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# Deterrence and Compellence in Parliament

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## Abstract

In most countries, parliamentary immunity protects lawmakers from civil or criminal charges while in office, and it shields them from prosecution for their political speech and actions. We present the first empirical analysis of the impact of parliamentary immunity on the behavior and performance of politicians. Leveraging a constitutional amendment that lifted the immunity of 24 percent of the members of the Turkish Parliament (MPs), we find that losing immunity from prosecution pacifies opposition MPs, who become less diligent (drafting and initiating fewer pieces of legislation or inquiries, delivering fewer and shorter speeches) and less aggressive (interrupting other MPs less frequently). Their tendency to cast dissenting votes against the government is also reduced. These MPs are less likely to be renominated by their parties for the next election, and they are less likely to be reelected. The loss of immunity has no impact on government-aligned MPs.

## 1. Introduction

Politicians' free speech is protected by law in most countries.[1] Elected politicians are provided with nonliability to guard them against arrest and prosecution in

[1] The origin of protecting politicians from incrimination related to expression of an opinion can be traced back to article 9 of the Bill of Rights of 1689 in England. Reddy, Schularick, and Skereta (2020, pp. 531–32) point out that "more than 70% of democratic countries have some legal provision that protects elected politicians—to varying degrees—from apprehension, prosecution, or indictment." For a description of the history of immunity provisions, see Reddy, Schularick, and Skeretaet (2020, sec. 2); for details of legislative immunity across countries, see Reddy, Schularick, and Skeretaet (2020, table 1).

matters related to their mandate, such as expressing opinions and casting votes, to make sure that they serve the best interests of their constituents without fear of retribution. This privilege typically starts after a politician is elected, and in most countries it is valid for perpetuity; that is, it is not restricted to the term in office. In addition, during their time in office politicians are typically covered by inviolability, which provides wider protections and eliminates the possibility of any civil or criminal complaint, investigation, search, or seizure.[2]

Although a large literature in economics focuses on the behavior and performance of politicians,[3] there has been no empirical investigation of how politicians' performance on the job is influenced by their legal immunity from prosecution.[4] This is because political immunity varies only between countries; that is, in a given country immunity applies either to all politicians or to none. In some cases, a parliament has revoked the immunity of a politician following a charge related to a serious criminal offense or a public scandal such as exposed corruption. Yet these cases are rare, and they do not lend themselves to systematic investigation of the impact of the revocation. Our paper presents the first empirical analysis of the effect of parliamentary immunity on the behavior and performance of lawmakers.[5]

As detailed in Section 2, in May 2016 a well-defined legal threat was initiated by the Turkish Parliament toward some of its members. Following the enactment of a constitutional amendment, state prosecutors were empowered to issue arrest warrants, pursue indictments, and file lawsuits against 132 of the 550 members of parliament (MPs). We analyze the extent to which the opposition MPs, who lost

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[2] There is concern that parliamentary immunity of politicians may lead to abuse of power and to corruption (Wigley 2003, 2009). Reddy, Schularick, and Skereta (2020) show in a cross section of countries that variations in immunity levels explain variations in country-level corruption.

[3] These analyses include the investigation of how the performance and legislative activities of politicians are influenced by peer effects and connections (Harmon, Fisman, and Kamenica 2019; Saia 2018), salaries (Mocan and Altindag 2013; Kotakorpi and Poutvaara 2011), term lengths (Dal Bó and Rossi 2011), political scandals (Daniele, Galletta, and Geys 2020; Ferraz and Finan 2008), the impact of the media (Garz and Sörensen 2017; Snyder and Strömberg 2010), and even the sex of politicians' offspring (Washington 2008).

[4] Dal Bó, Dal Bó, and Di Tella (2006) construct a model in which interest groups influence politicians through bribes and threats, introduce immunity as a method to insulate politicians, and then analyze the impact of immunity on political corruption. Reddy, Schularick, and Skereta (2020) modify this with a model in which the decision to be corrupt is binary and the bribery and threat decisions of the pressure group are sequential rather than simultaneous.

[5] Our paper is also related to the literature on the quality of governance, which analyzes the importance of institutional structure to the actions of elected representatives and to political and economic outcomes. For example, Persson, Roland, and Tabellini (1997) emphasize the importance of the separation of powers between the legislative and executive branches to curb the abuse of power. Persson and Tabellini (2004) show that presidential systems result in smaller governments than parliamentary democracies do. Lizzeri and Persico (2001) present a model demonstrating that electoral rules impact the provision of public goods. Lizzeri and Persico (2005) show that it might be efficient to have an institutional structure that restricts electoral competition. Acemoglu, Robinson, and Torvik (2013) show that voters may prefer to weaken the checks and balances on politicians, thereby allowing them to extract higher rents to limit the impact of interest groups. Our paper aims to contribute to empirical democratic theory, as it analyzes the interplay between a particular institutional structure—the protection of legislators through parliamentary immunity—and democratic polity in a context that has become increasingly common over the last decade.

their immunity, were compelled to vote in tandem with the government and the extent to which they were deterred from engaging in parliamentary activities that could be construed as detrimental to the government.

In an ideal democracy with complete separation of powers between the executive and judiciary branches, loss of immunity should not affect the opposition activities of immunity-losing MPs. This is because the probability or intensity of prosecution would not be influenced by the government but would be determined only by independent judges and prosecutors. On the other hand, if the government can influence judicial decisions, as is typically the case in weak democracies, opposition MPs face a higher risk of legal action after removal of their immunity compared with MPs aligned with the government. Thus, opposition MPs (but not government-aligned MPs) are expected to keep a lower profile and avoid activities in parliament that would displease the government if they believe that those opposition activities might trigger prosecution. Examples of such activities include delivering speeches, submitting formal queries addressed to the government, filing investigative inquiries into the actions of the government or cabinet members, and showing aggression by interrupting speakers who are members of the government bloc. Thus, in a weak democracy, the effect of the constitutional amendment would be a reduction in the intensity of the opposition activities of those MPs.[6]

Prosecutors, who can bring charges against MPs, are employed by the Department of Justice, but their decisions regarding whether to bring charges against a person or an entity should not be influenced by the government's agenda. Whether this de jure independence of the Department of Justice translates into de facto independence is difficult to determine. More important, it is not possible to ascertain whether MPs believed that the prosecutors could not be influenced by the government. That a Justice Department would act under the direction of the government is not surprising, and there are many examples of this behavior in both developing and developed countries.[7] We assume that MPs whose immunity had been lifted considered this a credible threat that increased their probability of prosecution.

Along the same lines, lifting immunity could also be a vehicle for compellence, or "a threat intended to make an adversary do something" (Schelling 1980, p. 195). In this context, the compellence effect would manifest itself in MPs' actions that reflect their increased support for the government. An example is vot-

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[6] Turkey is classified as a country with a weak democracy, ranked 103rd among 167 countries in one analysis (Economist Intelligence Unit 2022) and 149th among 179 countries in another (V-Dem Institute 2021). Of course, Turkey is not unique: only one-third of the world's population lives in countries classified as liberal and electoral democracies (Democracy Report 2021).

[7] A recent example is the firing of Geoffrey Berman, the US attorney in Manhattan, by US Attorney General William Barr on June 20, 2020, an action widely believed to have suppressed the investigation into Rudy Giuliani, President Donald Trump's personal lawyer. Similarly, on October 8, 2020, Trump, through tweets and interviews on cable news networks, openly put pressure on Barr to indict former president Barack Obama and a political opponent, former vice president Joe Biden.

ing in tandem with the governing party to support the bills and legislation proposed by the government as opposed to casting dissenting votes.[8]

Our identification strategy relies on the comparison of parliamentary activities of MPs who lost their immunity with those who retained it, before and after the enactment of the constitutional amendment (which triggered the revocation of immunity). A threat to the validity of this strategy is that the revocation of immunity may be a function of past parliamentary activities or MPs' personal attributes. An event-study analysis shows that the trends in parliamentary activities were not different for those who lost their immunity and those who retained it before the date on which some MPs' immunities are revoked. The MPs who lost their immunity are not different from those who continued to be protected in observable characteristics such as age, sex, and education. The only difference is that MPs who are members of the opposition parties were more likely to have their immunity revoked. Thus, we focus on the MPs of opposition parties. In these analyses, the treatment group includes the MPs who are members of opposition parties and lost immunity. The control group consists of the MPs who are members of the same opposition parties but retained immunity.

To investigate further whether selected MPs of opposition parties were targeted to have their immunity stripped, we perform a number of analyses. For example, using the rank of each MP on her or his party's candidate list before the election, we show that the revocation of immunity does not target opposition MPs who were more valuable to their parties. We also analyze the intensity of the parliamentary activity of each MP before the enactment of the constitutional amendment and find that the loss of immunity is not concentrated among opposition MPs who were more active and outspoken before the revocation of their immunity and that revocation is not correlated with being active in parliament before the constitutional amendment. This result casts doubt on the potential targeting of outspoken opposition MPs.

When we analyze the group of opposition MPs who were most active in parliament before the constitutional amendment, we find that although they were all similarly highly active ex ante, those who lost immunity changed their behavior compared with those who retained immunity. These analyses and the facts that the amendment received the endorsement of the main opposition party leader, that the amendment received bipartisan support in parliament, and that 32 MPs

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[8] It can be argued that the difference between deterrence and compellence is semantic in this context. For example, using the analogy from crime literature, one can argue that while an increase in the arrest rate or the police force is a deterrence to crime (Di Tella and Schargrodsky 2004; Corman and Mocan 2000), an increase in the arrest rate or the number of police officers can be thought of as a tool to compel individuals not to commit crime. In our particular case, it is clear that members of parliament (MPs) may be deterred from activities that could be construed as detrimental to the government's agenda. These include initiating inquiries into the government's actions and delivering formal speeches in parliament to criticize the government. On the other hand, we consider voting in tandem with the government as having been compelled to openly support it because supporting a bill on a roll call is not the opposite of casting a dissenting vote. This is because MPs always have the option to abstain or not be present to vote.

of the government bloc also lost immunity indicate that the amendment was not the result of a polarized partisan battle.

