

THE ROLE OF LEGISLATIVE COMMITTEES IN PARLIAMENTARY
GOVERNMENTS' ACCOUNTABILITY: A COMPARATIVE ANALYSIS OF
THE UNITED KINGDOM AND TURKEY

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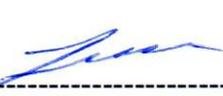
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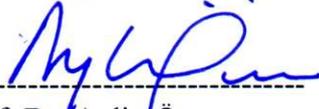
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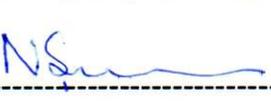
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ABSTRACT

THE ROLE OF LEGISLATIVE COMMITTEES IN PARLIAMENTARY GOVERNMENTS' ACCOUNTABILITY: A COMPARATIVE ANALYSIS OF THE UNITED KINGDOM AND TURKEY

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Present study examines the role of legislative committees in single party majority and coalition governments' accountability in the U.K. and Turkey. The literature discusses both legislatures' contribution to policymaking as "marginal" or "ineffective" vis-a-vis governments, and their committees are expected to reflect this tendency. This approach equates formal capabilities (potential) with scrutiny behavior (influence), and claims that weak legislatures cannot substantially influence their governments' legislation. In contrast, this research argues that legislative committees function as accountability mechanisms when they activate their formal capabilities and change the content of government bills. Rather than a description of formal capabilities, this study uses scrutiny powers and committee amendments as direct empirical measures to estimate the impact of legislative committees on governments. It also argues that committees' scrutiny of government bills depends

on the government control over the committees changing according to government type. The overall findings based on an original dataset suggest that both in the U.K. and Turkey, legislative committees can and do amend the content of government bills, and their likelihood of making substantial amendments to government bills increases when they base their intervention on their scrutiny powers. In both cases, committees during the coalition government term were more open and inclusive to actors outside the parliament leading committees to be affected by this knowledge and information in their scrutiny of government bills. In contrast, committees during single majority government term remained majoritarian and based their amendments on the information provided by the government representatives in committees.

Keywords: Accountability, Government Bills, Legislative Committees, The United Kingdom, Turkey.

ÖZET

PARLAMENTER HÜKÜMETLERİN HESAP VEREBİLİRLİĞİNDE YASAMA KOMİSYONLARININ ROLÜ: İNGİLTERE VE TÜRKİYE’NİN KARŞILAŞTIRMALI ANALİZİ

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Bu çalışma, İngiltere ve Türkiye’deki tek parti çoğunluk ve koalisyon hükümetlerinin hesap verebilirliğinde yasama komisyonlarının rolünü incelemektedir. Var olan çalışmalar her iki ülkedeki yasama kurumunun politika yapımına katkısını hükümete kıyasla “marjinal” ya da “etkisiz” olarak değerlendirmekte ve yasama komisyonlarının da benzer bir etkide bulunacağını ileri sürmektedir. Bu yaklaşım detaylı inceleme davranışını potansiyel kapasite ile ölçmekte ve güçsüz yasama kurumlarının hükümetlerin kanun tasarılarını önemli ölçüde etkileyemeyeceğini belirtmektedir. Bu çalışma ise yasama komisyonlarının potansiyel kapasitelerini kullanarak hükümet tasarılarında içeriksel değişiklikler yaptıkları ölçüde hesap verebilirlik mekanizması olarak işlediklerini savunmaktadır. Komisyonların kanun tasarılarına etkisini ölçmek için potansiyel kapasite yerine komisyonların detaylı inceleme güçleri ile komisyon değişiklikleri arasındaki ilişkiyi ampirik olarak incelemektedir. Bu çalışma ayrıca komisyonların detaylı inceleme davranışlarının,

farklı hükümet türlerinin komisyonlar üzerindeki kontrolüne bağlı olarak değiştiğini savunmaktadır. Orijinal veri setine dayalı olan bulgular hem İngiltere hem de Türkiye’de yasama komisyonlarının kanun tasarılarının içeriklerini önemli ölçüde değiştirdiğini ve bu içeriksel değişikliklerin inceleme güçlerini kullandıkları ölçüde arttığını göstermektedir. Her iki ülkede, koalisyon hükümetleri dönemindeki komisyonların sivil toplum örgütlerine daha açık ve daha kapsayıcı olduğu ve bu kesimlerin sağladığı bilginin komisyonların detaylı inceleme davranışlarını olumlu olarak etkilediği görülmüştür. Buna karşın, tek parti çoğunluk hükümeti dönemindeki komisyonların çoğunlukçu hareket ettikleri ve yaptıkları içeriksel değişikliklerin daha çok komisyonlardaki hükümet temsilcileri tarafından sağlanan bilgiden etkilendiği tespit edilmiştir.

Anahtar Kelimeler: Hesap Verebilirlik, İngiltere, Kanun Tasarıları, Türkiye, Yasama Komisyonları.

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CHAPTER 1

INTRODUCTION

“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.”

James Madison, Federalist Papers No. 51

The prospect of democracy is to let people choose representatives who would act in the best interest of citizens. Citizens delegate power through elections to the rulers who make binding decisions for all. In return for this delegation, citizens expect their rulers to make policies corresponding to their preferences. However, delegation is risky and does not directly lead to representation. Why would any government, once it gains the power of ruling, act in the best interest of citizens instead of following its own private agenda? Scholars examining this question of representation argue that representative democracy is procedurally designed in such a way that power delegation from citizens to government is accompanied with some accountability mechanisms; to limit and control executive power and if necessary apply some

sanctions for remedy (Carey, 2009; Fearon, 1999; Ferejohn, 1999; Müller, Bergman, & Strøm, 2003; Papadopoulos, 2007; Schedler, 1999).

One of these institutions is parliament. Parliament is the primary arena that reviews and approves government bills¹, and ensures that government's legislative outputs correspond to public preferences and not to its private agenda. In this respect, accountability of government means imposing parliamentary controls on government in legislation to induce government's responsiveness to citizens, or at least to the preferences of a majority. In this legislative process, committees occupy a central position to influence government proposals. Legislative committees as parliamentary subunits perform close scrutiny of government proposals, introduce amendments for "correcting" them, and then report the revised version to the plenary for approval.

This study focuses on examining the role of legislative committees in parliamentary government's accountability in legislative process. Drawing on a theoretical framework based on power delegation in parliamentary systems and principal-agent theory, it explains that legislative committees are granted various formal procedures and powers in order to scrutinize and influence government bills on behalf of parliament. It describes legislative committees as potential accountability mechanisms in terms of their formal capabilities and procedural operation, and adopts a novel approach to study committee scrutiny of government in parliamentary systems.

¹ Government bills are legislative proposals that are drafted in relevant government departments, proposed to the parliament and sponsored by a member of the cabinet. When they are legislated by the parliament, they become a Law or an Act and get into force.

Based on this framework, this study has a twofold argument. First, it argues that if committees actually use their formal powers in their scrutiny of government proposals, they function as accountability mechanisms controlling and influencing the content of government bills.² To the extent that they use their scrutiny powers, they acquire more information on government's proposal, understand its possible implications on public policy, and consequently would make substantial amendments to government bills. Existing literature facilitates our understanding of the extent of committee power vis-à-vis the government, but cannot explain whether committees actually scrutinize government's proposals by activating their institutional capabilities. This study aims to contribute to this gap in research by empirically examining committee influence on government's legislative agenda.

Second, it argues that committees' scrutiny behavior would differ according to government control. Committees dominated by the members of single majority governments would facilitate from scrutiny powers that extract information from the government and act on this governmental information for making substantial amendments to government bills. On the contrary, committees during coalition or minority government terms would have more independence from government and base their substantial changes on scrutiny powers that informs about the preferences and ideas about other committees and stakeholders. This argument acknowledges the fact that committees as agents of parliament cannot be totally independent of political party control. But it argues that they can have some degrees of autonomy in their scrutiny of government bills depending on their political composition.

² In this study, I define power as the capability to exert influence, and influence as an effect of an actor on the actions or preferences of the other actor.

This study empirically tests these arguments in two most different and least likely cases; the United Kingdom (the U.K.) and Turkey. In doing so, it aims to contribute our understanding of whether potential capacity of legislative committees turn into actual influence on government legislation even in adverse contexts, and how does this committee scrutiny is affected by government type. Following sections briefly present existing literature and informs more about the arguments and contributions of this study. Then, it explains justifications for case selection and methodology, and concludes with organization of the dissertation.

1.1 Power of Legislative Committees

Do legislative committees have power to influence policy outcomes? Most of the empirical research on legislative committees focuses on the U.S. Congress. There is a limited understanding of the role of committees in legislation in parliamentary democracies. Such an analysis on legislative committees requires the examination of extensive cross-national and cross-sectional data which would reduce complexities of legislative institutions into simpler patterns. This challenging research agenda is addressed by only a few studies (Longley & Davidson, 1998; S. Martin, 2011; Mattson & Strøm, 1995; Strøm, 1990). These studies identify the structures, procedures, and powers of legislative committees as their formal capabilities in European parliaments, and argue that the extent of their legislative scrutiny power is based on an index of these formal capabilities. Committees with more formal capabilities to perform legislative scrutiny to impact the government's legislation are regarded as strong committees, whereas committees with less capabilities to do so are considered as weak (S. Martin, 2011; S. Martin & Depauw, 2011; Strøm, 1990).

In particular, these studies argue that if policy areas of legislative committees correspond to the ministerial departments, and if committees have permanent memberships, they acquire significant expertise to control and question executive's legislation effectively (Longley & Davidson, 1998; Mattson & Strøm, 1995). They extract information about government's legislative agenda when they summon and question cabinet ministers about the bill they sponsor. Their power to ask for release of documents from public and private offices for committee review, to consult with experts and interest groups outside the parliament, and to form subcommittees for detailed collection and examination of all facts relating to the government proposal constitute the major committee competence to extract more information on government legislation and inform the plenary as well as the public (Mattson & Strøm, 1995). Moreover, heterogeneity of committee members provide more evidence to the plenary and contribute to their knowledge more with the diversity of available information (Gilligan & Krehbiel, 1989 cited in Strøm, 2003: 95). The right to rewrite bills or introduce amendments is also one of the most powerful tools to influence government's proposals. As a result of committee amendments to government bills, government's deviation from public preferences would be decreased.

These studies have two common threads unifying their approach to examine the power of legislative committees. First, they consider legislative committees as coherent parliamentary agents having capability to act in unity with the purpose of scrutinizing government legislation to alleviate its divergence from public agenda. Second, they emphasize the significance of committee properties, since these properties construct their institutional capacity to closely examine government bills. Basically, greater institutional capacity of committees means stronger committees

which would scrutinize government legislation closely and exercise more influence in legislation by balancing government's power. In this way, these studies estimate the influence of committees on government's proposals by measuring formal institutional capacity of committees based on their existing properties. In a way, they equate committees' formal rights and powers (potential capacity) with their actual scrutiny behavior (influence).

Auel (2007: 494) criticizes the studies examining parliamentary scrutiny of government's EU policies because of their approach equating formal rights of parliamentary influence with parliament's actual influence over their government's EU policy. She argues that parliamentary formal rights and powers inform about formal scrutiny capabilities, but do not indicate the actual scrutiny of parliaments in legislation. Studies on legislative committees make a similar equation as well by defining committee scrutiny behavior with committees' institutional (potential) capacity. This equation is based on the assumption that committees can and do use their institutional capacity to scrutinize the government legislation. However, this institutional strength does not directly translate into actual influence unless committees use their powers and we cannot know the extent of this influence without any empirical examination.

Overall, these studies inform about the extent of committee power compared with government in legislation. However, they do not empirically explain the influence of committees' institutional capabilities on government's proposals at committee scrutiny stage. In theory, committees are expected to impact government legislation significantly, but empirically we do not know whether or not they exert actual influence on government bills, except a few case-studies qualitatively examining the

extent of committee scrutiny (Arter, 2002; Damgaard & Jensen, 2006; Russell, Gover, & Wollter, 2016; Thompson, 2013a). In this regard, there is a gap in research about whether committees act *pro forma* by merely following formal procedures, or actually scrutinize government proposals closely and influence its content. In addition, if committees have some degree of influence on policy outputs, there is no comprehensive comparative study assessing to what extent this impact is significant and how it varies across different institutional settings. This study addresses this gap in the literature by examining the impact of legislative committees on government's proposals by focusing on the scrutiny at the committee stage in legislation.

1.2 Committee Influence in Legislation

Scholars have provided explanations on the theoretical significance of the structures, procedures, and powers of committees on scrutinizing and influencing government legislation at the committee stage. This study relies on the findings and conclusions of these studies to identify committee properties that are necessary to closely scrutinize government bills. However, in this research I adopt a different approach to explain and discuss the impact of committees on incumbent government's legislation.

Different from existing studies, I first develop a novel theoretical framework explaining the role of legislative committees as principals of government in holding the incumbent accountable in parliamentary scrutiny process. By drawing on power delegation in parliamentary systems and principal-agent modeling, I explain legislative committees as parliamentary subunits act as the principal of the government on behalf of the plenary. They are vested with various powers constitutionally or by the rules of procedures of parliament enabling them to

scrutinize executive's legislation. These scrutiny powers alleviate asymmetrical information of parliament on government's legislative agenda, and grant legislative committees a potential capacity to function as mechanisms containing agency losses arising in case of hidden information. Specifically, legislative committees operate as accountability mechanisms through the use of their formal capabilities, as in this scrutiny process they *extract information* from the incumbent government about the bill, make the government *explain and justify* the purpose of the proposal during the committee debates, and *as a consequence amend* the proposal.

Basically, I argue that committees hold government accountable and become influential in the legislative scrutiny process, if they change the content of government legislation by using their formal scrutiny capabilities. In other words, if legislative committees use their scrutiny powers at the committee stage, they are more likely to make substantial amendments to government's bills. The use of committee scrutiny powers influences government's legislative agenda and holds the incumbent accountable in legislation. If committees are not equipped with necessary institutional competences that they would use to enhance accountability, or if they do not benefit from their existing competences, then they are expected to make less substantial amendments to government proposals. These legislative committees are regarded as lacking accountability or suffering from accountability deficit rather than not performing as accountability mechanisms.

This argument is based on the assumption that legislative committees can and do use their formal capabilities to control executive in legislation. In doing so, it aims to contribute to our understanding of whether strong committees can lead to strong influence on government's legislative agenda. In other words, it explores whether

potential capacity of legislative units can transform into *actual influence*. It also contributes to a broader literature of legislative studies arguing for stronger legislative units to control executive power. Fish (2006) argues that Russian Presidents Yeltsin and Putin extended their executive power by breaching constitution, since the country lack a vigorous parliament that could stop them. On the contrary, other post-communist countries that established robust parliaments advanced in their democratization despite their regime legacies, ethnic tensions, and violent disruptions. This and similar findings in the literature suggest that the presence of a strong legislature is especially significant to curb rulers' misconducts by placing controls and limiting their power.

However, legislative committees are composed of legislators who are also members of political parties. They can be agents of parliament, but they are not immune from partisan interests and cannot totally act independent of political parties. The composition of the committees reflects the distribution in the plenary, and hence, the balance between governing party and opposition in committees changes accordingly. As members of governing party and opposition have diverse preferences on controlling government, committees with different political compositions eventually facilitate formal powers of committees differently in their scrutiny of government bills.

For this reason, I argue that legislative committees can and do use their formal powers in their scrutiny of government bills, but this scrutiny behavior would differ during different government terms. Committees controlled by governing majority will make substantial amendments to government bills, but because of tight government control over committees, I expect that these amendments will be based

on the information they acquire from government and remain closer to the government position. On the other hand, committees during coalition or minority government terms will be more independent of government, because government control over committees is either weak or divided between different parties. Their autonomy from government will encourage them to be more open and inclusive to third parties outside parliament as well as other legislators in secondary committees or subcommittees. Accordingly, I expect that their substantial amendments to government bills will be based more on the information provided by these actors compared with the information presented by government.

This argument aims to contribute to the first argument by incorporating the influence of government on committees. Even though literature on committees argue that strong committees can have strong influence on government, this influence can be curbed by governing party members in committees, because political parties exert control over the committees through their members. However, this control is not straightforward. Committees can have some autonomy to facilitate from the powers that provide them information independent of the government in their scrutiny of government bills depending on government type. Therefore, the influence of committees over government's proposals depends on their formal capabilities as well as their degrees of autonomy from the government.

1.3 Case Selection

In presidential democracies, citizens elect executive and legislature separately, and neither has the right to dismiss the other. In contrast, citizens in parliamentary democracies elect only parliamentary representatives, and government is formed of a parliamentary majority. As a result of its position in this chain of power delegation,

parliament links citizens to government (Saalfeld, 2000) and becomes the principal scrutinizing the government. The indirect citizen control of government, the singular power delegation from one principal to one agent, and each agent being hierarchically accountable to one principal differentiate parliamentary democracy from presidential democracy (Strøm, 2003). Due to these different accountability relationships between parliament and government in both systems, this study focuses on government's accountability in parliamentary systems.

Among parliamentary systems, I select two most different cases; Turkey and the United Kingdom (the U.K.) in terms of their electoral systems, committee systems and democratic development. During the time period covered in this study, Turkey was a late developing democracy and had proportional parliamentarism with a committee system that I identified as strong in terms of its formal capabilities. With a referendum on 16th April 2017, Turkey approved to change its parliamentary system to presidentialism. The system change completed after the presidential and general elections on 24th June 2018. On the other hand, the U.K. is an advanced democracy with majoritarian parliamentarism and weak committee system in terms its formal capabilities. This most different case selection strategy enables to draw preliminary conclusions about the impact of institutional variation of legislative committees on government's accountability in a comparative perspective.

The common feature of both cases is their legislatures which are discussed as “weak” or “inefficient” in terms of their influence in legislation vis-à-vis governments.

Considering their marginal contribution in legislation, legislative committees in these two parliaments are the least likely cases to impact government legislation and hold incumbent accountable (for least likely case selection, see Seawright & Gerring,

2008; King, Keohane, & Verba, 1994). The basic logic of selecting and comparing two least likely cases is that if we find evidence that the argument holds even in adverse cases, then we can make inferences for other cases as well. Even though it would be difficult to make cross-case generalizations based on the findings of least likely case analyses by disregarding the “context” of case-studies, the findings of this study are still significant to draw tentative conclusions for broader population of legislatures.

In order to examine the impact of legislative committees on government’s proposals, I focus on two different government terms in both countries; the 1999-2002 coalition and the 2011-15 single party majority government terms in Turkey, and the 2005-10 single party majority and the 2010-15 coalition government terms in the U.K. This focus allows me to compare the effect of committees on government bills in different political contexts for both countries. Overall, the comparative analysis of legislative committees in these least likely cases allows me to reach conclusions on the impact of committees on government’s legislation with a potential to explain other cases. Moreover, in the within case analyses, I compare legislative committees in different government terms to draw conclusions for both the influence of committees in these legislatures and the political context when holding the variation of legislative committees constant within cases.

1.4 Data and Method

Legislative committees act as accountability mechanisms, as they extract information from the government about its proposal, make the government explain and justify the agenda and objectives of a bill, and amend the content if necessary. They use their scrutiny powers in the first two stages, and contain agency loss at the last stage with

amendments to the bills. To analyze the impact of committee scrutiny on government's bills, I use committee amendments changing the content of government bills as the outcome variable and committee powers as explanatory variables. Both for the U.K. and Turkey, I first estimate the impact of committee scrutiny powers on substantial amendments to test my first argument; whether the use of scrutiny powers in committees affect their likelihood of making substantial amendments to government bills. Then, I test the same models during majority and coalition government terms in both countries to test my second argument; whether committees during single majority government term lean towards government in their scrutiny behavior, whereas committees during coalition government terms act more independent of government. Lastly, I compare the results and their implications between countries.

I use the number of substantial committee amendments as the dependent variable. Since this variable is an indicator of the number of events that occur over a specific period of time and over dispersed, I conduct negative binomial regression analyses as event count regression model. For the empirical analysis, I constructed two novel datasets for both countries consisting of government bills that passed from legislative committees and legislative information on these bills related to their scrutiny at the committee stage. For the U.K., the dataset is composed of 132 government bills that were referred to legislative committees in the 2005-15 parliamentary terms. For Turkey, the dataset includes 148 government bills scrutinized by legislative committees in nine parliamentary sessions, in the period of 1999-2002 and the 2011-15. For both datasets, I identified all government bills that first passed from the legislative committees and later were enacted into law. In order to code committee

amendments and legislative information on the bills, I thoroughly read the committee report on each bill and hand-coded all relevant information for each observation.

1.5 Organization of the Dissertation

In order to render empirical analysis meaningful, I first explain what I mean by government's accountability. To this end, Chapter 2 defines and clarifies what accountability is and how does it work for political relationships based on power delegation. I conceptualize accountability as a relationship between a principal and an agent in which principal delegates a task to an agent, and in return, obliges the agent to explain the conduct to contain any agency losses. Then I explain how this framework fits into the relationship between the parliament and the government in parliamentary democracies, and introduce legislative committees as mostly neglected principals in government's accountability.

Chapter 3 focuses on the operation of legislative committees and explains how they function as accountability mechanisms based on the conceptualization in the former chapter. It first outlines the main characteristics of legislative committees that constitute their formal capabilities, and then discuss the implications of these features on government's legislative behavior. Briefly, it shows that legislative committees though exclusive in each national context are designed to constrain and control government's legislative agenda. In this respect, they act as principals of the government on behalf of the plenary, and scrutinize government proposals closely by using their formal capabilities. But this argument assumes that legislative committees act as coherent sub-parliamentary units to scrutinize government legislation by overlooking the impact of partisan politics in committees. To justify the assumptions leading to my arguments, I take a step back from the internal workings of legislative

committees, and discuss theories on committee organization. I describe how informational perspective explains the formal capabilities and organization of legislative committees lead them to act as agents of the parliament and principals of the government in the accountability relationship between parliaments and governments. Also with a discussion on party control over the committees, I explain governments limit committees' independence but this control is not straightforward.

Chapters 4 and 5 are the empirical chapters describing the role of legislative committees in government's accountability respectively in the parliaments of the U.K. and Turkey. Following a similar line of analysis in both chapters, I present legislative committees in the House of Commons and the Turkish Parliament, outline their structures, procedures, and powers and assess their formal capabilities. Then, I introduce my hypotheses to estimate the impact of committees' scrutiny powers on government's legislation. For the empirical analysis, I present my data collection, measurement of my variables, and the method. Lastly, I provide a discussion of the empirical findings and discuss the implications of my analyses in each chapter. Finally, Chapter 6 concludes with a comparative discussion of overall findings from both countries, and their contribution to the legislative studies literature. It also presents limitations of the study and further research agenda.

CHAPTER 2

ACCOUNTABILITY OF PARLIAMENTARY GOVERNMENT

Any relationship of democratic governance based on task delegation is subjected to accountability, because “governance without accountability is tyranny” (Borowiak, 2011: 4). It means in a democratic regime “decision makers do not enjoy unlimited autonomy but have to explain and justify their actions” (Auel, 2007: 495). But the literature on democratic accountability indicates that there is no agreement on a definite meaning, as scholars tend to define it loosely in relation to various concepts such as transparency, efficiency, representation, responsiveness and responsibility (Bovens, 2007, 2010; Bovens, Schillemans, & Hart, 2008; Mulgan, 2000). The use of different concepts interchangeably with accountability can be explained partially, because power delegation from citizens to governments through elections in representative democracies inevitably makes accountability a norm of democracy and an aspect of good democratic governance.

As a democratic norm, accountability means public officials are responsible for their conducts since they act on behalf of the public, and are required to be responsive to public interest. However, originally accountability is “associated with the process of being called to account to some authority for one’s actions” (Mulgan, 2000: 555,

2003). This inconsistent approach to accountability results in the concept to become “ever-expanding”, which “has come to stand as a term for any mechanism that makes powerful institutions responsive to their particular publics” (Mulgan, 2003: 8). The lack of a coherent conceptual framework on accountability makes comparisons across different cases difficult, and hinders reaching generalizable findings based on empirical analyses problematic.

Academics at Utrecht School of Governance worked on developing a descriptive concept of accountability that is suitable for empirical analyses of accountability mechanisms in public administration (Bovens, 2007, 2010; Brandsma & Schillemans, 2012). These are the foremost attempts in order to develop a narrow definition of accountability and construct a framework to understand whether an institutional mechanism qualify as an accountability mechanism, the extent of which it holds the accounter accountable, and the effect of this mechanism on both of the actors.

By building on their work, in this chapter I develop an analytical concept of accountability for the empirical analysis of parliamentary government’s accountability. For this purpose, I first discuss what accountability is and what it is not, and then develop a conceptual framework for accountability by modeling it according to principal-agent theory and delegation theory. Second, I explain the parliamentary government’s accountability according to this conceptual framework, and briefly discuss government’s accountability by the elections, the parliament and the third parties. In this section, I also introduce briefly legislative committees as accountability mechanisms, which I discuss in more detail in the next chapter.

2.1 What Accountability is and What It is not?

The blurriness of the concept actually depends on its definition both as a democratic norm and an institutional mechanism (Borowiak, 2011; Bovens, 2010), without distinguishing the former from the latter. The ambiguity also stems from the studies that extend accountability's core meaning by equating it with "responsiveness", "responsibility" and "control" (Bovens, 2007; Mulgan, 2000). For conceptual clarity and conducting a parsimonious study of accountability, a distinction between its different definitions connoting various meanings should be made clear.

Descriptive approach describes accountability as an institutional relationship between an account-holder and an accounter who *is obliged to explain and justify the conduct, and as a result, may face positive or negative consequences* (Bovens, 2007, 2010; Bovens et al., 2008; Brandsma & Schillemans, 2012; Klein & Day, 1987; Mulgan, 2003; Romzek & Dubnick, 1998; Philp, 2009). Scholars studying accountability as an analytical concept formalize this process of accounting by describing three consecutive stages: *information, discussion, and consequences*. For an accounter to be accountable to an account-holder, this process starts with the information about the conducts of the former, then continues with a discussion in which the accounter explains/justifies his or her actions, and answers possible questions of the account-holder and terminates with the judgment of the latter such as imposing remedies or sanctions on the accounter (Bovens, 2005; Brandsma & Schillemans, 2012; Mulgan, 2003; Schedler, 1999). In this regard, accountability is primarily a relationship between the account-holder and the accounter based on the account-holder's right to hold account and the accounter's obligation of rendering account. As a process, it is an activity of the former's capability to assess the latter's actions. Last, it is a three-staged institutional procedure in which the former exerts

external control on the accountant and that affects behaviors and expectations of both actors.

From a normative point of view, accountability basically means not external scrutiny, but a democratic virtue ensuring public trust for the legitimacy of democratic governance (Bovens, 2007, 2010). It focuses on actual behaviors of public administrators to understand whether they act in an accountable way, like virtuously, in a desired way for good democratic governance. In this regard, accountability is used to refer to responsible and responsive behaviors of public administrators, which legitimizes their conducts before the public. It becomes an outcome-oriented concept, since it evaluates responsible and responsive conducts of public officials as a manifestation of good governance (Bovens, 2010).

First, acting responsibly points out relying on free will to abide by professional duties and obligations. Responsiveness, which is acting in a way that fits the account-holder's preferences, stems from following external formal regulations or a sense of duty as well as basically inner career advancement motivations (Mulgan, 2000: 562). Responsibility and responsiveness refer to the professionalism and inner motivations of the accountant's behavior and reflect an internal sense of being the servant of public, whereas accountability is the external control on the accountant's behavior exerted by the account holder.

Second, the very existence of accountability mechanisms can influence the accountant to act responsibly and be responsive to the account-holder's preferences. The possibility of being held to account and facing sanctions for the content of conducts, namely the procedure of accounting, may urge the accountant to create policy outcomes that meet the account-holder's preferences to avoid sanctioning. In this

way, responsibility and responsiveness may become inner aspects of accountability, but cannot denote accountability itself. Accountability retains as an external control mechanism and becomes only a mean affecting the accounteer's behavior to achieve the desired outcome that meets account-holder's expectations.

Third, if an accountability mechanism drives public officials to be responsible and responsive, then it can contribute to create outcomes meeting public preferences.

This is the main argument of the normative approach; public officials acting with the purpose of good governance achieve the outcomes that their principals demand.

However, accountability as an "outcome" is very different from accountability as external "control". In the former, what is regarded as accountability is actually the representation of public interests or principal's interests, whereas in the latter officials' obligation to inform, explain/justify conducts and bear the consequences submits them to the control means of their principals.

As Lupia (2003: 35) clearly demonstrates, in the outcome view of accountability, a civil servant can be accountable to a minister if the civil servant acts in line with the minister's preferences even if by ignoring formal regulations and without minister's any control. If they share the same policy objectives, the civil servant will eventually provide the policy outcomes that the minister favors by following his or her own goals. This outcome view of accountability highly resonates with representation and responsiveness, which can be regarded as the efficiency of governance. According to the control view of accountability, a minister can control a civil servant through various external institutional mechanisms to influence the civil servant's behaviors, such as abiding the civil servant to follow certain rules or removing the civil servant from duty, regardless of whether desired policy goals are achieved. In this way,

accountability becomes a relationship between the minister and the civil servant in which the minister controls the civil servant's conduct and influences the civil servant's behaviors with the aim of achieving certain level of service.

However, there is also a distinction between control in itself and accountability.

Control means having power to influence one's behaviors. If control is accountability, then it can extend towards any institutional mechanism constraining the power of public officials to ensure democratic control. For instance, formal rules such as laws, administrative regulations, and executive directives etc. are important instruments of control for officials to direct their behavior. This body of formal rules specifies functions and powers of the official behavior and induce public officials to be responsive and responsible (Mulgan, 2000). But compliance with these rules is not accountability, since they only form a forward-looking control mechanism that regulates future actions of public officials towards what is appropriate and acceptable (Mulgan, 2003: 19). Not any control mechanism, but only the ones calling officials to account, making them explain/justify their conducts and accepting the consequences can be accountability mechanisms (Mulgan, 2000: 563-564). In this sense, accountability is a backward-looking procedure examining past actions and imposing either remedies or penalties, if necessary. Thus, "accountability is a form of control, but not all forms of control are accountability mechanisms" (Bovens, 2007: 454).

Even though the discussion above makes a clear distinction between the normative and the descriptive definitions of accountability, and differentiate accountability from its connotations, in the very abstract level they are complementary rather than

contradicting to achieve democratic governance. As nicely argued by Bovens (2010: 962):

Distinct as they are, the two concepts are closely related and mutually reinforcing. First of all, there is, of course, a strong ‘family resemblance’ among the various elements of both concepts. Both have to do with transparency, openness, responsiveness, and responsibility. In the former [normative] case, these are properties of the actor; in the latter [descriptive], these are properties of the mechanisms, or desirable outcomes of these mechanisms.

Free and fair elections, for instance, can be examined as either normative or descriptive accountability mechanisms; as a means to select convenient representatives who will enact policies in line with citizens’ preferences or a punishing mechanism to vote incumbent government out who failed to meet citizens’ preferences (Przeworski, Stokes, & Manin, 1999). Ideally, the important aspect of elections is not which essential role comes first, but actually how they complement each other. In a sense, they are not mutually exclusive, because voters are not unitary actors with fixed and homogenous preferences, and vote for different reasons in every election. Different voting preferences and motives do not change one foremost principle in democratic regimes that elections delegate political power from citizens to their elected representatives who make binding policies to govern electorates’ lives. In return, re-election seeking representatives would be responsive to the electorates to guarantee to stay in the office. Hence, citizens assure representatives’ responsiveness with the possibility of throwing them out of the office through elections.

Whether citizens actually use elections to punish incumbent or to elect responsive ones do not matter in terms of democratic governance, because their possibility to hold them accountable is enough to make office-seeking politicians to be responsive to their demands. Elections ensure democratic control by urging any re-election

seeking government to be responsive and responsible to public interests and indicate the consent of citizens for government policies. Governments, on the other hand, intrinsically comply with democratic principles and always leave the office when they lose elections. Thus, both normative and descriptive approaches to accountability are very instrumental to ensure the legitimacy of democratic governance.

As for the empirical level, however, the normative approach does not provide any general standard or framework for the analysis of appropriate and acceptable behaviors of public officials to be accountable. The assessment of good and bad governance and the required standards set by formal and informal rules highly vary across different political systems (Bovens, 2010). On the contrary, the descriptive approach defines accountability in a narrow sense, which helps to develop a precise analytical concept for the empirical analysis of accountability applicable to different political settings. Next section builds on the descriptive approach to conceptualize accountability.

