

The restructuring of the Turkish public sector as part of the strategy for Europeanisation

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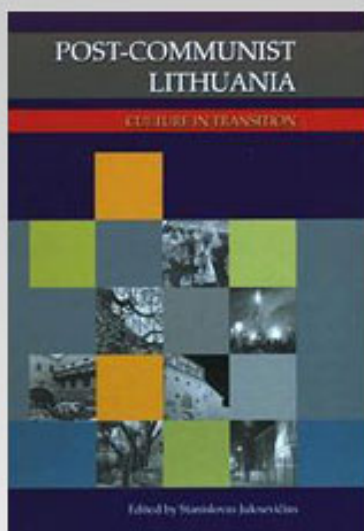
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Post-Communist Lithuania. Culture in Transition

By **Helmutas Šabasevičius, Antanas Andrijauskas, Almantas Samalavičius, Skaidra Trilupaitytė**, et al.

Kultūros, Filosofijos ir Meno Institutas,
Vilnius, 2006.
(in English)

This book is devoted to an analysis of the complex and varied processes taking place in post-Communist Lithuania.

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Introduction

The European Union (EU) completed an enlargement process in 2004 and has now grown to 25 member states with the ten new members. The Union is now preparing for the next enlargement. As regards the remaining candidate countries, Bulgaria and Romania hope to join by 2007 and Croatia has just begun its preparation stages for integration, while Turkey is currently not yet negotiating its membership. The European Union and the people of the member states have begun discussing many aspects of Turkey's integration, such as its influence on the cultural, economic and political 'future' of Europe. At the same time, very different agents, representing the different internal dynamics of Turkey, have already been debating Turkish-EU relations for quite a while. Towards the end of 2004, it seemed that these debates have gradually become more dense. It is agreed by everybody that there are various dimensions of Turkey's process of integration with EU. The Turkish bourgeoisie and government are concerned about the economic integration process, the political criteria and the conclusions of the European Council meetings; while liberal left parties, social democrats and most civil society organisations are trying to keep human rights issues on the current EU-related agenda.

This article aims at assessing the whole process from a rather different point of view and tries to debate an area which is observed not to have been analysed sufficiently. That is to say, this article will assess the issue of the restructuring of the Turkish state, a process that is considered to be part of the Turkish integration process with the EU. In assessing the restructuring process, the main focus will be upon employment relations and labour processes in the public sector. Additionally, however, the ways in which the restructuring of public sector employment and administration affect employees in the sector will be analysed.

A brief look at Turkish-EU relations

Turkish capitalism has linked itself to Europe for nearly two centuries. Turkey asked to be accepted into the European Economic Community (EEC) forty years ago and signed its association agreement in 1963.

With the beginning of the foundation of the Republic of Turkey, the class character of the governing groups was clearly set. The Turkish bourgeoisie declared 'westernisation' as the main goal of the young Republic in the process of integration with the world capitalist system. With this in mind, being part of Europe has become one of the priorities of almost every government of Turkey ever since. During the early years of the Republic, there were various political cornerstones of this 'Europeanisation' and capitalisation process of Turkey. At the same time, it can easily be stated

that the second half of this forty-year period can be defined in particular as providing the basis of the EU-Turkey relationship as at 2004.

The industrialisation strategy, which lasted for 52 years between 1927 and 1979 and was based on import substitution, had reached its limits by the late 70s. 1980 saw the beginning of a new Turkish political economy context, characterised by the neo-liberal model. An economic programme of liberalisation and market-led adjustments were put into full force by the military government after the coup. Its civilian successors subsequently followed the same path with only few deviations (Yeldan and Boratav, 2001).

The periods of economic crisis beginning in the late 90s and continued through the 2000s emphasised the liberalisation process of the country. This process clearly meant the reshaping of power relations between social classes. The Turkish state as a whole has been in a partnership with the capital classes of the country. This partnership had, in a way, declared that the post-1980 era would be an anti-labour one. Besides all these national dynamics, the role of international bodies should also be stated: the liberalisation process of the Turkish economy and the accompanying political and ideological spheres were mostly designed, defined and imposed by those international organisations (Yeldan and Cizre, 2002).

