

Turkish Medical Association (TTB)



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The Turkish Medical Association was constituted by Law No. 6023, enacted in 1953. The managing and auditing bodies of the Association are elected by its members (medical doctors) under the supervision of a judge. The mission of the Association is to ensure that the profession of medicine is practised so as to promote the benefit of the public in general as well as individuals, and to protect the rights of physicians. However, recent arrangements by the Government are but negative interventions both to the autonomy of the profession and to the duties of the Association in this regard.

Government Decree no. 663, in Force of Law on the Organization and Duties of the Ministry of Health and its Associated Organizations, reorganizes the field of health in a way that creates many legal and social problems. In fact, under the present Constitution, the authority to introduce primary legislative arrangements rests with the Turkish Grand National Assembly as the legislative body of the Republic. However, by means of an authorization act, the Council of Ministers was equipped with authori-

ties that should actually belong to the legislature. Consequently, new arrangements were unconstitutionally introduced in some domains where the Council of Ministers is normally denied the authority establish rules or codes.

Now we want to share with you the nature of these arrangements that **destroy the universal values of the profession** and require your support and solidarity to find a solution.

1. A new board, the **“Board for Health Professions”** which was previously non-existent was recently formed and equipped with authority pertaining to a large spectrum of health affairs, including physicians themselves and their work.

The Board comprises 14 members designated by the Government plus one member from the Turkish Medical Association which, according to its laws of constitution, is supposed to form and express opinions regarding the profession. Hence the Board is composed of members whose professional and scientific freedom and autonomy is highly questionable.

Duties assigned to the Board are as follows:

- Providing opinions on such matters as educational curricula and training in health; identification of professional areas and branches and planning for the employment of health workforce,
- Establishing ethical codes and principles in health profession,
- Deciding on procedures to be followed in such issues as testing professional competencies of health workers, training of health workers in ethics and patient rights, as well as content and duration of trainings,
- Deciding on bans to practising the profession on grounds of health problems, and

- Deciding on temporary or permanent exclusion from the profession.

As such, the Board assumes the authorities of medical schools, the Turkish Medical Association, and even the legislative body itself by introducing new offences and penalties.

There are over 30 health professions in Turkey and both the respective functions of these professions and the conditions of recruitment are prescribed by law. There are nearly one hundred fields of specialization and sub-specialization solely in the field of medicine. Thus, the members of the Board appointed by the Minister will exercise authority concerning fields in which they may have no competence.

The Board will be in charge of assessing competence in all health professions, setting codes of professional ethics, handing down decisions for exclusion from the profession, measuring professional competence, and developing curricula! In short we face a situation not compatible with any democratic society.

Meanwhile, for 58 years, the Turkish Medical Association has been setting the rules of professional deontology, investigating and applying sanctions for practices not in line with deontology, and organizing trainings to support advancements in the profession. The latest arrangement by the Government virtually eliminates the established duties and authorities of the Turkish Medical Association and other professional associations and undermines the autonomy of the profession and its guarantees by delegating full authority to a board whose members are to be appointed by the Ministry of Health.

2. The expression **“ensuring that medical profession is practised and promoted in line with public and individual well-being**

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and benefit" in Article 1 of the Constituting Law of the Turkish Medical Association has been deleted from the text.

This amendment is tantamount to excluding from the mandate of a professional association **the task of practising and promoting medicine for public and individual well-being and benefit.**

The new arrangements taken as a whole deprive the medical profession of the means to be managed and supervised autonomously by its own professionals within the framework of values specific to the profession itself. They also completely disregard the principle of exemption from the control of any Governmental office or agency, which is a precondition for being a constituent member of the World Medical Association.

As the Turkish Medical Association, we urge all Medical Associations to support us in the fight against this unacceptable action taken by the Government. We request that you use your strong and important influence to assist us in this regard. The Turkish Medical Association kindly asks for the solidarity of your Medical Association in stating its position on this issue.

In defence of universal values of the profession of medicine and rights of the physician in Turkey

While the TTB was founded back in 1953 with its present name, its background dates back to Etibba Chambers of 1929. Its history runs parallel to the history of the Republic of Turkey founded in 1923 and the development of democracy.

The TTB was originally a professional organization with compulsory membership for all physicians. However, after the military coup of 12 September 1980, which violently eliminated democratic organization and introduced constitutional arrangements for

preventing the flourishing of democracy, the requirement for compulsory membership was lifted, except in the case of freelance doctors. Turkey started with 700 physicians in 1923, reaching over 7,000 in 1953, and at present has over 120,000 physicians.

The first president of TTB was also the head of the World Medical Association in 1957-58. The 11th World Medical Congress was held in İstanbul in October 1957 and the "Attitude of Doctors in Conflict Situations" was adopted at that meeting.

The TTB has 65 local chambers throughout the country and their executives are elected every two years. The TTB is engaged in all problems in the field of medicine and carries out its activities with its members working on voluntary basis. Under the umbrella of TTB, students of medicine, general practitioners and associations of specialists are organized as autonomous bodies. The TTB is in close contact with the European Union of Medical Specialists (UEMS). The following are among specific activities that the TTB is engaged in:

- Organizing Workshops for developing professional ethics (1998) and ethical guidelines
- dealing with disciplinary actions relating to the profession
- developing and presenting draft legislation about the rights of physicians, cases of malpractice, and medical practices
- supporting and participating in such processes as planning for the health workforce, training and education in medicine, life-long professional development, crediting and National Medical Education Accreditation
- developing and annually publishing guides for medical examination fees
- delivering health services in emergencies
- conducting work in such areas as the rights of patients, women's issues, and female physicians
- categorization of medical services
- drawing attention to problems and issues such as public health, abuse of children

and elderly people, and the health status of persons in prisons

- protesting against human rights violations, smoking, and nuclear plants and hydraulic power plants that harm environmental health
- standing against wars and defending peace in all circumstances.