2.1.1 Conceptualization of Accountability

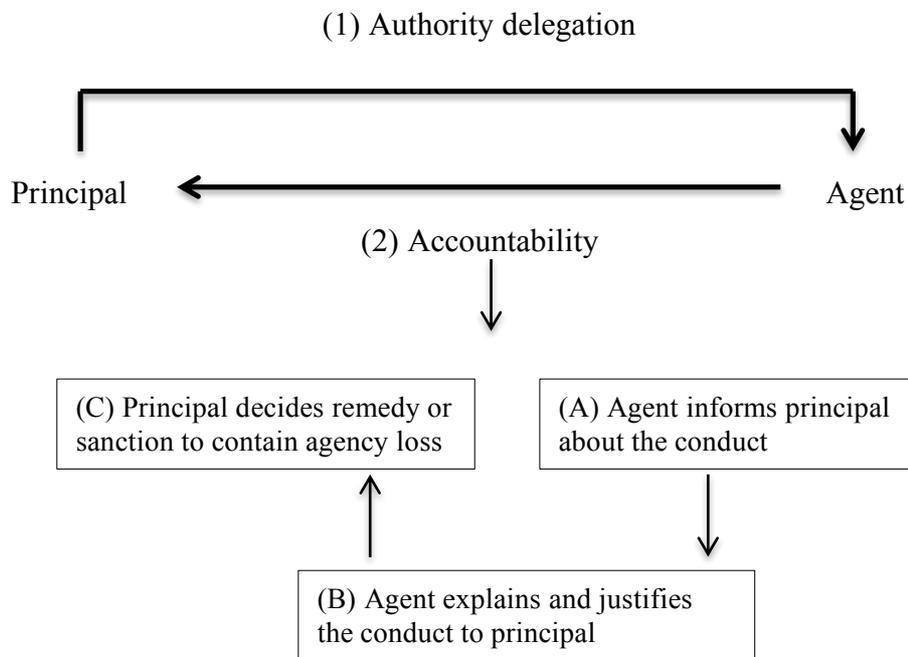
The first feature required for formulating an analytical framework on democratic accountability is a relationship based on authority delegation between two actors. Delegation in democratic governance intrinsically obliges one actor (A) granted the authority to render account to other actor (B) who delegates and has the right to hold account. After setting the relationship, other features describe the process of assessing the actions of A within the capability of B and the procedure ensuring external scrutiny that affects behaviors and expectations of both actors. Principal-agent theory is very convenient for modeling accountability relationships based on

power delegation within varying institutional structures. It is a family of formal models derived from game theory that successfully outlines principal and agent with certain roles and preferences in a delegation, examines the patterns of interaction between these actors, and assesses possible outcomes (Gailmard, 2014).

Similar to Bovens' definition (2007: 450-451; 2010: 951) but more in the jargon of principal-agent theory, this research defines accountability as a *relationship* between an *agent* and a *principal* in which the agent is *obliged to explain and justify* his or her actions in a discussion with the principal and as a result *may face consequences*. As Figure 1 indicates, unpacking this definition reveals the roles of actors in several stages. In a delegation, an *agent* is an individual or an institution that is granted the discretion to carry out a task on behalf of principal. A *principal* is an individual or an institution to which the agent has a formal obligation to render account due to the delegation of power. Their relationship of accounting is composed of *three stages* in which the agent is obligated to inform the principal about his or her actions such as presenting a report on the outcomes or performance. This *informing* stage is followed by a *discussion* stage in which agent explains and justifies his or her conducts and confronts with principal's questioning. The last stage is the *judgment* of the principal on the agent that can be in positive or negative forms such as approving, amending or rejecting agent's decisions or even removing from duty.

Thus, a *delegation* of power is *accountable* if principal can exert control over agent through an external mechanism in which agent is obliged to explain and justify his or her conducts and in return may face remedies or sanctions. Accountability is comprehensive to the extent of principals' capacity to apply process of accounting (Strøm, 2003: 62). Modeling accountability as external control means that the agent

is not independent of the principal's control and principal within his capacity tries to influence the behavior of the agent by *aiming* to get the desired outcome (Bergman, Müller, Strøm, & Blomgren, 2003: 110; Lupia, 2003).



Source: Constructed by the author.

Figure 1. Accountability relationship and process

When there is delegation of authority, the conflict of interest between the principal and the agent is inevitable due to the omnipresent human experience. It is in the nature of the principal-agent relationship that “agents behave opportunistically, pursuing their own interests subject only to the constraints imposed by their relationship with the principal” (Kiewiet & McCubbins, 1991: 5). Thus, accountability means subjecting agent to certain constraints to affect agent’s behavior. It is a process of control in which principal seeks an account from the agent to understand whether the agent is deviated from the task or not, and respectively agent may face consequences (Fearon, 1999; Ferejohn, 1986; Gailmard, 2014; Lupia, 2003; Strøm, 2003). In this relationship (Kiewiet & McCubbins, 1991: 24):

Agent seeks to maximize his or her return. ... [whereas] the principal, conversely, seeks to structure the relationship with the agent so that the outcomes produced through the agent's efforts are the best the principal can achieve, given the choice to delegate in the first place.

As a result of this conflict of interest, when the conditions are appropriate for opportunism, agent may act contrary to principal's interest, cause principal to suffer from some degree of *agency loss*, which means some degree of deviation from the ideal outcome preferred by the principal. Thus, once there is delegation of power, then there is the agency problem.

The conditions leading to opportunistic behavior of the agent or agency loss occur in case of *asymmetry of information* between the principal and the agent. Since the agent has information unavailable to the principal, he or she has incentives to keep it hidden to evade principal's scrutiny. Hidden information leads to the incapacity of principal to assess agent's behavior resulting in *moral hazard* (hidden action) problem. It is an agency loss problem in which agent follows his or her private agenda rather than the principal's and the principal cannot observe whether the agent's behaviors are in his or her best interests (Kiewiet & McCubbins, 1991: 25; Lupia, 2003: 41-42). As delegation of power inherently leads to some degree of agency loss, accountability for principal-agent theory basically refers to mechanisms of control that would contain these agency losses by providing information about the agent's conducts and applying sanctions. Mechanisms of control used after the delegation takes place are *ex post* control mechanisms such as reporting by the agent, police-patrol (monitoring by the principal) and fire alarms (checks by third parties) (Kiewiet & McCubbins, 1991; McCubbins & Schwartz, 1984). Such formal mechanisms enhance scrutiny of the agent by inducing the agent inform the principal (Kiewiet & McCubbins, 1991: 31). As a consequence of this scrutiny process, the

principal may apply following sanctions to the agent; 1) blocking (vetoing) or amending agent's decisions, 2) removing agent from his duty or curtailing his authority, and 3) imposing specific penalties (Strøm, 2003: 62).

Since principal ultimately decides whether there is an agency loss and its degree after receiving information from the agent, principal-agent models of accountability seem to prioritize mainly information and consequences stages to control and influence agent's behavior by disregarding mostly explanation/justification stage (Brandsma and Schillemans, 2012). In fact, explanation and justification phase is as important as other stages for the control of the agent by the principal. Providing discretion to an agent recognizes the fact that carrying out a task on behalf of principal requires some degree of autonomy for the agent. Especially in areas with high agency autonomy, having ex ante fixed preferences for the principal is not realistic, since the information exchange and the interaction with the agent can continuously shape principal's preferences (Meier & O'Toole, 2006: 178 as cited in Brandsma & Schillemans, 2012: 957). Therefore, the principal's decision of agency loss is highly relative and cannot be decisive. In such cases, the information and explanation/justification stages are significant to contain agency loss, since exchange of views and discussion between the agent and the principal would close the gap between principal's preferences and agent's behavior.

Moreover, there are debates whether consequences phase actually is a constituent of an accountability mechanism. For instance, the ombudsman can effectively investigate public institutions and officials for individual complaints, and as a result, reveal their abuse of power. But it lacks the authority of sanctioning as a consequence of the oversight in most democracies. Other investigatory mechanisms

such as committees of inquiry in the parliament can summon government officials to render account and successfully report their wrongdoings, but applying sanctions for faulty actions may be the subject of other parliamentary or legal mechanisms.

Likewise, Philp (2009: 32) attracts attention to *accountability* by not making sanctioning an analytical part of the definition:

A person or an institution (A) is accountable with respect to M (the responsibilities or domain of actions that are the subject matter of the account they give) when an individual, body or an institution (Y) can require A to inform and explain/justify his or her conduct with respect to M.

Incorporating imposition of sanctions in the definition of accountability is driven by the assumption that if there is no sanctioning, then principal cannot ensure that agent would account. However, the latter definition recognizes that the value of the information and justification stages which are not driven by the threat of sanctions. Moreover, since accountability refers to a relationship in which Y can require A to inform and explain his or her actions, that means Y must be able to sanction A in case of failing to inform and explain, and this is not conditioned on if Y can sanction A for the content of his or her actions. This is because the content may be the subject of other accountability relationship, and does not mean that principal cannot hold agent accountable in this particular relationship, but only indicates a type and degree of accountability between them (Philp, 2009: 33-36). Such an approach to study accountability relationship indicates that it is more important to control and influence agent's behavior through information and explanation/justification to minimize agency loss rather than focusing on imposing sanctions. It also pays attention to the fact that actors are not independent of each other in political domain, and principals may not possess the ultimate authority to affect the behavior of their agents (Gailmard, 2014).

Principally, this study includes not the actual sanctioning (imposition of sanctions), but the “possibility of sanctions” in the conceptualization of accountability by paying attention to the fact that sanctioning as a consequence can be enforced by other accountability mechanisms. Possibility of sanctions is what distinguishes “being held account” from “mere informing” on the conduct (Bovens, 2007: 451) or just “called to account” (Mulgan, 2003: 9), wherever these sanctions may come from. If principal thinks that there is some degree of agency loss that should not have been, then to say that there is accountability, there should be remedy or penalty compensating the loss. For instance, oversight reports of the ombudsman deduced from information and explanation stages can reveal agency loss, but in most democracies this official does not possess any enforcement capacity besides making recommendations. However, remedies or sanctions can come from other mechanisms such that parliament can force a minister to amend his or her decisions or to resign. Thus, the ombudsman being effective in leading public officials to account is still an accountability mechanism. Hence, information and explanation/justification stages are inherent parts of accountability to contain agency loss, and if need be, necessary remedies or sanctions may come from the accountability mechanism itself or other mechanisms.

Also, the *possibility* of being called and held account is the core of *accountability*.

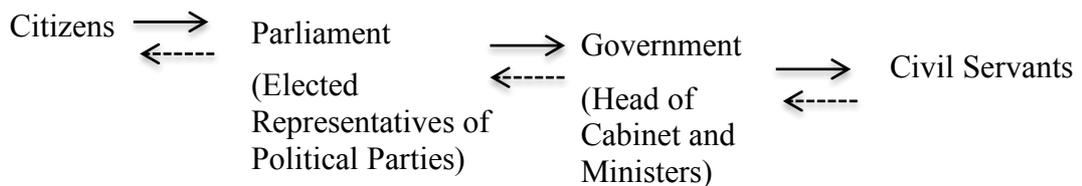
For an agent to be accountable, he or she does not necessarily be called and held account every time for every conduct. Principal’s right to call agent and demand information obliges the agent to be summoned and questioned about every aspect of his or her conducts. In this way, agent expects to be interrogated for each conduct and remains under the continuous scrutiny of external mechanisms, even if he or she is not held account every time in practice (Mulgan, 2003: 10). If the principal does not have the authority to summon the agent, then agent’s information and

explanation would be only a favor to the principal. For instance, a school manager's sharing information with students about a policy change at school is not accountability, but a practice of increasing transparency between school administration and the affected party, students. Informing only depends on the will of the manager, and students do not have the capability to assess manager's decision and impose remedies or sanctions to influence his or her behavior. Otherwise, being obliged to explain and justify the conduct would have encouraged school manager to implement voluntarily proper policies. In this way, agent's expectation to be summoned to external scrutiny reinforces his or her the appropriate discretionary acts. Next section discusses government accountability in parliamentary systems in accordance with this conceptualization.

2.2 Parliamentary Government's Accountability

Accountability relationships differ in the context of presidential and parliamentary systems due to the different ways of power delegation (Strøm, 2003). The role of parliament in the accountability of presidential and parliamentary forms of government indicates two different trajectories, and this study focuses on the latter one. In a presidential democracy, which is typically represented by the U.S. presidentialism, citizens separately elect the legislature and the president as two parallel competing agents, and neither have the right to dismiss the other. The president independent of the parliament serves as both the head of state and the head of government. Delegation of power from citizens to government and parliament separately leads to the total separation of power between the executive and the legislature. Each one checks the other to balance its power, and this indicates a horizontal accountability relationship among equal agents.

In parliamentary systems, mostly European democracies, citizens directly elect parliamentary representatives, and then government is formed out of a parliamentary majority. As Figure 2 simply illustrates, political power is delegated in a singular chain from citizens to the parliamentary representatives by the means of elections, and then it is delegated from the parliament to the head of government (prime minister), from the head of government to the heads of different executive departments (ministers), and from the ministers to the individual civil servants implementing public policy (Bergman & Strøm, 2004; Müller et al., 2003; Saalfeld, 2000).



Source: Constructed by the author.

Figure 2. Delegation (rightwards) and accountability (leftwards) chain in parliamentary democracies

In this hierarchical power delegation, one principal delegates to only one agent at each stage of delegation, and in return, each agent is accountable to only one principal (Müller et al., 2003: 21). Therefore, delegation of power from one principal to one agent maximizes the power of the agent, and subjects the agent to the control of the same principal in a vertical hierarchical accountability relationship.³ This way

³ For a more detailed picture of parliamentary delegation process, see Saalfeld (2000: 355), which incorporates the relationship between members of parliament and political parties as well as extra-

of delegation connects citizens and government indirectly through elections, and parliament links citizens to government. Hence, parliament becomes the principal scrutinizing the government and the agent of the citizens representing their preferences.

However, the government's accountability to the citizens and the parliament compose only a part of its accountability relationships in democratic governance. Government functions through a web of very complex relations with various public and private actors. Due to the variety of relationships at different contexts and levels of democratic governance, *who* is accountable to *whom* for *what* and *how* creates different types of accountability (Bovens, 2005; Mulgan, 2003). Studies on accountability mostly refer to the typology of Romzek and Dubnick (1998) describing four types: bureaucratic, legal, professional, and political accountability (Brandsma & Schillemans, 2012: 954). With slight differences, Bovens (2005, 2007) proposes five types as political, legal, administrative, professional, and social accountability. These different accountability types are not the subject of interest in this study. But they are important to mention, as categorization of accountability as multiple accountabilities indicates that democratic governance is so complex that an accountee in one relationship can turn into an account-holder in another, and can be summoned to different institutional settings. Thus, different mechanisms scrutinize different parts of government operations. Figure 3 shows the direction of government's accountability towards these actors with solid and dashed arrows.

parliamentary actors such as courts, interest groups, sub-national governments, executive agencies and international actors. For a simplified comparison of single-chain delegation and accountability in parliamentary democracy with multiple-chain delegation and accountability in presidential democracy, see Strøm (2003: 65).

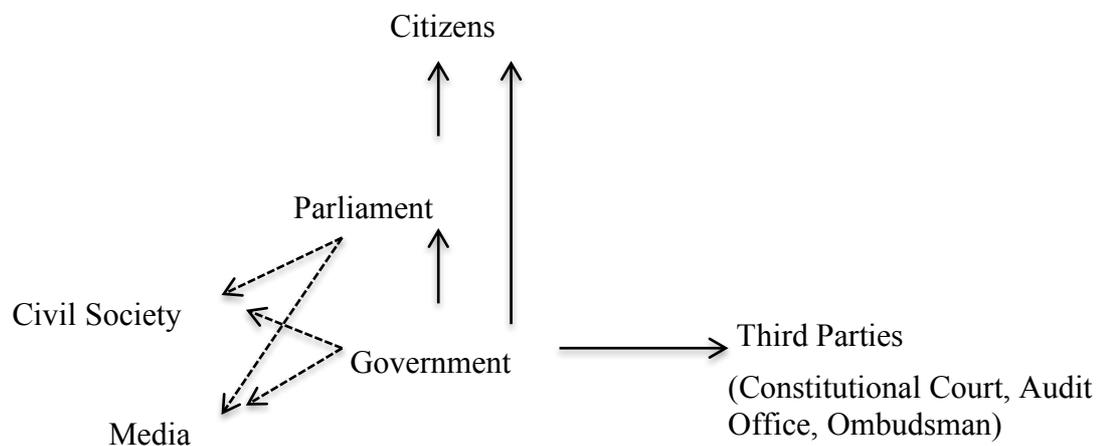
Solid arrows indicate government's formal accountability regulated by laws or formal rules, whereas dashed arrows indicate government's informal accountability as it is not enforced to account by formal procedures.

Political accountability functions hierarchically in the reverse direction of vertical power delegation in parliamentary systems as Figure 3 simply indicates. Government is summoned to the scrutiny of parliament through parliamentary mechanisms as well as of citizens in the elections for its policies and conducts.⁴ On the other hand, its individual members or policies can be also subjected to the scrutiny of civil or specialized courts for *legal accountability*. Public bodies such as ombudsman and audit offices also scrutinize ministries and public officials for their administrative and financial performance, and investigate complaints charged against them for *administrative accountability*.

Government's accountability to these third parties (courts, audit offices, ombudsman etc. in legal and administrative accountability) indicates a horizontal accountability relationship since they are independent of both government and parliament, and not parts of power delegation. These independent inspectorial institutions help to further parliamentary scrutiny on government by monitoring and reporting on government

⁴ For conceptual clarity, I refrain to use *political accountability* to refer parliamentary government's accountability as is often referred in other studies, because it would be misleading. Political accountability connotes different meanings and entails different relationships in different contexts, because it does not make a distinction among parliamentary and presidential systems (Mulgan, 2000). Since I examine government accountability in parliamentary democracies, I prefer to use accountability of parliamentary government, as the name itself already implicates actors, accountability relationships and institutional mechanisms of interaction that would be put under the scope.

conducts. Vertical relationship between government and parliament due to power delegation can be modelled as a principal-agent relationship, whereas institutions of legal and administrative accountabilities are not the principals of government. They become effective accountability mechanisms, if they have power to scrutinize government in terms of its conformity to the rule of law, norms and regulations, capacity to process this information, submit government to discuss the conformity of its actions with the laws and norms, and pose sanctions to punish misconduct if possible.



Source: Constructed by the author.

Figure 3. Vertical and horizontal accountability relationships between government and other actors in parliamentary democracies

Figure 3 also presents the scrutiny of the media and the civil society as *social accountability* mechanisms, since they act as watchdogs and provide independent information on government that helps to compensate the information asymmetry of the public. However, they are rather informal mechanisms since their operation as scrutiny mechanisms is not installed with government's obligation to justify and explain its conducts. If they are autonomous, they can function very effectively

through the free discussion of the public policies, and urge government to change its behavior.

Apparently, studying government accountability is not an easy task without clearly identifying who are the actors, what is the nature of the relationship among themselves, how they interact with each other in a specific institutional setting and how this contributes to government accountability. Since the citizens are the utmost principals, the primary mechanism to hold government accountable in democracies is the general elections. Citizens by voting in free and fair elections “discern representative from unrepresentative governments and sanction them appropriately, retaining in office those incumbents who perform well and ousting from office those who do not” (Przeworski et al., 1999: 10). They want their governments as informed agents perform specific tasks efficiently by abiding with their preferences, and pass their judgment on the performance of the government with the direct exercise of voting.

Before this rewarding or sanctioning part takes place, election campaigns organized nationwide prosper intense political debates for all competing parties. Governments inform citizens about their past and future policy agenda and explain their achievements. The inclusiveness and transparency of the discussions increase when other parties question and criticize government’s conducts as well. The information about incumbent’s conducts and the discussions on whether its performance meets the preferences of the citizen lead citizens to vote accordingly. If not satisfied, they can vote the incumbent out of office. If an incumbent seeks to re-win the office, it will commit its policies to the citizens’ agenda.

However, for this direct mechanism to be effective, representatives of the incumbent government are needed to stand for re-election. Also, it is a blunt instrument to evaluate four or five years of executive performance with just one vote. In addition, inaccurate statements and defamation during the campaigns curtail the flow of independent information to citizens, who need to have adequate information to properly assess the performance of the government. The incompatibility of the preferences of citizens and the government is inevitable and permissible to some extent. But, citizens as the ultimate principals cannot determine whether there is agency loss and its degree when there is hidden information. Moreover, the government possesses the means of information and mostly polishes its performance with highlighting positive policy outcomes. Considering electoral accountability of the government to citizens is imperfect and indirect, the parliament has the foremost role in government's accountability vested with significant constitutional rights and powers. As the principal of the government, it scrutinizes the incumbent to ensure that it makes appropriate policies corresponding to citizens' preferences and does not misuse of its authority.

2.2.1 The Role of Parliament in Government's Accountability

As chain of power delegation and accountability in Figure 2 explicitly shows, “parliamentary democracy means first and foremost that the political executive serves at the pleasure of the parliamentary majority” (Strøm, Müller, & Smith, 2010: 518). Government inauguration rules vary among democracies, but in general government is formed right after the elections with the support of parliamentary majority. Parliamentary majority has the right to dismiss government by moving a no confidence motion that specifically works either as a deterrent to government's

misconducts or to sanction them. Since parliament delegates to the government to carry out the business of governance, and the incumbent depends on the confidence of its majority, government becomes an agent of the parliament, and hence, accountable to parliament (Bergman & Strøm, 2004; Strøm, 2003). The government as the agent is responsible for formulating and implementing policies that corresponds to public preferences. The parliament as the principal authorizes the government budget, scrutinizes and amends its legislation, and investigates its performance for any misconduct. Accordingly, parliament controls and affects incumbent's behavior in the parliamentary arena to prevent its opportunistic behavior that results in agency loss.

In addition to this principal-agent relationship, which obliges the government to account to the parliament, parliamentary control of government is also very essential to ensure *democratic control*. Because citizens' control over the government is indirect, linking government to the chain of delegation through effective parliamentary accountability mechanisms *legitimizes* the actions of the incumbent (Bovens et al., 2008). In the parliamentary realm, what is central to the accountability of government is the extent of which the parliament monitors and assesses government's conducts and influences its behaviors in line with public's preferences (Bovens et al., 2008). Power asymmetries between citizens and the government (agency loss) primarily can be alleviated within the institutional setting of the parliament. In this way, government's accountability to the parliament ensures government's accountability to citizens (Laver & Shepsle, 1999: 270). This democratic premise justifies the effects of parliamentary control mechanisms on government's conducts as accountability.

Parliament functions as an open public forum in which citizens' representatives comprehensively monitor government's legislative agenda, policies and performance through the mechanisms of control that would contain agency problems. As discussed in Section 2.1.1, the parliament as a principal applies mechanisms such as reporting by the agent and police-patrol (monitoring by the principal), and benefits from fire alarms (checks by third parties such as audit office, ombudsman). Major parliamentary mechanisms of calling government to account are as follows:

- Authorizing government's budget
- Annual reports of ministerial performance
- Oral and written questions
- Interpellations
- Impeachments
- Parliamentary committees

Even though application and standing procedures of these mechanisms vary among national parliaments, they generally cover information and explanation/justification stages of accountability. For instance, oral/written question period is mostly used to extract information from government, especially by opposition party members, and in some parliaments an extensive debate is allowed to follow (Laundy, 1989).

Parliamentary committees closely scrutinize government's legislative agenda and policy outputs by examining government legislation in detail and overseeing government departments' activities.

In these mechanisms, the parliament extracts information and demands explanation from the cabinet members or a range of public officials working on behalf of government about their policies and performance. Parliamentarians can ask questions

or for evidence that compel agents to explain and justify their conducts. If these mechanisms reveal any agency loss, then the parliament can apply any of the following remedies and sanctions;

- Approving, amending or blocking government's decision, and
- Removing government from duty with a vote of no confidence.

Therefore, "effective accountability requires not only a formal executive obligation to serve the will of the parliamentary majority, but also suitable mechanisms by which the parliamentary majority can determine when this obligation has not been met and must be enforced" (Strøm et al., 2010: 518).

However, after the government is established, the parliament's right to move a no confidence motion to dismiss government as a sanction, namely removing agent from the duty, is a powerful last resort. It is a blunt instrument suffering from informational asymmetry between parliamentarians and executive members of the cabinet (Strøm et al., 2010: 518) and not credible for any actor as it creates political instability (Bergman et al., 2003). This explains its rare use among Western democracies as an accountability mechanism (Auel, 2007: 502) and parliament's reliance on other flexible accountability mechanisms such as blocking or amending government's decisions or imposing specific penalties to alleviate agency loss (Bergman et al., 2003). It is also frequently deployed for other purposes in some countries. For instance, Finnish parliamentary opposition mostly challenges the government through moving a no confidence motion not to oust the incumbent but to express its dissatisfaction. In contrast, French and Italian incumbent governments mostly use confidence motion strategically before passing a government bill to

reassure executive confidence, especially when they expect to win (Bergman et al., 2003: 166).

Another reason for not deploying a no confidence motion as a sanction would be also that it is difficult for parliamentarians as principals to separate themselves from being agents of partisan politics. As expected, government backbenchers would be willing to safeguard their cabinet. They lack electoral incentives and motivation to sanction the government, because they do not compete against each other primarily but against other parties' members in their electoral districts. As long as they benefit from re-election, they mostly choose to remain loyal to the party leadership and in unanimity with the party position. This indicates that parliamentary majority, especially when it is composed of government parties, would retain the status quo as long as there is no unacceptable deviation from formerly proposed policies or no exogenous shocks distorting the status quo. When the incumbent deviates from its agenda to an undesirable extent, the parliament can employ a no confidence motion, only if there are feasible alternatives available to replace the incumbent (Laver and Shepsle, 1999: 281).

Moreover, the parliament's possibility of ousting the government through a vote of no confidence generally encourages government to act properly to avoid losing the office and public confidence. In general, issues of confidence are the approval of government budget and program outlined by the prime minister at the beginning of legislative term (Laundy, 1989). If government is urged to make amendments on these issues or does not receive support at all by the parliamentary majority, this would be interpreted as a lack of confidence and would lead to its resignation. Any government anticipating the expectations and the preferences of parliamentary

majority would not risk its term in office by bringing an undesirable budget or a program. The issues other than these such as defeat of a government bill does not necessitate the dissolution of government, but creates public pressure on the government to take remedial action for compensating its agency loss. In order to prevent losing public and parliamentary confidence, government can amend or withdraw its legislation, propose a remedy, or ministers can resign by taking responsibility. In sum, the effectiveness of these accountability mechanisms depends on the extent of parliament's power in relation to the government. To make it clear, it depends on government's expectation to be summoned to the parliament's scrutiny, the extent of its obligation to publicly inform, explain and justify its conducts to the parliament, and the parliament's capacity to assess these actions.

Earlier studies examine the parliament's power to control the government with regard to its policymaking power vis-à-vis government. Polsby (1975) classifies European legislatures on a continuum axis with two ends (as arena and transformative), and argues that varying levels of government party homogeneity, hierarchy in the party structure and voting consistencies affect the degrees of control that European parliaments have over in legislation. Later, Norton (1990a, 1990b) modifies in a way Polsby's classification by describing three types of legislatures with regards to their effect on policymaking such as policymaking legislatures, policy influencing legislatures and legislatures with little or no policy effect. Similarly, Mezey (1979) describes legislatures in terms of two dimensions; mass/elite support they have determining their popular legitimacy, and their influence on policymaking determined by their power to reject and modify government proposals.

These studies provide comparative inductive data on existing parliaments and an overview of their strength in policymaking vis-à-vis governments. Their descriptive analyses help us to understand the nature of legislatures and the institutional factors that are associated with the influence of parliaments over governments in policymaking such as *legislative committees*. First comprehensive comparative study of committees in eight democracies (Canada, Germany, India, Italy, Japan, Philippines, the U.K., the U.S.) found that the U.S. committee system was the strongest among all cases, and Italian and German committees had considerable power in legislation compared with others (Lees & Shaw, 1979). Given institutional arrangement of executive-legislature relations in parliamentary democracies, in which government proposals are referred to the committees for closer parliamentary scrutiny, committees can be regarded as significant arenas for legislative deliberation. As Mezey (1979: 64) argues, legislatures that are influential in policymaking are equipped with strong committees “which enable them to divide the legislative labor in such a way that a degree of legislative expertise is generated in most policy areas”. Acquiring legislative expertise is very significant for exerting influence on policymaking, since policy formulation requires an effective understanding of policies.

Overall, for parliament to control and affect the incumbent behavior in the parliamentary arena to contain agency loss, legislative committees as subunits of parliaments are significant control mechanisms that closely scrutinize government bills and influence government’s legislative behavior (S. Martin, 2014; Strøm et al., 2010). However, there is no comprehensive study empirically examining legislative committees as accountability mechanisms. Scholars mostly focus on committees overseeing government departments and policies such as Select Committees in the

U.K. or committees of inquiry/investigation making ex post scrutiny of government's behaviors as accountability mechanisms. These types of committees have investigative powers over the government, but they function as post-legislative scrutiny mechanisms. On the other hand, legislative committees have power to rewrite government bills by changing their content as a result of the scrutiny process at the committee stage. In this regard, they stand out as significant accountability mechanisms having formal capabilities to influence government's legislative agenda by imposing changes in government's proposals. Concerning this gap, in the next chapter I develop an analytical framework on legislative committees to explain how they can function as active mechanisms that actually scrutinize government legislation closely and influence its content based on the accountability conceptualization in this chapter.

2.3 Conclusion

This chapter presents how I conceptualize accountability and how I model the accountability of government to the parliament in terms of this conceptualization with a principal-agent modeling. To sum up, power delegation from the parliament to the government requires the accountability of government to the parliament as in a principal-agent relationship. Due to inevitable agency loss, parliament constantly scrutinizes government conducts to alleviate losses. Inductive examination of parliaments indicates that legislatures are equipped with various institutional mechanisms for this purpose; to hold government accountable. Among these mechanisms, legislative committees are not regarded as effective scrutiny mechanisms but rather as rubber stamps generally approving government's proposal. Examining whether legislative committees are pro forma or effective mechanisms to

scrutinize government's legislation initially requires a descriptive conceptualization of accountability that can be operationalized and used in empirical analysis. Conceptualizing accountability as a relationship derived from the power delegation between an agent and a principal, in which the principal obliges the agent to explain/justify his or her conducts, and as a consequence the agent may face with remedies or sanctions, makes its operationalization applicable to the scrutiny process of government proposals in legislative committees. In the next chapter, I discuss in detail how legislative committees can function as accountability mechanisms scrutinizing government's legislative agenda.

CHAPTER 3

LEGISLATIVE COMMITTEES AS ACCOUNTABILITY MECHANISMS

Parliamentary committees as subunits enjoy certain level of autonomy in legislatures to make legislation more effective and hold incumbent accountable. Most of the empirical work on committees focuses on the U.S. Congress and provide valuable insights on the functioning of committees in a presidential democracy. This rich knowledge accumulation on American politics and legislature paved the way for legislative scholars to explore the roles of committees in parliamentary democracies in the last two decades. While most of the studies provide country-specific knowledge because of the diversities in their roles and organizations in legislatures (Lees & Shaw, 1979; Mezey, 1979), a few provide detailed comparative data on varying structures, procedures, and powers of the legislative committees within European parliamentary democracies (S. Martin, 2011; Mattson & Strøm, 1995; Strøm, 1990). These studies provide a comprehensive index of committee properties indicating committee power and discuss the extent of it as a manifestation of parliament's influence over government. Committees with more properties are considered as strong committees to impact the government's legislation, whereas

committees with fewer properties are considered as weak (S. Martin, 2011; S. Martin & Depauw, 2011; Strøm, 1990). In this regard, they examine legislative committees as a coherent unit in which members act to influence government's legislative agenda and alleviate its divergence from public interest.

On the other hand, although formal capabilities of legislative units indicate the strength of parliamentary scrutiny, they are not equal to actual political behavior (Auel, 2007). This means that institutional strength of committees does not translate automatically into actual influence on governments unless committees use their formal scrutiny capabilities. Existing research is limited in explaining whether legislative committees are inert or active mechanisms that scrutinize government legislation closely and influence its content by acting as a legislative unity.

Regarding this gap in the literature, in this chapter I examine how legislative committees act as effective parliamentary scrutiny mechanisms that influence government's legislation. For this purpose, I develop an analytical framework describing the operation of committees as an accountability process, in which committees exert control on government's legislation through the use of their formal capabilities. Basically, I argue that legislative committees oblige government to inform about its proposal, explain and justify the objectives and the content of the bill, and as a result, they amend the content of the legislation. To the extent that they use their formal capabilities, they would scrutinize government legislation closely, and hence, would be more likely to exert more change in the content of the government bills.