It can be said that the EU became one of those leading international bodies in Turkey's liberalisation process. After the 1963 association agreement, 32 years of transition process was adopted for Turkey, a period which ended with the customs union in 1995. In 1999, at the Helsinki European Council, Turkey was declared a candidate state and at the Copenhagen summit in 2002 it was decided that Turkey would begin accession negotiations at the end of 2004 without delay, provided that the Progress Report of the EU Commission confirmed that Turkey had fulfilled the political criteria. The Commission revealed the regular Progress Report for Turkey on 6 October 2004 (CEC, 2004a).¹ The 2004 Report had a special meaning, providing the basis for the European Council's decision on the future of Turkey-EU relations. The Commission presented a strategy consisting of three pillars. The first pillar concerns co-operation to reinforce and support the reform process in Turkey, in particular in relation to the continued fulfilment of the Copenhagen criteria. The second pillar assesses the specific conditions for the conduct of the accession negotiations, while the third one is concerned with strengthening the political and cultural dialogue between the people of the EU member states and of Turkey. The Recommendation presupposes a 'smooth integration' process for Turkey with the precondition that relations between the EU and Turkey ensure that Turkey remains fully anchored within European structures (CEC, 2004b).

Turkey has been in a process of rapid reforms, beginning with the 2002 Copenhagen Council. As regards the political criteria, two major constitutional reforms, in

1 The regular Reports from the Commission record Turkey's progress towards accession over the previous twelve months and also examine Turkey's track record in respect of the political and economic criteria for accession since the decision of the Helsinki European Council.

2001 and 2004, and eight legislative packages were adopted by parliament between February 2002 and July 2004. All these reforms in civil-military relations, human rights, the scope of the fundamental freedoms of the Turkish people, minority rights and other political issues have been implemented in a very short timescale although the practical aspects of all this remain highly controversial. The concern of this article is, as indicated above, with the reform issues surrounding the restructuring of the state: here, a series of codes reforming public administration and local government were adopted by parliament in July 2004, although these were subsequently vetoed by the President.²

The restructuring of the public sector in Turkey

The European model or, in other words, the Europeanisation process in the public sector is closely linked with the social policies of the Turkish state. Besides, it is directly related to the restructuring of the state itself, while the role of EU governance has a significant bearing on this issue. Guillen and Palier (2004) discuss the EU influence on those nation states which are in the process of accession. The writers emphasise a very critical point in this 'Europeanisation', indicating that the changes in social policy in the candidate countries should be considered in terms of the interaction between the adaptive pressures coming from both the EU and the other international organisations, namely the World Bank and the International Monetary Fund (Guillen and Palier, 2004: 204).

Where Turkey is concerned, the balance between all these actors could be identified as a complex division of labour. The WB and the IMF become the leading point of pressure on Turkey's liberalisation process. These two international bodies have imposed on the country all the marketisation policies in addition to the structural adjustment practices. Turkey carries out this dependent relationship with the WB and the IMF in order to prove itself as a reliable and stable partner state in the global capitalist order (Yeldan and Cizre, 2002). Such dependent relations seem to be sufficient for modifying Turkey's 'westernisation' objective, but the EU also has its special place. The EU has a significant influence on Turkey's structural adjustments, but also seeks co-operation with the other international bodies. In the 2003 Accession Partnership Document, the short-term economic criteria for Turkey begins with the recommendation of keeping the dependent relationship with the IMF and WB. It proceeds:

... Ensure implementation of the current disinflation and structural reform programme agreed with the IMF and the World Bank in particular ensure the control of public expenditure. (Council of the European Union, 2003)

It can be stated that the WB and the IMF seem to have the role of defining the economic model, whereas the EU has the role of defining the political and social restructuring; this is the division of labour between these bodies.

- 2 President Ahmet Necdet Sezer sent the Bill, which he received on 21 July 2004, back on 7 August 2004, requesting parliament to discuss the draft once more regarding some points which the Presidency emphasised to be inharmonious with the Constitution.