Revoking parliamentary immunity muffled opposition MPs: they were less likely to interrupt speeches delivered by members of the government-aligned parties when they no longer had legal immunity from prosecution. Lifting their immunity reduced the efforts of MPs to scrutinize and criticize the government. Such MPs initiated fewer investigative inquiries against the government and drafted fewer pieces of legislation. They also voted against the government less often during roll call votes. The same results are obtained with the sample of opposition MPs who were highly active and outspoken before the enactment of the constitutional amendment and those who are top ranked. Losing immunity had no impact on the behavior of government-bloc MPs, which implies that they were not concerned about losing protection against prosecution.

It is conceivable that members of the same party who retained immunity picked up the slack and increased their efforts so as to compensate for the decline in job efforts of their colleagues who lost immunity. Alternatively, the revocation of their colleagues' immunity may have galvanized immune MPs, and as a result they may have increased their efforts. It is also possible for immune MPs to get scared and reduce their efforts. We find no evidence to support these hypotheses.

A faction of the Turkish armed forces that was loyal to the exiled cleric Fethullah Gulen attempted a coup d'état in July 2016. The coup attempt was completely unforeseen, not expected or predicted by either the government or the opposition parties. Nor was it foreseen by any other entity, including the media. The attempt failed, and the government declared a state of emergency in late July 2016. Our results may be confounded by the impact of the state of emergency that followed the coup attempt because the postamendment period mostly overlapped with the postcoup period. However, considering the enactment of the constitutional amendment and the declaration of the state of emergency as two distinct events reveals that the impact on the treatment group is due to the amendment. We also show that accounting for executive orders issued by the government during the postcoup period to provide extraordinary powers to law enforcement and prosecutors has no impact on the results. Most important, we present evidence that the effect of lifting immunity is observed immediately after the enactment of the constitutional amendment in May 2016 and not after the declaration of the state of emergency in July 2016.

When immunity is revoked, MPs can be arrested, detained, and brought to trial. They then need to spend time defending themselves, and their time available for legislative activities is reduced. We show that this channel is not the driver of the decrease in legislative activities. First, losing immunity does not lead to a decrease in MPs' parliamentary attendance. Second, MPs who faced a greater number of investigations (which would require them to spend more time on their legal defense) did not alter their legislative activities compared with those who faced fewer investigations. Third, the results are not driven by the 16 MPs who had not completed their terms: the results do not change when we drop from the

analysis MPs who were ultimately arrested, indicted, and/or convicted and thus lost their MP status and stopped attending parliament or MPs who stopped attending for another reason such as death or resignation.

Losing parliamentary immunity may impact MPs' reelection chances for a number of reasons. To the extent that voters value MPs' effort and effectiveness in parliament, the loss of immunity would reduce their appeal to voters because it leads to reduced effort and effectiveness. Similarly, voters may consider the loss of immunity a negative character signal, regardless of an MP's parliamentary activity. If losing parliamentary immunity tarnishes an MP's reputation, voters may find the MP unappealing for reelection.[9] Although voters in Turkish general elections vote for the party ticket and not for particular candidates, these concerns nevertheless may motivate them to switch away from the party of a politician who lost immunity. Along the same lines, party leaders may decide not to nominate such MPs for the following election because of these concerns.

We find that opposition MPs whose immunities were revoked in the 26th parliamentary term were less likely than their immune counterparts to get reelected to the 27th term. This is because the MPs whose immunities were revoked were less likely to be renominated by their parties. Losing immunity has no impact on the renomination or the probability of reelection of government-bloc MPs. With immunity status held constant, the number of charges levied against an MP had no impact on the probability of renomination.

To investigate the impact of the regime with no immunity protection, we analyze the speed with which the legislators passed laws. Laws were passed more quickly after the constitutional amendment: after the revocation of immunity, the average time it took to pass a law (from introduction to the vote) decreased by about 1.5 days (the average duration was 2.2 days). While this result suggests an increase in efficiency, the increase in speed could be detrimental to the quality of the legislation.

Finally, we investigate whether lifting MPs' immunity had an impact on citizens' trust in parliament. Using data from two waves of the Eurobarometer survey and leveraging the fact that the constitutional amendment was enacted between the two survey waves and before the coup attempt, we find that people's reactions were polarized. Survey respondents' trust in parliament was enhanced (diminished) if an MP from the respondent's province lost immunity and if that MP was a member of the opposing ideology (same ideology) as the respondent.[10] This effect is driven by citizens who supported the government bloc.

In Section 2, we provide background information about the Turkish Parliament, the immunity provided by the constitution, the 2016 amendment, and the

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[9] Dal Bó, Dal Bó, and Di Tella (2006, p. 48) highlight this point and write that "although a legal attack will not fully convince the public that the accused person is guilty, it will increase the perception that he is, relative to the no accusation scenario. Thus, a legal attack can still be painful for example by lowering reelection chances."

[10] Using the same Eurobarometer survey and the same empirical specification, we find that the constitutional amendment had no impact on citizens' trust in the European Union or the United Nations (see Table OA21 in the Online Appendix).

political power structure of the 26th Parliament. Section 3 describes the data. Section 4 presents the empirical framework, the main results, and results of robustness analyses. Section 5 summarizes and concludes.

## 2. Political Parties in the Parliament and the Amendment to the Constitution

We consider the 26th Parliament of the Republic of Turkey and investigate the behavior of MPs then because the constitutional amendment, which lifted the immunity of some MPs, applied only to that term. The parliament consisted of 550 elected members who represented 81 provinces with a population of 70 million in 2015.[11] The MPs serve 4-year terms, and there are no term limits. The 26th Parliament, however, lasted less than 4 years. It convened in November 2015 and concluded in June 2018 because the government decided to hold snap elections in summer 2018.

Four political parties were represented in parliament during the term. The Justice and Development Party (Adalet ve Kalkınma Partisi, or AKP) had the majority with 317 seats, and it formed the government. The party has been in the government continuously since 2002. The Nationalist Movement Party (Milliyetçi Hareket Partisi, or MHP) had 40 seats. Although the MHP was not a coalition partner of the AKP (the AKP held more than 50 percent of the seats), the MHP has been its political ally and a supporter of its policies and positions. The two parties are not very different ideologically, and their MPs vote in tandem on most issues. The MHP and the AKP even collaborated during local elections by nominating joint candidates in several districts.[12]

Parliament had two opposition parties. The Republican People's Party (Cumhuriyet Halk Partisi, or CHP) is a center-left party representing social democrats that had 134 MPs. The People's Democratic Party (Halkların Demokratik Partisi, or HDP) is a pro-Kurdish left-wing party with 59 seats.

### 2.1. Parliamentary Immunity and the 2016 Constitutional Amendment

To protect elected politicians' freedom of speech, article 83 of the Turkish Constitution provides MPs with general parliamentary immunity, which has two attributes. First, MPs have absolute and permanent parliamentary nonliability. This means that MPs can never be held accountable for their legislative activities (neither during nor after their parliamentary term). This attribute eliminates any possibility of prosecution or retaliation related to an MP's voting record, the contents of speeches, or any other parliamentary activity. The second attribute is inviolability, which halts any legal proceedings or investigations against MPs during their parliamentary term. In other words, MPs who are alleged to have

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[11] After our sample period ended, starting with the 27th Parliament in July 2018 the number of MPs increased to 600.

[12] Although both parties pursue a conservative agenda, the political platform of the Nationalist Movement Party (Milliyetçi Hareket Partisi, or MHP) is arguably more nationalistic.

committed crimes, either before or after an election, cannot be detained, interrogated, arrested, or tried (Neziroğlu 2015). This attribute provides MPs with the ability to conduct business without disruption. Parliament can lift the immunity of an MP provided that law enforcement authorities officially file charges with the Joint Judiciary Committee and the committee moves the case to parliament after its investigation.[13]

## 2.2. The Standard Process of Lifting Immunity and the Constitutional Amendment

If an MP has a civil or criminal charge filed against her or him, the Joint Judiciary Committee evaluates the file of that MP. If the committee decides to bring the case to parliament, it is put on the agenda but may be tabled. If parliament decides to make a decision on the case, the charges are discussed, and parliament votes to revoke or retain the MP's immunity. Between 1923 and 2016, only 42 MPs lost immunity (Aktaş 2006).[14] The amendment of 2016 applied to the new constitution, adopted in 1982. Between 1982 and 2016, parliament lifted the immunity of 17 MPs for various alleged offenses. Ten of the MPs were convicted.

Before the general election of November 2015, there were accumulated charges on the docket of the Joint Judiciary Committee pertaining to MPs of previous parliamentary terms. After the election, when the new parliament was convened, charges were brought against some of the newly elected MPs. The new charges and the existing ones constitute the stock of total charges on the docket.