However, there are other factors affecting committee members' (MCs) behaviors towards government legislation; party affiliation and constituency interests. MCs are

not only members of the parliament (MPs), but also members of their political parties and representatives of their constituents. Accordingly, they do not only serve to the parliamentary interests, but are also the agents of their parties in committees representing their positions on government legislation and substantial interests of their constituencies. For instance, government and opposition members who have different electoral incentives act differently in committees when they scrutinize the government bill. Left-right party ideology also affects the emphasis placed by parties on certain issue areas, which eventually shapes MCs' approach towards government bills falling into these issue areas. Constituency interests also drive MCs' behaviors in issue areas specifically related to their constituents' interests for re-election purposes.

Considering these multiple forces affecting MCs' motivations or rationale on the scrutiny of governments' bills, I also justify in which kind of setting legislative committees act as coherent accountability mechanisms. In other words, to account for the effects of legislative committees on government's legislative outputs as accountability mechanisms, I draw my theoretical assumptions from informational theory on the organization of legislative committees. In this way, I also test the behavioral implications of this perspective by focusing on the legislative scrutiny of government bills at the committee stage. In the following discussion, first I briefly outline the parliamentary committee systems in general; second I clarify theoretical justifications and assumptions for examining legislative committees as accountability mechanisms, and lastly, I explain the accountability process at the committee scrutiny stage.

3.1 A General Review of Parliamentary Committee Systems

Committees are sub-parliamentary units which are formed by MPs to perform detailed parliamentary work than could the plenary. Categorizing committees is not an easy task due to high variation in their forms and functions. Committees can be either small or large or even consist of all plenary. Some perform special tasks, some focus on only budgetary issues, some scrutinize only legislation, some specialize in policy areas and some investigate certain government actions (Laundy, 1989). Accordingly, categorization of reality is rather crude, but not impossible.

In terms of duration (tenure), a committee can be ad hoc or permanent (standing). The committees in the former category are established to deal with particular matters and cease to exist after issuing their report on this specific matter. In contrast, the committees in the latter category work on issue areas corresponding to mostly ministerial departments throughout the legislative term (Inter-Parliamentary Union, 1986: 625-26). In terms of their purpose (types), committees can be legislative scrutinizing proposed bills, administrative, financial or investigative looking into certain acts for violation or remedy (Inter-Parliamentary Union, 1986; Mattson & Strøm, 1995). Generally legislative committees are formed as permanent throughout the legislative term, whereas committees of inquiry are formed ad hoc and dissolved after they issue investigative reports to the plenary. Bicameral systems also benefit from joint committees consisting members from both Houses for examining special matters.

Despite this classification, the evolution of committee systems and their roles in legislation are exclusive to each national parliament. For instance, Swedish parliamentary committees combine all legislative, deliberative and inquiry roles in

their units (Arter, 2008). German standing committees perform both advisory and legislative functions. They can draft bills and monitor government departments (Laundy, 1989). French committees have limited capacity to influence legislation since they can only make suggestions to amend the government bills. The plenary considers the original draft with suggested amendments (Mattson & Strøm, 1995). In parliamentary systems with Westminster tradition, committees are defined according to their function. In British Parliament, public bill committees are ad hoc legislative committees that are established to consider a bill if the House of Commons refers the bill to these committees after the second reading. They cease to exist after they finish legislative scrutiny of the bill and report the bill with their amendments to the House. Committee of the Whole House is a committee stage composed of all members of the parliament for important clauses of the bills related issues such as finance, taxation or constitution, and applied with more relaxed discussion rules. Select committees are special permanent committees corresponding to certain issue areas and make policy recommendations on relevant government legislation. They do not consider bills at the committee stage and generally function as a post-legislative scrutiny mechanism (Inter-Parliamentary Union, 1986; Laundy, 1989).

Overall, parliamentary committees share the major part of the parliamentary workload as subunits, and hence, are required for parliament's effective functioning. Even though the skeptics argue that "if a committee were called upon to invent an animal, it would probably have a camel's hump, an elephant's trunk, a giraffe's neck and centipede's legs" (Laundy, 1989: 115), committees can be very effective in making parliament influential in legislation and government's accountability when they fulfill their mandate by using their formal capacities. To this end, the structures,

procedures and powers of the committees are very central in performing their mandate.

3.2 Legislative Committees

When government wants to enact a new bill, or amend an existing act, the bill comes before the parliament for legislation. However, it is almost impossible for an individual member of the parliament (MP) to effectively examine all bills in all issue areas to enact appropriate laws corresponding to citizens' preferences. Accordingly, parliaments generally delegate authority to committees for legislative scrutiny. Before parliament takes any action on the proposal, Speaker of the Parliament or Clerk forwards it to the relevant legislative committee to allow its members to elaborate and deliberate on it.⁵ Among other types, legislative committees are important police-patrol mechanisms since their organizational capacity serves to examine government's legislation to look for the violations and remedies of legislative goals (Saalfeld, 2000). Thus, committee's deliberation on bills influences government's legislative behavior on public policy through a dyadic interaction between government and MCs.

However, MCs are also members of political parties and people's representatives as well as parliament that make them serve to the interests of their parties, constituencies and the parliament. These different agencies guide their position towards government legislation at the committee scrutiny stage. Government/

⁵ In parliaments with Westminster tradition such as the U.K., Australia, Canada and New Zealand as well as Denmark, Ireland and Spain, bills come before the committees after the first and second readings in the plenary (Mattson & Strøm, 1995).

opposition members or leftwing/rightwing party members generally have different preferences in legislation since they have different electoral and ideological agendas. MCs also represent different electoral districts and electorates, and hence, compete for conflicting interests and scarce resources during the legislative process. Hence, multiple agencies of MCs (as agents of the parliament, the political parties and the constituents) would create tensions between their different legislative roles and influence the functioning of legislative committees as scrutiny mechanisms. Next subsection elaborates these different sources of influence on committees, and following section discusses which perspective explains the effectiveness of legislative committees as accountability mechanisms.

3.2.1 Sources of Influence on Legislative Committees

The fact that committee members are also the agents of their parties and constituents leads scholars to examine the effect of political parties and constituents on the committee organization and behavior. From neo-institutionalist perspective, committees may have different origins, which lead us to expect different behavioral outcomes within similar institutions (Strøm, 1998). Distributional, partisan and informational perspectives within this paradigm provide different models on committee organizations, which have different behavioral implications for the role of committees in legislative scrutiny process.

Distributive Perspective

According to the distributive perspective, committee members possess legislative ‘property rights’ by being members of committees on specific policy areas.

Specialized committees provide electoral incentives among members to exchange

these 'property rights' to guarantee the distribution of public spending in areas that benefit their constituents and help their re-election (Shepsle & Weingast, 1987; Weingast & Marshall, 1988). In this way, they form a homogenous committee organization and deviate from the plenary median as an outlier. When it comes to legislative scrutiny, MCs would prioritize the interests and preferences of their key constituency, and the scrutiny of government bills would be shaped by the potential implications for these voters (Khmelko & Beers, 2011). Then, they facilitate logrolling between committees to protect their output from plenary amendments (Yordanova, 2009). If constituency representation drives MCs during legislative scrutiny process, initially they may prefer committees that secure important benefits for their key supporters, because committees help career advancement of MPs through specialization in distinct policy sectors and constituency service (Weingast, Shepsle, & Johnsen, 1981).

Stratmann and Baur (2002) find that MPs generally prefer committees that serve to their constituents' interests in Germany. MPs elected under single member district rules select distributive committees to increase their chances of re-election by distributing resources to their key geographical constituents. In contrast, MPs elected in proportional representation generally prefer to be the members of committees that serve party re-election constituency (Stratmann & Baur, 2002). Similarly, Ukrainian MPs, who are elected with single member district rules rather than proportional representation and who prioritize distributional concerns more than others, favor committee scrutiny most due to their electoral gains from the process (Khmelko & Beers, 2011). In this regard, legislative scrutiny process is a medium for distributing public resources in a way that reflects special interests of particular constituents rather than being an accountability mechanism inducing popular control.

Party Control and Partisan Perspective

One would also expect that these distributive committees would be strong only when there are weak political parties that would not overpass the committee dominance in legislation (Strøm, 1998). According to Shaw (1998), committees can be independent units minding their own business and affecting legislative outputs, if only party control over the committees is weak in legislature. He argues that legislative committees would have the capacity to balance government power in policymaking by influencing legislative outputs. Strong committees exercise discretion over government legislation and scrutinize government behavior in a way that affects its actions, whereas weak committees have less capacity to do so.

However, this capacity is conditional on the party strength due to two reasons. First, MPs are assigned to committees in proportion to share of party seats in the plenary. The strength of the political parties in the chamber determines the number of party members in committees. For instance, committees would be more powerful in multiparty chambers in which there is no control of a single party like in Italy (Lees & Shaw, 1979). If government party does not have a single majority or party control in legislation is weak, then scrutiny capacity of legislative committees would be enhanced, as MCs would be more autonomous to seek constituency interests, such as in the U.S. Congress. On the contrary, single party domination in the chamber would lead to more homogenous committees biasing the committee towards the position of the major party and curtailing its independence, like in Westminster systems. This indicates that committees' agenda-setting power is inversely correlated with government's agenda-setting power and committees act autonomously to seek constituencies' interests when government is weaker (Döring, 1995).

Second, despite procedural differences, committee chairs and members are actually determined and assigned by political parties rather than MPs themselves. If there is an inverse correlation between party strength and committee strength in legislation like Lees and Shaw (1979) argues, then legislative committees would fulfill their mandate only when parties are weak. They claim that weak party cohesion leads to weak party control over the committees and as a result MCs act more independently of their political party's position in the plenary. The argument that committee system seizes the power of government's legislative agenda due to the absence of party control is a major argument suggested by many studies on the U.S. presidentialism and committee system (Martin, 2014).

Conversely, according to partisan perspective outlined by Cox and McCubbins (2007), the link between party influence and committee influence is not an inverse relationship, but instead strong parties actually lead to strong committees in legislation. Political parties are the main actors successfully structuring the legislative system through committee assignments and scheduling powers. Party leaders assign loyal party members and delegate authority to committees to promote party interests, especially in policy areas that necessitate coordination among MCs (Strøm, 1998). Even though committees manage to carry out much of the parliamentary work, they basically comply with the position of their political parties. Especially, majority party has a major role in using the procedures and structures of committees, and this structuring power leads party leadership to cartelize legislative power by controlling legislative agenda both in the committees and the floor. Party leadership does not only decide committee assignments but also ensure party discipline by using committees. Especially highly disciplined coherent parties strictly

control members' behaviors by using this structuring power as a strategic measure to sanction MPs deviating from party line or reward the loyal ones (Martin, 2014).

In terms of legislative scrutiny in committees, MCs primarily represent party interests, and committees become a structure allowing party leadership to impact members' actions through committee assignments. This structural power of parties to control committee system makes parties principals and committees act as agents of the parties (Khmelko & Beers, 2011). Thus, this is not necessarily a situation of parties against committees, but rather committees are substitutes for political parties to seize control in legislation (Martin, 2014; Strøm, 1998). They are not autonomous parliamentary subunits, but rather servants of the parties whose strength positively correlates with parties' strength rather than their formal capacity. Since they are extensions of parties, parties are the key players within committees coordinating with each other based on partisan concerns (Cox & McCubbins, 2007).

According to this perspective, committees deciding by the minimum-winning majority reflect the interests of the majority party group. As long as committee amendments correspond to preferences of the majority party, plenary approves committee amendments as legislative outputs (Yordanova, 2009). From accountability view, the political party owning the majority of seats have the greater say on what amendments would be made on the government bill and how strong government scrutiny would be. Thus, the political composition of committees is important to understand who dominates legislative scrutiny in committees.

During legislative scrutiny process in committees, governing parties generally support executive's legislative agenda, whereas opposition parties mostly press for amendments to influence the bill according to their own interests. It would be unjust

to claim members of ruling party have no interest in government accountability. But they act different from opposition members due to different partisan and electoral agenda. They mostly prefer to reduce information asymmetries (Raunio & Hix, 2000; Winzen, 2012), whereas members of the opposition go beyond this by criticizing government, especially if the electoral benefits of scrutiny are higher than its costs (Saalfeld, 2000; Auel, 2007). They demand justification and fervently exert judgments on the appropriateness of government's proposal. Therefore, government's accountability in parliamentary committees primarily depends on the interplay between members of governing and opposition parties.

Ideological distance between right-left parties might also affect their approach to government's legislation when they scrutinize a bill that matters to them the most. Martin and Vanberg (2004) argue that legislative committees during coalition governments scrutinize government bill closely, especially in cases of greater ideological divergence between coalition partners on the issues addressed by the bill. This is an effort of government parties for "keeping tabs on each other" during policymaking process. In this regard, legislative committees cannot be effective accountability mechanisms as they are not independent subunits of parliament but simply translate the position of parties. Saalfeld (2000) argues a similar point against examining legislative committees as accountability mechanisms. For him, legislative scrutiny of committees cannot be a procedure to hold government accountable as this procedure only forces government to share information on its legislative agenda and provide space for amendments. From this perspective, committees only reduce asymmetrical information between cabinet and parliament through their specialization in ministerial areas. Not opposition, but generally government parties make amendments as a consequence of the scrutiny. Hence, committees become

merely instruments of political party groups, translate the position of governing parties and cannot function through formal parliamentary rules of procedure.

Informational Perspective

However, there is evidence documenting that party's control over the committees is not straightforward and does not necessarily curtail committees' role in legislative scrutiny. German committees are seen as non-party or cross party mechanisms, in which cross voting is highly common and members can unite to condemn government's legislative competence (King, 1976). Moreover, control of parties on deciding who sits on which committee does not necessarily exclude members' role in committee selection process. Stratmann and Baur (2002) demonstrate that MPs' preferences are more significant than their parties' preferences to get a position in committees that would enable their chances of re-election in Germany. This depends on the MPs perception of their role primarily as representing people and acting as a check on government. The conflicting evidence comes from the U.K., in which MPs see themselves as representatives of their parties, not as members of parliament (King, 1976). Whether majority party dominates the committees comes down to the point whether MCs of majority party act pro forma or act primarily as committee members based on their power delegated from the parliament.

Informational perspective argues that the main role of committees in legislation is acquiring and distributing information without disregarding MPs' distributional or partisan interests. Parliaments form committees for division of labor and gaining expertise in policymaking (Mezey, 1979). According to the parliamentary procedures, the plenary assigns committee members, and hence, committees serve to the interests of plenary. To the extent that there is heterogeneity within committees in

terms of expertise and specialized knowledge reflecting the distribution in plenary, committees operate to inform plenary by extracting information on government's agenda.

When committees correspond to ministerial departments, MCs become competitive on a specific policy area by continuously screening the same ministerial department. This provides expertise and advantage for MPs to effectively oversee government's legislative agenda (Krehbiel, 1992). When they summon ministers to meetings, invite interest groups as witnesses and ask for documents/evidence, they extract information on government's bill, question its context and objectives, and provide specialized knowledge about its possible implications to all parliamentary members. In this regard, MCs act as policy experts scrutinizing government legislation in their area of expertise. In terms of accountability framework, legislative committees act as the agents of parliament during legislative scrutiny process. By using their formal capabilities, they acquire information, summon government representatives to explain/justify the bill, and amend it consequently. MCs examine government's bill for its appropriateness to public preferences and make amendments accordingly. These amendments would be close to the plenary median by cutting across partisan lines. Their legislative output would reflect the collective benefit to attain the good policy favoring all groups (Yordanova, 2009).

3.2.2 Which Perspective Explains Committee Scrutiny?

As discussed, committees might be organized according to three different perspectives. These perspectives have different empirical implications on legislative behaviors of committees and their roles in scrutiny process. Distributive and partisan perspectives model committees as units serving to the interests of constituency and

parties, whereas informational perspective examines committees as subunits of the parliament serving its informational and expertise needs. In this regard, accountability framework used in this study explaining the effects of legislative committees on government's legislation is based on the informational theory describing legislative committees as agents of the parliament in policymaking process. From this point of view, committees are "efficient modes to manage information" (Mattson & Strøm, 1995: 255). They are sub-parliamentary units using their features to extract information on the government bill, question government's legislative agenda and apply changes in its content to make it more appropriate for the parliamentary and wider public interests. This is a significant research agenda as it maps institutional features of committees and relates them to their behavioral patterns to understand which procedures, structures and powers of committees are significant on the scrutiny of governments.

However, the dominance of disciplined parties in the parliament suggests that MPs may generally translate their party's positions into the legislative process, and hence, legislative committees cannot act independent of partisan concerns. Especially majority party can easily dominate legislative agendas of committees and plenary. The effect of disciplined parties may prevail in many aspects of parliamentary activities, only if party members act as unitary coherent actors. Besides political parties, MPs generally have various attachments such as to constituents, interest groups, private firms, public institutions, unions, business organizations as well as legislative committees (Damgaard, 1995). It is highly possible that they might pursue various interests of their attachments, especially when these are compatible with their committee membership. Considering these multiple forces are all taking place at the same time during legislative activities of MPs, it becomes difficult to sort out their

individual effect on the outcome behavior. This leads scholars to use relative descriptions when explaining the effect of committees vis-à-vis parties, and exaggerate one's influence while understating the other (Arter, 2002). As Arter (2002: 108-9) argues, three studies focusing on who is the main actor in Scandinavian parliaments provide relative answers lacking any explanatory power by describing the power of committees as "unusually powerful", "fairly strong" or "not significant at all" compared with parties. Estimating the influence of legislative committees in comparison to parties does not lend much support on understanding what constitutes the strength and influence of committees.

To bring the influence of committees into perspective, both its institutional capacity and interaction with other major actors, especially political parties, should be considered. Amendments to government bills is a good starting point for examining the influence of committees on government's legislative agenda (Damgaard & Jensen, 2006). Government with its majority in committees and plenary will be the most effective actor in initiating amendments and rejecting changes proposed by opposition. While both governing and opposition parties try to amend the bills, the government will be more active in moving and approving amendments to its own bills. Does this government activism at the committee stage curtail its accountability? Not necessarily.

The argument that committees cannot be accountability mechanisms since most of the amendments are moved and approved by the governing majority in the committees inherently leads an inference that committees as accountability mechanisms can be effective only during minority government terms. But according to Damgaard and Jensen (2006), even during minority governments in Denmark, it is

usually the government who amend government's bills. Even in the British Parliament, which is criticized as playing a minimal role in legislation vis-à-vis government, there is evidence that governments correspond to opposition's demands or select committee recommendations in their amendments when the stages of legislative scrutiny process from pre-legislation to post-legislation is examined (Russell et al., 2016). The evidence shows that opposition amendments moved but not approved at the prelegislative scrutiny stage were formulated as government amendments at later stages and approved by the governing majority in the U.K. Government's affirmative response, though not immediately, to opposition demands indicates that amending government bills rests in the responsibility of government regardless of whether it is a minority or majority government. Moreover, if government is a minority or a coalition, it would ensure a legislative majority before proposing the bill, and hence, any amendments moved would be in line with the position of this majority (Damgaard & Jensen, 2006). If government is a majority, then it at least anticipates that the bill should be acceptable at least by its party members and does not enact radical changes that would not get the support of its parliamentary majority.

Moreover, legislative committees are procedural accountability mechanisms entailing a form of democratic control. In this regard, they do not change every government bill since governments are democratically elected and provided with discretion (Przeworski et al., 1999). Hence, democratic control of government through its accountability in legislative committees should not lead to inefficient governance with 'rule obsession' (Behn, 2001: 11-13; Dubnick, 2003: 31 as cited in Bovens, 2005: 194). It is not important who makes the amendments but rather amendments take place and committees publicly control government policies, since

government is responsible for any policy outcome. If governments refrain from taking responsibility due to accountability, efficiency in governance will be curtailed. When a government tries to reflect the plurality of views and tries to avoid any criticism on policy outputs, the result would be far from satisfying anyone. Also, government has access to the resources, staff and expertise required to form and change policies more than the opposition. This upper hand makes government more active in initiating most of the committee amendments.

Opposition's role in government's accountability also merits the question on its credibility in scrutinizing government in committees. Opposition members might anticipate that their amendments might be rejected anyway, and hence, formulate bold amendments that would be even difficult for themselves to enact if they were the government. In this regard, opposition may not be always a credible scrutiny agent, since it is difficult to disentangle the influence of partisan concerns. However, there are still a couple of ways to examine opposition's influence in the process. If most of the amendments are moved by government without opposition's consent (without any deliberation), then the number of minority reports would be higher as opposition would oppose these provisions through these reports. The low number of minority reports would indicate lower opposition. Moreover, the composition of committees would be different during different government terms. Hence, the use of scrutiny powers and introduction of amendments might change depending on government type. Also, interest groups who join the meetings would be an autonomous source of influence affecting committees' scrutiny of government's legislative agenda. The empirical analyses in the following chapters consider the effects of minority reports, different government terms and stakeholders on committee amendments.

In sum, having most of the amendments moved and approved by the governing majority in committees does not refute the operation of committees as accountability mechanisms, but indicate a lower degree of activity for opposition in terms of legislative scrutiny. To the extent of their formal capacities, legislative committees act as accountability mechanisms when they use their scrutiny powers. Among three perspectives on committee organization discussed above, informational approach maps the institutional characteristics of legislative committees. Next step would be to link these institutional features to behavioral patterns of MPs in order to understand the influence and importance of different rules and procedures on legislative behavior. Since this study does not account for the effects of distributional and partisan interests that may drive MPs during the legislative scrutiny of government bills, it refrains from making essentialist claims on the effect of committees on government's accountability. But it partially asserts that various committee features as well as minority reports, different government terms and interest groups are relevant in this respect, and offers some insights on how legislative scrutiny process in the parliament can be effective.

3.2.3 Structures, Procedures, and Powers of Legislative Committees

Inter-Parliamentary Union is the foremost institution in the literature that surveyed national parliaments and provided extensive descriptive information on properties, powers, and procedures of eighty-three parliaments (Inter-Parliamentary Union, 1986). It presents information on parliamentary committees in terms of their numbers, correspondence to ministerial departments (specialization), appointment of members, restrictions on multiple membership, appointment of chairmen, distribution of chairmen among parties, hearing experts in committee meetings,

conducting public or private meetings, having meetings outside parliament, quorum for deliberations, quorum for voting/taking decisions, summoning government ministers, attendance of non-member MPs to committee meetings, the right to summon witnesses, and the right to call for documents. IPU's review indicates what constitutes committee properties and what are the differences and similarities across national parliaments. This comprehensive description is highly beneficial for scholarly studies that focus on identifying relevant committee competences constituting committee strength in parliamentary democracies.

By benefiting from IPU's (1986) review, Strøm (1990) developed a 5-point index to determine the level of committee strength in 15 West Europe countries⁶. From the perspective of principal-agent theory, Strøm (1990) argues that the extent of power permitted by committee features to opposition highly matters. Members of opposition will use this power to constantly hold government accountable and to control whether incumbent complies with citizens' preferences or only follows its special interests. To this end, Strøm identifies five committee properties that are significant in holding government accountable; number of standing committees, areas of specialization, correspondence to ministerial departments, restrictions on committee assignments per legislator, and chair assignments among parliamentary parties. He creates 5 point-index by aggregating positive values of properties if national parliaments own them.⁷ Ranking indicates that parliamentary committees

⁶ These countries are Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Israel, Italy, Netherlands, Norway, Portugal, Spain, Sweden and the United Kingdom.

⁷ According to this index, only Norway has an overall value of 5. Belgium, France, Iceland, Italy, Portugal, and Sweden score 4 over 5. Canada, Denmark, Finland, and Spain have 3 points. While Israel has a score of 2, Ireland and the United Kingdom score 1. This ranking of committee strength

with higher scores have more power to scrutinize, control and extract more information on government's legislative agenda compared with the ones with lower scores. This is a significant study, since it was one of the first academic works classifying parliamentary committees according to their strength vis-à-vis governments in legislation and discussing theoretical implications of committee strength.

Mattson and Strøm (1995) provide the most comprehensive data on committee strength across Western democracies. They discuss theoretical significance of committees' formal capabilities identified by their properties and classified as structures, procedures, and powers. As indicated in Table 1, *committee structure* differs among national parliaments in terms of their types (legislative, inquiry, financial etc.), tenure (duration of a committee in a legislative term - standing or ad hoc), numbers (how many committees exist in parliament), size (number of seats in committee), multiple membership restrictions (whether an MP can be a member in more than one committee), jurisdictions/specialization (correspondence to ministerial areas), and subcommittees (whether committees can form subcommittees for detailed examination).

Table 1 also informs about *committee procedures* which are about organizational features of parliaments such as committee assignments, chair selection and allocation, public/private committee meetings, minority reports (dissenting views), and committee stage in the legislative process. In order to carry out various tasks,

indicates that Norwegian committee system provides more influence to opposition during committee scrutiny stage, whereas in the United Kingdom opposition cannot pose much influence on government's legislation through committees.

committees are also granted certain *powers* such as initiation of legislation (proposing new bills), rewriting bills, timetable control, hearing witnesses and demanding documents.

S. Martin (2011) develops a 9-point index of committee strength for 39 parliamentary democracies by identifying the presence/absence of nine committee features explained in Mattson and Strøm (1995) and Strøm (1990).⁸ Similarly, S. Martin and Depauw (2011) present a parallel index indicating committee strength, composed of 12 committee features constructed from experts' views on committee organizations in 31 parliamentary democracies. Both studies cover important committee properties outlined in Mattson and Strøm (1995), but also prioritize other relevant features as summarized in Table 1.

Table 1 briefly presents committee features that are identified by these major studies examining committee organizations in European national parliaments. Their theoretical and descriptive analyses suggest that if legislative committees possess more of these features, they would be strong committees that scrutinize government legislation and influence policy outputs vis-à-vis governments. The basic assumption underlying these studies is that strong committees can and do use their formal capacities to influence government's legislation.

⁸ The data used in these works are derived from national constitutions, codes of procedures of European parliaments, available information on the websites of national parliaments, committee reports, plenary session records and expert surveys.

Table 1. Comparison of Mattson and Strøm’s (1995) classification of committee properties and Martin’s (2011) and Martin and Depauw’s (2011) committee indexes

	Committee Structure	Committee Procedure	Committee Power
Mattson and Strøm (1995)	Types, tenure, numbers, size, multiple membership restrictions, specialization, subcommittees	Assignments, chair selection and allocation, public/private meetings, minority report, position of committee stage	Initiation of legislation, rewriting bills, timetable control, summoning witnesses, demanding documents
Martin (2011) Martin and Depauw (2011)	Specialization, subcommittees, resources	Precedence of committee report, position of committee stage	Plenary’s right to make amendments, compelling ministers and civil servants, initiation of legislation, rewriting bills, timetable control, summoning witnesses, demanding documents

Source: Constructed by the author.

3.2.4 Implications of Legislative Committees’ Formal Capabilities

There are certain theoretical assumptions from rational choice institutionalism and informational perspective underlying the importance of these committee features.

These studies map formal capacity of legislative committees in terms of their institutional characteristics and examine them as a coherent legislative unit in which members act in unity to influence government’s legislative agenda. Greater institutional capacity increases committee strength to effectively scrutinize government proposals and influence policy outputs.

For instance, divergence of committees in terms of their types means that committees deal with different parliamentary issues, and a parliament composed of different types of committees would benefit from information provided by different types of committee work. Number of committees is also important in terms of balancing

government control of committees. As committees increase in number, it becomes more difficult for government to control them and committees deal with more bills or other parliamentary work effectively (Strøm, 1990). Small committees may provide more incentives and opportunities for the members to specialize compared with large committees, since in the small committees members get more share of scarce resources and time. If jurisdiction of committees closely corresponds to government departments, committees acquire more knowledge and specialize on that area by continuously scrutinizing bills falling into that area, which eventually increase the competence of committees in legislation vis-à-vis governments. When committees do not correspond to a ministerial portfolio, “keeping tabs” on government’s legislative agenda may not be very effective, since committees cannot hold “property rights” on proposed legislation (S. Martin, 2011; S. Martin & Depauw, 2011). Using subcommittees also affects committee outputs. On the one hand, their use narrows political interests represented in the committee stage, and on the other hand, increases the expertise and specialized knowledge that members acquire in specific policy fields (Mattson & Strøm, 1995). From the point of delegation and division of workload, the use of subcommittees increases the efficiency of overall functioning of committees (S. Martin, 2011; S. Martin & Depauw, 2011).

Procedural features indicate the ways of interest representation in committees; whether it is biased towards majority rule or provides space for minority interests (Mattson & Strøm, 1995: 274). Hence, they reveal under what conditions committees operate in legislatures. Committee assignments provide several incentives for MCs such as representing their constituencies and specializing in specific policy areas. It is also an instrument for party leaders to reward or penalize their members by controlling committee memberships. In some parliaments, MCs are assigned in a

more decentralized way, whereas in others they are nominated and selected by party leaders. Some committees provide proportional representation to opposition members for consensual decision-making, while others are dominated by majority party preventing amendments or the defeat of its bills.

Chair selection and allocation is also an important procedure to achieve proportional representation in committees, since committee chair has significant powers such as setting committee agenda, organization of committee sittings and deliberation rules. If committee chairs are strictly elected from majority party, then this brings committees open to the influence and control of majority party leadership. Whether committee meetings are held in private or public is a matter of acquisition of information. Open meetings may provide informational advantages, but also ease party leaders' monitoring of performance of their member. Openness may also provide individual incentives for members to make their personal advertising for career purposes, but also can foster consensual decision-making since their claims and debates are public.

Minority reports for expressing dissenting views on the matter provide different kinds of information to the floor. Any reservation may be attached to the report and sent to the attention of the plenary for their deliberation on the bill. Committee stage in legislation is another procedural feature contributing to the strength of committees in legislation. It indicates whether committee deliberation on bills comes first before the plenary discussion, or whether plenary submits bills to the committees after they deliberate on the bills first. Committees can enforce their deliberation and amendments to the bills, if they discuss the bills first in legislative process before the plenary (Mattson & Strøm, 1995). Therefore, if committees procedurally are

involved in legislative process at earlier stages, it is more likely that they would be more influential in policymaking (S. Martin, 2011; S. Martin & Depauw, 2011).

Committee powers are highly essential in determining committee strength in legislation. Legislative committees scrutinize bills, extract information about the content and context, make amendments and prepare a report for the plenary with the revised version of the bill. To perform these tasks, committees benefit from committee powers, especially the following ones that eventually define their roles in legislation and increase their ability to influence legislation independent of government and political parties (Strøm, 1998). The right to initiate legislation is an essential power to influence legislative agenda vis-à-vis government. If committees have the initiative of proposing bills, or dividing or merging bills, they enjoy a certain level of legislative autonomy, but in fact only a couple of national parliaments grant such power to legislative committees (Mattson & Strøm, 1995).

The power to rewrite or make amendments to the bill is another agenda setting power of committees. Plenary is generally too large and too busy to focus on every detail in bills. Committees on the other hand function as subunits and go over the bills clause-by-clause and report the revised version with amendments to the plenary. Their report and revised version of the bill precede the original proposal, and hence, make committees stronger vis-à-vis government. Generally, it is government who introduces amendments or prevents revisions. This executive control in committees curtails the autonomy of committees in some respects. Moreover, if committee amendments are voted separately in the plenary, this may also reduce the role of committees in influencing policy outputs (S. Martin & Depauw, 2011).

Another agenda setting power is the control of committee timetable. If committees can control their own timetable, they can decide autonomously the extent of time to spend on bills and report to the plenary when they are done with the scrutiny process. This power increases their capacity to act freely (Mattson & Strøm, 1995; S. Martin & Depauw, 2011). Summoning witnesses and demanding documents are powers of acquiring information for closer scrutiny of bills. When committees have power to call witnesses and documents, they can extract independent information, and hence, compensate asymmetry of information between parliament and government.

Engaging with interest groups during the deliberations on bills increases the confidence and capacity of committees to act autonomously and be watchdogs overseeing government (Mattson & Strøm, 1995: 293). Committees can also summon ministers and civil servants as witnesses to extract information from the government on the proposed legislation. Hearing ministers at the committee meetings also creates an opportunity to closely monitor minister's portfolio. They can question minister, and hence, determine whether government is shirking or not (S. Martin & Depauw, 2011). Moreover, having resources such as professional staff increases the efficiency of the committees, since working with expert staff help MCs to be competent in their administrative and drafting duties (S. Martin & Depauw, 2011).