The European Social Model, in accordance with ‘good governance’, offers the ‘New Turkish Social Policy’. At the same time, the existence of a European Social Model is being debated. It is argued that there is no clear European Social Model promoted at the EU level, but rather a conflict between ‘economically-oriented actors’ promoting market-type solutions and ‘socially-oriented actors’ trying to find new perspectives for a productive approach to social policy (Guillen and Palier, 2004: 206). It may not be possible to comment on the controversial and exclusive discussions within the Union, but it may be stated that the inclusive social model of the Union is more unanimous. The social model of the EU promotes social provisions with the precondition of economic liberalisation. In the discussion which has been cited above, Guillen and Palier also come to a similar conclusion. They point out that the European Social Model is:

Proclaimed but not sustained in the Copenhagen criteria nor through explicit policies. (Guillen and Palier, 2004: 208)

They confirm that EU member states (especially the older ones) continue to defend the European Social Model and do not explicitly promote a liberal model but, in practice, the process goes on to the privatisation of social protections, cuts in welfare state expenditure and implementing a general social dumping and social devaluation strategy (Guillen and Palier, 2004).

When we turn back to Turkey, it can be observed that Turkish governments begun the structural reforms, in the economic sense, in the 80s and the political and social transformations by the end of the 90s. These transformations took place concurrently with the country’s European integration policies. In 2004, the Justice and Development Party-led government declared that it accepted European governance as a model for restructuring the Turkish state. The concept of ‘European governance’ is explained on the official website of the European Commission as corresponding to the so-called post-modern form of economic and political organisations.³ At the same place, Roderick Rhodes is cited for his statements about different meanings of governance. Six different meanings are listed: the minimal state; corporate governance; new public management; good governance; social-cybernetic systems; and self-organised networks (Rhodes, 1996). The European Commission explains European governance as being:

... the rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence. (CEC, 2004c)

This model is defined as ‘New Public Management’ in some other contexts. A new paradigm is introduced and transformations in the public sphere are rationalised by introducing the ‘demand of citizens/customers for superior service and more choice.’ (Thompson and Miller, 2003). In accordance with this, New Public Manage-

3 See: <http://europa.eu.int/comm>.

ment is presented as: decentralised, flatter, perhaps smaller, organisations structured around sets of generic value-creating processes and specific competencies; high performance HRM practices; modern information technology; balanced responsibility budgeting and control systems; and loose alliances of networks (Thompson and Miller, 2003).

It is possible to come across this 'governance' model in the newly-approved Constitution of Europe. This is the first time that the concept of 'governance' has been defined in the Union's primary legal texts. In the Constitution, Article I-50 speaks as follows:

In order to promote good governance and ensure the participation of civil society, the Union institutions, bodies and agencies shall conduct their work as openly as possible...

while Article III-193 states:

The Union shall define and pursue common policies and actions and shall work for a high degree of co-operation in fields of international relations in order to... promote an international system of good global governance in advance... (Conference of the Representatives of the Governments of the Member States, 2004)

Turkey seems to have begun in advance to prepare for integration with this system of 'good global governance'.

After a seven-month period of pre-discussion, the Turkish parliament approved the Bill on The Code of the Principles and Restructuring of Public Administration in July 2004 (T.N.A, 2004). That Bill can be considered as the legislative part of a broader process of the liberalisation of the Turkish state. President Ahmet Necdet Sezer may have vetoed the Bill on the basis of some contentious points and returned it to the government, but the restructuring process was accepted as having been started.

The Justice and Development Party had declared its plan to reform the structure of the Turkish state as one of its primary objectives from the time of its election campaign. In the JDP programme (the so-called Emergent Action Plan), the need for restructuring the public sector as a whole, in accordance with the 'modern needs of our times' was stated (JDP, 2002). Prime Minister R. Tayyip Erdoğan introduced the programme of the 59th Government of the Turkish Republic in March 2003, emphasising more or less the same statements (TR, 2003). In the government's programme, it was declared that it was resolved to achieve a transformation which aimed to build a public administration system in line with the concept of a modern administration. According to this framework, the JDP government declared some specific targets in which the restructuring of the public administration would aim at:

- overcoming centralised and highly hierarchical structures
- increasing social monitoring and participation
- reducing paperwork, formality, bureaucracy and inefficiency
- preventing institutional enlargement and bulkiness
- eliminating favouritism and decadence.