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[13] As in Turkey, many countries grant nonliability and inviolability to their elected politicians, although there is variation in the details. For example, in Austria and Finland nonliability is granted only for the duration of the politicians' mandate, but it cannot be waived in Austria, whereas it can be waived in Finland. In contrast, nonliability is provided in perpetuity in Denmark and the Netherlands, but it can be waived. In Belgium and Italy, nonliability cannot be waived, and its duration is unlimited. Similarly, the extent of inviolability varies between countries. For example, in Ireland the protection of politicians from a lawsuit is restricted to the duration of their mandate, but the protection cannot be waived. In France, Germany, and Spain, such inviolability is limited to the duration of the mandate and can be waived. In Greece, Belgium, and Finland, inviolability is limited to the days when parliament is in session and can be waived. Details for European Union countries can be found in McGee (2001). In the United States, the First Amendment guarantees protection of free speech for all citizens, which covers political speech. However, politicians in the United States are not protected from prosecution for alleged crimes. A number of US members of Congress have been indicted, tried, and convicted while in office. The same is true for politicians in the United Kingdom, Canada, and Australia.

[14] The historical reluctance of parliament to revoke MPs' immunity has, at times, created frustration. For example, an MP of the social democratic opposition party (Cumhuriyet Halk Partisi, or CHP) had two lawsuits filed against him (before he was elected in 2002) for insulting a civilian and a public official. Both cases were suspended because he gained parliamentary immunity after having been elected. Both cases were referred by the courts to the Joint Judiciary Committee with the request to lift immunity. The committee rejected the request. The MP unsuccessfully appealed the decision and asked for his immunity to be lifted so he could defend himself and clear his name in court. He was elected to parliament again in 2007, and the same process repeated. He took his case to the European Court of Human Rights, arguing that the refusal of the Turkish Parliament to lift his parliamentary immunity had denied him of his rights to access a court and to a fair trial. By a 13–4 decision the European Court of Human Rights ruled on December 3, 2009, that he could not renounce his immunity to stand trial voluntarily (*Kart v. Turkey,* 2009-VI Eur. Ct. H.R. 49).

Some charges were terrorism related, and the government wanted prosecutors to pursue them. The legislation submitted to parliament on April 12, 2016, to introduce the constitutional amendment explicitly stipulates a goal of making it feasible to investigate charges of terrorism but does not single out particular MPs. It stipulates that it was important to investigate all charges against all MPs. The text of the legislation indicates that there were 562 charges to be investigated by the Judiciary Committee. The legislation further stipulates that it would take 94 days to discuss all charges and that this would translate into more than 30 weeks of parliamentary sessions (almost 8 months), as parliament meets 3 days per week. Thus, the legislation proposed an amendment to lift the immunity of MPs who had at least one charge against them.[15]

In May 2016 the legislation received bipartisan support in a secret ballot and amended article 83 of the constitution. The amendment was proposed by the AKP, the governing party. The ally of the governing party, the MHP, was also in favor of the amendment. These two parties of the government bloc held 357 seats between them, which was not sufficient to reach the two-thirds majority (367 votes) needed to modify the constitution. The support of the opposition allowed the amendment to pass with 376 votes. This means that at least 19 MPs of the opposition parties voted in favor of the amendment. If the 32 government-bloc MPs who lost their immunity had voted against the amendment, this would imply that 51 opposition-bloc MPs voted in favor. This is not surprising because the leader of the CHP publicly supported the amendment and said he would vote in favor. There was also public support for the amendment.

The amendment, which was designed to apply only to the 26th Parliament (that is, the parliament in session), lifted the immunity of some MPs by revoking their inviolability privilege. Those who had criminal or civil charges filed against them at the Joint Judicial Committee had their immunity lifted. As a result, those MPs would not be inviolable for the alleged offenses, and the police and prosecutors could continue their investigations and legal actions. Put differently, after the amendment became effective, those MPs could be interrogated, arrested, detained, and prosecuted. The MPs who did not face a pending investigation at the time of the enactment of the amendment continued to be covered through the full immunity of article 83. It is important to note that all MPs continued to have immunity related to their parliamentary actions and behavior. Thus, all MPs continued to be protected by nonliability with respect to their parliamentary activities, regardless of whether they lost or retained their inviolability protection. This means that an MP who lost her or his immunity and faced prosecution for an alleged prior offense was still protected with regard to political speech and political activities.

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[15] Although a total of 562 charges pertain to 132 MPs, some MPs have a large number of charges that have accumulated over time. For example, the leader of the CHP had 39 charges against him, while another important politician of that party had 12 charges. The leader of the pro-Kurdish party (Halkların Demokratik Partisi, or HDP) faced 71 charges, and another MP from the same party had 48 charges. In fact, nine MPs of the HDP faced 243 charges between them.

Table 1

**Distribution of Members of Parliament
by Legislative Immunity Status**

| Political Party | Immunity | No Immunity | | Total |
|---|---|---|---|---|
| AKP | 292 | 25 | (8) | 317 |
| MHP | 32 | 8 | (20) | 40 |
| CHP | 80 | 54 | (40) | 134 |
| HDP | 14 | 45 | (76) | 59 |
| Total | 418 | 132 | (24) | 550 |

**Note.** The Justice and Development Party (Adalet ve Kalkınma Partisi, or AKP) is the government party; the Nationalist Movement Party (Milliyetçi Hareket Partisi, or MHP) is not in the government but is an ally of the AKP. The Republican People's Party (Cumhuriyet Halk Partisi, or CHP) is the main opposition party; the People's Democratic Party (Halkların Demokratik Partisi, or HDP) is the second-largest opposition party. Percentages are in parentheses.

In May 2016, 132 of the 550 MPs, or approximately one of four, lost their immunity. Table 1 presents the distribution of MPs by immunity status and political party. Few of the MPs in the majority AKP and its ally MHP had their immunity revoked. The opposition CHP and HDP had a significant share of their MPs lose immunity.

Although the number of charges against each of the 132 MPs who lost immunity is available, with the exception of a few cases that leaked to the media or went to trial, we do not have information about the nature of the charges against particular MPs or the date on which a charge was filed because that information is protected for privacy. However, according to a speech by the justice minister on May 17, 2016, delivered in response to a formal inquiry, those MPs had a variety of accusations filed against them, ranging from violation of election laws to simple battery, from vandalism and criminal damage to slander and defamation, from assault to forgery, and from sedition to terrorism.[16]

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[16] That the loss of immunity was a credible threat of prosecution was recognized by opposition politicians. For example, on May 20, 2016, Muharrem Ince, a prominent senior member of the CHP, tweeted that "the goal of the government is not to wage a campaign against terrorism [with this amendment, which makes it possible to prosecute MPs charged with terrorism], but to silence, intimidate and scare the opposition" (İnce 2016). Idris Baluken, a member of the HDP who lost his immunity, was convicted, and was incarcerated, said in parliament on May 17, 2016, that "[t]his proposed amendment, hidden under the cloak of lifting immunities, can be appraised as a coup against democracy. . . . At this point, justice has become partial and political, and the confidence of the people in justice has been completely shaken. . . . It is not difficult to see the implementation of a process that will lead to the elimination of the opposition" (Grand National Assembly of Turkey, Minutes Magazine, 50th Combination, March 2, 2016 [in Turkish] [https://www5.tbmm.gov.tr/tutanak/donem26/yil1/ham/b05001h.htm]).

## 3. Data

The data set includes information about the parliamentary activities of each MP from the official minutes of meetings, which are published on the website of the Turkish Parliament.[17] Table 2 provides the definitions and descriptive statistics of the outcome variables analyzed. The unit of observation is an MP-month.[18] With the months parliament was in recess excluded, there are 28 observations per MP.

On average, MPs delivered about 6.8 speeches each month. The minutes of the meetings are very detailed, and each spoken word is recorded. This allows us to measure the length of each speech by counting the number of words spoken in a month, represented by the variable Words. Transcriptions identify MPs who delivered speeches and those who interrupted speeches. We counted the number of times an MP interrupted a speech delivered from the podium by another MP with interjections, comments, and other verbal disruptions. Such interference and interruptions (interrupting a particular speaker multiple times or interrupting different speakers on different occasions) are measures of aggression and harassment. The variable Interruptions Targeting Government MPs represents the number of times per month an MP interrupted speeches of MPs in the governing party. We also measured interruptions targeting nongovernment MPs. These infractions could be committed by an opposition MP against an MP who is a member of another opposition party or by a government-party MP against an opposition MP.

Data on the votes cast by the MPs in roll calls are also publicly available from the Turkish Parliament's website. The variable Votes against Government measures the percentage of votes the MP has cast against the bills and motions proposed by the AKP. To construct the variable, we first determined how the overwhelming majority of MPs in the governing party voted on each issue. If at least 90 percent of those MPs voted to support (objected to) a particular motion, then we postulate that the government party's position was to accept (reject) the motion on the floor.[19] We then compared each individual MP's vote with this position.

Other outcome variables are formal inquiries submitted to parliament to initiate an investigation into the activities of the government or a member of the cabinet, the number of proposals drafted or cosponsored for legislation, and formal queries posed to the government through parliament. Each MP drafted (or sponsored) .13 pieces of legislation per month, which is equivalent to about 1.5 pieces of legislation drafted or cosponsored per year. Each MP posed 1.8 formal queries to a member of the government each month on average and filed an investigative inquiry about .17 times per month, which translates into two inquiries per year.[20]

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[17] Grand National Assembly of Turkey, Minutes of the General Assembly [in Turkish] (https://www.tbmm.gov.tr/Tutanaklar/TutanakMetinleri).

[18] Some parliaments, such as the EU Parliament, define a plenary session as one consisting of 2–4 consecutive working days. The Turkish Parliament has no such classification. The Turkish Parliament has meetings and sessions; meetings are 1–2 hours, and a session includes all meetings in a day. There is no official classification for consecutive working days.

[19] The results are not sensitive to different thresholds.