Overall, structures, procedures, and powers of legislative committees indicate that committees have varying degrees of formal capabilities to influence policymaking vis-à-vis government. Scholars identify these committee properties as measures to control and affect government legislation. They assume greater formal capabilities entail stronger committees who would use their power to closely scrutinize government bill. In this respect, one can easily conclude that Japanese legislative committees consisting of many features of the strong committee system in the U.S.

Congress are strong parliamentary scrutiny mechanisms. However, a closer look demonstrates that government bills are cooked in the prelegislative stages, especially in the executive organs of the governing Liberal Democratic Party (Shaw, 1998: 235). Until the bill comes before the legislative committee, and even before it is proposed to the parliament, it receives substantial amount of deliberation and bargaining. This prelegislative bill formation coupled with governing party discipline make it highly difficult for committee members to enact meaningful scrutiny of a government bill which is already substantially adjusted.

In that case, what is a strong committee? This question has been dealt with differently by scholars. According to Shaw (1998: 237), a strong legislative committee is “one that has a significant independent impact of public affairs. [For instance], domination of parliamentary committees by the leadership of a single governing party has tended to mean a constricted impact by the committees.” Here, Shaw does not distinguish the *capacity* to impact from *actual* impact, and equates institutional strength with influence. As Russell and Benton (2009: 3) ask, “the policy impact of the U.S. Congress is greater than that of the British parliament; but with no objective measure of the impact of either, how can we really be sure?” Even though power, strength, and influence are used interchangeably in legislative studies, they actually employ different meanings. Power or institutional strength point out the formal capabilities of legislative units, whereas influence refers to the power that parliament exert in practice to lead a change in legislation. In this regard, influence is an effect of an actor changing the behaviors of the other actor, and parliamentary influence is the capacity of the parliament to change government’s behavior or position in a way that government would not do so without parliament’s intervention (Auel, 2007: 491).

Similarly, the influence of legislative committees is based on the amendments they introduce to government's legislation. As emphasized by other scholars who focus on committee amendments as committee outputs in their analyses, if there were no legislative committees, some bills would be legislated differently, as they would not be subjected to the scrutiny of committees (Arter, 2002; Damgaard & Jensen, 2006; Russell & Benton, 2009). In sum, committees create a difference, an effect on government's legislative behavior. The question this study interested in is whether they can function as accountability mechanisms to the extent of their formal capacity. If greater capacity of a legislative committee means being equipped with more features to extract information from cabinet ministers and make amendments if necessary, then does this capacity also enable a committee to be an effective accountability mechanism?

In order to capture committee's influence as accountability, I use direct measures. Rather than measuring legislative influence with regards to absence/presence of formal capabilities, I focus on scrutiny powers and outputs. Scrutiny powers comprising formal capabilities of committees are important instruments to initiate accountability process, and amendments are meaningful committee outputs indicating the actual influence of committees on governments.

3.3 Legislative Committees as Accountability Mechanisms

Legislative committees can qualify as accountability mechanisms scrutinizing government's legislation in terms of principal-agent modeling. First, committees are the agents of the plenary, because plenary forms committees, decides their jurisdictions, staff allowances, party proportions, and more importantly, delegates authority for legislative scrutiny. These agents convey their amendments and reports

on government's bills to their principal; the floor, and in this way, the parliament can control government's legislative agenda (Cox & McCubbins, 2007: 235). Through the use of scrutiny powers, legislative committees alleviate asymmetry of information between government and parliament on government's legislative agenda that is helpful to contain agency losses arising in case of hidden information. This control process ensures that government pursues policies appropriate to public preferences and does not misuse its authority. From this perspective, committees can be very equipped agents of the plenary, controlling government's legislative behavior on behalf of its principal.

Second, delegation of power from parliament to committees to control government's legislative agenda makes committees principals of government, who has the right to hold cabinet members accountable for the proposal they sponsor. In return, government becomes the agent whose ministers are obliged to explain and justify the agenda of proposed legislation. For this accountability relationship to work, committees need to have sufficient formal capacity to assess government's legislative actions in three-staged accountability process, in which MCs extract information from government, government answers committee's questions, justifies its agenda, and finally committee report the bill with or without amendments. In this way, accountability of government in committees becomes an external control over government. The possibility of amendments leads government to anticipate what is desirable and acceptable for a legislative committee and urges it to act responsibly and responsively in proposing legislation. Hence, committee scrutiny contributes to get desired outcomes for a wider population and prevents government from seeking its own private interests.

As seen, the rules of procedures, parliamentary rules, and formal regulations inherently structure the relationships between ‘parliament and committees’ and ‘committees and government’ in line with the principal-agent theory. In this regard, legislative committees can encompass accountability relationship and the three-staged accountability procedure to the extent of their formal capacity. This premise is based on two important assumptions of the informational perspective; first, committees can act as sub-parliamentary units serving to the parliament, and second, one of the primary roles of MPs in the committees is committee membership besides their other multiple agencies such as being political party members and representatives of their constituents. This discussion provides an analytical framework to examine legislative committees as accountability mechanisms that act as coherent units serving to the parliament and public good with the purpose of scrutinizing government legislation.

3.3.1 Overarching Argument

Since committee stage is a matter of delegation besides property rights and partisan coordination, MCs would also act to inform the plenary about government’s proposal and its possible implications. Legislative committees become influential in legislation, once they change the content of government legislation by using their formal capabilities. MCs would prioritize the features that would help them to scrutinize government bill closely. Therefore, the use of committee features would increase the level of effective scrutiny on government proposals. In this regard, the main argument of this study is that “*to the extent that committees use scrutiny powers, they would make substantial amendments to government bills.*” As discussed earlier, this argument is based on the assumption that committees have formal

capabilities to act as coherent units serving to the parliament on government scrutiny. In this way, they would work in a cross-party mode, and their amendments would be closer to the committee and plenary median. Following subsections explain the scrutiny procedure in legislative committees to hold government accountable.

However, legislative committees might not be equipped with scrutiny powers that would enhance efficient accountability. In this circumstance, they can be regarded as lacking accountability or suffering from accountability deficit rather than being not accountability mechanisms. Similarly, if committees have scrutiny powers but refrain from their facilitation on government scrutiny due to government control over the committees, they would again suffer from accountability deficit rather than not being accountability mechanisms. In such a case, amendments would be closer to the position of governing majority, and accountability of government would be lower since it reflects a lower degree of activity for opposition in terms of legislative scrutiny. Whether committees' scrutiny behavior differs due to political control of government is examined in the following empirical chapters by testing first argument during different government terms.

3.3.2 Information Provision Stage

For this step, it is important whether principal has the right to demand information and the agent is obliged to inform. Legislative committees qualify as accountability mechanisms, if they can acquire information from the government about its proposal. MCs need to receive timely, reliable and sufficient information about the government bill in order to evaluate its appropriateness to public interests as well as its implications. Previous section on the implications of committees' formal capabilities already explains which committee properties are very essential in extracting

information from the government. In this section, only the essential ones are briefly discussed for not falling into repetition.

If committees in the parliament are composed of different types, vary in size and number, they can provide different types of information to the plenary, and balance government's power and control in legislation. Especially when they correspond to ministerial departments, they can specialize in these departmental policy areas, increase their competence, and become more efficient in scrutinizing relevant government's bills. Forming subcommittees is also very significant for close monitoring of government's legislation, since subcommittees can acquire more information on the bill with detailed examination, and contribute to the deliberations in the main committee and the plenary. If there are proportional representation in committees and unbiased distribution of committee chairs, then opposition may have more space to question government's legislative agenda and extract more information. Also, minority reports for disseminating dissenting views, publicly open meetings, summoning ministers and public officials increase the input that committees and the plenary acquire during the scrutiny process. Moreover, hearing witnesses and demanding documents augment the independent information which committees gather from nongovernmental sources. Especially, openness to interest groups and their inclusion in committee discussions enhance diversity of knowledge that committees obtain, and increase the capacity of committees to act independent of the government.

In sum, most of the committee features are designed to increase the capacity of legislative committees to extract information from government about the content and the objectives of its proposal. Hence, these features constitute the initial stage of

accountability process, and facilitating these informative features increases the likelihood of committees making substantial amendments to government bills.

3.3.3 Explanation/Justification Stage

For this stage of accountability, committees need to have the power of summoning ministers and their public officials, who are obliged to explain and justify the content and the objectives of the government bill. In some parliaments like the British Parliament, ministers are natural attenders of the committee meetings. British committees also have the right to call these ministers as witnesses for questioning. In some others like the Turkish Parliament, committees have the right to postpone the meeting if no one representing the government is present at the sitting. For an efficient explanation stage, there should be a proper discussion in which MCs pose questions, demand evidence and justification, and government representative properly answers. Accordingly, committee time and number of sittings should be sufficient to recognize enough time to MCs to pose questions, hear both sides and provide representatives appropriate opportunity to explain.

While MCs question government representatives, they also get the opportunity to closely monitor minister's portfolio, and decide whether government forms a policy based on its private interest or public interest. In turn, government representative finds an opportunity to explain and justify the purpose of the legislative proposal, and why it is necessary to be enacted. In this regard, committees' correspondence to government departments increases the competency of MCs to pursue deepened discussion with the government representatives, since they can act as the experts of the subject with the specialized knowledge they acquired through committee membership. Forming subcommittees is another structural feature that would

contribute to have an enriched discussion, since MCs would learn more from the detailed examination of subcommittees. The role of committee chairs is also significant; as they have the power to set up committee's agenda, regulate sittings and debates. If they act neutral, then every member of the committee can find an opportunity to ask questions to government representatives. Small committees are very convenient to allocate enough question time among few members compared with large committees.

Overall, legislative committees consist of various features that augment their capacity of discussion with the government during the scrutiny process. Utilization of such features enables committees to encompass second stage of accountability process, and increases the likelihood of committees to make substantial amendments to government bills.

3.3.4 Consequences Stage

For this last accountability stage, legislative committees need to have the power to change the content of government bills. The judgment of a legislative committee on a government's proposal would come in the forms of amendments, no amendments or declining the bill. Generally, government bills are not declined in parliamentary democracies for not curtailing the efficient working of the government. Instead, committees prefer either to make amendments or no amendments as a result of the scrutiny process. To make these judgments, committees have to have jurisdiction over their internal procedure and have to be free of government's interventions to make independent decisions. Especially, if ministers who join the meetings have no right to vote but can only explain and justify the bill, the committee would have full jurisdiction over government's proposal. In this way, the use of committee capacity

becomes an input, and amendments as end result of committee performance become a committee output submitted in the name of the whole committee (Arter, 2002; Thompson, 2013a). Amending government proposals after information and explanation/justification stages makes legislation more representative of a wider population, and means keeping tab on government legislation. In this regard, committees induce popular control of government through legislative scrutiny process, and hence, contain agency loss.

3.4 Conclusion

In this chapter, I develop an analytical framework explaining how the scrutiny process in legislative committees enables them function as accountability mechanisms. When committees use their formal capacities, they extract information from the government on its proposal, make the incumbent explain and justify its agenda and objectives, and as a consequence either change or do not change its content. I argue that if committees facilitate more of committee features, then they would make more amendments changing the content of the government bills. Before explaining this analytical framework in detail, I first discuss different perspectives on committee organization to describe the underlying assumptions of this analytical framework. Basically, despite committee members are political party members and constituency representatives, they are also parliamentary representatives and bounded by the formal rules of the committees that they are assigned to. In this regard, they act as parliamentary subunits and contribute to the parliamentary scrutiny of government to the extent that they use their formal capacities.

CHAPTER 4

THE ROLE OF LEGISLATIVE COMMITTEES IN THE ACCOUNTABILITY OF THE U.K. GOVERNMENTS

The U.K. Parliament is composed of two chambers; House of Commons (lower chamber) and House of Lords (upper chamber) that are formed of by the legislators who are elected and appointed. Members of House of Lords (around 800 members currently) are appointed for life by the Queen with Prime Minister's suggestion. They are chosen with respect to their career achievements in order to bring their successful experiences into policymaking. 650 members of the House of Commons are popularly elected with single member plurality electoral system for five years. Both Houses are granted various powers and actively involved in legislation and government scrutiny.

Legislative agenda is set procedurally with the bills proposed by three different parties; the government, MPs/members of the Lords, private individuals/ organizations. The type of the bills depends on the sponsor. Public bills are introduced by government in order to propose a new policy or change in an existing

one.⁹ Private members' bills are introduced by MPs who are not cabinet members with the same purpose of public bills. Private bills are presented by private organizations or local authorities to change an existing law which only applies to specific persons or organizations rather than general public. Lastly, hybrid bills carry the characteristics of both public and private bills as they affect both general public and certain individuals or groups in a specific area such as bills on the construction of a rail road.

Bills can start in either of the Houses, need to be passed from both Houses' scrutiny, and approved by both of them to get Royal Assent and become an Act (law). The passage of a bill in one of the Houses follows a similar procedure in the other one. After the first (formality) and second readings (detailed) in the plenary, the bill is generally referred to a committee for detailed scrutiny. This is followed by a report stage in which all members of the House can speak and vote for further amendments in addition to committee amendments. During the third reading, MPs only consider the content of the current bill without initiating further amendments. The bill then goes to the second House which considers the bill with first House's amendments in a similar scrutiny procedure. After the examination of the second House, the bill returns to the first House for the consideration of second House's amendments. If no amendments are made, then the bill is sent to the Queen to get Royal Assent. If there are amendments of the second House, the first House considers these amendments; either rejects or accepts. This "ping pong" can last between both Houses until they reach an agreement on the exact version of the bill. During the passage of bills from

⁹ Public bills in the U.K. Parliament refer to government bills, and these terms are used interchangeably in this study.

the legislature, detailed examination of the bills takes place mainly at the committee stage in both Houses.

4.1 Committees in the U.K. Parliament

Though often criticized, committees are central to the relationship between executive-legislature, as they constitute a significant part of parliament's legislative and oversight capacity. Both Houses consist of permanent select committees and ad hoc legislative committees dividing executive oversight and legislative scrutiny among two types of committees (Benton & Russell, 2013). Select committees carry out post-legislative scrutiny and investigate specific policy areas. The Lords select committees investigate and report only in six issue areas; Europe, science, economics, communications, the U.K. constitution and international relations. These areas mirror Lords' expertise to take advantage of their specialty in examining government policies. The Commons select committees shadow each government department and investigate them in terms of their spending, policies, and administration. They work with at least 11 members who investigate issues by collecting written and oral evidence, and publicly report back to the Commons. Government can respond to committees' recommendations within 60 days.

Legislative committees scrutinize proposals in detail passing through from the parliament, but they are formed differently in both Houses. Lords come together as a chamber to review proposed legislation. In the Commons, 16 to 50 MPs form an ad hoc legislative committee to consider a bill closely. These committees were named as Standing Committees despite their ad hoc nature since their creation in the late 19th century. After the reforms introduced in the 2006-07 session, they are named in general as Public Bill Committees for a better reference. Each committee is named

according to the name of the bill it examines such as Education Bill Committee, or Public Transportation Bill Committee. Committee seats are distributed proportional to the parties' seats in the House. They scrutinize each bill clause-by-clause and then report to the Commons with their amendments for further consideration. Since the 2006-07 session, they can also take oral and written evidence from private individuals or organizations who are concerned with the proposed legislation. Also, the Commons can refer the bills on constitutional matters or uncontroversial issues to the Committee of the Whole House in which the floor of the House as a whole forms the committee stage and conducts examination all together.

There are also joint committees composed of members from both Houses forming one committee and they function with similar powers of the select committees. Permanent joint committees meet regularly, and conduct investigations on three issue areas; human rights, national security, and statutory instruments. Temporary joint committees examine draft bills on specific issues before they are proposed to the parliament, and dissolve after they issue their recommendations to the government. Finally, there are four grand committees; three of them correspond to the regions in the U.K. (Welsh, Scottish, and Northern Ireland), in which regional MPs join to discuss issues related to their regions. The last one is the committee stage at the House of Lords, in which all members of the Lords are allowed to attend and reach a decision unanimously.

I am interested in the effects of legislative committees on government's legislation. Therefore, I consider only public bill committees in the House of Commons, as they are composed of popularly elected MPs, and I focus on only public bills that passed from public bill committees, as they are introduced by the government as a part of

their legislative agendas. For this reason, the discussion from now on proceeds with legislative committees and their scrutiny of public bills in the House of Commons. Also, I provide evidence from other legislatures where applicable to discuss the power and influence of the U.K. legislative committees in a comparative perspective.

4.2 Structures, Procedures, and Powers of the U.K. Legislative Committees

Present role of legislative committees in the Commons date back to the late 19th century, when two standing committees were formed to review bills falling into two main issue areas; bills related to law, justice and legal procedures, and bills about trade, manufactured goods, and shipping (House of Commons Information Office, 2009: 3). Until the 2006 changes, their modern form was largely defined with the 1906 Standing Orders under the Liberal government. Since then, they have been regularly referred in legislation for the scrutiny of public bills after the second reading in the Commons (Levy, 2009). However, in the earlier periods, they had permanent membership and more seats, up to 40 to 60. After World War 2, it was agreed that committees would be formed over again for the scrutiny of each new bill with around 20 members, and this decision eliminated standing membership to committees (House of Commons Information Office, 2009: 4). Since the start of 2006-07 session, these standing committees were named as public bill committees and reformed with additional powers as will be discussed later.

Despite their relatively long history in legislative scrutiny, they are generally described as having “marginal function” in legislation due to their ad hoc tenure and no specialization (Mattson & Strøm, 1995: 260). For this reason, they are generally neglected in studies exploring the influence of the Commons in legislation (Thompson, 2013b). While this leaves a gap in the literature on the impact of

legislative committees in the U.K. Parliament, the overall picture of the formal capabilities of the legislative committees justifies the point raised by existing studies on the surface, as discussed below.

As Table 2 indicates, legislative committees do not have a fixed term which would have provided them a broader mandate to perform more tasks and gain expertise over time. The norm on the committee size is 20 members, but it can vary from 16 to 50. In terms of scrutiny, smaller committees provide more incentives for committee members to gain expertise. If largely formed, committees deprive their members to specialize. Also, they do not correspond to government departments, and this prevents their specialization in specific policy areas. Lastly, they do not form subcommittees for detailed examination which would have enhanced committee scrutiny on the bill.

These structural features constitute a limited capacity for legislative committees, especially compared with equivalents in other legislatures. Mattson and Strøm (1995) found that only the U.K. and Ireland structured their legislative committees with ad hoc tenure and no correspondence to ministerial areas among 18 European legislatures. Legislative committees with permanent tenure tend to have larger mandates covering multitasks in other legislatures, whereas the U.K. committees with ad hoc tenure only attend to the scrutiny of the bill on which they are formed. Since they do not mirror ministerial departments, they cannot acquire a specialized law-making status compared with the expertise of government in policymaking. This comparative weakness of the U.K. committees to its European counterparts with respect to permanent membership and specialization lead them to be considered as “atypical” or “oddity” (Levy, 2009: 12).

Table 2. Structures of committees in the House of Commons

Structures of Committees								
Number of committees			Joint committees	Size of committees (min/max)		Correspondence with ministerial areas	Multiple membership restrictions	Subcommittees
Ad hoc	Permanent			Ad hoc	Permanent			
Legislative	Legislative	Non-Legislative						
Not fixed	4 ^a	39 ^b	3	At least 16, at most 50, but the norm is 20	Grand committees consist of all regional MPs sitting for these regions' seats, and grand committee in the Lords allows all members to attend. Select committees have at least 11 members	No for legislative committees. Select committees shadow government departments	No	Not mandated ^c

^a These are grand committees corresponding to 3 regions in the U.K. and grand committee in the Lords. They have legislative function, but attend only regional affairs

^b These are current select committees overseeing government departments. When the number of government departments change, their numbers would change as well.

^c Some of the select committees have subcommittees.

Source: Author's own tabulation based on the tables and information provided in House of Commons Information Office (2009), Inter-Parliamentary Union (1986), Mattson and Strøm (1995), and the U.K. Parliament's website.

The procedures of the legislative committees as well do not boost their formal capabilities. As Table 3 indicates, committee seats are distributed proportionally among party groups according to their share of seats in the plenary. However, this generally leads to the majority party domination in the committees, as most seats in the plenary belong to the majority party. The Committee of Selection composed of nine MPs (mostly whips) decides who sits on which committee, which enhances party control on MPs' committee assignments. All committees include one or two ministers sponsored the public bill, opposition spokespeople and whips along with backbenchers (House of Commons Information Office, 2009). This kind of committee composition leads direct party control on backbenchers in the committees and decreases the autonomy of the committees from partisan politics to initiate intra-party cooperation (Levy, 2009: 13).

Chairs are selected among around 35 senior backbenchers in the Commons. They act impartial in the committee proceedings similar to the Speaker in the Commons (House of Commons Information Office, 2009: 5). Sometimes more than one chair can be assigned from different parties to divide the workload. The meetings are generally open to the public. But it is also criticized that the access of general public is highly limited due to the lack of publicity of legislative committees' timing of proceedings (Levy, 2009: 45). Committee members do not have the right to issue minority reports to state their dissenting views on the provisions of the bill. This incapacity limits committees' ability to inform the plenary and the public about minority views at the committee stage, and lead the committee report biased towards the majority view. Issuing minority reports exist as a formal procedure in 14 West European countries, except Denmark, France, Ireland and the U.K. (Mattson and Strøm 1995). Lastly, the committee stage in the Commons follows the second

reading of the bills in the plenary, and constitutes the third phase in legislation. The first debate taking place in the plenary may limit the extent of committee deliberations and changes, if the bill is discussed in detail at the first stage.

Table 3. Procedures of legislative committees in the House of Commons

Procedures of Legislative Committees				
Committee assignments	Chair selection	Public or private meetings	Minority reports	Committee stage
Reflects party composition in the Commons	The Speaker of the House selects chairs among 35 senior backbenchers	Open to the public	Right does not exist	After the second reading in the House

Source: Author's own tabulation based on the tables and information provided in House of Commons Information Office (2009), IPU (1986), Levy (2009), Mattson and Strøm (1995), and the U.K. Parliament's website.

In addition to structural and procedural features, formal powers determine the role and the ability of legislative committees to influence legislative outcomes. The powers indicated in Table 4 are explained by scholars as especially significant in contributing their capacity to influence parliamentary outcomes independent of political parties or governments (Longley & Davidson, 1998; Mattson & Strøm, 1995; Lees & Shaw, 1979). Legislative committees in the U.K. Parliament are not one of the actors (the cabinet, MPs/Lords, private individuals/organizations) granted the right to initiate legislation. The right to propose bills is actually a rather rare case among national Western legislatures with the exceptionalism of Sweden and Iceland (Arter, 2003). Italian committees also stand out with broad legislative powers such as legislating and approving bills without referring it to the floor (Curini & Zucchini, 2014: 533).

Apart from that, legislative committees in the Commons can revise the bills as they see fit and report the bill to the plenary with their amendments. Any member of the parliament can table an amendment if they wish to see a discussion on a specific aspect of the bill, and this provides an opportunity for MPs to engage with the bill closely in a smaller unit than the plenary. But tabled amendments are not always moved into the discussion. Only committee members can move amendments further in the committee debates. These amendments take different forms; either aim cosmetic changes, or make substantial changes by adding or removing some text or clauses. Sometimes amendments also aim furthering closer scrutiny and more discussion in order to clarify some points in the bills rather than initiating changes. These are called “probing” amendments (Thompson, 2013a: 13). MPs move amendments to ask questions to the sponsor minister to identify meanings of some words or objectives of some subsections in the bill, which works to clarify implications of the proposed legislation.

Since a committee is formed right after a bill is referred by the plenary, its agenda is automatically set as the scrutiny of this bill. However, committees are free to arrange their own internal timetables. Except the date to report the bill to the plenary, minister sponsored the bill or programming subcommittee chosen among the committee members decide the number of sittings, which witnesses to be called and whether to receive written evidence, as well as arranging the sessions for taking evidence and scrutiny (House of Commons Information Office, 2009).

Table 4. Powers of legislative committees in the House of Commons

Powers of Legislative Committees					
Right to initiate legislation	Right to rewrite bills	Control of timetables	Right to call ministers	Right to call witnesses	Right to collect written evidence
No power to initiate, split or consolidate bills	Committee reports the bill in its amended form to the plenary	Bills referred to the committees directly constitute their agenda	Ministers sponsored the bills are committee members. However, they can be summoned as witnesses in the oral sessions	Committees can call government representatives, public officials, experts, interest groups to get their opinion on the matter	Any interested individual or organization can submit written evidence

Source: Author's own tabulation based on the tables and information provided in House of Commons Information Office (2009), Inter-Parliamentary Union (1986), Levy (2009), Mattson and Strøm (1995), and the U.K. Parliament's website.

With regards to other powers indicated in Table 4, legislative committees increased their flexibility and scrutiny capabilities with the reforms introduced in the 2006-07 session.¹⁰ Relevant ministers are always members of the bill committee. However, before 2006 changes, they were summoned to the questions of committee members (mostly opposition) only during the committee debates with members moving their queries in the form of “probing” amendments. Other than tabling amendments, there was no time and space allocated to extract information from the minister on the agenda of government bill. When they get the answer from the minister, they withdraw their amendment. This way of acquiring information from the government is not only inefficient but also is generally used by the opposition to block or delay the legislative process. With the 2006 committee reforms, committees acquired the right to call witnesses to collect oral evidence on the proposed legislation. Since then, committees facilitate this power to call government representatives (sponsor minister and departmental officials) for questioning at least for one oral session.

Other sessions of oral evidence gathering are devoted to the interested parties outside the parliament such as private individuals and organizations, public agencies, local authorities etc. Committees are also granted the right to collect written evidence outside the parliament. Once these evidences are examined, committees proceed to the clause-by-clause scrutiny. Since 2006, gathering oral and written evidence among other powers significantly increased the formal capabilities of legislative committees and quality of parliamentary scrutiny with the provision of more information from different perspectives on the subject matter. The scrutiny process became more open

¹⁰ For a detailed examination of the committee reform initiated in the 2006-07 session, see Levy (2009, 2010).

and transparent with the involvement of public, and brought outside influence onto the committees loosening the party control. Studies comparing the legislative scrutiny before and after the reforms find that after the introduction of these new powers, better informed committee members engage more with their role in the legislative scrutiny and become more confident (Levy, 2009, 2010).

4.3 The Influence of Legislative Committees in the Commons

Despite recent improvements in their formal capabilities and long presence in parliamentary scrutiny, the impact of legislative committees on government's legislation does not seem to attract much scholarly attention. Existing studies focus on very different time periods, use different methodologies, and report contrasting findings questioning the general assertions on committees. Studies focusing on formal capabilities of legislative committees rather than the relationship between their powers and outputs discuss legislative committees in the Commons as one of the weakest (Lees & Shaw, 1979; Mattson & Strøm, 1995; Mezey, 1979; Strøm, 1990). The summary of formal capabilities in Table 5 (previously indicated in Tables 2-4) justifies this point. Legislative committees in the Commons lack most of the structural and procedural features identified in other legislatures, despite the 2006 reforms enhancing their formal capabilities with the right to collect oral and written evidence. Committees possess less than half of the indicated features that would contribute to their strength to scrutinize government and affect its legislation.

These descriptive studies are highly useful to understand how the structures, procedures, and powers contribute to committee strength. However, they do not go beyond explaining formal capabilities, and also equate formal powers with actual influence, misleadingly conclude that the U.K. committees cannot be influential on

their governments with their weak formal capacity. They jump into the conclusions with the assumption that once committees have more power, they would use them in legislative scrutiny. If they do not possess more formal rights, then they cannot use them and exert influence on governments. In this way, they equate committee power with actual influence without conducting any empirical analysis outlining the causal relationship between formal powers and legislative outputs (Auel, 2007; Raunio, 2009; Russell & Benton, 2009). As Raunio (2009: 6) argues, “only through in-depth empirical analyses can we assess whether national parliaments really influence government behavior”.

Table 5. Formal capabilities of legislative committees in the Commons

Structures	
Fixed number	-
Small size	-
Permanent tenure	-
Specialization	-
Subcommittees	-
Procedures	
Proportional distribution of seats	+
Proportional chair selection	-
Public meetings	+
Minority reports	-
Preceding plenary stage	-
Powers	
The right to rewrite bills	+
Control of timetables	+
The right to call witness	+
The right to call written evidence	+

Source: Constructed by the author.

In order to estimate the impact of the Commons on governments, the most prominent empirical study focuses on the proposed and accepted amendments to government bills at every stage of legislative scrutiny in the 1967-71 period, and concludes that non-government amendments were hardly accepted in legislation (Griffith, 1974).

Even though the study assesses the whole legislative process and seems outdated, it is one of the comprehensive studies focusing on the scrutiny process in committees. It shows that amendments to public bills in the committees majorly stem from the government, and hence, committees act as passive legislative mechanisms. The study set an example for future studies by tracing amendments as outputs to estimate the impact of legislative scrutiny on government. Nevertheless, it cannot account for the effects of formal capacity of the committees on their outputs.

Recent studies on the policy impact of the British parliament emphasize that committee work is a more direct and overlooked way to assess the actual influence of legislature on the executive (Russell & Benton, 2009; Thompson, 2013a, 2013b). Since the Commons divide executive oversight and legislative scrutiny into two separate committees, studies focus on either select committees or public bill committees. Select committees are specialist committees as they shadow government departments and have investigative powers for relevant policy issues (Shaw, 1998). Accordingly, they attracted more attention to examine government oversight rather than legislative scrutiny in scholarly studies, even though this attention is noted as scarce (Russell & Benton, 2009).

While most of the studies on select committees remain descriptive, a recent study examines empirically the impact of select committees in legislation by tracing whether committee recommendations are accepted and implemented by the government at different stages of legislative process (Benton & Russell, 2013). The study focusing on the 1997-2010 period finds that 40% of the select committee recommendations were accepted and implemented by the government even though they were initially rejected at earlier stages. Overall findings indicate that

departmental select committees as a sub-parliamentary unit seem to persuade governments at varying degrees to change their legislative behavior and agenda. However, select committees do not have legislative function besides administrative oversight, and hence these findings cannot explain the scrutiny of government in the legislative process.

The impact of public bill committees on the legislative scrutiny of the government bills in the U.K. Parliament is still an unexplored question. There are a few studies addressing this gap, but their findings are only limited to the assessment of specific bills (Fox & Korris, 2010; Russell & Johns, 2007). Thompson's research (Thompson, 2013a) on the other hand outlines both institutional features of legislative committees and examines their impact on government's legislation. Employing a different theoretical framework (committee viscosity) and empirical analyses (descriptive analyses of the indicators of viscosity) from this study, Thompson (2013a) reports that even though public bill committees with their limited formal capacity seem "peripheral to the legislative process", they actually use their capacity and exert influence on the government by making substantial changes in government legislation. As so far studies on legislative committees in the Commons remained anecdotal and seem to argue that they are too weak to exert influence, Thompson's study brings in important empirical yet descriptive contribution to investigate further the factors explaining the impact of committees on government's scrutiny.

4.4 Legislative Committees as Accountability Mechanisms

As discussed in the previous chapter, legislative committees function as accountability mechanisms, when they extract information from government about the agenda and objectives of the bill, oblige government to explain and justify the

content of the proposal, and as a result, make substantial changes in the bill. During this accountability process, committees use their formal capabilities to gather information from the government, listen to its justifications, and then introduce amendments to government bills in order to contain agency loss and make the bill representative of wider interests.

In this regard, one can argue that legislative committees in the Commons are less likely to hold government accountable due to their weak formal capabilities.

However, committee strength is not equal to actual influence, and cannot account for the scrutiny behavior in the committees. In other words, weak capacity of committees does not automatically lead to weak scrutiny of the government, which can be assessed only through empirical analysis. Without measuring the impact of the scrutiny powers that committees use at the committee stage to produce the committee amendments, we cannot account for the causal relationship between formal powers and legislative outputs. I examine whether committees use their scrutiny powers to make substantial changes in government bills, and following hypotheses aim to test the actual influence of committees' formal capabilities on substantial committee amendments.

Moreover, I expect that preferences of government backbenchers and opposition would differ on government scrutiny. Depending on the government type, political balance between members of governing party and opposition changes in committees would change. Committees during single majority government term would be dominated by the members of government, whereas committees during coalition government term would be closer to plenary median, since no single party controls the committees. For this reason, I also test both hypotheses during different

government terms to examine whether committees' scrutiny behavior of government proposals during different government terms.