The 'conservative democrat' JDP government (as the party defines itself) began to implement this programme in full. In addition to the restructuring programme for public administration, the new government declared a series of other liberalisation targets and emphasised its dedication to the aim of completing the privatisation of the public sector as a whole.

In October 2003, Prof. Dr. Ömer Dinçer was promoted as Under-Secretary to the Prime Ministry. He was assigned to be the head of co-ordination concerning the so-called reform studies. Dinçer's assignment provoked many arguments because of his reputation as a radical Islamist.⁴ In about one month, Dinçer's team introduced a draft of the proposed Code on Public Administration. Towards the end of December 2003, the draft was sent to parliament and it was on 15 July 2004 that the draft became The Bill on the Code of Restructuring and the Basic Principles of Public Administration and was enacted by the Turkish parliament.

The basic principles of the restructuring

In the rationale of the first draft of the text, the aim and the basic principles of the new Code were stated as: 'Change in management to manage the change!' The leading motives of the whole process may be summarised by three objectives, which are: privatisation; the principle of subsidiarity; and the participation of civil society. A deeper assessment will help us to recognise that these three different objectives point to the same single direction: the liberalisation of the state as a whole.

The restructuring process introduces the concept of 'governance' as being the new principle behind governing techniques. This governance rationale is believed to realise a significant change in the structure of the Turkish state. It is believed that the state will evolve towards being efficient, open to social monitoring and participation, productive and transparent.

The critical motive of this transformation lies beneath the 'market logic'. The rationale of the whole process declares that the new administration ethic will be respectful to market rules and will utilise market forces as much as possible. It should be recalled that the associations and unions of representatives of the private sector were directly involved in the process of the preparation of the Code for the restructuring of public administration.

Besides the term governance, the draft paper used another new expression, 'glocal'. Being 'glocal' basically meant being determined by global and local dynamics

- 4 In 1995, Ömer Dinçer had submitted and presented a paper to a symposium stating that Turkey should change the Republican government model with a more representative one and proposing that the principle of secularism should integrate with Islamic ideology. In 2003, he declared that he stands by his words. Professor Dinçer is an academic but is also famed by his other occupations. He was one of the advisers of R. Tayyip Erdoğan during his mayoralty of İstanbul. He has been judged for a case of unlawful action during his executive board membership of İstanbul's main city electricity distribution company. He is on the executive boards of around ten companies, almost all of which are in municipality services businesses.

concurrently but, on the other hand, this should be understood as fulfilling the necessities of the international bodies at the local levels. It can be said that 'glocal' means liberalisation for the sake of foreign investors; structural adjustment programmes dictated by the international agents and other similar dependency topics for Turkey.

Privatisation

The transformation process of the state in Turkey clearly states privatisation as being one of the main objectives. In the programme of the 59th Government, the scope of this objective is stated as follows:

... Privatisation will be regarded as the transfer of public institutions and establishments that perform economic activity into the private sector in market conditions...

It proceeds with greater emphasis:

... The fundamental objective of privatisation is to create the necessary condition for the better functioning of the free market in the economy and to enable efficiency and productivity...

These expressions show us that the principle of privatisation is much more than the simply transfer of economic activity from public institutions to the private sector: the whole process indicates a broader transformation of the state. This can be interpreted as a state structure led by market forces.

In order to achieve this, a plan for opening up the sphere of public services to the private sector is being implemented and there are, accordingly, several regulations in the Bill. First of all, in Article 11, the central administration and the local authorities are defined as having the opportunity to assign private bodies to any kind of services. Authorities do not have to do much; they only need to specify the need to be more efficient in order to assign to the private sector some part of public services. Secondly, in Article 5-1, public entities are restricted from establishing enterprises, manufacturing any goods or founding service establishments and they cannot retain personnel or any equipment for such purposes unless the sectors are directly specified. The principle of acquiring full liberalisation for the transfer of the public services to the private sector is considered to be the first priority.

