18 months—did not involve legislative debate or input. Rather, it was a fiat issued at midnight with the connivance of the president. Core supporters formed unofficial “kitchen cabinets,” and their deliberations and advice gradually replaced the parliament as the main venue of decision making. This trend continued under Rajiv Gandhi (Singh 2015, 361). Robust majorities in parliament, coupled with the fragmented nature of the opposition, allowed both premiers to ignore the Lok Sabha.