4.4.1 The Right to Call Witnesses for Oral Evidence

Having power to compel witnesses at the committee stage empowers committees' internal decision-making in two respects. First, openness and inclusiveness of committees provide a very significant opportunity for the actors outside the parliament such as private individuals and organizations, experts, interest associations, local authorities, public agencies etc. to directly join to the legislation and to incorporate their input in decision making process. Oral evidence sessions close the gap between the public and legislators by bringing them under the same roof at a very significant stage of legislative scrutiny. Second, this opportunity provides comprehensive non-governmental information to committee members in their scrutiny of government bills, and increases their ability to control government legislation. It is a significant tool boosting the knowledge of the committee members at the committee scrutiny stage, providing detailed information on the objectives and the implications of the legislative proposal.

Legislative committees in the Commons are empowered with oral evidence taking by calling various witnesses after the 2006 committee reforms. If programmed by the sub-programming committee or sponsor minister when arranging the committee timetable, committees usually hold three or four evidence taking sessions, and then proceed with the line-by-line consideration of the bills. Representatives from the ministry prepared the bill and the sponsor minister (who is also a committee member) are summoned generally in the first session to the questioning of the committee members. Non-government persons are called in the succeeding sessions.

Having the power to compel individual cabinet ministers to attend a committee meeting and supply oral testimony places committees in a strong position to monitor and judge a minister's legislative proposal. Committees can use such hearings as an opportunity to question ministers' activities and policies, and determine how the minister's legislative agenda differ from public policy. Moreover, public officials also act as an important source of ministerial information as agents of the minister. As such, they are in a position to provide information of the actions or inactions of ministers. Committees empowered to compel public officials to attend and supply oral testimony are better able to oversee and judge the performance of executive departments as well as government's legislative agenda (S. Martin, 2011).

Hearing interested persons or parties outside the parliament provide information to committee members independent of the government and political parties, helping them to be better equipped about the bill before they proceed with clause-by-clause scrutiny. Hearing diverse sources also brings in non-party perspective to the committees, which loosens the partisan ties and encourages committee members to act for public interests. In this regard, oral sessions do not only provide information but also increases the confidence of the committee members and enhances their activism in legislative scrutiny. In sum, having power to take oral evidence increases the information and knowledge of the committee members on government's bill, and would lead them to "correct" government bills to reflect wider interests. In case that it is used, it would be central to a committee to hold government accountable by initiating amendments to government proposals. Following hypothesis addresses this argument.

Hypothesis 1: If committees use their right to call witnesses, then they will be more likely to make substantial amendments to government bills.

4.4.2 The Right to Receive Written Evidence

Since the 2006-07 committee reform, any concerned citizen, public or private organizations, local authorities etc. can follow committees' agenda, and write their demands, opinions or complaints related to the government bill at the committee. As in oral evidence sessions, written evidence serves to the very same purpose. It increases the knowledge and the information of committee members as well as the openness of the scrutiny process. Committee members gain insights on the bill with the opinions of persons having extensive knowledge on the subject, or with the evidence provided in their documents. Different than oral evidence sessions, any interested party can submit their views in written form to the committee without being subjected to the time constraints of oral sessions. Through the consideration of tens or hundreds of written documents, members back up their arguments in deliberations and make better informed decisions when they closely scrutinize government bills. As they acquire more information, they would be more likely to change government bill. Second hypothesis tests this argument.

Hypothesis 2: If committees use their right to receive written evidence, then they will be more likely to make substantial amendments to government bills.

4.5 The Data and Measurement

I test my hypotheses with a novel data set consisting of 132 government bills that were referred to legislative committees and legislative information on these bills

during the scrutiny at the committee stage in a decade, from 2005 to 2015. I examine the impact of committee related factors, especially the scrutiny powers used during the examination of the bills, on substantial amendments to government bills as an indication of committee control on government's legislative agenda. To this end, I focus on only government bills started either in the Commons or brought from the Lords, and received Royal Assent at the end. These public bills can be either committed to a public bill committee or Committee of the Whole House which is decided after the second reading in the Commons. Among these, I counted only government bills committed to public bill committees since I specifically focus on the public bill committee stage rather than the whole House acting as a committee. In this regard, my unit of analysis is government bills (public bills) passed from a legislative committee and enacted into law. Since each public bill committee is specifically formed for the scrutiny of the relevant bill, when I make government bills my unit of analysis, this also makes committees units of analysis in the data.

In order to decide which bills to include in my data, first I have identified all government bills in the Sessional Diaries of each parliamentary term that were referred to a public bill committee. Then, I went through the bill documents to identify which bills have received Royal Assent and enacted into law. Among them, I did not include a hybrid bill, Crossrail Bill in the 2005-2006 session, since it was partly sponsored by the government and partly by the private organizations. I also excluded Consolidated Fund, annual Finance and Appropriation Bills, since they are subjected to different scrutiny procedures. These financial and budgetary bills are mostly referred to the Committee of the Whole House, even there is a division taken to the public bill committee, and yet they cannot be programmed for oral and written evidence sessions at the committee stage (Thompson, 2013a: 31). Since they arrange

the budget and spending of the government, they have different kind of importance in legislation and are reviewed differently than the other bills. Other than these, government bills that were referred to public bill committees and received Royal Assent are included to the study, which makes my data representative of government's legislative agenda under the time period studied.

The online webpages of the House of Commons "Bills before the Parliament" and "Public Bill Committee Debates Archive" provide legislative information and committee reports about previous parliamentary sessions, which include all details for the bills. I hand-coded relevant legislative and committee related variables for each bill by reading thoroughly the committee report on each bill. The data covers the period of Labor Party single party majority government term (2005-10) and the following Conservative-Liberal coalition government term (2010-15). According to the selection criteria described above, 82 single party majority government bills and 50 coalition government bills (total 132 bills) are included in the data. Figure 4 demonstrates the distribution of 132 government bills from 2005 to 2015.

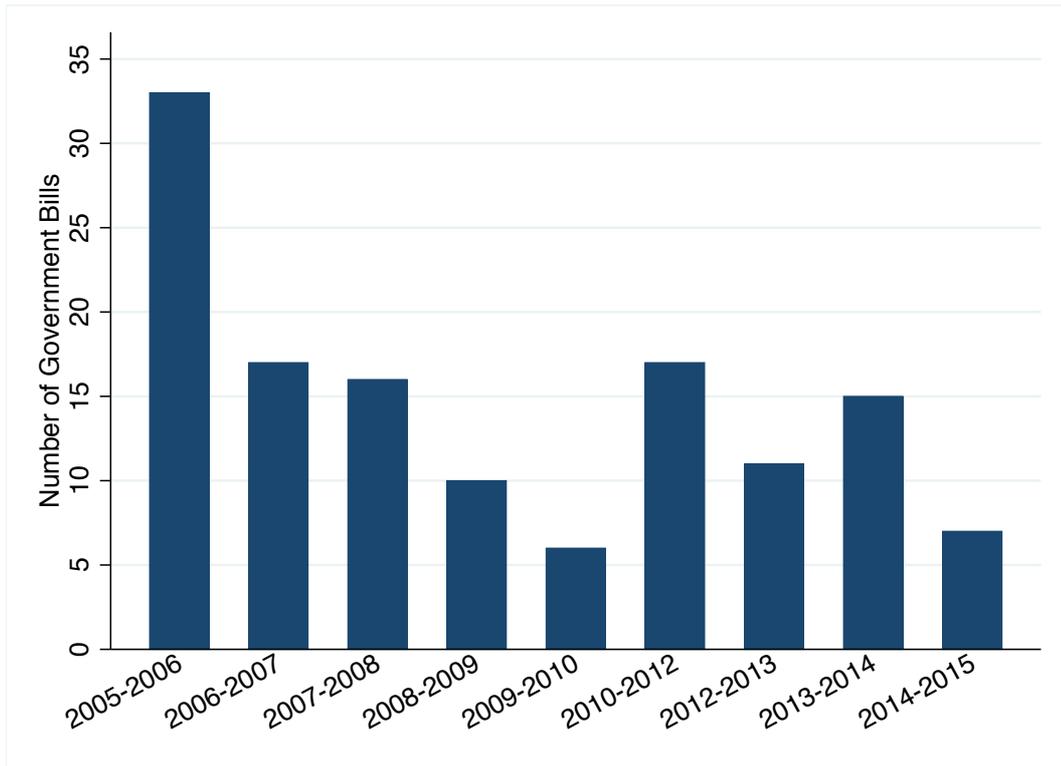


Figure 4. The distribution of government bills across parliamentary sessions, 2005-

15

4.5.1 Amendments as Committee Outputs

The formal capabilities of committees to exert influence on government bills are highly crucial, but this capacity is not translated into actual influence if committees do not exercise this power. In this regard, committee amendments constitute the extent to which committees control government’s legislative agenda by changing the content of government bills. In other words, holding government accountable at the committee stage means that committees “correct” government bills through making substantial amendments to contain agency loss as a part of parliamentary scrutiny. To measure this influence, I use *the number of article changes in each government bill*

at the committee stage as dependent variable. I counted the amendments by article rather than words or paragraphs, as articles are meaningful subunits of the bills.¹¹

I calculated this measure for each bill by counting the number of articles that are amended, deleted, and added by the legislative committee. This measure gives the amount of change in the content of a government bill as I only counted substantial amendments to bills. *Substantial change* means adding, removing or changing the articles in a way that affect the objectives, targets or the substance of the bill. Since I am interested in amendments only making substantial changes, I did not include amendments correcting grammatical or technical errors, making reductions in wording, or cosmetic changes into the count of this measure. These *minor changes* do not target the content but rather aim clarification or correction in bills for facilitating their application.

The number of amendments to each bill takes either zero in case of no amendment, or only positive integer values when there is amendment, since negative amendment is not possible. Table 6 indicates descriptive statistics and distribution of this dependent variable by government terms. The mean of total substantial changes introduced by legislative committees to government bills are quite different in two cases. Committees in single party majority government term changed substantially on average 17.4 articles in each government bill, whereas committees in coalition term initiated on average 11.8 article changes per government bill. This means committees dominated by the single party majority government made more content changes in government bills compared with committees during the coalition

¹¹ For a similar measure used and justified, see L. Martin and Vanberg (2005).

government. This may seem odd from a partisan point of view as sponsor ministers and government backbenchers did not act reluctant to change government bills.

Table 6. Descriptive statistics of substantial committee amendments by government terms

Single Party Majority Government (2005-10)				Coalition Government (2010-15)			
Percentile	Number of article changes in a government bill			Percentile	Number of article changes in a government bill		
1	0			1	0		
10	0			10	0		
25	1			25	1		
Median	5			Median	8		
75	16			75	13		
90	27			90	28.5		
100	530			100	123		
N	Mean	SD	Variance	N	Mean	SD	Variance
82	17.4	59.8	3573	50	11.8	19.5	380.9
81	11.1	17.1	293.5	49	9.5	11.2	125.8

Table 6 also indicates that the mean article changes in each government bill is similar to each other in every percentile in both cases, but very different in the last percentile showing both cases have outliers. When I exclude these extreme values at the last percentile, the mean of substantial changes decreases in both cases as expected, and a little drastically in single party majority government term as the last row in the Table 6 shows. But still, committees in the single party majority government period initiated more substantial changes in government bills (on average 11.1) than coalition committees (on average 9.5). With or without outliers, variance and standard deviation of the number of substantial amendments indicate a skewed distribution to the right in both cases, and an over dispersed outcome rather than a normal distribution. Taken all 132 government bills together, committees in the

2005-15 parliamentary terms initiated on average 15.3 substantial article changes (with a standard deviation of 48.6 and variance 2359.9) per government bill consisting on average 74.7 articles. When two outliers are excluded, the mean of article changes decreases to 10.5 (with a standard deviation of 15.1 and variance 229.4) per bill having on average 66.6 articles. These descriptive statistics indicate that the distribution of outcome variable is highly skewed to the right due to the over dispersion, considering all the bills together or separately according to government terms, and with or without the outliers.

4.5.2 Indicators for Committee Scrutiny

I have two main explanatory variables that aim to measure the effect of scrutiny capabilities of committees on committee amendments as addressed by my two hypotheses; calling witnesses for *oral evidence* and receiving *written evidence* outside the parliament. Coding procedure is rather simple, committees either summon witnesses or not. Same goes with the written evidence variable, committees either receive these materials or not. I hand-coded the relevant information from committee reports on each bill as they explain the details of the committee scrutiny process; what has been done on the bills at the committee stage. If committees called witnesses for oral evidence sessions, I coded this variable 1, but if this power was not used, then coded 0. Written evidence was also coded in the same way; 1 if the power was used, 0 if it was not used.

Among 132 bills in the dataset, 34 single party majority government bills initiated in the 2005-2006 session were subjected to different committee powers as they preceded the committee reforms initiated in the 2006-07 session. For instance, before the 2006-07 session, committees did not have the right to gather oral and written

evidence. This means 34 bills examined by the committees before the 2006-07 parliamentary term have missing data on oral and written evidence variables and cannot be included in the empirical analyses. For empirical analyses measuring the influence of these two variables of interest, models include 99 government bills; 44 single party majority government bills and 50 coalition government bills. Table 7 presents that on average 0.58 bills received oral evidence and 0.86 bills received written evidence. These statistics indicate that committees used these scrutiny powers frequently in their consideration of the bills.

In order to isolate the effects of these main variables of interest on substantial committee amendments, I control for various variables related to legislative details of the bills. Table 7 summarizes the definitions and descriptive statistics of all explanatory and control variables. I control for the *number of committee sittings*, as more sessions provide an opportunity for committee members to scrutinize the bills in detail and would lead them to make more substantial amendments. However, I did not use this variable directly as a measure for committee scrutiny, because it would be only a proxy, which is also highly effected by the length and the complexity of the bills. In other words, committees would arrange more sittings for lengthy and complicated bills as they would require more time to examine. Pairwise correlations between number of sittings arranged for a bill and the number of articles in that bill indicate a significant correlation at 0.001 level between two variables. The Table 6 indicates that the number of sittings varies from 1 to 40, and committees sit on average 10 sessions for considering per bill.

Table 7. Definition and descriptive statistics of variables

Variable label	Variable Definition	Range	SD	Mean	N
Oral Evidence	1 if the committee submitted witnesses for oral evidence, 0 for not using this power	0-1	0.5	0.58	99
Written Evidence	1 if the committee received written evidence, 0 for not using this power	0-1	0.35	0.86	99
Number of Committee Sitings	The number of committee sittings arranged to complete the scrutiny of the bill	1-40	6.4	9.83	132
Number of Committee Seats	The number of seats in each committee	14-25	2.14	17.86	132
Coalition Government	1 if the government is coalition, 0 for single party majority government	0-1	0.49	0.38	132
House of Commons	1 if the bill was started in the Commons, 0 if it was started in the Lords	0-1	0.48	0.64	132
Select Committee Prelegislative Scrutiny	1 if the bill was scrutinized by a Select Committee in its draft form before it was proposed to the parliament, 0 for otherwise	0-1	0.43	0.24	123
Public Consultation	1 if the bill was consulted with the public in the prelegislative stage, 0 for otherwise	0-1	0.5	0.54	123
Review Report	1 if the government submitted its draft proposal to a review committee composed of experts in the field, 0 for otherwise	0-1	0.5	0.5	123
Total Number of Articles in a Bill	The total number of articles in a government bill when it came before the committee	2-925	97.86	74.7	132

I also control for committee size with the *number of committee seats*. The size of committees in the Commons changes for each bill when they are formed with the decision of the Committee of Selection. Smaller committees would benefit from the

resources and session time more as these would be allocated among a small number of members compared with larger committees. In this way, smaller committees would work more efficiently in their scrutiny and make more substantial changes. Table 7 shows that the number of members varies from 14 to 25, and committees consist of on average 18 members for the scrutiny of per bill.

I control for the *government type* as it directly affects the political composition of the committees, and hence would affect the number of substantial changes in government bills. From a partisan perspective, committees act as the agents of parties translating their positions at the committee scrutiny stage. In a single party majority government term, government backbenchers in the committee would be prone for amendments that would not depart the bill from government's initial position. Amendments departing the proposal from the initial party line would become a partisan cost in their political careers. Hence, majoritarian committees would be inclined to make less substantial amendments to bills. However, during a coalition government term, members of governing parties would check each other and be more likely to amend government bills especially if coalition partners disagree on policy. In such cases, the number of amendments would increase if governing parties use committee stage to "correct" government bills.

I also control for whether government bills were started in *the House of Commons* or brought from the Lords. If a bill is started in the Commons, it would be only subjected to the discussions at the second reading in the plenary. However, when it is brought from the Lords to the Commons, it passes from the scrutiny of both Houses until it comes before the legislative committees in the Commons making the bill already received substantive amount of discussion and deliberation. A bill already

discussed in detail would be less likely to receive additional changes in committees. In order to control for these two different legislative processes taking place with regards to the origins of the bills, I created a binary variable. I coded the bills originated in the Commons 1, and coded 0 for the Lords bills. As the mean of this variable (0.64) indicates, more than half of the bills are originated in the Commons.

So far, my variables focus on the legislative process started in the parliament, but sometimes bills receive recommendations at the prelegislative process. Governments can make the draft bill public in order to receive feedback from various parties and improve the draft before its proposal to the parliament. This prelegislative scrutiny process is explained in details in the explanatory notes annexed to each government bill. For instance, a government would refer the draft bill to a *Select Committee* to receive recommendations, submit to the *public consultation* to integrate public opinion to the draft, or consult to a group of independent experts for a *review report*. After the government responds to these suggestions, the final version of the legislative proposal comes before the parliament. Thus, if these recommendations are largely included to the government bill before its proposal to the parliament, then a committee would be less likely to initiate substantial amendments to a bill passed through prelegislative scrutiny.

As explained in Table 7, I created binary variables for each variable indicating prelegislative scrutiny process to control their impact on the number of substantial committee amendments. While half of the bills were subjected to public consultation and expert review, only 24 percent of the draft versions of the bills were submitted to the Select Committee prelegislative scrutiny. The number of observations for each of these three variables are 123, as no explanatory note was presented in the bill

documents for nine bills in the 2005-2006 period. I coded three variables for these nine bills as missing. Lastly, I control for *the number of articles in a government bill* as longer bills would require more time and consideration that would result in more amendments.

4.6 Empirical Analysis

Government bills either leave the committees with amendments and no amendments, and amendments can initiate minor or substantial changes in the bills. Table 8 indicates the number and percentage of bills by amendments types in total and in two government terms. 18% of 132 bills passed from the committees without any amendments, while 82% of the bills were changed.¹² This indicates that committees used their power of making revisions on majority of the bills, but bears the question whether these changes were minor or substantial. Committees made substantial amendments to 77% of all bills by changing on average 19.7 articles per bill. Even though 44% of the bills were subjected to minor changes, the mean of minor article changes is quite low as it is on average 2.7 per bill. In Table 8, the numbers of the bills with minor and major changes do not add up to the total number of bills (132), because a bill can be changed in both respects at the same time.

When different government terms are examined, committees do not differ much in terms of initiating substantial amendments compared with minor changes, as most of the bills changed significantly. 76% of the single party majority government bills and

¹² For bills with the highest number of substantial amendments, please see Appendix A. For the list of 24 bills (18%) that passed from the committees without any kinds of amendments, please refer to Appendix B.

80% of the coalition bills passed from committees with major amendments.

However, committees in both government terms differ from each other in terms of the amount of substantial changes. Majority committees introduced on average 23 article changes per bill compared with on average 14.7 article changes per bill made by coalition committees. In both government terms, committees initiated minor changes to government bills, but in very low amounts compared with substantial amendments. Overall, the results in Table 8 indicate that committees use their right to rewrite government bills for majorly making substantial amendments to government bills.

Table 8. Proportion of bills by types of committee amendments and by government terms, 2005-15

Revision of Bills	Single Party Majority Government Bills (2005-10)			Coalition Government Bills (2010-15)			Total Number of Government Bills		
	#	%	Mean	#	%	Mean	#	%	Mean
No change	15	18	0	9	18	0	24	18	0
Changed	67	82	23.1	41	82	15.2	108	82	20.1
Minor changes	39	48	3.1	19	38	1.95	58	44	2.7
Substantial changes	62	76	23	40	80	14.7	102	77	19.7

Table 9 zooms in to the results on substantial amendments in Table 8, and indicates the mean of substantial article changes on government bills by parliamentary sessions in order to place the results in a context. As the number of bills per parliamentary session indicates the government and the parliament were more active in legislation in the initial sessions compared with the final terms. The number of government bills passed from committees decreases towards the end of the mandate, which also decreases the number of bills with substantial committee amendments.

When more bills pass from committees, committees tend to pass the bills with substantial changes, and when committees scrutinize a bill, they are more likely to make substantial amendments (as the means of substantial article changes in each parliamentary session indicate). Therefore, it is important to bring public bills before committees to ensure a detailed examination rather than referring them to the Committee of the Whole House.

Table 9. Bills with substantial amendments by parliamentary sessions and government terms, 2005-15

Government Term	Parliamentary Sessions	Number of Bills Passed from Committees		Bills with Substantial Amendments			Total number of Bills and the Mean of Substantial Amendments	
		N	N	%	Mean	N	Mean	
Single Party Majority Government	2005-2006	33	26	79	28.3	82	17.4	
	2006-07	17	10	59	18.6			
	2007-2008	16	14	88	21.1			
	2008-2009	10	8	80	21.6			
	2009-2010	6	4	67	8.8			
Coalition Government	2010-2012	17	14	82	19.6	50	11.8	
	2012-2013	11	8	73	8.4			
	2013-2014	15	12	80	13			
	2014-2015	7	6	86	15.3			
Total	2005-15	132	102	77	19.7	132	15.3	

Figure 5 visualizes the results of the mean article changes in Table 9 and indicates the difference between single party majority and coalition government terms with regards to the amounts of substantial amendments across parliamentary sessions. There is visibly no pattern in the distribution of major amendments throughout the sessions, except committees in the single party majority government term (2005-10) initiated more substantial changes than the coalition committees (2010-15) on government bills. This difference implies committees in single party majority

government term did not act reluctant to make more changes in the content of the bills compared with coalition committees. This behavior of majority committees may be a result of adjusting or correcting government bills that were single handedly prepared by the government. On the other hand, coalition committees did not act on their power to revise bills as much as single party majority committees, maybe because coalition government ensured a legislative majority supporting its legislative agenda before proposing the bill to the parliament compared with single party majority government.

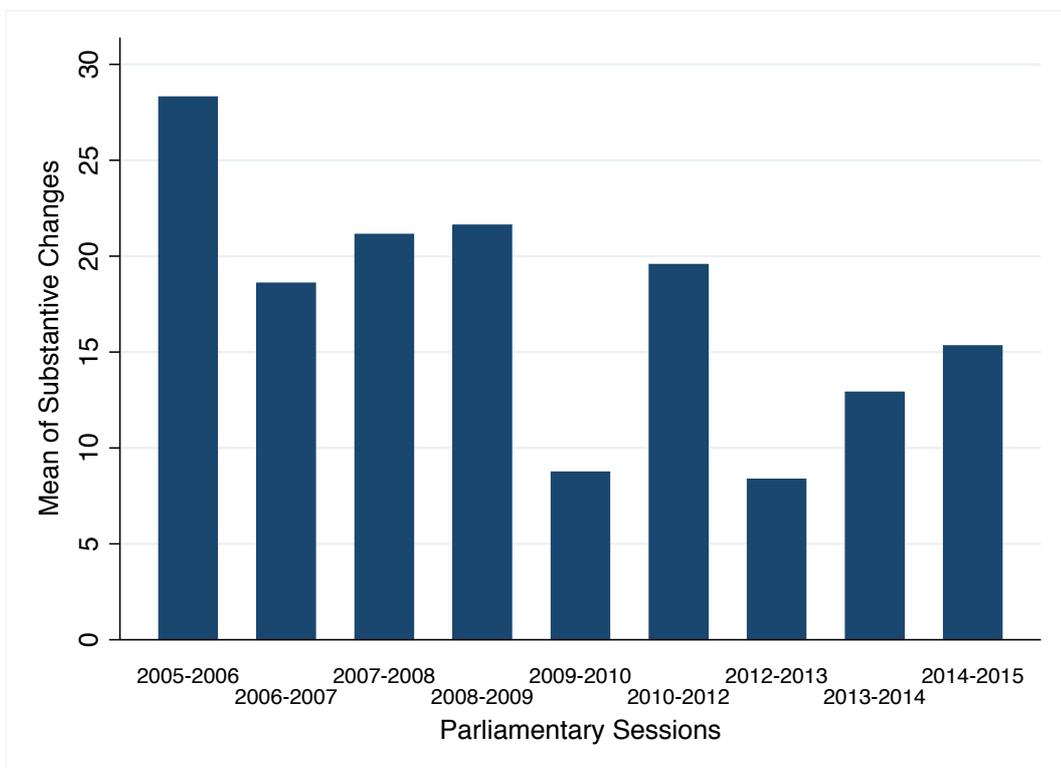


Figure 5. The distribution of substantial committee amendments across parliamentary sessions, 2005-15

Committee scrutiny of government bills would also change across various policy areas. Some issues might be prioritized by committees leading them to scrutinize the bills related to these specific issue areas differently than others. For instance, if

proposed policy concerns a publicly salient issue or an area requiring expertise, information sharing, and coordination, these bills may require more attention and time inducing committees to act more independently, engage in detailed examination, and amend a higher number of bills in these policy areas.

Table 10 demonstrates the proportion of government bills that were substantially changed across 16 major issue areas. I coded the topic of each government bill according to the U.K. Policy Agendas Project codebook.¹³ The results indicate that a significant number of bills falling into different issue areas changed substantially by committees, except macroeconomics, as one bill passed from the committee with no amendments. The column for the bills with substantial changes indicate that committees introduced major amendments to 100% of the bills in seven areas, and more than 75% of the bills in five areas. However, only 50 to 60% of the bills on the issues of environment, transportation, and government operations were amended substantially by the committees. These results show committees generally enact major changes in most bills regardless of the issue area, but change less bills related to environment, transportation and government operations compared with others.

Table 11 collapses these results by government terms in order to examine whether committees amend different number of bills falling into specific issue areas in different government terms. Committees in single party majority government term amended lower number of bills (%40 to %56) on issues of environment, energy,

¹³ The U.K. Policy Agendas Project is part of Comparative Agendas Project covering Western democracies. It develops a policy content coding scheme for public policy issue areas. It consists of 21 issue areas, and in this study bills only fall into its 16 categories. It can be accessed online via following link; <http://www.policyagendas.org.uk>

transportation, and government operations compared with other issue areas. On the other hand, coalition committees amended 67% of the bills related to issues of civil rights/minority issues, transportation, and government operations. Overall, committees in both government terms introduced substantial amendments at least %50 of the bills in all issue areas. Among these, bills related to transportation and government operations issues seem less prioritized by committees in both government terms. In other issue areas, the proportions of the bills received substantial amendments in both government terms are quite similar.

Table 10. Bills with substantial amendments across different policy areas, 2005-15

Issue Area	Total Bills	Bills with Substantial Changes		Bills with No Changes	
	N	N	%	N	%
Macroeconomics	1			1	100
Civil Rights, Minority Issues	11	8	73	3	27
Health	9	9	100		0
Agriculture	1	1	100		0
Labor and Employment	11	9	82	2	18
Education	7	7	100		0
Environment	4	2	50	2	50
Energy	4	3	75	1	25
Transportation	8	4	50	4	50
Law, Crime, and Family Issues	30	22	73	8	27
Social Welfare	3	3	100		0
Community Development, Planning and Housing Issues	5	5	100		0
Banking, Finance, and Domestic Commerce	13	10	77	3	23
Defense	5	5	100		0
Government Operations	15	9	60	6	40
Public Lands, Water Management, Colonial, and Territorial Issues	3	3	100		0
Other	2	2	100		0
Total	132	102	77	30	23

Table 11. Bills with substantial amendments across different policy areas by government terms, 2005-15

Issue Area	Single Party Majority Government (2005-10)					Coalition Government (2010-15)				
	Total Bills	Bills with Substantial Changes		Bills with No Changes		Total Bills	Bills with Substantial Changes		Bills with No Changes	
	N	N	%	N	%	N	N	%	N	%
Macroeconomics	1	0	0	1	100	0				
Civil Rights, Minority Issues	8	6	75	2	25	3	2	67	1	33
Health	7	7	100	0	0	2	2	100	0	0
Agriculture	1	1	100	0	0	0				
Labor and Employment	6	5	83	1	17	5	4	80	1	20
Education	6	6	100	0	0	1	1	100	0	0
Environment	4	2	50	2	50	0				
Energy	2	1	50	1	50	2	2	100	0	0
Transportation	5	2	40	3	60	3	2	67	1	33
Law, Crime, and Family Issues	18	13	72	5	28	12	9	75	3	25
Social Welfare	3	3	100	0	0	0				
Community Development, Planning and Housing Issues	3	3	100	0	0	2	2	100	0	0
Banking, Finance, and Domestic Commerce	6	5	83	1	17	7	5	71	2	29
Defense	1	1	100	0	0	4	4	100	0	0
Government Operations	9	5	56	4	44	6	4	67	2	33
Public Lands, Water Management, Colonial, and Territorial Issues	2	2	100	0	0	1	1	100	0	0
Other	0					2	2	100	0	0
Total	82	62	76	20	24	50	40	80	10	20

Overall picture drawn by these empirical findings covering a decade of parliamentary terms indicate that committees have willingness and power to initiate substantial amendments to government bills. They do change the content of the majority of government proposals, and committees in single party majority government term make more substantial changes in the bills compared with coalition committees. The distribution of substantial amendments across parliamentary sessions indicate that as legislative activism increases in the parliament, committees also become more active by scrutinizing and amending higher number of government bills. Committee scrutiny is also not limited to certain issue areas, as they closely examine and introduce substantial changes in the vast majority of the bills related to different policy issues. In the following analyses, I examine the factors affecting committee scrutiny of government bills in order to deduce causal inferences from these figures. Specifically, I analyze whether committees' scrutiny powers affect the number of substantial committee amendments to government bills, and if they do, whether this affect change in two government terms.

I am interested in the number of substantial article changes in a government bill made by the legislative committees. Since I examine the number of events occur over a period of time, I use negative binomial model as event count model to analyze committee amendments. Even though Poisson model is argued to be the starting point for the analysis of count data, the skewed distribution of the outcome variable violates Poisson's equidispersion assumption that the unconditional variance of the count outcome equals to its mean (Cameron & Trivedi, 2005: 666). As Table 6 notes and I discussed in detail in Section 4.5.1, the unconditional variance of the outcome variable highly exceeds its mean indicating over dispersion. The negative binomial model fixes this problem by adding a parameter accounting for the unobserved

heterogeneity among observations (Long & Freese, 2014: 507). In addition, negative binomial analyses conducted in STATA software indicate that the likelihood-ratio test of alpha rejects the null hypothesis that alpha equals to zero. This result shows strong evidence of over dispersion (Long & Freese, 2014: 511) making negative binomial model is more appropriate compared with Poisson model.

In Table 12, I report the results of negative binomial analyses for testing my first and second hypotheses for all government bills passed from the committees in the 2005-15 parliamentary sessions. A positive coefficient estimate indicates that a unit increase in (the respective category of) the explanatory variable increases the number of substantial article changes in a government bill made by the committees, whereas a negative coefficient indicates a reverse relationship holding other predictors constant. However, negative binomial regression is not a linear model like OLS. It is a log likelihood model, and its coefficient estimates are the logs of expected counts, which cannot be interpreted intuitively like linear model estimates. Therefore, I present both coefficient estimates and incidence rate ratios, and use rate ratios for the interpretation of the findings.

The results in Table 12 provide full support for my both hypotheses, as oral and written evidence gathering at the committee stage significantly impact the number of substantial committee amendments to government bills in the 2005-15 parliamentary terms. Hearing witnesses for gathering oral evidence on government bills increases the likelihood of committees making substantial changes to the bills by a factor of 3.38 compared with the bills that did not receive any oral evidence at the committee stage, holding other factors constant. Similarly, committees that received written evidence are more likely to introduce substantial changes to government bills.

Having received written evidence increases the likelihood of committees making substantial amendments to bills by a factor of 2.04, compared with the scrutiny of bills for which committee did not accept any written evidence.

Table 12. Determinants of content change in government bills in the U.K.