Besides this particular Bill, there are other components to the restructuring process in relation to the objective of privatisation. A Bill for the redefinition of state economic enterprises is on the way. According to this preparation, such enterprises will be defined as 'enterprises with public shares' and will be restructured as joint-stock companies (Güler, 2004).

The principle of subsidiarity and decentralisation

The transformation of the state has a structural side as well as its political aspects. In this process of restructuring, a comprehensive change in the sphere of local entities is being targeted. The government has introduced 'the principle of subsidiarity', in a way which is stated in the Treaty of Europe. For the European Union, this principle mainly defines relationships *within* the Union. The subsidiarity principle is defined as

the intention of ensuring that decisions are taken as closely as possible to the citizen. Similarly, in the Bill on Public Administration, Article 5-e states the principle of assigning duty, responsibility and authority to those bodies which are closest to the citizens involved. The restructuring process, according to this principle, aims at the transfer of authority from central bodies to local ones. The decentralisation process, being quite similar to the objective of privatisation, aims at the transfer of public services to the private sector. Local public authorities plan to co-operate with private partners in those areas in which the whole body of the service cannot be transferred. Services, excluding central administrative ones, will be excluded from the central structure in order to realise the decentralisation process. In addition, the principle of limiting the control of the authority of the central administration over local institutions will be implemented and the provincial administrations restructured accordingly. In many areas, the authorities, powers, personnel and resources of the ministries will be handed over to governorates and special provincial administrations. For example, health, agricultural, social assistance-related, cultural, tourism, environmental, stockbreeding, construction and transportation services will be provided at the provincial level. On the other hand, the Ministry of Justice, the Ministry of Internal Affairs, the Ministry of National Defence, the Ministry of Finance, the Ministry of Labour and the Ministry of National Education are being retained in the central administration and authorised to establish rural institutions.

In the decentralisation process, the organisational structure of the state will be reviewed. The organisation will be redefined as a whole, including the number and size of the ministries and the structures of all the related and associated institutions. Decentralisation regulations are being prepared as a package of codes including: The Bill on the Code for Special Administration of the Provinces, accepted by parliament on 24 June 2004 but vetoed by the President; The Bill on the Code of Municipalities, accepted 9 July 2004, vetoed and then enacted on 7 December 2004; the Code on the Grand Municipalities, enacted on 23 Jul 2004; the Proposal for a Code on Regional Administrative Unions, now being discussed in parliamentary committee. In addition to preparation for the implementation of the Regional Development Agencies, which is amongst the recommendations of the EU, are to be considered that part of the processes of decentralisation which is related to liberalisation practices.

Participation of civil society

This 'civilisation' objective can be considered as the complementary part to the objectives of both privatisation and decentralisation. Civil society appears to be anything that is non-state. On the other hand, it should be noticed that these non-state categories mainly indicate the capital classes; the labouring classes are associated either with the concept of the 'poor' or with that of 'customers'.

When it is examined carefully and objectively, it can be noticed that the objective on the participation of civil society leads to a type of restructuring of the state that constricts the state body and opens up the space for the 'non-state'. Civil society is defined to fit in this space, acting according to market rules. The objectives and principles of social monitoring, increased participation, the right to be informed, transpar-

ency, etc. can all be considered as relating to the target on the participation of civil society.

The new logic indicates that the whole system is to be simplified. The main aim of this simplification seems to be the abolition of bureaucratic obstacles to investors. Similarly, the transformations to increase efficiency in the public sector and to achieve transparency can be considered as trying to make things easier for private investors. The Bill, with its Article 6-d, states that the central administration has the responsibility of building the path of co-operation between public bodies, companies, associations/chambers and other NGOs.