[20] These investigations are conducted by committees that have the power to subpoena documents and collect testimony.

**Table 2**

**Summary Statistics**

| | Description | Mean | SD |
|---|---|---|---|
| Legislative activities: | | | |
| Speeches | Number of times per month the member of parliament (MP) delivered a speech at the parliamentary lectern | 6.75 | 27.74 |
| Words | Number of words an MP spoke in parliamentary speeches in a month | 717.16 | 1,792.25 |
| Interruptions Targeting Government MPs | Number of times the MP interrupted the speech of an MP who was a member of the government party | .70 | 4.18 |
| Interruptions Targeting Nongovernment MPs | Number of times the MP interrupted the speech of an MP who was a member of an opposition party | 1.05 | 4.91 |
| Votes against Government | Percentage of times the MP voted against the position of the governing party | 60.97 | 42.51 |
| Investigation Inquiries | Number of times the MP initiated an investigation into the actions of the government or a cabinet member | .17 | .99 |
| Drafts of Legislation | Number of bills sponsored by the MP | .13 | .92 |
| Formal Queries | Number of times the MP submitted a formal query to the government for a written or oral response | 1.81 | 19.48 |
| Aggregate outcomes: | | | |
| PC of All Measures | First principal component of all legislative activity measures | .00 | 1.58 |
| PC of Speech Outcomes | First principal component of speech-related legislative activities (Speeches, Words, Interruptions Targeting Government MPs, and Interruptions Targeting Nongovernment MPs) | .00 | 1.50 |
| PC of Other Activities | First principal component of other legislative activities (Votes against Government, Investigation Inquiries, Drafts of Legislation, and Formal Queries) | .00 | 1.29 |
| Treatment variable: Immunity Lifted | Equals one if the MP's immunity is stripped in May 2016 and zero otherwise | .24 | .43 |
| Attributes: | | | |
| Age | Age of the MP in May 2016 | 51.11 | 8.56 |
| Female | Equals one if the MP is female and zero otherwise | .14 | .35 |
| MA/PhD | Equals one if the MP has a graduate degree and zero otherwise | .41 | .49 |
| Reelected | Equals one if the MP is reelected to the 27th Parliament and zero otherwise | .49 | .50 |

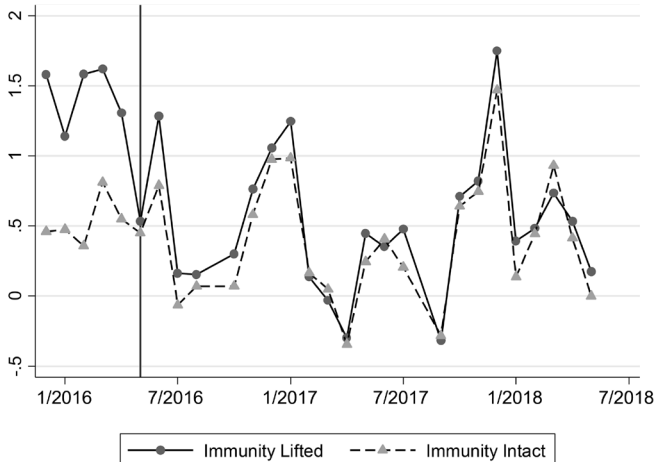**Note.** The unit of observation is an MP-month. $N = 15,317$.

Figure 1. Means of opposition parties' legislative efforts
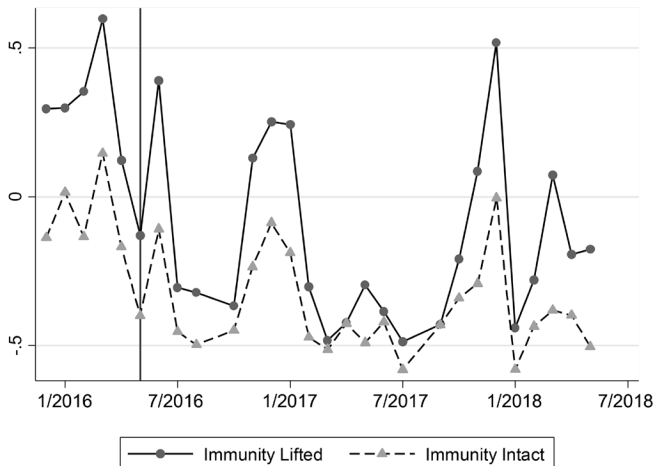


Figure 2. Means of government-bloc parties' legislative efforts

We also generated summary measures: the first principal component (PC) of the four performance measures related to speeches and interruptions, the PC of the other four performance measures (Votes against the Government, Investigation Inquiries, Drafts of Legislation, Formal Queries), and the PC of the eight performance indicators. These three PCs are employed as aggregate indicators of parliamentary performance.

To provide information about the variation in the data, Figure 1 shows the mean of the first PC of all legislative activities for MPs who lost immunity and those who retained it in the opposition parties. Before the constitutional amendment (to the left of the vertical line), opposition MPs who lost immunity were

more active in parliament than opposition MPs who retained immunity. With the enactment of the constitutional amendment, the activity level of those who lost immunity decreased and became almost indistinguishable from the activity level of MPs who retained immunity. Figure 2 presents the same information for MPs of the government bloc. Here too, the MPs who lost immunity were more active before the enactment of the amendment than those who retained immunity. But this pattern for the most part remained the same during the postamendment period among the government-bloc MPs.

We augment our data set with the personal characteristics reported in MPs' profiles on the parliament's website.[21] Table 2 presents the sample means. The average age was about 51 when the constitutional amendment was passed in May 2016. Fourteen percent of the MPs were female, and 41 percent had a graduate degree. About half were reelected.

To test whether the MPs who lost immunity are different from those who retained it, we conducted randomization tests in which we regressed the indicator for whether immunity was rescinded on each attribute (age as of May 2016, education, sex, and whether the MP was a member of the opposition). Online Appendix Table OA1 shows that education, age, and sex are not related to immunity status. However, an opposition MP was more likely to have her or his immunity lifted. This is consistent with the information displayed in Table 1, which reveals that members of the opposition parties were substantially more likely to lose immunity. Table OA1 repeats the exercise for the sample of opposition MPs and finds that there is no evidence of a systematic difference in personal attributes between the treated and control groups.

## 4. Empirical Analysis

We implement a difference-in-differences strategy to estimate the impact of legal immunity on MPs' legislative activities. The treatment group consists of the 132 MPs whose immunity was rescinded in May 2016, and the remaining MPs are the control group. We also consider an alternative, and arguably more relevant, formulation. As shown in Tables 1 and OA1, opposition-party MPs are significantly more likely to have lost immunity. Furthermore, opposition MPs (members of the CHP and HDP) constitute a more homogenous group than all MPs with respect to their political positions. Thus, we focus on the 193 MPs of opposition parties, 99 of which lost immunity, and analyze the impact of losing immunity in this group.

In this framework, we estimate

$$Y_{it} = \beta_0 + \beta_1 \text{Immunity Lifted}_i \times \text{Post}_t + \mu_i + m_t + u_{it}, \tag{1}$$

where $i$ and $t$ represent MPs and the time periods (months of the 26th Parliament), respectively. The outcome variable $Y$ measures various legislative activities

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[21] Grand National Assembly of Turkey, Term Deputies List [in Turkish] (https://www.tbmm.gov.tr/develop/owa/milletvekillerimiz_sd.mv_liste_eskiler?p_donem_kodu=26).

of the MPs, displayed in Table 2. The variable Immunity Lifted indicates whether the MP lost immunity and Post indicates the posttreatment period, which starts in May 2016.[22] Equation (1) controls for MP fixed effects ($\mu_i$) and month-year fixed effects ($m_t$). Standard errors are clustered at the MP level. The coefficient $\beta_1$ represents the difference-in-differences estimate.

### 4.1. Baseline Results

Estimates obtained from equation (1) are displayed in Table 3. The time period of the analysis is December 2015 to May 2018. As mentioned above, months in which parliament was in recess are excluded, so there are 28 observations per MP. Because we run regressions with 11 dependent variables that aim to gauge similar outcomes, we also report *p*-values adjusted for multiple-hypothesis testing using the improved Bonferroni method of Simes (1986; Newson 2010; Benjamini and Yekutieli 2001).

With regard to the effects on speech, Table 3 indicates that losing immunity had a large and statistically significant effect on MPs' tendency to interrupt members of the governing party. Losing immunity reduced the number of speeches delivered each month and shortened speeches, although the effects are not statistically significant. With regard to legislative effort, Table 3 reveals that revoking immunity reduced the propensity to vote against the government by 3.8 percentage points, reduced the number of inquiries filed per month by .3, and cut the number of legislation drafts sponsored by .37. Results for the PC outcomes also show that losing immunity reduced MPs' parliamentary effort, but the impact on speech-related activities is not estimated with precision.

Although MPs' personal attributes are not correlated with the probability of losing immunity (see Table OA1), MPs of opposition parties were more likely to have lost immunity: of the MPs who lost immunity, 75 percent were members of the two opposition parties (99 of 132).[23] Therefore, we estimated the models using only MPs in the CHP and HDP. In this design, the treatment group consists of opposition MPs who lost immunity, and the control group contains opposition MPs who retained immunity. The results in Table 4 are consistent with those reported in Table 3, but there is stronger evidence that lifting immunity muffles interruptions. The impact is statistically significant not only for interruptions targeting government MPs but also for interruptions targeting nongovernment

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[22] Although the amendment was enacted on May 20, 2016, the bill was introduced in parliament April 12, 2016. By the end of April, it became clear that it was going to pass with bipartisan support.