Variables	Model 1 COEFF	Model 1 IRR
Oral Evidence	1.217* (0.659)	3.378* -2225
Written Evidence	0.711* (0.411)	2.036* (0.837)
Number of Committee Sitings	0.129** (0.054)	1.137** (0.062)
Number of Seats in the Committee	-0.019 (0.077)	0.981 (0.075)
Coalition Government	-0.082 (0.258)	0.921 (0.237)
House of Commons	-1.634*** (0.619)	0.195*** (0.121)
Select Committee Prelegislative Scrutiny	0.220 (0.306)	1.246 (0.381)
Public Consultation	0.080 (0.256)	1.083 (0.277)
Review Report	-0.245 (0.266)	0.783 (0.208)
Number of Articles in a Bill	0.005** (0.002)	1.005** (0.002)
Constant	0.349 -1.298	1.417 -1.839
Observations	98	98
Log Likelihood	-305,6	-305,6
Chi-Square	85.57	85.57

Negative binomial coefficient estimates (COEFF) and incidence rate ratios (IRR) with robust standard errors in parentheses, *** p<0.01, ** p<0.05, * p<0.1.

The significant effect of oral and written evidence gathering on the scrutiny of government bills at the committee stage indicate that openness and inclusiveness of

committees matter to influence government's legislation. For 98 government bills¹⁴ (after the 2006 committee reforms), committees summoned 1051 witnesses and received 3075 written evidence in total. These witnesses were largely stakeholders consist of experts and private organizations. Committees attained information from 878 stakeholders, 116 public officials, and 57 government representatives. These figures indicate that committees majorly acquired information from non-governmental groups. As committees receive more information from the actors outside the parliament, they understand the objectives and the implications of the bill better. This acquired knowledge induces them to closely consider government bills and make more substantial changes. A tentative conclusion to draw from this finding is also that as committees receive more independent information, they act more autonomously on government scrutiny by loosening their partisan concerns.

The number of committee sittings is another significant predictor of substantial article changes in government bills. As the number of sessions increases at the committee scrutiny stage, committees become more likely to make substantial changes in government bills by a factor of 1.14. The likelihood of committees initiating major changes in government bills increases as they spend more time on the scrutiny of government bills. For 98 bills in the analysis, committees sit 1076 sessions in total and on average 10 sessions per bill. This finding indicates that it is important to provide flexibility to committees to arrange their own timetables and decide the number of sessions. Strict timetable and agenda rules constrain the ability of committees to ensure a detailed examination because of the pressure of catching

¹⁴ Due to missing data on three variables of prelegislative scrutiny, one of the observations taken oral and written evidence dropped from the analysis, making total number of bills in the model 98.

up with the time, especially for the bills with high number of articles and complex details. On the contrary, having autonomy to organize internal schedules provides independence to committees to decide the time they need to delve into the details of the bills. This power leads to more substantial committee amendments as a result of detailed consideration of the bills.

There is also a significant relationship between the origin of the bills and the number of substantial committee amendments. Compared with government bills originated in the Lords, bills started in the Commons are less likely to be amended substantially by legislative committees by a factor of 0.2. Even though the impact of ratio is rather small, it is a significant finding indicating that bills coming from the Lords are more likely to be amended by committees. Lords bills are closely examined in this House before they are referred to committees in the Commons, and this leads the bills to receive substantial amount of discussion in the previous legislative stages. Moreover, committees do not hold oral evidence sessions for the bills originating in the Lords in practice, although there is no procedural rule restricting this power. This is mainly because of the legislators' idea that "scrutiny process is largely thought to be complete, with most – if not all – of the key arguments, controversial issues and unintended consequences already having been identified and discussed during the bill's scrutiny in the Lords" (Thompson, 2013a: 158). But on the contrary of their claims, this finding indicate that legislative committees enact more substantial amendments to government bills originated in the Lords compared with the bills started in the Commons.

I also test both of my hypotheses in different government terms to examine whether committees' scrutiny behavior differs according to government type. Following

models focus on committee scrutiny of government bills within majority and coalition government terms. Models 1a and 2a in Table 13 replicate Model 1 in Table 12 in order to analyze the impact of oral and written evidence powers on the number of substantial committee amendments to government bills for each executive term.

The results from Model 1a indicate that there is no statistically significant relationship between scrutiny powers and the number of substantial committee amendments in the single party majority government term, as neither gathering oral evidence nor receiving written evidence has the expected impact on the number of articles that were changed substantially by the committees. However, as discussed earlier, committees dominated with majority party members would act differently than opposition members or coalition members on the scrutiny of government bills. For this reason, I collapse oral evidence variable into two different variables, *hearing stakeholders* and *hearing government representatives* in order to understand who cues the committee members on government bills and affect their scrutiny behavior. Both variables are coded with the same procedure with oral evidence variable. If committees heard stakeholders at the oral sessions for a bill, it is coded 1. For otherwise, it is coded 0. If committees questioned government representatives (ministers or parliamentary secretaries), then the observation for that bill is coded 1, and for otherwise, it is coded 0.

Model 1b reruns the Model 1a by replacing oral evidence variable with hearing stakeholders and hearing government representative variables, and also reports the incidence rate ratios for intuitive interpretation of the findings.

Table 13. Determinants of content change in single party majority and coalition government bills in the U.K.

Variables	Single Party Majority Government Bills (2005-10)				Coalition Government Bills (2010-15)			
	Model 1a COEFF	Model 1a IRR	Model 1b COEFF	Model 1b IRR	Model 2a COEFF	Model 2a IRR	Model 2b COEFF	Model 2b IRR
Oral Evidence	1.005 (0.744)	2.731 (2.031)			1.222** (0.526)	3.395** (1.786)		
Hearing Stakeholders			-0.447 (0.786)	0.640 (0.503)			1.083** (0.491)	2.954** (1.450)
Hearing Government Representatives			1.510** (0.596)	4.525** (2.698)			0.177 (0.413)	1.193 (0.493)
Written Evidence	-0.035 (0.427)	0.965 (0.412)	0.004 (0.436)	1.004 (0.437)	1.189** (0.561)	3.284** (1.843)	1.184** (0.559)	3.266** (1.825)
Number of Committee Sitings	0.320*** (0.071)	1.378*** (0.098)	0.329*** (0.083)	1.389*** (0.115)	0.043 (0.058)	1.043 (0.061)	0.051 (0.063)	1.052 (0.066)
Number of Seats in the Committee	0.067 (0.074)	1.070 (0.079)	0.045 (0.074)	1.046 (0.078)	-0.111 (0.156)	0.895 (0.140)	-0.120 (0.161)	0.887 (0.143)
House of Commons	-1.827** (0.765)	0.161** (0.123)	-1.937*** (0.701)	0.144*** (0.101)	-1.964*** (0.361)	0.140*** (0.051)	-1.968*** (0.364)	0.140*** (0.051)
Select Committee Prelegislative Scrutiny	-0.185 (0.375)	0.831 (0.312)	-0.091 (0.376)	0.913 (0.343)	0.516 (0.436)	1.676 (0.730)	0.503 (0.426)	1.654 (0.704)
Public Consultation	0.079 (0.354)	1.083 (0.384)	0.049 (0.357)	1.050 (0.375)	0.086 (0.361)	1.090 (0.393)	0.083 (0.356)	1.086 (0.387)
Review Report	-0.634* (0.341)	0.531* (0.181)	-0.577* (0.336)	0.562* (0.189)	-0.485 (0.347)	0.616 (0.214)	-0.494 (0.344)	0.610 (0.210)

Table 13. (cont'd),

Number of Articles in a Bill	0.002 (0.002)	1.002 (0.002)	0.001 (0.002)	1.001 (0.002)	0.011** (0.005)	1.011** (0.005)	0.010* (0.005)	1.010* (0.005)
Constant	-1.695 (1.231)	0.184 (0.226)	-1.412 (1.157)	0.244 (0.282)	2.412 (2.783)	11.160 (31.063)	2.572 (2.874)	13.095 (37.634)
Observations	48	48	48	48	50	50	50	50
Log Likelihood	-138.9	-138.9	-138.2	-138.2	-155.6	-155.6	-155.5	-155.5

Negative binomial coefficient estimates (COEFF) and incidence rate ratios (IRR) with robust standard errors in parentheses, *** p<0.01, ** p<0.05, * p<0.1.

Notes: Models 1a and 2a rerun Model 1 in Table 12 to examine both hypotheses during different government terms; the impact of oral and written evidence powers on the number of substantial committee amendments to government bills in each government term. Models 1b and 2b rerun the Models 1a and 2a only by replacing oral evidence variable with hearing stakeholders and hearing government representative variables to test whether the source of oral evidence affect their scrutiny behavior.

The results indicate that hearing government representatives at the oral sessions has a positive significant effect on the number of substantial committee amendments in the single party majority government term. Compared with bills for which committees did not summon government representatives, hearing ministers or departmental parliamentary secretaries increases the likelihood of substantial committee amendments to single party majority government bills by a factor of 4.52. However, hearing non-governmental actors do not have a statistically significant effect on committee amendments. In this term, committees acquired information from both governmental and nongovernmental sources, as they summoned 29 government representatives and 273 stakeholders for the scrutiny of 44 bills. Also, they received 829 documents as written evidence from third parties. But it seems that the likelihood of single party majority government bills to be changed substantially only increases with the information provided by the government rather than the information outside the parliament.

This result might stem from two reasons. Since legislative committees were granted the power to gather oral and written evidence in the 2006-07 parliamentary session, it is possible that committee members were hesitant or inexperienced to use these new powers at the scrutiny process. Before that, government backbenchers were used to get information only from the government front bench who in practice dominated the committee stage. Qualitative evidence from committee debates shows that compared with initial committees with new powers, government backbenchers contributed more in the latter sessions as they got used to this new setting (Levy, 2010). This implies that as government backbenchers gain more expertise and information, they become more confident, and engage more in the scrutiny process towards the end of their mandate. Second, the discipline of the Labor Party would be constraining its

committee members' scrutiny behavior to the party lines by binding them with the information provided by the government front bench and cabinet members. Rather than the non-governmental information, committee members' consideration was cued by the governmental information. Coupled with the inexperience of members with new formal powers, committee members engaged in detailed examination only when high rank party officials supplied information.

Review report is another significant variable explaining the number of substantial committee amendments on single majority government bills. Compared with the bills that were not subjected to the expert review at the prelegislative scrutiny, bills that were examined by the experts in the field are less likely to be amended substantially by the committees by a factor of 0.56. The finding implies that when single party majority government submits its draft proposal to be examined by a group of experts, it develops the proposal with experts' recommendations leaving committees with less work to do. Among 44 bills in the analysis, 34 of them were subjected to the expert review. If majority of bills are "cooked" before they come to the committee stage, it means that they were already accommodated with substantial amount of consideration decreasing the degree of the committee scrutiny. This might also explain why information from third parties does not affect the number of substantial committee amendments in the single party majority government term; because the bills were already improved by such information in the prelegislative stages.

The results from Model 2a indicate that gathering oral and written evidence has expected significance on the number of substantial committee amendments to coalition government bills. Committees during the coalition government term are more likely to change the content of government bills when they summon witnesses

and receive written evidence from third parties at the scrutiny process. Model 2b reruns the Model 2a by replacing oral evidence variable with hearing stakeholders and hearing government representatives to estimate the influence of evidence gathered from stakeholders and government representatives separately on the number of committee amendments. Hearing government representatives at oral evidence sessions does not significantly affect committee scrutiny, whereas hearing third parties increases the likelihood of substantial committee amendments to coalition government bills by a factor of 2.95.

Similarly, receiving written evidence outside the parliament makes committees more likely to change government bills by a factor of 3.27. Committees in this government term heard 605 stakeholders and 28 government representatives, and received 2246 written evidence outside parliament for the scrutiny of 50 bills. These figures and findings indicate that coalition committees extensively used their scrutiny powers in their consideration of government bills. As they use more of these powers, they acquire non-governmental information leading them to act more independent off the government and engage more in the scrutiny process. Apparently, the openness and inclusiveness of the committee stage contributes to committees' ability to "correct" government bills by initiating substantial changes.

4.7 Conclusion

In this chapter, I examine the role of legislative committees in the House of Commons on majority and coalition governments' accountability in the 2005-15 parliamentary session. I argue that if legislative committees use their scrutiny powers when considering government bills at the committee stage, they would be more likely to initiate substantial changes in government bills. Overall findings covering a

decade of parliamentary sessions indicate that oral and written evidence increases the likelihood of committees to change the content of government bills. This is a significant finding as public bill committees in the Commons are generally disregarded as ineffective or “rubber stamps” reflecting the tendency in the plenary. On the contrary, it seems that the introduction of oral and written evidence gathering powers to committees in the 2006-07 session significantly increased committee’s contribution to the government scrutiny in the parliament by engaging them in closer scrutiny and boosting their performance.

I also argue that legislative committees’ scrutiny powers of government bills would differ during different government terms due to different degrees of government control over the committees. The results support this argument as committee scrutiny of government differs in majority (2005-10) and coalition (2010-15) government terms. Committees during single party majority government term were generally cued by the government representatives at the oral sessions for their amendments. This finding indicates that government control in the committees during single party majority government term does not prevent committees to change government proposals, but these changes are adjusted with the information provided by the government. In this regard, amendments of majoritarian committees remain closer to the government position. In contrast, committees in the coalition government term largely benefited from both oral and written evidence provided by third parties when making substantial amendments to government bills. In this respect, coalition committees have more autonomy and control on their scrutiny procedures compared with majoritarian committees, since they are more open and inclusive to the actors outside the parliament at the committee scrutiny process.

CHAPTER 5

THE ROLE OF LEGISLATIVE COMMITTEES IN THE ACCOUNTABILITY OF TURKISH GOVERNMENTS

During the 1999-2002 and the 2011-15 parliamentary terms covered in this study, Turkey had parliamentary system. The constitutional referendum on 16th April 2017 transformed the parliamentary system to the presidential system. The system change is officially completed with the election of the first president and parliament in the presidential and the general elections on 24th June 2018. The new presidential system recognizes extraordinary powers to the president and decreases the role of parliament in legislation and government's oversight. Information provided in this chapter to describe committee system and legislative process for the period of parliamentary system covered in this study was written before parliamentary system was transformed to presidential system on June 2018.

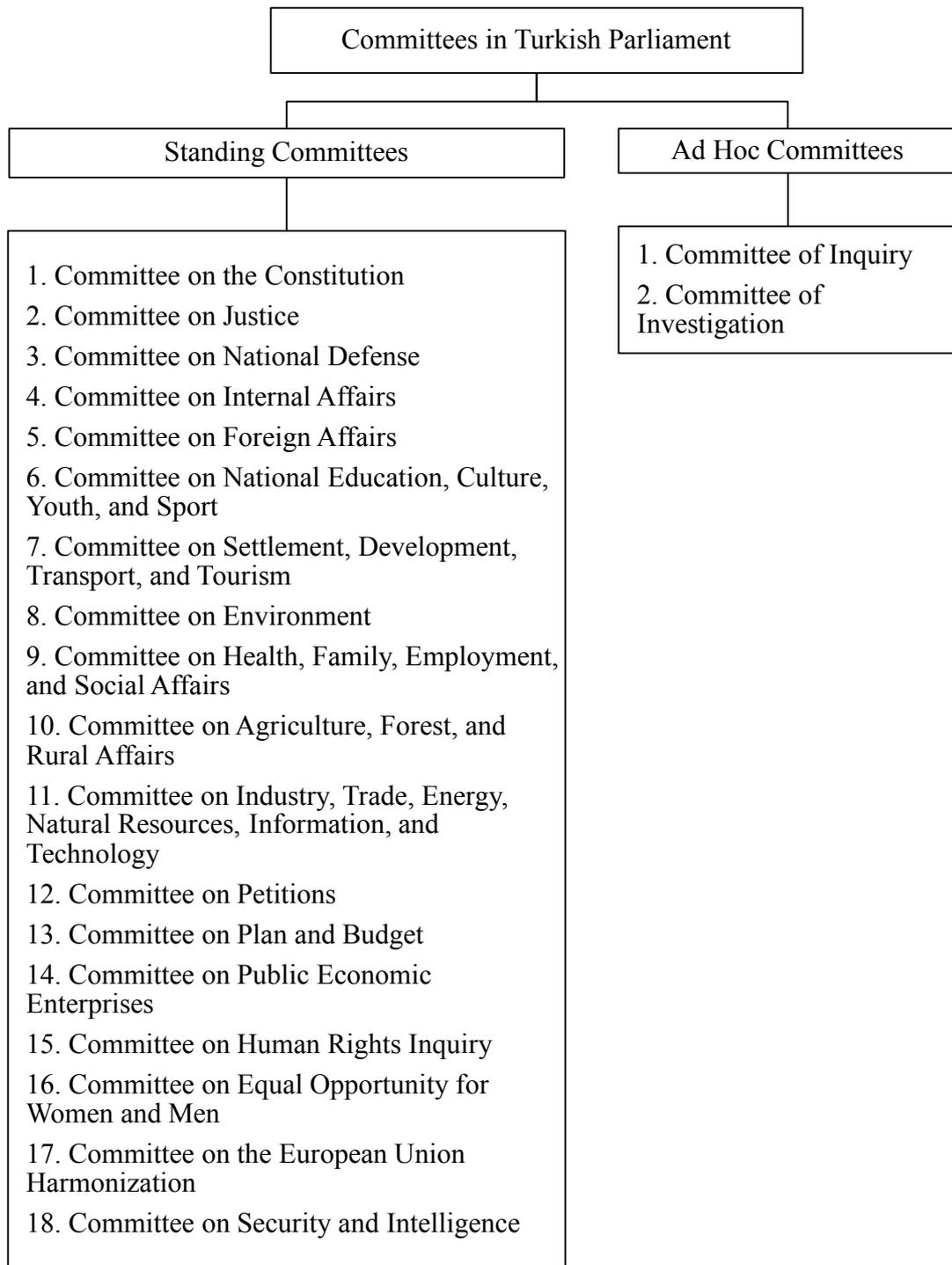
During the parliamentary system, unicameral Turkish Parliament (Grand National Assembly of Turkey) was composed of 550 representatives elected with closed party-list proportional representation system. The votes were turned into seats according to d'Hondt formula among political parties that obtain more than 10% of the nationally cast valid votes. According to the Constitution before the 2017

constitutional referendum changes, the President appoints the leader of the party group that obtained the majority of parliamentary seats after the elections to form government (Art. 109), and within a week, the Prime Minister presents the executive program and the list of ministers in the cabinet (Council of Ministers) to the plenary for a vote of confidence (Art. 110). To implement policies promised in government's program, the expert staff in governmental departments or relevant ministries prepares government bills (*kanun tasarısı*). These bills must be signed by all members of the cabinet before its submission to the parliament.¹⁵ After prime ministry sends government bills to the parliament, the Speaker of the Bureau (*Başkanlık Divanı*) forwards them to relevant standing committees for detailed examination before the plenary session has a discussion on the subject matter.

5.1 Committees in the Turkish Parliament

The parliament carries out significant parliamentary tasks such as legislation and government scrutiny through its committees. In particular, committees are divided into two types in terms of their purposes and duration as Figure 6 indicates. Ad hoc committees of inquiry and investigation are temporarily formed by the parliament for the purpose of acquiring information from the government and overseeing its activities, and cease to exist after issuing their reports to the plenary.

¹⁵ According to the Constitution (Art. 88), besides Council of Ministers, members of parliament (MPs) can propose private members' bills (*kanun teklifi*) individually or co-sponsored with other legislators. As indicated in the Rules of Procedures of the Parliament (ROP 73), both types of bills are submitted with a memorandum (*gerekçe*) that informs about the articles of the bills, proposed changes and their objectives.



Source: Grand National Assembly of Turkey (May 2018).

Figure 6. Committees in the Turkish Parliament during the parliamentary system

Standing (permanent) committees (*ih̄tisas komisyonlari*) are the ones that serve throughout the parliamentary term and correspond to ministerial areas. Majority of them are legislative committees dealing with the legislative scrutiny of the bills. Some others have additional powers and certain tasks that are specified by the law and the Constitution. More details on the structures, procedures, and powers of the committees are presented in the next section.

5.2 Structures, Procedures, and Powers of Turkish Legislative Committees

The deliberation and discussion of bills at the committee stage are entirely regulated by the Rules of Procedures (ROP) of the Parliament (ROP 20-48). The Speaker of the Bureau decides which bills go to which committees, and the main and secondary committees. The main committee's report is considered in the plenary, while secondary committee is only responsible to report to the main committee about their opinions and recommendations on the provisions of the bills related to their area of jurisdiction.

As Table 14 informs about the structures of committees, among 18 permanent committees, only two of them (Committees on the Petitions and Public Economic Enterprises) have non-legislative duties, as they only oversee government departments and activities. Three of them (Committees on Plan and Budget, Human Rights Inquiry, and Equal Opportunity for Women and Men) have both legislative and non-legislative tasks as they scrutinize government bills, activities, and departments falling into their jurisdiction.

Table 14. Structures of committees in the Turkish Parliament

Structures of Committees								
Number of committees		Size of committees (min/max)			Correspondence with ministerial areas	Multiple membership restrictions	Subcommittees	
Ad hoc	Permanent			Ad hoc	Permanent			
	Only Legislative	Only Inquiry	Both					
2	13	2	3	Committees of Inquiry - not fixed Committees of Investigation - 15	Generally 23/26, if not specified by law or the Constitution for certain committees	Yes. Some legislative committees correspond to more than one government departments	No	Not mandated, but frequently used

Source: Author's own tabulation according to the Constitution (before the 2017 constitutional referendum changes) and Rules of Procedures of the Grand National Assembly of Turkey as of May 2018.

Standing Committees on Petitions, Human Rights Inquiry, and Equal Opportunity for Women and Men also accept individual appeals for claims of illegal actions and applications.¹⁶ As seen, certain number of permanent legislative committees in Turkey performs parliamentary scrutiny, providing them a broader mandate to achieve more tasks and acquire expertise throughout parliamentary term.

In the beginning of each parliamentary term, legislative committees are formed with certain number of seats that vary from 23 to 26 seats to reflect the share of each party group, except Committees on Plan and Budget, Public Economic Enterprises, and EU Harmonization, which always have respectively 40, 35, and 25 seats. As their names also indicate, legislative committees generally correspond to more than one ministerial policy area. This correspondence provides them an opportunity to gain a specialized law-making position as against policymaking expertise of the government. There are also no formal restrictions for legislators to be assigned to multiple committees, but it is not a common practice. This kind of limitation is generally interpreted positively in the literature for providing a chance to MPs to focus on their work only in one policy area. In the Turkish Parliament, the lack of this kind of formal limitation does not seem to lead legislators to have multiple memberships at the same time. Although it is not mandated in the ROP, committees generally form subcommittees by choosing its members among themselves. These subcommittees dissolve right after they report their amendments and recommendations to the main committee.

¹⁶ Three committees are established recently. Committee on the European Union Harmonization is established in April 15, 2003. Committee on Equal Opportunity for Women and Men is established in February 25, 2009. Committee on Security and Intelligence is established in April 17, 2014.

Table 15 indicates procedural features of legislative committees. In terms of committee assignments, the plenary elects standing committee members twice for two-years period by the nomination of each party group according to the expertise of their legislators. Committee seats are distributed proportional to the share of party seats in the plenary, which provides an even share between different party groups. However, if there is a majority party in the plenary, it will also dominate the committees as well with its majority seats in the committees. Committees elect their own chairs in their first meetings, which indicate that committees can have autonomy on their own agenda and timetable by electing a suitable chair for these purposes. However, majority party members can also dominate by electing a party member as chair, and enable party leadership easily monitor committee proceedings. It is also a common practice to select senior party members as chairs, which would enhance party discipline over backbenchers.

Table 15. Procedures of legislative committees in the Turkish Parliament

Procedures of Legislative Committees				
Committee assignments	Chair selection	Public or private meetings	Minority reports	Committee stage
Proportional to the seats of party groups	Elected by the Committees	Open to MPs, Ministers and Government Representatives Closed meetings upon the request of the minister or committee members	Right exists and frequently used	Before plenary stage

Source: Author's own tabulation according to the Constitution (before the 2017 constitutional referendum changes) and Rules of Procedures of the Grand National Assembly of Turkey as of May 2018.

Committee meetings are procedurally open to the members of parliament, ministers, and representatives of government, but these participants do not have the right to propose amendments and to vote. Legislators can demand and read the minutes of meetings and reports of the committees of which they are not members. Inviting media outlets and nongovernmental organizations to the meetings is also becoming a common practice in recent committee meetings. Closed meeting can be scheduled upon the request of the minister or the committee members, and in this case the meeting is regarded as private and would be close to everyone other than committee members.

Committee members can state their dissenting views by issuing minority reports. Except the provisions that they oppose, committee members cannot speak against the committee report at the plenary stage. Issuing minority reports allow committee members to inform the plenary and the public about their dissenting views and increase the level of saliency about government's proposal. Lastly, committee stage precedes plenary discussion preventing government bills to receive substantial accommodation before committees make a meaningful consideration.

As indicated in Table 16, legislative committees in the Turkish parliament benefit from substantial powers during their scrutiny of government proposals. These powers are considered as very significant by scholars of legislative studies for committees to act independent of the government and political parties (Longley & Davidson, 1998; Mattson & Strøm, 1995; Lees & Shaw, 1979). They do not have the right to initiate legislation on their own, and cannot discuss the matters other than delegated to them. This might be a substantial power, but a rare one among legislative committees in other national legislatures as well.

Table 16. Powers of legislative committees in the Turkish Parliament

Powers of Legislative Committees					
Right to initiate legislation	Right to rewrite bills	Control of timetables	Right to call ministers	Right to call stakeholders	Documents
Restricted. But can consolidate bills if they are highly relevant.	Committees can rewrite the bills, and the plenary considers amended proposal	Committees decide their own agenda, and finish legislative scrutiny in 45 days	Prime Minister, a Minister, or a government representative can join the meetings to represent government. If no government representative is present at the meeting, the committee can postpone the meeting for one time, and summon the relevant representative for the next meeting.	Committees can invite public agencies, experts and interest groups to get their opinion on the matter	Right to demand documents from public offices

Source: Author's own tabulation according to Rules of Procedures of the Grand National Assembly of Turkey as of May 2018.

However, committees can merge bills that they see related to each other on a specific matter. At the end of their deliberations and negotiations, they report the bill by revising or without any changes. Members who wish to make an amendment move a motion (*önerge*) in order to put the amendment into a vote, which would be approved by a single majority. These amendments can be substantial leading a change in the content, targets and objectives of the bill, or can be minor such as correcting some mistakes or change of words for ease of application.

Committees decide their own agenda prepared either by the committee chair or voted by the members, and makes its decisions with simple majority. They first evaluate the appropriateness of the bill to the Constitution, and can reject to scrutinize it if it is inappropriate. However, they have to finish their examination of the bills within 45 days, as otherwise plenary can consider the proposal without their report. This rule limits committees' autonomy to decide the time they need to scrutinize the bills closely. For the scrutiny of government bills, committees invite sponsor ministers to explain the objectives of the proposed legislation and answer committee members' questions. Ministers can also send a high rank public official to represent government in the meetings. Committee chairs arrange the turn for members to ask questions to government representatives. Other than asking questions, members can also speak to comment on or criticize the government bill, which would change the government representative and backbenchers' positions on the proposal.

Committees have right to call actors outside the parliament such as public officials, stakeholders, and experts to collect oral evidence on government proposal. These third parties can also directly contact with the committees to join committee meetings. Since non-committee members cannot move any amendments, third parties can lobby committee members to further their input as amendments to the

bills. Committees can directly contact with public offices to ask for the release of relevant documents to acquire information on the matter. They also have resources like library and expert staff to assist about various aspects and details of government proposals. Overall, these powers indicate a strong capacity for committees to engage more in legislative scrutiny of government bills.

In the succeeding plenary stage, the deliberations on the bills start with the committee reports with amendments. If committee representative is not present in the plenary, deliberations on the bill cannot start. Committee representative can reject any proposed changes to the revised bill or demand to take back to the committee for scrutiny. The plenary has the ultimate say on the bills, but generally goes along with the committee version, because these committees are established in the first place to divide the workload for closer scrutiny of the bills. In this regard, committee stage preceding the plenary discussions authorizes committees as the first unit to change the content of the bills.

5.3 The Influence of Legislative Committees in the Turkish Parliament

Although formal capabilities of legislative committees indicate that they have the *potential* to have a fundamental role in parliamentary scrutiny, scholars so far do not seem to pay attention to their functions. There is no empirical study examining the impact of legislative committees on government legislation in the Turkish Parliament. However, this negligence is not peculiar to Turkey. Legislative committees as a focus of study are disregarded generally in developing democracies. This is partly because legislatures in developing political systems are mostly perceived as constrained by authoritarian tendencies of the executive, and their committees would be expected to be submissive as well (Shaw, 1998). Similarly,

studies examining policymaking and representation in Turkey emphasize the domination of executive and political parties over the legislature, portraying the parliament as far from being an active center for legislative process (Kim, Barkan, Turan, & Jewell, 1984; Dorronsoro & Massicard, 2005).

The weakness of the Turkish Parliament vis-à-vis governments is generally explained by its lack of institutionalization. Especially, the democratic breakdowns by military interventions respectively in 1960, 1971, and 1980 were significant in curtailing parliament's institutionalization because of a cycle of "convocation, transition, suspension and reorganization" (Gençkaya, 1999: 2; Kalaycioglu, 1989: 184). For this reason, scholars studying the parliamentary process in Turkey highlight the need of procedural reforms to increase the efficiency and effectiveness of parliament in legislation and government oversight (Turan, 2000). One of the leading scholars examining the Turkish Parliament, Gençkaya (1994, 1999, 2000) argues that despite various procedural developments, there is still room to strengthen the formal capacity of parliament to increase its role in legislative process for balancing executive power.

These studies provide significant insight to understand the function of Turkish Parliament in terms its formal capabilities. Given that Turkish political system is mainly dominated by party politics, their findings imply that legislative committees cannot be more than an extension of the political parties. This proposition should not be dismissed at first glance, as political party groups decide who sits on which committee, leading direct control of party leadership over committees. Selection of committee chairs among senior party members also tightens the party strings of committee members. Moreover, closed-list proportional representation electoral system enhances the role of political parties as "gatekeepers" for reelection of MPs.

This power of political parties over their members coupled with weak formal capabilities of the parliament make legislative committees less likely to exert influence on government's legislative agenda.

Despite this negative inference on committees, the only study on the organization of legislative committees in the Turkish Parliament indicates that committee members perceive their role in the committees as a means to serve primarily to constituency interests rather than partisan concerns (Ciftci, Forest, & Tekin, 2008). The study is conducted in 2003 right after the 2002 elections in which all parties in the parliament lost their seats to two new parties creating a disturbance in Turkish party system. It is possible that new parties in the parliament lack the organizational capacity to constrain their committee members along the party lines. Nevertheless, the study suggests that party control over the committees is not straightforward, and committee members may act with different incentives and rationale other than the party interests.

The formal capabilities of legislative committees would also help them further their role in legislation. Even though the Turkish Parliament is diagnosed as "ineffective" with nascent institutionalization, the summary of structures, procedures, powers of legislative committees in Table 17 indicate that they have the potential capacity to affect legislation. They are quite strong as they are equipped with all except two of the identified features of influence in other legislatures. Correspondence of permanent legislative committees to ministerial areas and committee assignments according to the expertise of legislators provide committee members an opportunity to gain specialized knowledge in policymaking balancing government's law-making expertise. Summoning ministers and stakeholders increase the amount of information they acquire both from government and nongovernment sources.

All these formal capabilities summarized in Table 17 allow committees to function as expert scrutiny units in legislation. Therefore, legislative committees should not be dismissed from scholarly attention due to the arguments in the literature indicating the Turkish Parliament as “weak”. To go beyond these descriptive findings, it is important whether these formal capabilities of influence translate into the *actual* influence of committees on government’s legislation at the committee scrutiny stage.

Table 17. Formal capabilities of legislative committees in the Turkish Parliament

Structures	
Fixed number	+
Small size	-
Permanent tenure	+
Specialization	+
Subcommittees	+
Procedures	
Proportional distribution of seats	+
Proportional chair selection	+
Public meetings	+
Minority reports	+
Preceding plenary stage	+
Powers	
Right to rewrite bills	+
Control of timetables	-
Right to call minister	+
Right to call stakeholders	+
Right to demand documents	+

Source: Constructed by the author.

5.4 Legislative Committees as Accountability Mechanisms

As discussed in detail in the previous chapters, scrutiny powers determine the capacity of committees to influence government’s legislation by acting as a parliamentary scrutiny unit. Despite the claims that the Turkish Parliament is institutionally weak to constrain government, formal capabilities of legislative committees indicate a greater potential for the scrutiny of government proposals. In

order to account for the causal relationship between formal capabilities and committee outputs, it is necessary to measure the impact of scrutiny powers that committees use when they consider government proposals closely on substantial committee amendments. To this end, I examine whether the use of scrutiny powers by legislative committees in the Turkish Parliament affect their behavior to change the content of government bills, and lead them act as accountability mechanisms, with the following hypotheses. As in the case of the U.K., I also test these hypotheses during different government terms in order to capture the differences between scrutiny behavior of committees. I expect that given party discipline and dominance over the legislative process in Turkish Parliament, committees would differ in their scrutiny of government bills depending on whether a single majority government controls the committees or not.