Of the above activities, the personal rights of employed physicians and medical education/training enjoy special priority and importance.

- During its more recent history following 1980, the TTB became the focal point in defending the personal rights of employed physicians. Particularly after 2003, its struggle against the dominant attitude, "knowing the price but not the value of everything", devaluation of the work of the physician, and countrywide practices of sub-contracting and lack of secure employment were recognized even in the official statements of the Ministry of Health as "TTB's intensive and noisy opposition". In addition to presenting draft laws and opinions on personal rights and benefits for the health workforce and associated initiatives, the TTB also organizes demonstrations and other actions including temporarily stopping work.
- Due to top-to-down approaches imposed by the Government, Turkey is among the leaders in the number of new schools of medicine opened. In 2006 there were 50 medical schools. There are 83 today. In 2011, approximately 9,000 new students enrolled in these schools. A large proportion of these newly enrolled students eventually graduate. However, despite the full commitment of the academic staffs, these schools were launched without consideration of the necessary infrastructure and standards, leading to the problem of poorly qualified graduates.

The TTB also has a legal affairs board composed of professional lawyers. This body manages a large work burden, since the

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government's arbitrary acts outside of the legal framework are rather frequent. Publications of the Association are prepared by editorial boards composed of persons working voluntarily, and include "Continuous Education in Medicine" targeting primary level health services; "Occupational Health and Safety Journal" targeting those engaged in this area; the periodical "Community and Physician" that contains articles in medicine and politics; and the bulletin "World of Medicine" providing information about centrally organized activities and other issues and events of interest.

Unfortunately, the TTB has had significant experience in very difficult and undesirable issues. Mushrooming events of torture, cruel and degrading treatment and human rights violations-particularly after the military coup of 1980-brought to the forefront the unity of medical professionals in terms of spotting and reporting such cases and the actions required by medical ethics in the face of such events. It is based on this experience that the TTB was able to significantly contribute to the Guidebook to the Istanbul Protocol on the Effective Investigation and Documentation of Cases of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, which was also approved by the United Nations.

The Board Members of the TTB have been charged and prosecuted twice, in 1985 and again in the 2000s, with the objective of their removal from positions to which they were elected. In the first case, it was for TTB's objection to capital punishment on the ground of professional ethics and its insistence that physicians be excluded from executions although it was legally obligatory. The second case was TTB's stance on the attitude of physicians in regard to widespread hunger strikes going on in prisons at that time. In both cases and beyond, in defense of the right to life and health, the TTB insistently stood for peaceful and democratic solutions to en-

vironments of conflict and associated assaults and killings.

In short, the TTB promotes and defends the universal values of the profession of medicine in Turkey and stands for the rights of physicians on the basis of professional values and the right to health. The TTB is committed to protecting the profession from established government policies that create dilemmas regarding both physicians' and patients' rights. The TTB evaluates its responsibilities in the context of the overall situation in any given period-in Turkey or in the world-to develop suggestions about health policies and determine its stance with regard to the right to health. The TTB is the representative of an approach that refutes negative medical practices of the past and strives to maintain and promote its accumulated knowledge and experience by upholding the principles of public health.

Turkey is endowed with a strong legacy in the medical profession. The history of the young Turkish Republic has witnessed strenuous efforts of physicians in diverse areas and particularly in combating contagious diseases. However, in spite popular support and prestige, physicians and the TTB wrestle with many difficulties, mostly created by the government. In this context, two periods deserve special mention. The first was the practice and discourse of the military junta following the coup of 12 September 1980 and the second is the period that began in 2003 and continues today. Pressure on and harassment of physicians in the present period of civilian Government have assumed dimensions one might expect to see in satire magazines. For example, regulations and instructions determine even the door and window measurements and heights of stairs in facilities where physicians receive their patients. At present, the policy pursued by the Government aims at creating disrespect for the profession of medicine and physicians. This policy is accompanied statistics, such as one of every

three patients visit the emergency service when at a hospital, and "efficiency" is defined as a physician examining over 100 patients a day. The rights of patients are reduced to ordinary consumer rights in terms of satisfaction, while the demand for health services is transformed into "customer demand". Further provoked by irresponsible and hostile discourse by politicians, this situation instigated physical violence against physicians. In the face of this threat, the TTB created a "Group for Zero Tolerance to Violence" to combat violence targeting health workers. The Ministry of Health, on the other hand, just ignored a parliamentary investigation proposal on this issue lodged by some deputies.

The stance of the TTB vis á vis government policies and practices is subject to defamation by describing it as "raising opposition", "engaging in politics", or "acting with ideological motives". Another policy being pursued is geared toward ending TTB's connection with and representation before the Government, and the Ministry of Health in particular. There are initiatives to position the TTB as a hierarchical subordinate of the Ministry. And finally, there is the Government Decree in Force of Law on which the WMA circulated its letter dated 11 January 2011 informing its members.

We should be proud that in the face of all difficulties, **Turkey still has physicians dedicated to their profession and there is the turkish medical association!**

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