In short the 'new civilised Turkish state' is introduced with a regulatory role and having a simple legislative and administrative structure. In addition, 'unnecessary' institutions are announced as abolished. This can be easily recognised as a clear message for a flexible and liberalised public sector.

Change in the model of public employment

The agenda of the New Public Management introduces within its context the concept of the New Public Employment. The New Public Employment is one of the most important components of the transformations in the public sector and, more broadly, is one of the areas of concern about the restructuring processes of the state. By transforming the model of employment in the public sector, public labour processes are also being reorganised in many aspects, such as the model of recruitment, management techniques and the whole conceptual framework of 'public work' and forms of state labour.

The thematic context of 'performance management' defines the European new public management. The system for this theme is called "management by objectives". MBO is related to the use of operational objectives and performance indicators. This is a management system led by quantified targets and aims at continuous performance improvement. The sequence of the system goes as follows: target setting; decentralised operationalisation and implementation; monitoring of the results; and practical conclusions based on a final performance assessment. The criteria for performance are the level of satisfaction of customers, i.e. the citizens who receive public services. In short, this system is introduced as a transformation from a role-oriented administration to a performance-oriented one (Mosley et al, 2000).

This is another transformation towards a flexible administrative system; a transformation from a system driven by the requirement to achieve equity, consistency and other bureaucratic values to one driven by criteria of efficiency and effectiveness. This is a performance-oriented approach which requires flexibility (Richards, 1990). Britain is the place where these transformations were realised rather earlier than the rest of Europe. Richards (1990) indicates that the management change of the Thatcher government in Britain's public sector was driven by two factors: firstly, it was the government's desire to cut public expenditure as part of the strategy of rolling back the frontiers of the state; and, secondly, it was the quest for value for money with more efficient and effective management (Richards, 1990). This new management model evoked many problematic issues in the public sector in Britain. For example,

'agency work' practices in Britain's public sector need to be assessed critically. In the UK, about 500 000 employees are stated to be working as 'agency temps' (Kirkpatrick and Hogue, 2004), in the context of the ratio of temporary workers in the public sector rising rather dramatically. More and more teachers, doctors and nurses are becoming contracted temporary workers. Employers prefer 'agency work', in the terms of cost reduction and being part of a decentralised management ethos that treats workers as expendable commodities with a fixed-term 'sell by date' (Kirkpatrick and Hogue, 2004; Conley, 2002).

Turkey's public employment system is undergoing a similar process of transformation towards flexibility. At the same time, the personnel regime of the country is also on its way to being restructured. The French public administration system has been a model for Turkish bodies, in particular the public personnel regime. France, being one of the leading countries of Europe, has also been in a situation of restructuring its system of public administration. French governments have developed a strategy for incremental transformations in administrative reform. Beginning from the 80s, France has experienced a series of reforms, including administrative modernisation with Mitterand and public service renewal with the socialist Prime Minister Rocard. Decentralisation reforms took place at the beginning of the 90s. Left-wing governments started the process; right-wing governments continued them. That is to say that the transformation processes in the system of public administration in France have carried the character of continuity (Meriaux, 2004). French processes of the modernisation of public administration have led to the transformation of the statutory system towards contractualisation. The new model can be considered to form a more business-like approach to public management.

The restructuring of the Turkish public employment model

Reorganisation of the public personnel regime is one of the components of the restructuring of the state in Turkey. 'Administrative reform' includes some particular packages of regulations, such as local authority regulations; social security reform; public financial management reform; and public employment reform. The Action Plan of the Justice and Development Party indicated the framework for the transformation of public employment. The Plan indicated that, with the 'reform of the state personnel regime', standard staff positions would be introduced in all public agencies and establishments, and objective criteria introduced for recruitment and promotion; the number of statuses would be reduced and the economic and social differences between similar statuses eliminated; the wage and salary system would be simplified; imbalances would be removed; and flexible working hours would be introduced. In addition, the new model of public management was also indicated in the document, in which it was stated that a total quality management philosophy would be introduced in the supply of public services. TQM was introduced as the most important tool for preventing corruption and in the supply of standards and durations of services, including land registry, public security, municipality, customs incentives, leave, licences, contract awards, progress payments to contractors, civil registry, etc.