5.4.1 Summoning Ministers

As discussed in the Chapter 4 for the U.K. case (in Section 4.4.1), legislative committees acquire information on the content and objectives of the government bill by summoning and questioning sponsor ministers to committee sessions. Committee members monitor minister's activity in this policy area, understand the implications of the proposal better, and make informed judgments when they propose amendments. In Turkish legislative committees, the minister who sponsors the bill generally attends to the meetings in order to answer questions and explain the content of the proposed legislation. The presence of the cabinet minister would make a difference not only in terms of the amount of information that committee receives, but also in terms of a partisan effect on the government backbenchers, which would lead them to consider government bill differently. In case a minister cannot

participate, then the ministry sends a high rank public official to inform the committee about the government proposal.

In this case, government backbenchers would be relieved of the cues provided by the sponsor minister. Neither ministers nor officials have the right to propose changes or vote for the amendments since they are not committee members, unlike in the U.K. This prevents governing party to directly control the committees through cabinet members. Eventually, more autonomous committees can better utilize from the information they acquire in order to make substantial changes in government bills to make it representative of wider interests. Following hypothesis test this argument.

Hypothesis 1: If committees use their right to summon ministers for hearings, then they will be more likely to make substantial amendments to government bills.

5.4.2 Hearing Stakeholders

Although not regulated by the ROP, it is becoming a common practice to invite various stakeholders (societal groups, private organizations, experts, academics, interest groups etc.) to the committee meetings. Inclusion of various stakeholders provides diverse information from different non-governmental sources, increasing the independence of committees from the government. As discussed in Chapter 4 (Section 4.4.1 and 4.4.2), the inclusiveness and openness of the committee scrutiny stage provide nongovernmental knowledge to committee members, and an opportunity for relevant stakeholders to incorporate their input in legislative process. In this way, better informed committees can understand undesirable consequences of the policies and make better judgments in their consideration of the bills. The integration of the information acquired from third parties into government proposals

would lead more substantial committee changes. This argument is tested with the second hypothesis.

Hypothesis 2: If committees use their right to hear stakeholders, then they will be more likely to make substantial amendments to government bills.

5.4.3 Forming Subcommittees

Subcommittees are mechanisms for main committees to divide workload for more efficiency and to specialize further (S. Martin, 2011). Turkish committees highly use this feature especially for complex and longer bills. First, subcommittee generally composed of 7-10 committee members closely scrutinize the bill in a number of sittings by inviting different stakeholders to the meetings and makes amendments. Then, the main committee goes over each change, generally accepts the amendments, and makes additional amendments if they see necessary. Given that committees are required to submit their report in 45 days, forming a smaller unit increases the level of scrutiny as members share committee time and resources in a smaller unit. If committees apply this procedure in their scrutiny of government bills, it would increase the possibility of making more substantial amendments. Third hypothesis address this argument.

Hypothesis 3: If committees use their right to form subcommittees, then they will be more likely to make substantial amendments to government bills.

5.4.4 Revision of Other Committees

If some provisions of a government bill fall into the jurisdiction of various legislative committees, the Speaker can send the bill to other committees for obtaining their

opinion on the matter. If these committees review the bill, they write a report to the main committee detailing their views and recommendations for those provisions related to their area of expertise. This increase in the level of scrutiny on the bill would eventually lead main committee to introduce more substantial changes in the bill when they consider the recommendations of their colleagues. Following hypothesis address this argument.

Hypothesis 4: If government bills are revised by multiple committees, then the main committee will be more likely to make substantial amendments to government bills.

5.5 The Data and Measurement

I have compiled an original dataset consisting of 148 government bills and legislative information related to these bills in order to test my hypotheses. Similar to data collection procedure for the U.K. case, I included only government bills that passed from the committees and legislated in the floor during the coalition (1999-2002) and majority (2011-15) governments in Turkey. In order to construct my data on government bills, I focused on 13 legislative committees among 18 committees in both government terms. This allowed me to directly exclude the bills that passed from the committees with different membership rules, or having auditing and inquiry roles. For instance, I excluded the bills that passed from the Committee on Budget and Planning as it has different powers and seat distribution than other committees. Including such bills scrutinized with extensive powers would have distorted the empirical analysis. With a similar reasoning, I also excluded the bills regulating foreign relations and agreements with other countries, since Committee on Foreign Affairs does not amend these treaties, but only approves their convenience. Overall, my unit of analysis is government bills that passed from nine legislative committees

with same capacity in government scrutiny and later enacted into law by the plenary. The webpage of each legislative committee provided by Grand National Assembly of Turkey presents their committee reports for each bill from which I extracted all relevant information. Based on these reports, I hand-coded scrutiny powers that were used in the scrutiny process of each government bill as explanatory variables, and the number of committee amendments as outcome variable indicating the committee control on government bills.

I focus on the 1999-2002 coalition and the 2011-15 single party majority government terms in order to account for contextual differences between two different government terms. I chose the 1999-2002 coalition government term established by Democratic Left Party, Motherland Party, and National Action Party, because this government was the most stable and recent one among other coalition governments in the 1990s. I chose the 2011-15 Justice and Development Party (JDP) majority government rather than JDP's first (2002-2007) and second (2007-2011) single party majority governments, because of two reasons.

JDP's third term in office was the period that their members gained experience in politics. JDP was established in 2001, and got into the parliament in the 2002 elections by forming its first majority government. Since it requires time for party members, especially the junior ones, to internalize formal rules, procedures, and norms of the parliament, I focused on the period that they had extensive political and legislative experience. More importantly, JDP's leader Recep Tayyip Erdogan was popularly elected in 2014 as the President with constitutionally symbolic powers, giving him the opportunity to declare a de facto presidential system despite the parliamentary system was procedurally in force. Even before his election as the "de facto" president, Erdogan as the Prime Minister successfully curbed the role of

parliament through initiating executive decrees having force of law, and hence, bypassing the legislative process in the parliament. In this respect, examining this government term becomes more important to empirically capture what has been done within the formal procedures of legislative committees and boundaries of the democratic legislative process in term of government's accountability.

According to selection criteria described earlier, my data include 85 coalition government bills and 63 single party majority government bills, in total 148 bills.

Figure 7 shows the distribution of 148 bills by parliamentary sessions.

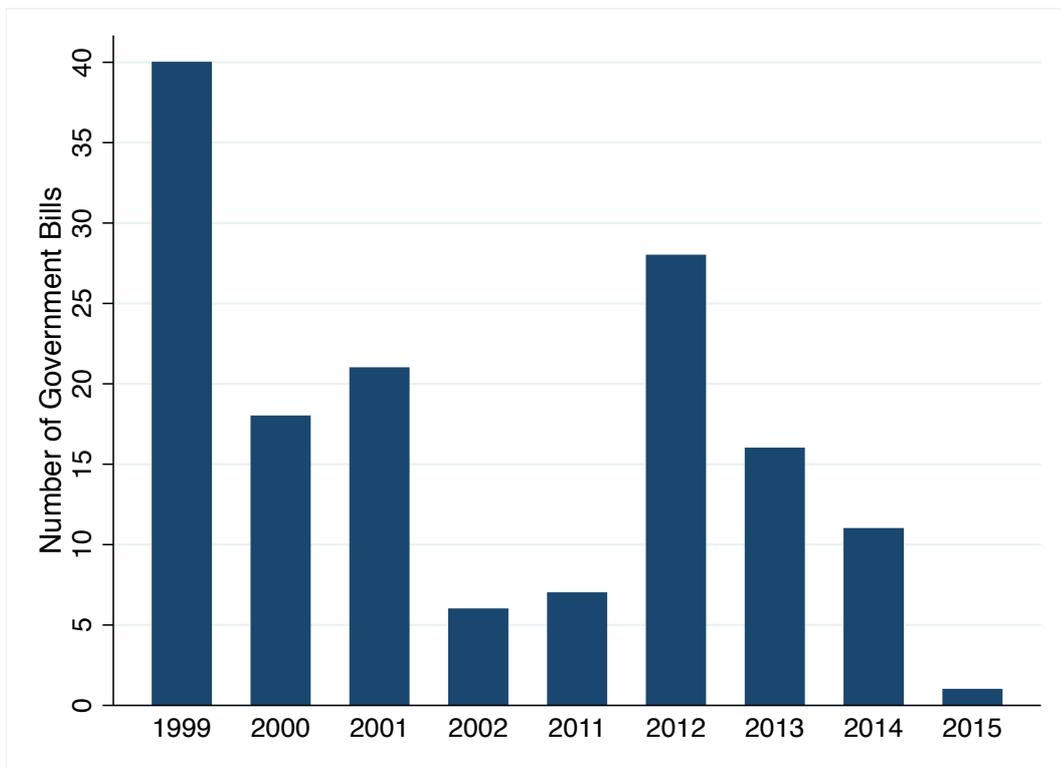


Figure 7. The distribution of government bills across parliamentary sessions, 1999-2002 and 2011-15

5.5.1 Amendments as Committee Outputs

Similar to the measurement procedure I employ for the U.K. data, I use substantial committee amendments as a measure to test the influence of legislative committees on government's legislation as an indication of holding government accountable. As I discussed in Section 4.5.1, legislative committees act as accountability mechanisms, when they extract information from the government, make it explain and justify the content of the bill, and make amendments. In this regard, holding government accountable at the committee stage means that committees influence government's proposals by making substantial changes. In order to calculate these substantial changes, I counted the number of articles in each government bill that were amended, deleted, and added by the legislative committees to change the content of the bill. I counted the amendments by article rather than words or paragraphs, as articles are meaningful subunits of the bills. I did not count changes correcting grammatical errors, making reductions in wording etc., since I am interested only in the content change. Hence, the outcome variable is indicated by *the number of substantial article changes in each government bill at the committee stage*.¹⁷

Table 18 indicates descriptive statistics and the distribution of this dependent variable by coalition and single party majority government terms. The mean of total substantial article changes in government bills are quite different in two cases. On average 4.51 articles per coalition government bill were substantially changed by the committees, while on average 11 articles of single party majority government bills were majorly amended. This indicates that committees during coalition government

¹⁷ For more details and justification of my measurement procedure, please see Section 4.5.1.

term introduced less substantial amendments to government bills compared with committees dominated by the single party majority government. It seems that government backbenchers were not reluctant to initiate major amendments to government bills, which is a similar result on committees in single party majority government term in the U.K. Taken all 148 government bills together, committees introduced on average 7.3 substantial article changes (with a standard deviation of 11.96, and variance 142.95) per government bill consisting of on average 24.21 articles. The variance and standard deviation of substantial amendments for all government bills and for government bills in two cases indicate a skewed distribution to the right, and over dispersed outcome.

Table 18. Descriptive statistics of substantial committee amendments by government terms

Coalition Government (1999-2002)				Single Party Majority Government (2011-15)			
Percentile	Number of article changes in a government bill			Percentile	Number of article changes in a government bill		
1	0			1	0		
10	0			10	0		
25	0			25	3		
Median	1			Median	6		
75	3			75	15		
90	12			90	28		
100	69			100	60		
N	Mean	SD	Variance	N	Mean	SD	Variance
85	4.51	10.4	108.18	63	11	12.95	167.74

5.5.2 Indicators for Committee Scrutiny

Similar to the explanatory variables in the U.K. case, I use scrutiny powers of the Turkish committees in order to measure the impact of their formal capabilities on

substantial committee amendments. As addressed by my four hypotheses, my main variables of interests are *summoning ministers*, *hearing stakeholders*, *forming subcommittees*, and *revision of other committees*. Coding procedure for these variables are quite basic, because committees either utilized from these powers or not. I coded each observation of these variables 1, if the power was used, and coded 0 if it was not used. Table 19 provides information about this binary coding procedure and descriptive statistics of these explanatory variables along with control variables. Committees summoned ministers for on average 0.7 bills, and this indicates that for the rest of the bills a high rank public official represented the government at the committee stage. Committees also benefited from the information provided by third parties for the scrutiny of on average 0.47 bills that is slightly less than half of the bills that they were examined. On average 0.27 bills were examined in subcommittees, and 0.31 bills were considered by secondary legislative committees.

In order to isolate the effects of my main variables of interest on substantial committee amendments, I control for various variables that would influence the number of amendments. Committee members have a procedural right to issue *minority reports*, when they have opposing views with whole or some provision of the bill. If committees are inclusive to minority views at the committee stage, then members would be less likely to issue minority reports, leading a negative relationship between minority reports and substantial amendments. It is coded 1 if any member of the committee included his/her dissenting views at the end of the report, and coded 0 if no minority reports are annexed. Table 19 indicates that on average 0.55 bills were annexed with at least one minority report, meaning that

around half of the government bills were reported with a minority views to the plenary.

Table 19. Definition and descriptive statistics of variables

Variable label	Variable Definition	Range	SD	Mean	N
Summoning Ministers	1 if minister sponsored the bill attended to the committee meeting, 0 for no attendance	0-1	0.46	0.7	148
Hearing Stakeholders at the Committee Stage	1 if stakeholders (experts and any third party concerned with the government proposal) joined committee meetings to express their opinions, 0 if no stakeholders attended to meetings	0-1	0.5	0.47	148
Forming Subcommittee	1 if committee formed a subcommittee for close scrutiny, 0 for otherwise	0-1	0.45	0.27	148
Revision of Other Legislative Committees	1 if secondary committees reviewed the government bill and sent their reports to the main committee, 0 for otherwise	0-1	0.46	0.31	148
Minority Reports	1 if any committee member issued a minority report, 0 for otherwise	0-1	0.5	0.55	148
Coalition Government	1 if the government is coalition, 0 for single party majority government	0-1	0.5	0.57	148
Number of Ministries	The number of ministries whose representatives attended to the meetings	0-15	2.56	3.23	148
Number of Public Institutions	The number of public institutions whose representatives attended to the meetings	0-11	2.31	2.08	148
Total Number of Articles in a Government Bill	The total number of articles in a bill when it came before the committee	1-1028	86.05	24.21	148

Similar to the U.K. analyses, I control *government type* to account for the differences between coalition and single party majority government terms on substantial committee amendments, since political party domination in committees varies according to government type. In the Turkish Parliament, the distribution of chairs and seats are proportional to the representation in the plenary. During different government terms, the composition of committees would differ accordingly. In single party majority government term, the members of governing party own majority of committee seats, which lead government to monitor committees and easily control their legislative agenda. Government backbenchers would be reluctant to introduce major changes to government bills that would cost their reelection. On the other hand, during the coalition government term, governing parties would use committee stage to shadow their partners. This would affect the number of amendments if coalition parties aim to prevent bills' deviation from their own preferences. Hence, I control for the effect of political composition with binary government type variable. It is coded 0 for single party majority government, and coded 1 for coalition government.

I also control for the *number of ministries* and the *number of public institutions* attended to the committee meetings, as they would affect the number of substantial article changes. When the bill falls into the jurisdiction of more than one ministry, committees generally invite representatives from ministries to benefit from their views. As the number of ministries increases at the committee stage, the diversity of governmental views and the deliberation on the subject will also increase, which would affect the scrutiny behavior of committees. As Table 19 indicates, the number of ministries attended to the committee meetings ranges from 0 to 15. On average 3.23 ministries joined committee meetings for the consideration of per government

bill. Similarly, when government proposals regulate the domains of public institutions, committees invite representatives from these agencies to consult their expert views on the matter. Their ideas matter as they are the primary implementers of public policies, having a better knowledge on what is going on in the field. In this regard, as the number of public institutions that represent their opinions at the committee stage increase, committees would be more likely to be affected by their opinion in order to avoid any undesirable consequences in policy implementation. Table 19 shows that the number of public institutions attended to each committee meeting varies from 0 to 11, and on average 2.08 public institutions represented their views at the committee stage for the scrutiny of per bill. The *total number of articles in a government bill* is another control measure, as the number of amendments may increase with the number of articles.

5.6 Empirical Analysis

As also analyzed and discussed in detail in Chapter 4 on the U.K., legislative committees do not only make substantial changes in the bills. They also make minor changes such as reductions in wording, correcting grammatical mistakes, and sometimes do not even use their power of making revisions. Table 20 indicates the number and percentage of bills with the mean of amendment types in total and by government terms. It informs about the extent of which committees use their power of making revisions in government's bills in three categories; no revision, minor amendments, and substantial amendments. While 19.6% of 148 bills passed from committees without any amendments, 80.4% of the bills were subjected either minor

or substantial changes.¹⁸ With regards to minor and major changes, committees changed substantially 71% of the government bills by amending on average 10.3 articles per bill. Around half of the bills were subjected minor changes, on average 5.8 article changes per bill. These figures demonstrate that committees use their power of revising the bills for majority of government bills in order to make both minor and major amendments.

Table 20. Proportion of bills by types of committee amendments and by government terms, 1999-2002 and 2011-15

Revision of Bills	Coalition Government Bills (1999-2002)			Single Party Majority Government Bills (2011-15)			Total Number of Government Bills		
	#	%	Mean	#	%	Mean	#	%	Mean
No change	25	29.4	0	4	6.4	0	29	19.6	0
Changed	60	70.6	9.8	59	93.6	15.6	119	80.4	12.7
Minor changes	31	36.5	6.7	44	69.8	5.18	75	50.7	5.8
Substantial changes	51	60	7.5	54	85.7	12.8	105	71	10.3

When different government terms are examined, Table 20 indicates significant differences among the committees in coalition and single party majority government periods in terms of making amendments and no amendments. Committees in the coalition government term passed 29.4% of the government bills with no amendments, and initiated substantial changes to 60% of the government bills. In contrast, committees during the single party majority government passed 85.7% of government bills with substantial changes, and considered only 6.4% of the bills with

¹⁸ For bills with the highest number of substantial amendments, please see Appendix C. For examples of bills that passed from the committees without any kinds of amendments, please refer to Appendix D.

no amendments. According to the mean of substantial changes, single party majority government committees changed more articles compared with the mean substantial changes per bill made by committees in the coalition government period. Overall, legislative committees in the single party majority government period passed government bills with more substantial changes. Moreover, committees during this term made more minor changes in government bills in order to correct their language or ease of application compared with coalition committees, as almost 70% of the bills passed with minor corrections from the committees.

Figure 8 shows the mean number of substantial changes initiated by legislative committees respectively in coalition and single party majority government terms by legislative years. Taking into account only bills with substantial content change, it visualizes the significant difference between coalition and single party majority committees in their behavior of amending government bills, indicated also in the last row of Table 20. In comparison to committees in the single party majority government term, coalition committees made less substantial changes in government bills. This implies that, as in the case of the U.K., coalition government might have ensured a legislative majority supporting its legislative agenda before proposing the bill to the parliament. On the other hand, committees in the single party majority government term made more content changes to adjust government bills that were single handedly prepared by government departments and agencies.

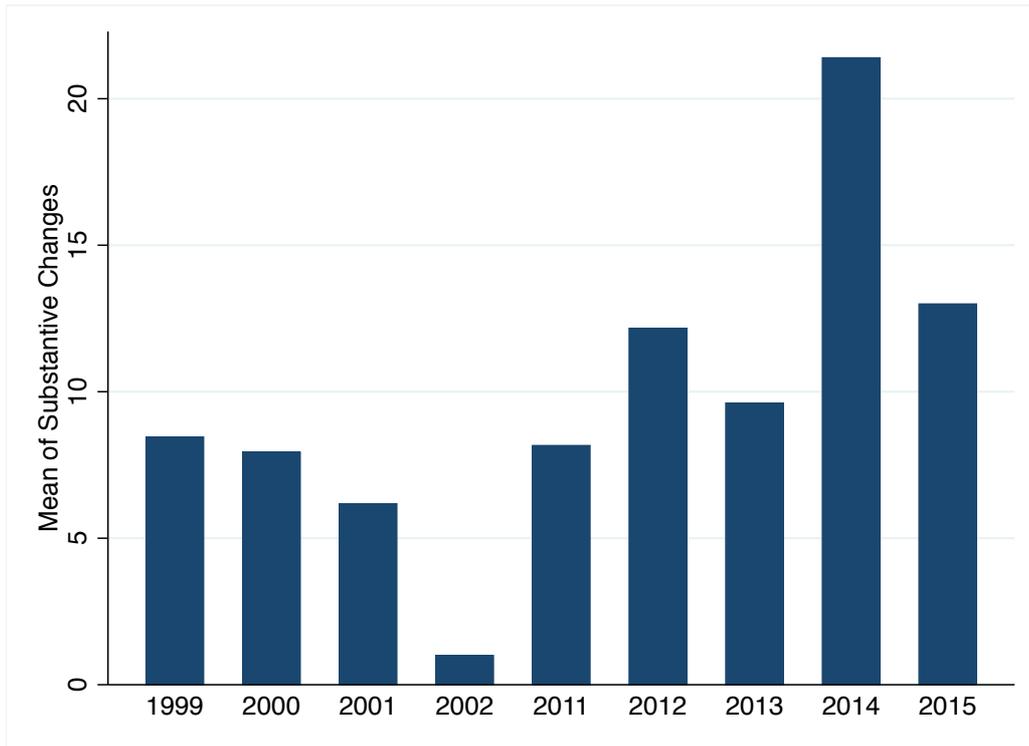


Figure 8. The distribution of substantial committee amendments to government bills by legislative years, 1999-2002 and 2011-15

Committee scrutiny of government bills would also differ within committees. Legislative committees shadow government departments. If issue areas of government proposals indicate issue saliency or complexity requiring an intense examination in committees, then committees would differ from each other in terms of initiating substantial amendments. Table 21 indicates the proportion of all government bills with and without substantial amendments across legislative committees. Accordingly, fewer numbers of bills passed from the Committees on Constitution, Domestic Affairs, Education, Culture, Youth, and Sports, and Defense with major amendments compared with the number of bills that were substantially changed in other committees. Overall, more than half of the government bills in each committee were changed substantially, indicating that committees tend to change a majority of government bills.

Table 21. Bills with substantial amendments by legislative committees, 1999-2002 and 2011-15

Committees	Total Bills	Bills with No Substantial Amendments		Bills with Substantial Amendments	
	N	N	%	N	%
Justice	48	12	25	36	75
Constitution	7	3	43	4	57
Public Works, Reconstruction, and Transportation	10	1	10	9	90
Domestic Affairs	11	4	36	7	64
Education, Culture, Youth, and Sports	14	6	43	8	57
Defense	19	9	47	10	53
Health, Family, Labor, and Social Affairs	11	3	27	8	73
Industry, Trade, Energy, Natural Resources, Information, and Technology	19	3	16	16	84
Agriculture, Forestry, and Rural Affairs	9	2	22	7	78
Total	148	43	29	105	71

Table 22 indicates the proportion of coalition and single party majority government bills with and without substantial amendments across legislative committees.

Committees in the single party majority government term substantially amended vast majority of government bills, except the bills passed from the Committee on Education, Culture, Youth, and Sports. These bills seem to receive less scrutiny from the committee, since only approximately half of the bills were substantially amended. On the other hand, coalition committees differ from both majority committees and each other in terms of the number of bills that they amended substantially. While only 38% of bills passed from the Committee on Defense were substantially amended, 80% of bills were majorly changed by the Committee on Public Works, Reconstruction, and Transportation.

Table 22. Bills with substantial amendments by legislative committees and government terms, 1999-2002 and 2011-15

Committees	Total Bills	Coalition Government (1999-2002)				Single Party Majority Government (2011-15)				
		Bills with Substantial Changes		Bills with No Amendment		Total Bills	Bills with Substantial Changes		Bills with No Amendment	
		N	%	N	%		N	%	N	%
Justice	33	22	67	11	33	15	14	93	1	7
Constitution	3		0	3	100	4	4	100		0
Public Works, Reconstruction, and Transportation	5	4	80	1	20	5	5	100		0
Domestic Affairs	7	4	57	3	43	4	3	75	1	25
Education, Culture, Youth, and Sports	3	2	67	1	33	11	6	55	5	45
Defense	13	5	38	8	62	6	5	83	1	17
Health, Family, Labor, and Social Affairs	4	2	50	2	50	7	6	86	1	14
Industry, Trade, Energy, Natural Resources, Information, and Technology	12	9	75	3	25	7	7	100		0
Agriculture, Forestry, and Rural Affairs	5	3	60	2	40	4	4	100		0
Total	85	51	60	34	40	63	54	86	9	14

So far, all these figures indicate that legislative committees scrutinize government bills closely and enact considerable amount of substantial changes in the bills at the committee stage. Moreover, they also differ in their scrutiny behavior in different government terms. Coalition committees enact less substantial changes on less number of government bills, and this scrutiny behavior highly differs within committees. Committees during the single party majority government term enacted more substantial changes in higher number of government bills regardless of the issue area compared with the coalition committees. Majority committees did not seem to prioritize or neglect any issue area as they changed most of the bills passing from their scrutiny.

These results bear the question of why legislative committees dominated by governing party members changed the content of their bills frequently, since they were expected to be more reluctant in changing government's legislative agenda. Not only major amendments, but they also issued minor changes more frequently than the coalition committees. This might be due to two main reasons: either they modify the bill content to include other parties' perspective to make the bill more representative of wider interests, or they correct the bill prepared hastily by government departments and agencies with their expertise in legislation. The number of bills reported to the plenary with minority reports would give an idea about whether the ideas of the non-governing party members in the committees were included in the amendment process or not.

Minority reports serve as vehicles of information on the government bill for the floor and the public. They are instruments for those who are not in control at the committee stage to voice their dissenting and minority opinions. Even if opposing

voices in the committees cannot succeed to introduce amendments because of the majority party domination, they can point out their objections by annexing minority reports to committee reports (Cox & McCubbins, 2007; for more details see Mattson & Strøm, 1995). In this regard, issued minority reports would indicate whether scrutiny process at the committees is dominated by majority party members or inclusive for all party members.

Table 23 indicates the number of single party majority and coalition government bills passed from committees with and without minority reports. The fewer numbers of bills with a minority report indicate lower level of opposition on these bills. In contrast, if amendments are moved by the government without much deliberation, then the number of minority reports would be higher. Almost 85% of the single party majority government bills were annexed with a minority report issuing dissenting views of committee members, whereas only 33% of the coalition government bills were reported with a minority report to the plenary. This supports the claim that the 1999-2002 coalition government ensured a legislative majority in the parliament supporting its bills and legislative agenda compared with the 2011-15 single party majority government. Even though committees in single party majority government period introduced more substantial changes, these bills are also objected frequently by non-governing members implying that single party majority government could not ensure the support of other parties on its legislative agenda. This implies that governing party members in the committees did not incorporate opposition's views on the proposal, and hence, committee amendments mostly remained closer to the government position.

Table 23. Number of government bills with/without minority reports, 1999-2002 and 2011-15

		Minority Reports		
		No	Yes	Total
Single Party Majority				
	Number of Bills	10	53	63
	Mean of Substantial Changes	6.9	11.8	11
Coalition				
	Number of Bills	57	28	85
	Mean of Substantial Changes	3	7.6	4.5

However, this implication should be interpreted carefully in terms of accountability of single party majority government in the committees. Even in Denmark where the minority governments are the norm, or in the U.K., where the single party majority governments are mostly frequent, it is usually the government who amend the government's bills (Damgaard & Jensen, 2006; Thompson, 2013a, 2013b). These findings indicate that amending government bills rests in the responsibility of government regardless of whether it is a minority or a single party majority government, and in this process some opposition ideas might be incorporated in the amendments as well. If opposing views were not included in the amendments, this might be also due to the content of amendments. Opposition might formulate bold amendments that would be even difficult for themselves to enact if they were the government. Accordingly, minority reports indicate the objection of opposition to the government bills, but this objection might not be always credible. Then, why is there a significant difference between committee amendments introduced to the bills of coalition and single party majority governments? What effects the content change of government bills in legislative committees in the Turkish Parliament? In order to answer these empirical questions, I examine the impact of scrutiny powers on the

number of substantial committee amendments, and attempt to explain whether formal capabilities of legislative committees lead to committee scrutiny of government, and whether this scrutiny behavior differ in coalition and single party majority government terms.

I employ the method that I have used for the analysis of the U.K.¹⁹ In the following discussion, I report the results of negative binomial models first for all government bills, and then separately for coalition (1999-2002) and majority (2011-15) governments for testing my hypotheses. Along with coefficient estimates, I also present incidence rate ratios for substantial interpretation of the findings.

Table 24 presents results for testing my hypotheses on all government bills passed from the committees in the parliamentary terms covered by my legislative data (1999-2002 & 2011-15). Model 1 reports the impact of scrutiny powers on all bills that were substantially changed or not. This makes my outcome variable bounded from below by 0 (since the sample consists of all bills that are substantially amended or not). Model 2 estimates the impact of scrutiny powers on bills with only substantial changes for robustness check, making dependent variable bounded from below by 1 (as the sample is composed of bills at least with one substantial article change and more). In this way, Model 1 indicates the probability of government bills to be substantially amended, while Model 2 shows the likelihood of substantially amended government bills to receive more changes. Since both models measure the probability of government bills to be substantially amended and present qualitatively very similar results, I do not discuss them separately. I present Model 2 as a robustness check, and assess the results of Model 1 in the discussion.

¹⁹ Please see page 119-20 for more information on the method.

The results of Model 1 provide support for my three hypotheses, as hearing relevant stakeholders in committee meetings, summoning ministers who sponsored the bill, and forming subcommittees for detailed examination have the expected impact on the likelihood of government bills to receive substantial changes, except the revision of other (secondary) legislative committees. The bills for which stakeholders are heard in the meetings are more likely to be substantially amended by a factor of 2.31 compared with the bills that passed from the committee scrutiny process without involvement of any stakeholders, while holding other predictors constant. For the scrutiny of 148 government bills, committees heard 418 stakeholders consisting of 374 private organizations (mostly interest groups) and 44 academics. The significant effect of hearing stakeholders at the committee stage on the number of substantial committee amendments indicate that inclusiveness and openness of committees to non-governmental actors is important for engaging in closer scrutiny of government bills. In this way, when these actors find an opportunity to incorporate their opinions into the legislative process, they exert influence on the government's legislative agenda. Hence, legislation becomes more representative of wider interests sliding away from government's partisan agenda. Moreover, engaging with relevant stakeholders and issue experts increases the capacity of committees to access information independent of the government, and hence, to act autonomously to change government's legislative agenda.

Summoning sponsor ministers is another significant predictor of substantial committee amendments. The bills that are scrutinized by summoning sponsor minister at the committee stage are more likely to be substantially amended by the committees by a factor of 2.09. For the scrutiny process of 148 government bills, 103 sponsor ministers attended to the meetings. For the rest, a high rank public official

was sent from the relevant ministry to represent government at the committee sittings. Summoning sponsor ministers provide committees an opportunity to question them and extract information about the government's legislative agenda. This increases the capacity of committees to understand possible implications of government's legislation on public policy, and encourage them to change the content of the bills in the light of acquired information from the ministers.

Table 24. Determinants of content change in government bills in Turkey

Variables	Model 1	Model 1	Model 2	Model 2
	COEFF	IRR	COEFF	IRR
Hearing Stakeholders	0.837*** (0.234)	2.310*** (0.540)	0.648** (0.219)	1.912** (0.419)
Summoning Ministers	0.736** (0.358)	2.089** (0.748)	0.532* (0.279)	1.703* (0.476)
Forming Subcommittee	0.743** (0.243)	2.102** (0.510)	0.517** (0.189)	1.677** (0.316)
Revision of Other Committees	0.218 (0.221)	1.243 (0.274)	0.065 (0.195)	1.067 (0.207)
Minority Reports	-0.029 (0.301)	0.972 (0.292)	0.051 (0.272)	1.053 (0.286)
Coalition Government	-0.160 (0.293)	0.852 (0.250)	0.058 (0.261)	1.059 (0.276)
Number of Ministries	0.109* (0.065)	1.115* (0.073)	0.111** (0.047)	1.117** (0.053)
Number of Public Institutions	0.000 (0.053)	1.000 (0.053)	0.025 (0.051)	1.026 (0.053)
Number of Articles in a Bill	0.012 (0.019)	1.012 (0.019)	0.003 (0.006)	1.003 (0.006)
Constant	-0.336 (0.387)	0.715 (0.277)	0.386 (0.349)	1.472 (0.514)
Observations	148	148	105	105
Log Likelihood	-376.0	-376.0	-316.9	-316.9
Chi-Square	151.1	151.1	97.70	97.70

Negative binomial coefficient estimates (COEFF) and incidence rate ratios (IRR) with robust standard errors in parentheses, *** p<0.001, ** p<0.05, * p<0.1. Notes: Model 1 reports the impact of scrutiny powers on all government bills that are either substantially amended or not. Model 2 estimates the impact of scrutiny powers on government bills with only substantial changes for robustness check.