[23] The political rivalry and the animosity between the governing party (Adalet ve Kalkınma Partisi, or AKP) and the two opposition parties (CHP and HDP) can also be seen in Table OA2, which displays the distribution of speech interruptions during the 26th Parliament. For example, 27.5 percent of the interruptions took place when an MP of the governing party was delivering a speech and she or he was interrupted by an MP of the CHP. Similarly, 8 percent of interruptions took place when an AKP speaker was interrupted by an MP of the HDP pro-Kurdish party; 27 and 20 percent of all interruptions were committed by CHP and HDP members, respectively, when AKP MPs were delivering a speech. Thus, 82 percent of the interruptions are by MPs of the government party (AKP) and the opposition parties (CHP and HDP).

Table 3

The Impact of Losing Immunity on Legislative Activities: All Members of Parliament

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −5.89 | −422.19 | −1.44** | .59 | −3.83** | −.31** | −.37* | .95 | −.55* | −.38 | −.38** |
| | (4.72) | (257.76) | (.43) | (.47) | (1.18) | (.10) | (.15) | (1.54) | (.22) | (.23) | (.11) |
| | [.24] | [.15] | [.00] | [.24] | [.00] | [.01] | [.03] | [.54] | [.03] | [.15] | [.00] |

Note. All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors, clustered at the MP level, are in parentheses; $p$-values adjusted for multiple hypothesis testing are in brackets. $N = 15{,}317$.
  * Significant at the 5% level.
  ** Significant at the 1% level.

**Table 4**

**The Impact of Losing Immunity on Legislative Activities: Opposition Members of Parliament**

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −10.12 | −550.00 | −2.03** | −.43* | −2.08* | −.40** | −.37+ | .09 | −.81** | −.64* | −.45** |
| | (6.26) | (343.91) | (.62) | (.21) | (1.01) | (.15) | (.21) | (2.39) | (.30) | (.31) | (.17) |
| | [.12] | [.12] | [.01] | [.07] | [.07] | [.02] | [.10] | [.97] | [.02] | [.07] | [.02] |

**Note.** All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors, clustered at the MP level, are in parentheses; *p*-values adjusted for multiple hypothesis testing are in brackets. $N = 5,330$.

+ Significant at the 10% level.

* Significant at the 5% level.

** Significant at the 1% level.

MPs. The impacts on speeches and words are larger among opposition MPs, although the estimates are not significant at conventional levels. As in Table 3, Table 4 demonstrates that parliamentary immunity impacts legislative activities and the aggregate principal component indicators. These results are confirmed when we estimate the models using negative binomial regressions.

In the opposition bloc, 45 of the HDP's 59 MPs (76 percent) lost immunity, and the charges brought against them were more serious, including terrorism and sedition.[24] To ensure that the results are not driven by these MPs, we dropped them and estimated the models using only the CHP MPs. The results in Table 5 are similar to the previous ones, but immunity has a statistically significant impact on the number of speeches and the number of words. Losing immunity reduced the number of speeches by five and reduced the total number of spoken words in a month by 301.[25]

Table 6 presents the results for MPs of the government-bloc AKP and MHP. The point estimates are dramatically smaller than the corresponding estimates in Table 4, and they are never statistically significant. This indicates that lifting immunity has no impact on the activities of MPs if they are members of the governing party or its political allies.

The dichotomy between the reactions of opposition MPs and government MPs is striking. Losing immunity muffles the MPs of opposition parties, deters them from engaging in parliamentary activities, and compels them to vote in line with the government. On the other hand, the loss of immunity has no impact on the behavior of government MPs. This contrast may stem from differential beliefs about the risk of prosecution.

To shed some light on the robustness of the results and to gain insight into which dependent variables are more responsive to the loss of immunity, we ran the same models after standardizing the variables so that they have a mean of 0 and a standard deviation of 1. The results in Table OA3 show that the loss of immunity among opposition MPs has the biggest impact on interrupting government MPs (.49 of a standard deviation [SD]), filing investigation inquiries (.40 of an SD), and drafting legislation (.40 of an SD). Using pairs of outcomes as dependent variables (for example, combining Votes against Government and Drafts of Legislation or combining Speeches and Words, and so on) shows that combinations of outcomes are significantly impacted by the revocation of immunity, with the exception of the combination of Speeches and Words.

In supplementary analyses, we investigated the propensity of being interrupted while delivering speeches. The MPs of opposition parties were significantly less likely to be interrupted by MPs of the government bloc after losing immunity (see Table OA4). This result reflects in part that opposition MPs deliver fewer and shorter speeches after losing immunity and consequently face a lower risk of

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[24] As mentioned earlier, the accusations that led to loss of immunity varied in severity, ranging from violation of election laws to vandalism, slander and defamation, assault, forgery, and terrorism.

[25] This translates into an approximately 3.3-minute reduction in the duration of speeches delivered in a month per MP.

## Table 5
### The Impact of Losing Immunity on Legislative Activities: Republican People's Party (Cumhuriyet Halk Partisi)

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −5.09+ | −301.23+ | −2.09** | −.27* | −1.41 | −.67** | −.81* | .94 | −.84** | −.45** | −.81** |
| | (2.63) | (173.01) | (.77) | (.13) | (1.38) | (.23) | (.35) | (3.93) | (.26) | (.17) | (.26) |
| | [.08] | [.10] | [.02] | [.05] | [.34] | [.02] | [.04] | [.81] | [.01] | [.02] | [.01] |

**Note.** All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors, clustered at the MP level, are in parentheses; p-values adjusted for multiple hypothesis testing are in brackets. N = 3,745.
+ Significant at the 10% level.
* Significant at the 5% level.
** Significant at the 1% level.

**Table 6**

**The Impact of Losing Immunity on Legislative Activities: Government-Bloc Members of Parliament**

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −1.35 | −129.63 | −.17 | −1.33 | −3.60 | −.06 | .03 | .19 | −.17 | −.18 | −.04 |
| | (2.45) | (148.85) | (.18) | (1.38) | (2.98) | (.09) | (.04) | (.31) | (.13) | (.16) | (.08) |
| | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] | [.58] |

**Note.** All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors clustered at the MP level are in parentheses; $p$-values adjusted for multiple hypothesis testing are in brackets. $N = 9,987$.

being interrupted. But it could also be a reflection of the government-bloc MPs' diminished enthusiasm to interrupt opposition MPs whose immunity has been revoked because such MPs may have become more careful in the tenor of their speeches.[26]

If there is no treatment effect but both treatment and control groups have parallel downward trends that continue after the constitutional amendment, all MPs would experience the same percentage reduction in activity. Because the treatment group tends to have bigger pretreatment mean values for most outcomes, this could produce a spurious negative effect of the treatment. To investigate this possibility, we took the logarithms of the outcomes (after adding 1, as there are values of 0) instead of using them in levels. The results of this functional form provides the same inference (see Table OA5).

### 4.2. Parallel Pretreatment Trends and Potential Posttreatment Impacts

To investigate whether the treatment and the control groups followed differential pretreatment trends, we conducted an event-study analysis by estimating the following regression:

$$Y_{it} = \sum_{j \in t} \alpha_j \text{Immunity Lifted}_i \times m_j + \mu_i + m_t + \varepsilon_{it}. \qquad (2)$$

This specification is identical to equation (1) except that instead of including the interaction of Immunity Lifted and Post, it has time dummy interactions with Immunity Lifted. The interaction terms identify whether the treated group deviates from the trends common to both groups in each time period. Figure 3 displays the estimated coefficients ($\alpha_j$) obtained from the sample of all MPs, where the dependent variable is the first PC of all eight outcomes. The omitted category is April 2016, that is, 1 month before immunity was lifted. Parliament was in recess in September 2016. Figure 4 presents the same information obtained from the sample of opposition MPs, and Figure 5 displays the estimates obtained from the sample of government-bloc MPs. Thus, Figures 3, 4, and 5 correspond to the samples used in Tables 3, 4, and 6, respectively, and show the point estimates of the interactions of time dummies with Immunity Lifted, with 95 percent confidence intervals.

In Figures 3 and 4, no consistent pattern is observed before the start of the treatment, but the posttreatment impacts are negative. These graphs support the parallel-trends assumption; that is, the difference in behaviors in the treatment and the control groups is not statistically significant in the pretreatment period, but a divergence occurred after the treatment's initiation. Figure 5 reveals that there is no noticeable impact in the AKP and MHP sample.