According to the framework which was introduced, the regulations in the public employment model include two main pillars.⁵ The first is the re-organisation of the employment and recruitment model, including strategies for salary management; the second is the restructuring of the labour processes within public services with the introduction of the New Public Employment model, in accordance with the governance rationale.

There are 2 750 000 Turkish citizens employed in non-military public organisations in Turkey (see Table 1). This is approximately 4% of the total population and 9% of the labour force (Güler, 2003).

Table 1 – Public employment structure in Turkey, 2002

	Official	Contractual	Worker	Temporary	Special cont. emp.	Total
Central administration	1 632 482	16 853	133 566	246 284		2 029 185
Municipality	88 220	1 683	64 270	106 797		260 970
Special provincial admin.	4 333	49	204	2 485		7 071
State economic enterprises	17 240	179 698	118 695	54 440	83 586	453 659
Total	1 742 275	198 283	316 735	410 006	83 586	2 750 885

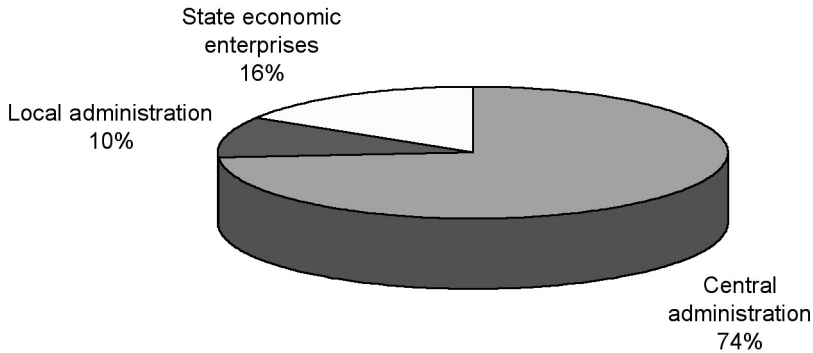
Source: Adapted from Güler (2003)

The public employment system of Turkey is defined as a ‘combined personnel regime’, which includes the three parts of the state structure (Güler et al, 1999): the central administration; the local administration; and state economic enterprises. In the Turkish Public Law, there are two main types of employment categories: statutory; and contractual. Public employment types in different parts of the state structure are also categorised by these two forms. Civil servants, contractual personnel and temporary staff are subject to the statutory category, in which ‘worker’ positions are subject to contractual employment. The central administration covers the civil bureaucratic structure of the state, in which there are the ministries, their institutions and asso-

- 5 The New Public Employment Model has not yet been reflected in a written legal document. However, there have been various indicators, such as symposia held by the State Personnel Presidency, official declarations of intent, etc. There are also a couple of ordinances regarding some incremental changes. In addition, there is a non-official draft document in informal circulation called the ‘Public Personnel Code’. The only official sources for the transformation of the public employment model are the Bills for Regional Administration and the Bill on the Code for Public Administration. In Chapter One of Part IV, named Miscellaneous and Temporary Provisions, Article 46 defines the principles of the proposed public personnel regime.

ciated bodies, their rural organisations and judicial bodies. In the central administration, according to 2002 data, there are 2 029 185 public employees. This means that 74% of total public employment is in the central administrative structure. In local administration and state economic enterprises, there are respectively 270 000 and 450 000 employees (see Figure 1).

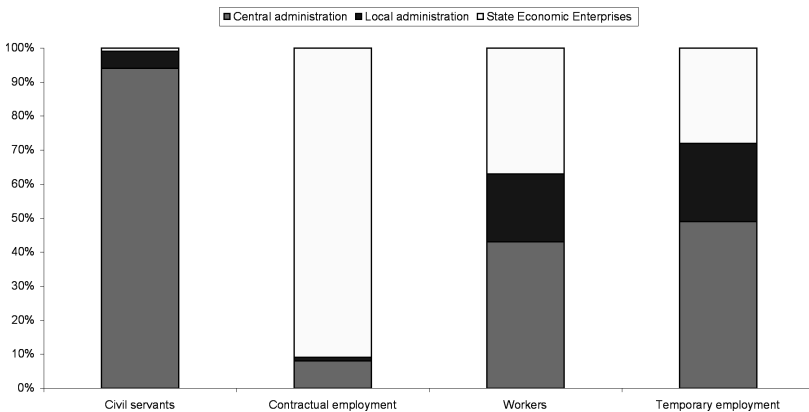
Figure 1 – Public sector employment



Source: Adapted from Güler (2003).