Forming subcommittees for detailed scrutiny of government bills has also positive significant effect on the likelihood of substantial committee amendments. Compared with bills, for which subcommittees are not formed, the likelihood of bills to receive substantial changes increases by a factor of 2.1 when committees work with subcommittees in their consideration of the bills. Committees formed 40 subcommittees in total for the consideration of 148 government bills. This supports the claim that subcommittees are very useful for detailed examination of government's proposals as it is composed of members with expertise on the subject. It seems that as closer scrutiny continues with expert knowledge at the committee, committees will make more content changes in the bills and influence government's legislative agenda.

As for other variables in the model, the number of ministries attended to committee meetings has a significant effect on the number of substantial committee amendments. Apparently, when the bill falls into the jurisdiction of several ministries and when the number of representatives from these ministries increase in the meetings, the bills are more likely to be substantially amended by a factor of 1.12. This can stem from the effort of committees to fit the bill to the interests and requirements of various ministries to prevent any clashes within government departments as well as in public policy. In this way, committees make substantial changes in government bills to adjust them according to diverse public interests. For the scrutiny of 148 government bills, 478 representatives from different ministries attended to the meetings, which indicates that each government bill generally regulates the domains of on average 3.23 ministries.

In order to examine the impact of scrutiny powers within government terms, I run the same models separately for the coalition government bills (1999-2002) and single party majority government bills (2011-15). Similar to sampling procedure in Model 1 and Model 2 in Table 24, I run the models first in the whole sample of coalition and single party majority government bills with/without substantial committee amendments, and then, in a sample of coalition and single majority government bills with only substantial amendments as a robustness check. Models 1a and 2a in Table 25 report the results respectively on coalition and single party majority government bills that were substantially changed or not. Models 1b and 2b report the results respectively on coalition and single party majority government bills that were substantially changed. As discussed before, both models measure the probability of bills to be substantially changed by the committees. In the discussion, I mainly evaluate the results of Models 1a and 2a as they are based on the whole sample, and also note differences between models where it is relevant.

Model 1a provides results for my hypotheses for substantial amendments to coalition government bills (1999-2002). When I examine only coalition government bills, I find support for my three hypotheses as hearing stakeholders, forming subcommittees, and revision of other legislative committees increase the likelihood of government bills to be amended substantially, except summoning ministers. When committees activate these scrutiny powers, they become more likely to substantially amend government bills. The bills for which committees hear stakeholders are more likely to be substantially amended by a factor of 4.06. This indicates that coalition committees value the information provided outside the parliament, and incorporate them as substantial changes to bills (Model 1b also indicates significance of this variable on the number of substantial amendments).

Table 25. Determinants of content change in coalition and single party majority government bills in Turkey

Variables	Coalition Government Bills (1999-2002)				Single Party Majority Government Bills (2011-15)			
	Model 1a COEFF	Model 1a IRR	Model 1b COEFF	Model 1b IRR	Model 2a COEFF	Model 2a IRR	Model 2b COEFF	Model 2b IRR
Hearing Stakeholders	1.400*** (0.340)	4.057*** (1.378)	1.021** (0.324)	2.776** (0.900)	0.479** (0.238)	1.614** (0.383)	0.500** (0.213)	1.649** (0.351)
Summoning Ministers	0.355 (0.391)	1.427 (0.558)	0.154 (0.348)	1.166 (0.405)	0.703* (0.397)	2.020* (0.803)	0.519 (0.377)	1.680 (0.633)
Forming Subcommittee	1.632*** (0.360)	5.116*** (1.840)	1.174*** (0.298)	3.234*** (0.964)	0.251 (0.221)	1.285 (0.284)	0.071 (0.184)	1.073 (0.197)
Revision of Other Committees	0.884** (0.384)	2.421** (0.930)	0.408 (0.321)	1.504 (0.483)	0.048 (0.220)	1.050 (0.231)	0.079 (0.191)	1.082 (0.207)
Minority Reports	-0.170 (0.369)	0.843 (0.311)	0.018 (0.327)	1.018 (0.332)	0.311 (0.431)	1.365 (0.588)	0.042 (0.359)	1.043 (0.375)
Number of Ministries	0.179 (0.166)	1.196 (0.198)	0.209* (0.125)	1.233* (0.154)	0.083* (0.046)	1.087* (0.050)	0.086** (0.034)	1.089** (0.037)
Number of Public Institutions	-0.120 (0.133)	0.887 (0.118)	-0.061 (0.108)	0.941 (0.102)	0.043 (0.047)	1.044 (0.049)	0.041 (0.044)	1.041 (0.046)
Number of Articles in a Bill	0.002 (0.001)	1.002 (0.001)	0.001* (0.001)	1.001* (0.001)	0.025*** (0.005)	1.025*** (0.005)	0.020*** (0.004)	1.020*** (0.004)
Constant	-0.740** (0.370)	0.477** (0.176)	0.118 (0.293)	1.125 (0.330)	-0.552 (0.385)	0.576 (0.222)	0.163 (0.307)	1.177 (0.361)
Observations	85	85	51	51	63	63	54	54
Log Likelihood	-169.4	-169.4	-132.4	-132.4	-184.0	-184.0	-164.4	-164.4
Chi-Square	84.63	84.63	97.96	97.96	93.42	93.42	120.8	120.8

Negative binomial coefficient estimates (COEFF) and incidence rate ratios (IRR) with robust standard errors in parentheses, *** p<0.001, ** p<0.05, * p<0.1.

Notes: Models 1a and 2a report the results on coalition and single party majority government bills that were either substantially changed or not. Models 1b and 2b report the results on coalition and single party majority government bills that were only substantially changed by the committees for robustness check.

Moreover, the bills for which committees form subcommittees and reviewed by secondary legislative committees are more likely to be substantially changed, respectively by a factor of 5.12, and 2.42. These results indicate that legislative committees in the 1999-2002 coalition government were significantly affected by the detailed scrutiny of subcommittees and secondary committees. While closer examination of the bills by subcommittees and other legislative committees provides substantial information to the main committee about the agenda and implications of the government bills, it also incorporates the expertise and interests of coalition partners and non-coalition party members since no single party dominates the committee stages. Benefiting from the information produced by other legislators significantly affect the likelihood of government's legislative agenda to be changed.

The comparison of results from Model 1a and Model 1b indicates that hearing stakeholders and forming subcommittees still have expected significant effect on the number of major committee amendments among other scrutiny powers, when holding other predictors constant. This means that the recommendations from third parties and subcommittees are integrated into the coalition government's bill, since their facilitation increases the number of substantial amendments to government bills. Moreover, the number of ministries do not affect the likelihood of coalition government bills to be amended, but once they are amended (Model 1b), the increase in the number of ministries also increase the number of substantial committee amendments by a factor of 1.23.

Models 2a and 2b provide results for my hypotheses on the single party majority government bills that were either substantially amended or not, and that were only substantially amended. The results provide support for my two hypotheses, as

hearing stakeholders and summoning sponsor ministers at the committee scrutiny stage increase the likelihood of bills to be substantially amended by the committees respectively by a factor of 1.61, and 2.02. However, forming subcommittees and revision of secondary legislative committees do not seem to affect the likelihood of bills to be scrutinized substantially. These findings indicate that members of the main committee value the information provided by the third parties and government rather than the detailed scrutiny provided by the expertise of their colleagues in subcommittees and other committees. Lastly, a unit increase in the number of ministries at the meetings increases the likelihood of bills to be changed substantially by a factor of 1.09.

The conclusion to draw from these findings is that legislative committees scrutinizing government's legislative agenda have capacity and power to amend government proposals. When committees use their scrutiny powers, they make substantial changes in government bills. Moreover, the influence of these scrutiny powers on the content change of bills differs between coalition and single party majority governments due to different levels of government control over the committees. Compared with legislative committees dominated with a single party majority government, coalition committees make substantial amendments to government bills when they use scrutiny powers such as hearing stakeholders, forming subcommittees, and revision of other committees. In this way, coalition committees "correct" government bills by incorporating diverse views fused by other legislators in the parliament and stakeholders outside the parliament, and hence increase bills' fit with wider preferences and opinions.

During the single party majority government term, however, governing party gets the majority of seats in the committees. As it is enough to address to median committee member's interest to approve government's proposal, the decisions of ruling party members become decisive in committee's influence as an accountability mechanism. Since executive dominates the majority of the committee seats, it does not need to compromise its legislative agenda. Therefore, most of the amendments would come from governing party members who would disapprove any amendment of opposition that would depart bill further from government's agenda. In this regard, it is natural for incumbent backbenchers in committees to defend government proposals for partisan rewards. This may explain the significant effect of sponsor minister in the meetings on the number of substantial amendments. When there is a government representative in the meeting explaining and justifying the bill, committee members tend to "correct" the government bill more with the information acquired from the sponsor minister, rather than paying attention to the recommendations of their colleagues in subcommittees and in other legislative committees. In a way, they may understand whether the minister agrees with the proposed changes and act accordingly, by disregarding the detailed examination of the bills in subcommittees and secondary committees.

But this does not mean that they are merely rubber stamps. As the results indicate, even though these substantial amendments were enacted by government backbenchers in the committees, they are significantly affected by the information and expertise provided by the stakeholders outside the parliament as well. Despite government control in committees, committee scrutiny stage was to some extent open and inclusive to incorporate non-governmental information into government's legislative agenda. Moreover, majority committees did not tend to make fewer

amendments and refrain from strong scrutiny compared with coalition committees. These amendments did not incorporate most of the views of non-governing committee members, and indicate a lower degree of control imposed by the opposition on the majority government. However, in terms of accountability of government, whether these amendments depart the proposal from the initial governing party line or make it closer to some other party position is not important. This kind of “outcome” assessment of amendments would indicate whom government is responsive to. What matters for accountability, whether the use of scrutiny powers (i.e., summoning ministers, hearing stakeholders in the meetings) encourages committee members to change government legislation substantially, and how different levels of government control affects scrutiny behavior of committees. Overall, the degree of closer scrutiny in Turkish legislative committees differs when government is a coalition or a single party majority, because committee members are also party members. Coalition committees act more independent of the government and are inclusive to other committees and stakeholders compared with majoritarian committees.

5.7 Conclusion

In this chapter, I focus on the role of legislative committees on the accountability of the 1999-2002 coalition government and the 2011-15 single party majority government in Turkey. I empirically examine whether committees’ scrutiny capacity influences their amendments to government bills and whether this influence differs between coalition and single party majority government terms. First, I argue that committees are more likely to initiate substantial amendments to government bills when they use their formal capabilities. Overall findings based on almost a decade of

parliamentary terms indicate that hearing third parties, government representatives, and forming subcommittees increase the likelihood of government bills to be substantially changed by committees. Although the literature suggests that Turkish Parliament is not effective on government's legislation, and legislation is mostly dominated by partisan politics, this research presents that the institutional capacity of committees indeed influences government's legislative behavior by incorporating the input provided by stakeholders, members of subcommittees as well as the government. The use of scrutiny powers significantly impacts committees' contribution to the government scrutiny as they make more substantial changes in government bills.

Second, I argue that committees' scrutiny behavior differs due to government control over the committees changing during different government terms. Coalition committees are more likely to introduce substantial amendments to coalition government bills when they form subcommittees, are informed by the reports of secondary committees, and deliberate with stakeholders in the meetings. This indicates that coalition committees are mostly cued by their colleagues in sub- and secondary committees as well as actors outside the parliament rather than the government. As coalition government control over the committees is not tight, committees act more independent of the government and become more open and inclusive to diverse views stemming from other expert legislators in the parliament and third parties outside the parliament.

On the contrary, committees during the single party majority government term are more likely to amend government proposals when the minister who sponsors the legislation is summoned and questioned in the meeting. This indicates that

majoritarian government's control does not prevent committees to change government proposals, but encourage committees to act majoritarian since committees rely on government information when they change the content of the government bills. In this regard, revised government bills remain closer to the government position. Accountability procedure in the committees, though effective to change government bills, indicates a lower degree of control by opposition on government. The findings also indicate that hearing stakeholders in the committee meetings increases the likelihood of majoritarian committees to substantially amend government bills, suggesting that governing party members in committees incorporate information provided by third parties outside the parliament besides governmental information.

However, committees do not seem to act on the expert views provided by subcommittees and secondary committees. This indicates that committees' openness and inclusiveness are selective and limited with the stakeholders. In this regard, majoritarian committees most probably did not act on the information provided by other committees, because these committees were also dominated by governing party members and did not provide a different perspective on government scrutiny other than the main committee. On the other hand, increasing majoritarianism in the committees, and in the legislative process as well given that JDP's 2011-15 single majority government term is also criticized for the same reason, might have increased the pressure on committee members especially for bills on salient issues, and led committees incorporate stakeholders to the scrutiny process as disregarding or ignoring third parties brings more costs on their public images.

CHAPTER 6

CONCLUSION

In this concluding chapter, I briefly explain the theoretical framework and empirical findings of the present study in comparative perspective, contributions to the literature, discuss the limitations of the research and present the scope for further research.

6.1 Findings in Comparison and Contributions

Present study examines the role of legislative committees in parliamentary governments' accountability. It investigates whether potential capacity of legislative committees turns into actual influence on government legislation, and how does this committee scrutiny change during different government terms. First, it argues that if committees facilitate from their scrutiny powers in their intervention on government bills, they make substantial amendments to bills. Second, it argues that committees' scrutiny behavior differs during different government terms as government control over committees changes.

In order to empirically examine these arguments, present study first develops a theoretical framework based on power delegation in the parliamentary system and

principal-agent modeling. This framework draws on existing research but adopts a novel approach on explaining accountability procedure in the committees. It explains that by activating their formal capabilities at the committee scrutiny stage, committees *extract information* from the incumbent government about the bill, make the government *explain and justify* the purpose of the proposal during the committee debates, and *as a consequence amend* the proposal if see necessary. For instance, when committees base their intervention on scrutiny powers such as summoning sponsor ministers, hearing stakeholders, asking for documents from government departments, working with secondary legislative committees and forming subcommittees; they acquire information on the bills, engage in a debate with government representatives to understand better the implications of the policy proposal and the ways to improve it, and lastly introduce amendments to contain agency loss.

The literature on legislative committees describes varying structures, procedures and powers of committees in Western parliamentary democracies as the formal capabilities of committees to influence government legislation. The underlying assumption of these studies is that committees that are equipped with many competences are strong in their capacity to influence government legislation. These studies are highly informative to understand how legislative committees can work as an oversight platform by closely scrutinizing and influencing government legislative agenda, but are deficient in explaining whether committees *actually impact* government's legislation by using their formal capabilities and how does this impact change *during different government terms*.

Present study contributes to this literature by empirically examining the influence of legislative committees over their governments' legislation in the parliaments of the U.K. and Turkey. Selecting two different parliamentary democracies enables me to reach tentative conclusions about the impact of institutional variation on government's accountability in comparative perspective. The U.K. and Turkey are most different parliamentary systems regarding their electoral systems, committee systems and democratic development. They are also the least likely cases to expect influence of committees over governments. Scholars examining the institutional potential of parliaments in both cases refer to their contributions to legislative process as "marginal" or "peripheral". In both cases, I focus on coalition and single party majority government terms in order to examine the impact of legislative committees on government bills during two different government periods. Based on a novel dataset consisting of single party majority and coalition governments' bills, I examine whether committees' use of their formal capabilities affect the extent of substantial committee amendments to government bills, and how does this scrutiny behavior change during single majority and coalition government terms.

Despite the claims pointing both legislatures as adverse contexts, findings from both cases covering a decade of parliamentary sessions support my first argument.

Legislative committees can and do amend the content of government bills, and their likelihood of making substantial amendments to government bills increases when they base their intervention on their scrutiny powers. In the U.K., the findings based on the 2005-15 parliamentary terms indicate that when committees use their powers of gathering oral and written evidence, they are more likely to introduce content changes in government bills, since these powers facilitate their engagement in closer scrutiny. In Turkey, the findings based on the 1999-2002 coalition government and

the 2011-15 single party majority government suggest that the use of committee powers such as hearing relevant stakeholders at the meetings, acquiring information from government representatives on the bills, and forming subcommittees for detailed examination increase the likelihood of committees to introduce substantial amendments to government bills.

These findings indicate the positive correlation between the formal capabilities of legislative committees and behavioral patterns of legislators, and help us understand the influence and importance of different rules and procedures on legislative behavior. In other words, these findings contribute to the research on committees by facilitating our understanding of how institutional capabilities of legislative committees can influence government's legislation. *Potential capacity* of legislative units can transform into *actual influence*, when they deploy their formal capabilities. Hence, strong committees can lead to strong influence on government's legislative agenda, if committees base their intervention on these competences. In this regard, the 2006-07 committee reform in the UK contributed positively to the scrutiny capacity of legislative committees beyond doubt. This is a promising finding for students of legislative studies to keep on strengthening legislative committees by donating them with more formal capabilities to initiate effective accountability of government in legislative process.

These findings also contribute to a broader literature arguing for stronger parliaments having capabilities to check executive's power. Parliamentary Power Index indicates that democratization of post-communist countries is positively correlated with the strength of their parliaments. Countries that created empowered parliaments successfully maintained a stable democracy, whereas the countries like Russia

remained “mired in authoritarianism” as it lacked a powerful legislature that could restrain authoritarian tendencies of their executives (Fish, 2006: 18). In this regard, it is important to empower our parliaments in terms of their internal procedures and structures that constitute a formal capacity to balance government’s power.

Unfortunately, Turkey has been going in the opposite direction which is briefly evaluated in the following section.

The findings also support my second argument that the impact of scrutiny powers on the number of substantial committee amendments changes during different government terms with regards to different levels of government control over the committees. In the U.K., findings based on the 2005-10 single majority government term suggest that majoritarian legislative committees introduce substantial amendments to government bills when they summon and question government representatives at the oral evidence sessions. In contrast, findings based on the 2010-15 coalition government term indicate that coalition committees initiate amendments to coalition bills when they listen to third parties outside the parliament at oral evidence sessions and receive written evidence from them. Majoritarian committees tend to initiate substantial amendments to government bills when they are cued by the government in oral evidence sessions, whereas coalition committees are more likely to act independent of government and more prone to make substantial amendments based on the oral and written information provided by stakeholders.

Similarly, in Turkey, findings based on the 1999-2002 coalition government period suggest that legislative committees change the content of coalition bills when they benefit from the considerations of subcommittees, secondary committees, and third parties. In contrast, findings based on the 2011-15 single party majority government

term shows that majoritarian committees amend government bills, when a sponsor minister is summoned and questioned, and relevant stakeholders are voiced their views in the meetings. Coalition committees act more independent of government and are more likely to incorporate diverse information provided by stakeholders and legislators in sub- and secondary committees. In contrast, majoritarian committees are more likely to act on the information provided by the government as well as stakeholders.

Moreover, Turkish majoritarian committees tend to act on stakeholder's views when they make substantial amendments to government bills different than the U.K.'s majority committees. These committees seem to integrate information provided by third parties outside the parliament besides governmental information. Does this mean that Turkish majoritarian committees are more open and inclusive than the U.K. majoritarian committees, or they are independent as much as coalition committees in both countries? I carefully assess this finding in Turkish context, since majoritarian committees do not act on the information provided by subcommittees and secondary committees as coalition committees do. Their openness and inclusiveness are exclusive to the stakeholders and do not include subcommittees and secondary committees whose function in legislation is making detailed scrutiny of bills. Majoritarian committees might have disregarded these committees as they did not bring an independent perspective due to government domination. Moreover, criticisms on increasing majoritarianism in JDP's 2011-15 single majority government term might have increased the pressure on committee members, and led them integrate stakeholders to the scrutiny process to ease the political tensions and protect their public reputation.

In sum, legislative committees are granted scrutiny powers by the parliament to scrutinize government bills closely, but they are composed of party members as well. Political parties, and especially governing parties, exert control over the committees through their members. Especially majority government can easily monitor and control the agenda and operation of a legislative committee by influencing its backbenchers. In contrast, coalition or minority governments cannot exert tight control since they are weaker in number or divided among different parties. Eventually, committees facilitate different formal powers during different government terms in their scrutiny of government bills.

In both countries, coalition committees based their intervention on scrutiny powers that provide them autonomy from the government and adjusted their amendments based on this information. Apparently, when committees have a chance to maneuver government's control, they are more likely to act as agents of the parliament in holding government accountable in legislative process. In contrast, amendments of majoritarian committees are largely based on the information they acquire from government and remain closer to the government position because of tight government control over committees. In this respect, committees during single party majority governments are more likely to remain majoritarian in legislative scrutiny process.

These findings contribute to the literature on committees and legislative studies by indicating how legislative committees act on their formal capabilities differently due varying levels of government control over committees. They facilitate our understanding on the role of committees in legislative process by indicating that committees influence government's legislative agenda but are also influenced by the

government. Hence, accountability of government in legislative process cannot be examined as if legislative committees are totally independent from government's control. However, procedures of committees can be strengthened to increase the independence of committees from partisan interests and become more autonomous.

6.1.1 Remarks on Turkish Presidential System

The findings of this study indicate that legislative units can and do facilitate from their formal scrutiny capabilities, and hence, it is important to empower these mechanisms in order to check executive power in legislation and prevent misuse of its authority. Unfortunately, the trend in Turkey goes in the opposite direction. The recent constitutional changes approved on April 2017 referendum and elections on June 2018 transformed parliamentary system to presidential system giving extensive powers to the president. It is too early to empirically examine whether new parliament can constrain strong presidential government due to ongoing changes in laws, bylaws and rules of procedures to complete system transformation. However, constitutional changes that are already enacted recognize extraordinary powers to the president and reduce previous formal capabilities of the parliament leading an unchecked and unbalanced executive power vis-à-vis legislature. In this regard, it can be speculated that the parliament's and legislative committees' formal capabilities to hold presidential government accountable in the current presidential system will be much limited compared to their roles and functions in government's accountability in the parliamentary system examined in this study.

6.2 Limitations

The accountability framework employed in this study draws on the argument of informational theory on committee organization claiming that legislative committees as parliamentary subunits primarily exist for division of labor and gaining expertise in policymaking vis-à-vis the government. As agents of the parliament, committees function to acquire information on government's legislation and serve the expertise needs of the plenary. By using their formal capabilities, they acquire information, summon government representatives to explain/justify the bill, and amend it consequently. This claim assumes that formal capabilities of committees are endogenous to the motives and preferences of committee members, and expects that legislators will use these capabilities in order to achieve their goal of government scrutiny.

On the other hand, the relationship between the use of formal capabilities and committee scrutiny of government bills could also work in the opposite direction. Committee members could summon sponsor ministers and invite stakeholders if they already know that the bill needs substantial revision. In this way, they would legitimize their scrutiny of the bill by acquiring diverse information, but without incorporating this knowledge into the proposal, or knowing how to amend it in advance. For instance, for a bill that already become publicly salient because of its conflictual provisions, the committee members of the governing majority party would be inclined to amend several articles of the bill, and then activate committee procedures and powers. Since this study does not account for the effects of such partisan concerns, it refrains from making essentialist claims on the effect of committees on government's accountability, but partially asserts that various

committee competences are relevant in this respect and offers some insights on how legislative scrutiny process in the parliament can be effective.

Another limitation of the study is the compilation of the dataset with only one coder, which restricts the number of cases that would make the research more representative as well as the types of coded amendments. The study focuses on only two different government terms in both cases to account for contextual differences. Going through hundred pages of committee reports on 280 government bills in total and coding amendments require extensive laboring. This time limitation constrains the data to two government terms in both cases in order to make the project feasible. Also, the study examines amendments in two categories; either minor or substantial in order to make coding procedure simpler. However, amendments vary with regards to the degree of change they create in the content, and hence a multiple scheme for coding types of amendments could facilitate to understand varying degrees of committee influence on government's bills.

6.3 Further Research Agenda

The quantitative findings of this study suggest that formal capabilities of committee are employed by the committee members to further their goal of government scrutiny. These would be supplemented by qualitative data collected through interviews with legislators in the committees, government backbenchers, opposition members, committee chairs, sponsor ministers as well as stakeholders following committee meetings. This kind of data would also help to solve the endogeneity problem by presenting a better understanding on the preferences and motivations of committee members in their scrutiny of government bills.

Findings also indicate that committees during single majority government term tend to rely on the information provided by the government in their scrutiny of government bills; leading them to act majoritarian like the government. Further studies can extend the breadth of this study by examining how majoritarian can committees become in their scrutiny of governments by collecting more data on single majority governments. Likewise, new research can be done to examine how autonomous can committees become in legislative scrutiny process.

Further research can also address the effects of the changes in the institutional capacity of committees on their scrutiny behavior by collecting time-series data, for instance in the U.K. The 2006-07 committee reforms granted oral and written evidence powers to committees and increased their ability to closely scrutinize government bills, as indicated by this research. New studies can investigate the impact of these powers on government scrutiny by comparing government bills passed from the legislative committees before and after the reform.

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APPENDIX A

Table A1. Bills with the highest number of substantial committee amendments in the Commons

Bill	Session	Number of Substantial Amendments
Companies Bill	2005-2006	530
Criminal Justice and Immigration Bill	2006-07	66
Housing and Regeneration Bill	2007-2008	97
Planning Bill	2007-2008	59
Apprenticeships, Skills, Children and Learning Bill	2008-2009	62
Policing and Crime Bill	2008-2009	48
Health and Social Care Bill	2010-2012	123
Energy Bill	2010-2012	45
Water Bill	2013-2014	48

APPENDIX B

Table B1. Bills that did not receive any type of amendments in the Commons

Bill	Session
Civil Aviation Bill	2005-2006
Council Tax (New Valuation Lists for England) Bill	2005-2006
Fraud Bill	2005-2006
Housing Corporation (Delegation) Bill	2005-2006
Racial and Religious Hatred Bill	2005-2006
Concessionary Bus Travel Bill	2006-07
Digital Switchover (Disclosure of Information) Bill	2006-07
Forced Marriage (Civil Protection) Bill	2006-07
Fraud (Trials without a Jury) Bill	2006-07
Greater London Authority Bill	2006-07
Offender Management Bill	2006-07
Channel Tunnel Rail Link (Supplementary Provisions) Bill	2007-2008
Business Rate Supplements Bill	2008-2009
Energy Bill	2009-2010
Third Parties (Rights against Insurers) Bill	2009-2010
Identity Documents Bill	2010-2012
Superannuation Bill	2010-2012
Local Government Bill	2010-2012
Trusts (Capital and Income)	2012-2013
HGV Road User Levy	2012-2013
Marriage (Same sex couples) Bill	2012-2013
Gambling (Licensing and Advertising) Bill	2013-2014
Consumer Rights Bill	2013-2014
Social Action, Responsibility and Heroism Bill	2014-2015

APPENDIX C

Table C1. Bills with the highest number of substantial committee amendments in the Turkish Parliament (in Turkish)

Bill	Session	Number of Substantial Amendments
Turk Medeni Kanunu Tasarisi ile Turk Kanunu Medenisinde Degisiklik Yapilmasi Hakkinda Kanun Tasarisi	2000	36
Avukatlik Kanununda Degisiklik Yapilmasina Dair Kanun Tasarisi ile Avukatlik Kanununa Bazi Maddelerin Eklenmesine Dair Kanun Tasarisi	1999	69
Kamu Ihale Kanunu Tasarisi	2001	35
Fikir ve Sanat Eserleri Kanununun Bazi Maddelerinin Degistirilmesine Iliskin Kanun Tasarisi	1999	38
Bireysel Emeklilik Tasarruf ve Yatirim Sistemi Kanunu Tasarisi	2000	25
Turk Ceza Kanunu ile Bazi Kanunlarda Degisiklik Yapilmasina Dair Kanun Tasarisi	2014	46
Yargi Hizmetlerinin Etkinlestirilmesi Amaciyla Bazi Kanunlarda Degisiklik Yapilmasi ve Basin Yayin Yoluyla Islenen Suclara Iliskin Dava ve..	2012	53
Yabancilar ve Uluslararası Koruma Kanunu Tasarisi	2012	28
Is Sagligi ve Guvenligi Kanunu ile Bazi Kanun ve Kanun Hukmunde Kararnamelerde Degisiklik Yapilmasina Dair Kanun Tasarisi	2014	60
Turkiye Saglik Enstituleri Baskanligi Kurulmasi ile Bazi Kanun ve Kanun Hukmunde Kararnamelerde Degisiklik Yapilmasina Dair Kanun Tasarisi	2014	33
Saglik Bakanligi ve Bagli Kuruluslarinin Teskilat ve Gorevleri Hakkinda Kanun Hukmunde Kararname ile Bazi Kanunlarda Degisiklik Yapilmasin...	2013	33
Toplu Is Iliskileri Kanunu Tasarisi	2012	27
Is Sagligi ve Guvenligi Kanunu Tasarisi	2012	27
Tuketicinin Korunmasi Hakkinda Kanun Tasarisi	2013	24
Elektrik Piyasasi Kanunu Tasarisi	2012	30

APPENDIX D

Table D1. Examples of bills that did not receive any type of amendments in the Turkish Parliament (in Turkish)

Bill	Session
Bazi Suc Failleri Hakkında Uygulanacak Hukumlara Dair Kanunda Degisiklik Yapilmasina Iliskin Kanun Tasarisi	2000
Gayrimenkul Kiralari Hakkında Kanuna Bir Gecici Madde Eklenmesi Hakkında Kanun Tasarisi	1999
Danistay Kanunu ve Idari Yargilama Usulu Kanununun Bazi Maddelerinde Degisiklik Yapilmasina Dair Kanun Tasarisi	1999
Devlet Denetleme Kurulu Kurulmasi Hakkında Kanunda Degisiklik Yapilmasina Dair Kanun Tasarisi	1999
Bakanliklarin Kurulus ve Gorev Esaslari Hakkında 3046 Sayili Kanunda Degisiklik Yapilmasina Dair Kanun Tasarisi	1999
Turk Sivil Havacilik Kanununda Degisiklik Yapilmasi Hakkında Kanun Tasarisi	2001
18 Mart Gununun Sehitler Gunu ve 19 Eylul Gununun Gaziler Gunu Ilan Edilmesi Hakkında Kanun Tasarisi	2002
Karayollari Trafik Kanununda Degisiklik Yapilmasina Iliskin Kanun Tasarisi	1999
Atesli Silahlar ve Bicaklar ile Diger Aletler Hakkında Kanunun Iki Maddesinde Degisiklik Yapilmasina Iliskin Kanun Tasarisi	1999
Gulhane Askeri Tip Akademisi Kanununda Degisiklik Yapilmasina Dair Kanun Tasarisi	2002
Askerlik Kanununda Degisiklik Yapilmasina Dair Kanun Tasarisi	2001
Milli Mudafaa Mukellefiyeti Kanununun Bazi Maddelerinde Degisiklik Yapilmasina Dair Kanun Tasarisi	1999
Yedeksubaylar ve Yedek Askeri Memurlar Kanunu Ile Askerlik Kanununda Degisiklik Yapilmasi Hakkında Kanun Tasarisi	1999
Seferberlik ve Savas Hali Kanununun Bazi Maddelerinde Degisiklik Yapilmasi Hakkında Kanun Tasarisi	1999
Sosyal Sigortalar Kanununun 9 uncu Maddesine Bir Fikra Eklenmesine Dair Kanun Tasarisi	1999
Elektrik Piyasasi Kanununda Degisiklik Yapilmasina Iliskin Kanun Tasarisi	2001
Urunlere Iliskin Teknik Mevzuatin Hazirlanmasi ve Uygulanmasina Dair Kanun Tasarisi	2001
Maden Kanununa Bir Ek Madde Eklenmesine Dair Kanun Tasarisi	1999
Hayvan Sagligi ve Zabitasasi Kanununda Degisiklik Yapilmasi Hakkında Kanun Tasarisi	2001
Tarim Isletmeleri Genel Mudurlugu Adina Tescil Edilecek Tasinmaz Mallar Hakkında Kanunda Degisiklik Yapilmasina Dair Kanun Tasarisi	1999
Terorun Sona Erdirilmesi ve Toplumsal Butunlesmenin Guclendirilmesine Dair Kanun Tasarisi	2014
Yuksekokretim Kurumlari Teskilati Kanununda Degisiklik Yapilmasina Dair Kanun Tasarisi	2012