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[26] We also conducted a sentiment analysis using the contents of the speeches by identifying words that may represent a particular worldview or political ideology. The AKP has a religious identity, and terms such as "God" and "God willing" are used frequently by those AKP MPs in their speeches. We analyzed whether opposition MPs switched to such phrases after losing immunity and the frequencies of curse words and rough language, but no clear results emerged.
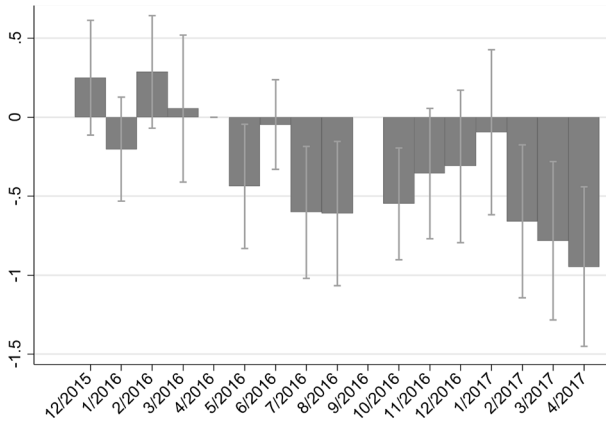
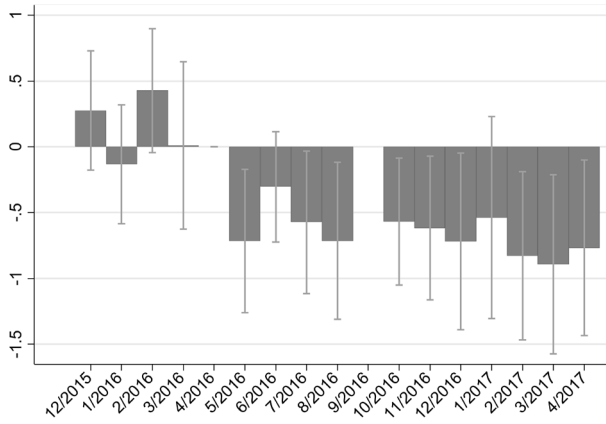**Figure 3.** Event-study analysis of all members of parliament



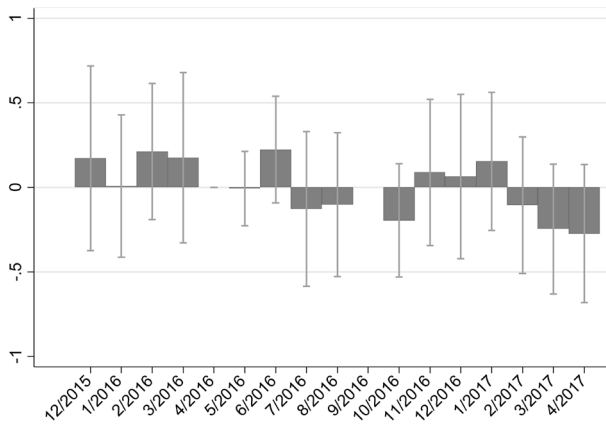**Figure 4.** Event-study analysis of opposition members of parliament



**Figure 5.** Event-study analysis of government-bloc members of parliament

The 132 MPs in the treatment group experienced the treatment at the same time in May 2016. While this avoids some complications related to heterogeneous effects that might emerge with staggered treatment (de Chaisemartin and D'Haultfoeuille 2020; Goodman-Bacon 2021), it can be argued that the treatment in our case may be capturing some other differential trend related to MPs' attributes. For example, if some characteristic other than the fact that they are treated caused their performance to change after May 2016, then the coefficient of Immunity Lifted$_i$ × Post$_t$ could pick up this differential trend and incorrectly attribute it to the impact of revoking immunity. Although Table OA1 shows that there are no differences in observable attributes of treated and untreated MPs, to guard against this possibility we nevertheless estimated an augmented version of equation (1). This alternative specification includes interactions of MP attributes with Post$_t$ as additional variables.[27] The interactions isolate the difference-in-differences effect from other possible differential trends that may be generated by MPs' age, sex, or education. The coefficient estimates in Table OA6 reveal that the findings are robust to this alternative specification. If anything, the impact of lifting immunity is more precisely estimated in these regressions.

### 4.3. Deterrence or Compellence Effect or a Time Constraint?

It can be argued that the decline in parliamentary activities of MPs after losing immunity is not because of a deterrence or compellence effect but simply because of a change in MPs' time constraints. Such MPs are prone to investigation, prosecution, and litigation, and the results may be driven by MPs who stopped attending parliamentary sessions if they faced investigations and court hearings. To check if the results are driven by absenteeism, we conducted three complementary analyses. First, we analyzed if immunity status had an impact on attendance. Although we do not have data on the number of sessions attended, we tallied the days on which each MP cast a vote. Using the number of days present in parliament as the dependent variable, we estimated the same model. Table OA7 shows that immunity status has no impact on the number of days opposition MPs were present. In the sample of all MPs, losing immunity leads to an increase, rather than a decrease, in the number of days attended. Thus, the decline in parliamentary performance cannot be attributed to absenteeism due to losing immunity.

We also investigated this question using the number of charges against each MP. Recall that the constitutional amendment permitted the revocation of immunity if the MP had an official investigation pending when the amendment was enacted. We use the number of charges filed against each MP before the amendment's enactment. There is variation in the number of charges among MPs whose immunity was revoked (mean = 4.78; SD = 8.92). A larger number of charges should lead to more time and effort devoted to defending against these charges.

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[27] Recall that time-invariant attributes such as sex and education are not included in the baseline regressions because of the inclusion of MP fixed effects. But in this alternative specification, the interactions of these variables and Post$_t$ can be included.
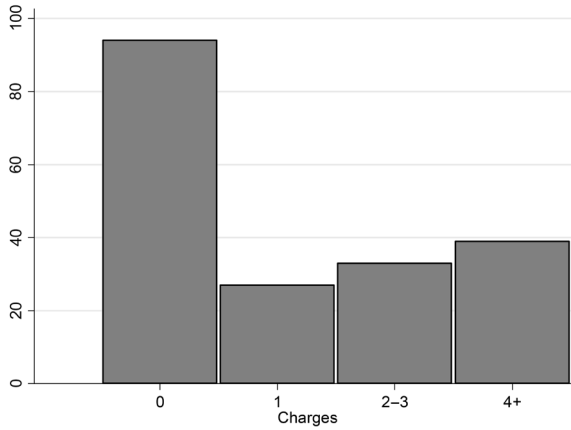
**Figure 6.** Distribution of charges for opposition members of parliament

Thus, the number of charges levied against MPs who lost immunity is a reasonable proxy for time spent outside parliament.

Figure 6 presents the distribution of charges among opposition MPs. Ninety-four had no charges filed against them when the constitutional amendment was passed and retained immunity. The rest had a varying number of charges. For example, 27 MPs whose immunity was revoked had only one investigation, 33 faced two or three investigations, and the remaining 39 had at least four investigations or charges. Only in a handful of cases do we know the contents of the investigations or the ultimate indictments and sentences. Nevertheless, MPs who were subject to a large number of investigations are expected to allocate more time to their defense and less time to parliamentary activities. Consequently, we ran the same model with the addition of the number of charges against the MPs (Charges) interacted with Post. The results in Table 7 are consistent with previous results and demonstrate that the impact of the revocation of immunity is not attributable to the number of charges faced. This indicates that the results are unlikely to be driven by MPs' reduced allocation of time to parliament.

Finally, we analyzed the sample of MPs who participated in the 26th Parliament continuously. There are 16 MPs who ceased their parliamentary activities before the end of their terms. A cessation is usually the result of death, resignation, arrest while awaiting trial, or conviction. Of the 16 MPs who did not complete their terms, all but one are members of an opposition party. Dropping these MPs from the sample of opposition MPs and reestimating the models does not alter the results, which are reported in Table OA8.

### 4.4. The Coup Attempt

The failed coup d'état in July 2016 was orchestrated and implemented by a small faction of the armed forces led by the followers of the cleric Fethullah Gu-

## Table 7
### The Impact of Losing Immunity on Legislative Activities: Charges against Opposition Members of Parliament

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −7.36+ | −417.96+ | −1.98** | −.34* | −1.70 | −.48** | −.48* | .25 | −.76** | −.53** | −.55** |
| | (3.86) | (228.47) | (.58) | (.14) | (1.08) | (.17) | (.24) | (2.65) | (.23) | (.20) | (.19) |
| | [.08] | [.08] | [.01] | [.03] | [.13] | [.01] | [.07] | [.93] | [.01] | [.02] | [.01] |
| Charges × Post | −.48 | −23.20 | −.01 | −.02 | −.07* | .01* | .02* | −.03 | −.01 | −.02 | .02** |
| | (.64) | (34.36) | (.04) | (.02) | (.03) | (.01) | (.01) | (.05) | (.03) | (.03) | (.01) |

**Note.** All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors clustered at the MP level are in parentheses; *p*-values adjusted for multiple hypothesis testing are in brackets. $N = 5,330$.
 + Significant at the 10% level.
 * Significant at the 5% level.
 ** Significant at the 1% level.

len, who was in self-exile in the United States. The coup attempt was not anticipated by anyone in the country, including the government and the opposition parties. Importantly, it is unrelated to the constitutional amendment and the MPs who lost immunity.

Following the coup attempt, martial law was declared, and there was increased public support for the government. Thus, it is conceivable that the results might reflect the impact of the coup attempt rather than the impact of the loss of immunity. To disentangle these potential impacts, we estimated the benchmark models with the addition of a second indicator (Postcoup) interacted with the indicator for the loss of immunity. The results for the sample of opposition MPs, summarized in Table OA9, show that the postcoup period reveals no impact on legislative activities and that the effect of the loss of immunity remains significant.[28]

After the attempted coup, the government issued executive orders that provided extraordinary powers to law enforcement agencies and the judiciary to aid in locating and prosecuting the collaborators and culprits.[29] Figure OA1 presents a time series of the monthly number of executive orders. To the extent that executive orders provided more power and flexibility to prosecutors to press charges, it is reasonable to assume that the MPs who lost immunity would keep an even lower profile during periods when executive orders were issued.

We added the number of executive orders, interacted with Immunity Lifted, to the models. The results in Table OA10 indicate that executive orders have no statistically significant impact on the behavior of opposition MPs but that, consistent with previous results, losing immunity has a negative effect.

We also estimated the models for the time period up to the coup attempt on July 15, 2016. Thus, only May and June 2016 comprise the posttreatment period. Although doing so substantially limits the variation in the data, the estimates obtained from this small sample are not subject to potential confounding from the coup attempt. The results for the opposition MPs are presented in Table 8, and the results for the entire parliament are in Table OA11. They reveal that lifting immunity generated a decline in interruptions of government MPs' speeches and decreases in the proportion of votes cast against the government, investigations filed, and legislation drafted. Models in which PCs are the dependent variables confirm these results. In summary, the findings based on the full duration of the 26th Parliament are verified using the precoup time period, which indicates that the coup attempt is not the driver of the findings.

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[28] The results in Table OA9 are based on clustering standard errors by month since it can be argued that errors are correlated within months. Computing the wild-*t* bootstrap *p*-values does not alter the inference.

[29] These executive orders (*kanun hukmunde kararname*) instituted new laws and regulations ranging from extending the time period suspects can be held in custody, to new procedures regulating the termination of government workers and military personnel, to providing financial help to victims of violence during the coup attempt.

**Table 8**

**The Impact of Losing Immunity on Legislative Activities: Opposition Activities before the Coup Attempt**

| | Speech Outcomes | | | | Legislative Effort | | | | First Principal Components | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Speeches | Words | Interruptions Targeting Government MPs | Interruptions Targeting Nongovernment MPs | Votes against Government | Investigation Inquiries | Drafts of Legislation | Formal Queries | PC of All Measures | PC of Speech Outcomes | PC of Other Activities |
| Immunity Lifted × Post | −4.26 | −285.83 | −1.68** | −.36 | −2.91* | −.34* | −.52* | −.70 | −.63** | −.39+ | −.52** |
| | (3.81) | (218.63) | (.56) | (.24) | (1.16) | (.17) | (.23) | (.59) | (.20) | (.20) | (.16) |
| | [.27] | [.24] | [.01] | [.17] | [.04] | [.08] | [.06] | [.26] | [.01] | [.08] | [.01] |

**Note.** All regressions include member of parliament (MP) fixed effects and month-year dummies. The unit of observation is an MP-month. Standard errors, clustered at the MP level, are in parentheses; $p$-values adjusted for multiple hypothesis testing are in brackets. $N = 1,351$.
+ Significant at the 10% level.
* Significant at the 5% level.
** Significant at the 1% level.

*4.5. Extensions and Robustness*

The estimates in previous sections have a causal interpretation if the MPs in the control group are counterfactuals of those in the treatment group. That MPs' average characteristics such as age, sex, and education do not depend on their immunity status (see Table OA1) is reassuring. However, as shown in Figures 1 and 2, MPs who lost immunity were more active in parliament before the enactment of the amendment.[30] It can be argued that the MPs who were more outspoken and more active in parliament could have been targeted to have their immunity lifted. Note that in this scenario some MPs have unobservable attributes that make them formidable and fiery opposition members (they speak more and interrupt others more frequently, file investigation inquiries against the government more often, and so on). At the same time, these attributes make them more likely targets for revocation of immunity. In this case, we would underestimate the impact of immunity on MPs' activities, and the estimated impact of immunity revocation would be biased toward 0. However, the analyses detailed in the Online Appendix show that opposition MPs who were more active, aggressive, and outspoken before the amendment was enacted were not targeted for revocation of immunity. Furthermore, the results hold among this group of highly active MPs. More specifically, within the sample of MPs who had similar pretreatment levels of parliamentary activity, those who subsequently lost immunity reduced their efforts compared with those who retained immunity (see Section OA2 of the Online Appendix and Tables OA12 and OA13).

Similarly, there is no evidence that more valuable MPs were targeted. Section OA2 shows that higher-ranking MPs at election were not more likely than other MPs to lose immunity. In addition, these highly ranked and valuable MPs responded to the loss of immunity no differently than other MPs (see Section OA2 and Tables OA14 and OA15).

To analyze the sensitivity of the results to the pretreatment activity level of the MPs, we made the following modification to equation (1). We considered the pretreatment parliamentary activity of each opposition MP as summarized in Table OA12. Each MP is classified into one of the quartiles of the pretreatment activity distribution. We interacted the quartile dummies with Post and added them to equation (1). The results in Table OA16 indicate that the impact of losing immunity is the same.

We also investigated whether the months of May and June in 2016 (the 2 months between the enactment of the constitutional amendment and the coup attempt) were different from May and June in previous years in terms of parliament's workload. There was no decrease in the workload in May or June 2016, and the workload is rather evenly distributed throughout the year. The details of these analyses are in Section OA3 and Figure OA2.

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[30] The same can be said by analyzing each outcome individually, as we report elsewhere (Altindag, Mocan, and Zhang 2021, table A2).

### 4.6. Potential Effects on Immune Members of Parliament

It may be the case that opposition MPs with immunity may nevertheless have been impacted by the amendment. For example, these control-group MPs may also have reduced their parliamentary efforts and tamed their aggressiveness and determination. If this is true, the impacts we identify would be underestimates of the true effect of losing immunity.

Could the MPs stripped of immunity have outsourced parliamentary activities to colleagues who retained immunity? It may be implausible for those who lost immunity to convince colleagues to interrupt others' speeches more frequently, and the case is even less convincing for casting votes in tandem with the government (because each MP has one vote). It is, however, conceivable for colleagues to pick up the slack and exert more effort to compensate for the reduced effort of those who lost immunity by delivering additional speeches, speaking longer, or drafting extra pieces of legislation.

A related conjecture is that the MPs who retained immunity may have been energized by the revocation of their colleagues' immunity, and they may therefore have increased their legislative efforts when those who lost immunity did not change their behavior. Under this scenario, the effect we identify would be driven by the increased effort of immunity-intact MPs in reaction to their colleagues' loss of immunity. Detailed analyses in Section OA4 and Tables OA17 and OA18 show that there is no evidence that MPs who retained immunity were impacted by their colleagues' losing it.

To shed additional light on this question, we ran regressions in which the unit of observation is the party-level average of the outcomes in each month. The regressions control for party fixed effects and party-specific trends. The key variable is Percentage Immunity Lifted, which is the percentage of the MPs in each party who lost immunity.

Under the assumption of complete outsourcing, the proportion of MPs in a party who lost immunity should have no impact on that party's parliamentary activity.[31] Similarly, under the hypothesis that MPs who lose immunity do not alter their behavior but their immunity-intact peers increase their effort, the impact of Percentage Immunity Lifted should be positive. But the results in Table OA19 show that a higher proportion of MPs who lost immunity is associated with a reduction in the party's performance. Thus, consistent with the results in Tables OA17 and OA18, the results in Table OA19 indicate that there is no compelling evidence of a notable shift in parliamentary activities from immunity-losing to immunity-retaining MPs.

### 4.7. The Impact of Immunity Revocation on Parliamentary Efficiency

Finally, we analyzed whether the amendment had an impact on the speed with which legislation is enacted. As shown in Section OA5, after the parliamentary

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[31] Of course, here the null hypothesis of no impact could also be due to statistical factors such as lack of variability, measurement error, and so on.

action that lifted the immunity of some MPs, laws were passed 1.5 days faster than before, presumably because of shorter and/or fewer debates (see Figures OA5 and OA6, Table OA20, and the discussion in Section OA5). Although this increase in speed makes parliament more efficient, if the quality of the laws is lower (less comprehensive or a higher propensity to be challenged in courts) than if the laws been enacted more slowly, and with more deliberation, the welfare implications are unclear.

### 4.8. The Impact on the Probability of Reelection

Losing parliamentary immunity affected opposition MPs by quieting them and reducing their efforts. To the extent that these behavioral changes rendered the MPs less effective in the eyes of voters, they are less likely to be reelected. Recall that voters in Turkish general elections cast votes for the party ticket and not for particular candidates. Nevertheless, these concerns may motivate voters to switch away from the party of a politician who lost immunity. Along the same lines, party leaders may consider these MPs to be ineffective and be less likely to renominate them. Alternatively, voters or party leaders may consider the MPs' reputations to be tarnished, which may impact their chances of renomination or reelection.

To test these theories, we ran a regression in which the unit of observations is an MP and the dependent variable is an indicator that equals one if the MP is reelected. The right-hand-side variables include the indicator for whether the MP's immunity is lifted, personal attributes, and party fixed effects. Also included is the number of charges that were brought against the MP.

Table 9 shows that female MPs and older MPs are less likely to be renominated and reelected. Parliamentary immunity has no impact on the probability of reelection for government-bloc MPs. In contrast, losing immunity leads to a 19-percentage-point (48 percent) decrease in the probability of reelection among opposition-bloc MPs.[32] (The 16 MPs who were arrested, convicted, resigned, or died after losing their immunity are not included in these regressions.)

Table 9 also displays the regression results in which the dependent variable is whether the MP was renominated. Once again, immunity has no impact on the probability of renomination among members of the government bloc. On the other hand, the loss of immunity reduces the chances of renomination of opposition MPs by 16 percentage points (a 31 percent decline from the base 52 percent

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[32] Previous research has analyzed the impact of accusations of corruption and convictions on incumbents' chances of reelection. Peters and Welch (1980) do not find a significant impact of corruption charges on the probability of reelection for the US House of Representatives between 1968 and 1978; voter reaction is stronger during 1982–90 (Welch and Hibbing 1997). Chang, Golden, and Hill (2010) analyze the political careers of Italian legislators between 1948 and 1994 and find that investigations into alleged offenses did not influence reelection chances until the early 1990s. The authors attribute the shift in voters' behavior to public awareness triggered by the media coverage of well-publicized corruption investigations in 1992. Similarly, Ferraz and Finan (2008) find that the audit reports of corruption in local governments of Brazil had a negative impact on incumbents' likelihood of reelection and that the impact was bigger in municipalities with local radio stations.

| | Reelected | | Renominated | |
|---|---|---|---|---|
| | Government Bloc | Opposition | Government Bloc | Opposition |
| Immunity Lifted | −.01 | −.19* | −.08 | −.16+ |
| | (.13) | (.09) | (.12) | (.09) |
| Charges | −.02 | .01 | −.02 | .01 |
| | (.05) | (.02) | (.04) | (.02) |
| Age | −.01** | −.01** | −.01** | −.01** |
| | (.00) | (.00) | (.00) | (.00) |
| Female | −.06 | −.19+ | −.06 | −.20* |
| | (.09) | (.10) | (.09) | (.10) |
| MA or PhD | .09+ | .07 | .08 | .04 |
| | (.05) | (.08) | (.05) | (.08) |
| *N* | 356 | 176 | 356 | 176 |

**Note.** All regressions include party fixed effects. Robust standard errors are in parentheses.
  + Significant at the 10% level.
  * Significant at the 5% level.
  ** Significant at the 1% level.

renomination rate).[33] Table 9 also shows that, holding constant immunity status, the number of charges levied against MPs has no impact on their probability of reelection or renomination. This could suggest that the damage (reputational and/or effectiveness) comes from having been charged at least once and that extra charges do not matter.

### 4.9. The Impact on Citizens' Trust in Parliament

To investigate whether lifting MPs' immunity had an impact on citizens' trust in the Turkish Parliament, we utilize two waves of the Eurobarometer survey, which were registered before and after the revocation of immunity.[34] The election that formed the 26th Parliament was held on November 1, 2015. The first wave of the Eurobarometer survey was registered after the election, between November 7 and November 17, 2015. This means that the respondents in the first wave knew the identities of the MPs and the composition of parliament when they took the survey. The second wave was conducted between May 21 and May 31, 2016, and the amendment was enacted May 20, 2016. Thus, the second wave of the survey was conducted right after the revocation of MPs' immunity. It is important to

[33] We cannot identify whether these MPs tried to run in the next election but their party chose not to nominate them or whether they decided not to run.
[34] The Eurobarometer survey, conducted by the European Commission, monitors public opinion in European Union member countries and in candidate and accession countries. The surveys typically are conducted twice a year, in May and November. In each wave, representative samples of countries are drawn. The respondents are then asked about their opinions of the European Union and its institutions, policies, and goals.

note that the second wave was completed before the coup attempt on July 15, 2016, so the survey responses are not confounded by reactions to it. The results in Table OA21 and detailed in Section OA6 show that an individual's propensity to trust parliament decreased if an MP with the same political ideology (right or left of the spectrum) who represents the individual's province lost immunity. In contrast, if an MP with the opposite ideology lost immunity, the propensity to trust parliament increased. These effects are driven by citizens who adhere to right-wing politics.

## 5. Summary and Conclusion

Most countries grant their elected politicians parliamentary immunity, which typically has two components. First, MPs are protected by nonliability, which means that they cannot be held accountable for their speeches or for any other activities related to their jobs, such as how they cast votes or propose legislation. In addition, MPs are usually granted inviolability, which prohibits search and seizure, arrest, and trial for an alleged offense before the end of a term. The goal of inviolability is to protect elected politicians from politically motivated frivolous charges and to allow them to devote their full attention and effort to their jobs.

Although there is a sizable literature on the determinants of the behavior and performance of politicians, no previous work has analyzed whether parliamentary immunity has an impact on the effort and performance of elected politicians. This is because immunity applies to all lawmakers, and variations in the extent and style of immunity can be observed only across countries. We provide the first empirical investigation of the impact of parliamentary immunity on politicians' behavior. The Turkish Parliament adopted a constitutional amendment in 2016 that lifted, with bipartisan support, the inviolability protection of 132 of its 550 members. All MPs retained their protection for political speech and other parliamentary activities.

Using a difference-in-differences design, we analyze the extent to which losing parliamentary immunity impacts MPs' behavior. We show that MPs who lost immunity are not different in observable dimensions (age, sex, and education) from those who retained it but that MPs of opposition parties were more likely to have lost immunity. Thus, our analyses focus on opposition MPs, although the results are similar for all MPs. We find no evidence that opposition MPs who were more valuable to their parties or who had been more active and aggressive before the enactment of the amendment were more likely to lose immunity.

We investigate MPs' parliamentary performance on standard dimensions such as voting behavior, legislative proposals drafted, investigative inquiries into government actions, and formal queries posed to cabinet ministers. We also analyze speech-related activities such as the number of formal speeches delivered, the number of words in the speeches, the number of times the MP interrupted the speech of an MP who was a member of the government party, and the number of interruptions targeting nongovernment MPs.

Lifting parliamentary immunity deters opposition MPs from engaging in parliamentary activities such as drafting legislation and initiating investigative inquiries. In addition, losing immunity muffles opposition party MPs, who deliver fewer and shorter speeches. Similarly, MPs who lose immunity reduce the number of times they interrupt speakers. The loss of immunity also compels opposition MPs to vote in tandem with the government. These results suggest that losing immunity motivates opposition MPs to reduce their work effort and keep a lower profile. Losing immunity has no impact on the behavior of government-bloc MPs, which indicates that they do not try to keep a lower profile arguably because they are not as concerned as their opposition colleagues about judicial action against them. The dichotomy between the opposition MPs and the government MPs may be a reflection of the government's influence on the judiciary.

Robustness analyses show that the results do not emerge because the MPs who lost their immunity altered their attendance at parliament. Similarly, we obtain the same results when we exclude MPs who did not complete their terms because they were convicted, were jailed, resigned, or died. The impact of revocation is also not influenced by the number of charges filed. Our conclusions are unaltered when we analyze the sample of opposition MPs who were highly active and outspoken before the enactment of the constitutional amendment or who were highly ranked in their party.

It may be possible for MPs without immunity to turn to their immunity-intact colleagues and ask them to draft or sponsor legislation or to initiate an investigative inquiry on their behalf. If the colleagues comply or independently increase their legislative activity in reaction to their peers' loss of immunity, this would imply that the treatment of lifting immunity also had an influence on MPs in the control group and that our estimates, in part, reflect the increased activity of MPs who retained their immunity. A number of analyses, however, indicate no evidence for such spillover onto MPs with immunity.

There was a coup attempt in Turkey during the parliamentary term analyzed. Considering the coup attempt and revocation of immunity as separate treatments reveals that the results are not driven by the coup attempt. Similarly, a sequence of executive orders to provide extraordinary authority to law enforcement and the judicial system during the period after the coup attempt does not alter the results. Importantly, the results hold during the period before the attempt.

After the enactment of the amendment, which paved the way to revocation of immunity, parliament enacted legislation at a faster rate. The number of days it took to pass a law decreased by more than 1.5 (from an average of 2.2 days), likely because of the reduced effort of opposition MPs.

Because the loss of immunity can lead to reduced effort and effectiveness in parliament, MPs who lost immunity may have lost their appeal to voters. Alternatively, if losing immunity tarnishes an MP's reputation, voters may find it unappealing to support the party renominating that MP, and party leadership may decide not to renominate such MPs. We find that opposition MPs whose immunity was revoked were less likely to be reelected because they were less likely to be

renominated by their parties. Losing immunity has no impact on the probability of either renomination or reelection of government-bloc MPs, which once again shows that the full impact of immunity loss falls on the opposition.

Finally, we employ data from the Eurobarometer survey to investigate whether lifting immunity had an impact on citizens' trust in parliament. We find that an individual's propensity to trust parliament decreased if an MP representing the same province and with the same political ideology lost immunity. In contrast, if an MP representing the opposite ideology lost immunity, the propensity to trust parliament increased. These effects are driven by citizens who adhere to right-wing politics. This finding is not an artifact of an overall change in people's trust in institutions because revocation of parliamentarians' immunity has no impact on individuals' trust in the United Nations or the European Union.

It should be noted that the loss of immunity did not eliminate the protection of MPs' political speech. However, MPs who lost immunity become vulnerable to prosecution for alleged civil and criminal violations. Such vulnerability influenced opposition MPs but not members of the government bloc. Opposition MPs who lost immunity reduced their tendency to deliver speeches, their tendency to speak up and interrupt others, and their actions and effort in parliament. They also became more likely to vote in tandem with the government. That there is no impact on government-bloc MPs suggests differential risk assessments between the two groups, which in turn may indicate the influence of the government on the judiciary. Taken together, these findings reveal that MPs respond to an increase in the cost of their behavior (the risk of prosecution), which underscores the significance of parliamentary immunity in political outcomes, especially when the risk of prosecution (perceived or real) is higher for the opposition.

This event may have long-term implications for politicians' behavior. The constitutional amendment applied only to the 26th Parliament, and MPs who have served since the 27th Parliament have been protected with nonliability and inviolability, as written in the constitution. Nevertheless, the precedent suspending parliamentary inviolability might impact politicians' behavior even after full immunity was restored. Furthermore, the prospect of enacting a similar amendment in the future might impact the composition of politicians and their attributes.

In a larger context, the theoretical interplay between immunity protection, politicians' quality and effort, and corruption is shown to be complex. For example, Dal Bó, Dal Bó, and Di Tella (2006) construct a model in which interest groups influence politicians through bribes and threats of smear campaigns, legal harassment, and violence. The authors introduce immunity into the model as a method of insulating politicians from threats and analyze the impact of immunity on corruption. They show that immunity reduces politicians' corruption if the judiciary is weak. Reddy, Schularick, and Skereta (2020) modify this model, and in a cross-country analysis they find that greater immunity protection leads to more corruption. Therefore, it is important for future research to try to determine the thresholds of judicial independence and democratic strength that would produce clear benefits in both legislative efficiency and reductions in corruption.

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