Where employment types are concerned, the distribution among the structures is as follows: more than 90% of civil servants are employed in central administration bodies; contractual employment lies overwhelmingly in state economic enterprises, whereas workers seem to have a more even distribution among the different structures (Güler, 2003) (see Figure 2).

Figure 2 – Public employment by type of employment



Source: Adapted from Güler (2003).

In the draft documents for the new public personnel regime, there is a new structure for recruitment. The new model of employment for public workers introduces five different types of employment which are: civil servants; employees on contracts; workers; temporary statutes; and other public employees. The new public personnel regime plans to limit 'civil servant' positions. Civil servants are employed on fundamental and continuous duties in the public service. In the draft document, there is a list of 77 civil servant positions, indicating mostly top-level managers, experts, researchers, inspectors and auditors. Many civil servant positions are planned to be transferred to contractual employment. The new draft regulation introduces the ways in which the transfer of current employees should accordingly be realised. Contractual employment is defined for positions in which the job holder performs public services which are within the liabilities of the state, state economic enterprises and other public corporations with their own legal identity. These positions are employed on either a full-time or a part-time basis and not considered as 'worker' statutes. In the list for contractual employment, there are 194 positions, which include all health personnel, including doctors, nurses and pharmacists; all workers in the education sector; all types of office workers; fire fighters; mail deliverers; and many others.

By the late 90s, some regulations had been implemented and the application of new employment forms had begun in the public sector in Turkey. Flexible employment models, including temporary work, sub-contracting and special contract workers, became widespread. Besides these, a form of implementation called the 'norm position' was introduced. The main rationale of the 'norm position' regulations is the objective of achieving a more balanced distribution of staff across the country. In the implementation of these regulations, a number of 'standard' positions are specified within the public bodies and institutions, which are then assigned to staff by the rule of seniority. Supernumeraries are employed in places which have vacancies or shortages. This was a rather unrecognised form of employment for the Turkish public sector. The implementation of the 'norm position' regulations inevitably deform the principle of continuity of public sector jobs and restructure their job security aspects. Supernumerary positions create vague work places and job schedules. These practices can be named as flexibility in the employment schemes in the public sector.

Another example of this search for flexibility lies within the draft document for the Code on the Personnel Regime. In the contractual forms of public employment, the duration of contracts are on the basis of a definite time period. This means that, at the end of each period, the employee will be re-employed. In the rationale for this implementation, it is stated that the new model would change the lifetime employment implementations of the Turkish public personnel regime. It is quite clearly declared that contractual employment is not defined as promoting job continuity. Contractual public employees would gain permanent positions only after ten years of employment.

In 2003, an implementation in the health sector took place named the 'Employment of Health Personnel in Places having Shortages' (Ministry of Health, 2003). According to these regulations, health workers began employment as contracted employees for one year. At the end of the annual periods, needs are reconsidered and employees re-employed accordingly.

In this new employment model, another important aspect of implementation is policies on performance pay. Performance pay should also be considered as a part of the 'flexibility' objectives. Performance criteria depend solely on the measures of 'competitiveness'. In other words, the performance of public employees is defined by market dynamics.

Another area which is subject to change is the model of management for the public sector. Total quality management techniques and an associated model have been implemented in public institutions for a while. The European Excellence Model has been implemented in some public bodies, such as the Ministry of Education. Instructions and regulations have been translated from the documents of the European Foundation for Quality Management. The implementation of the quality management model in the public sector was organised as a national campaign at the end of the 90s and the campaign has continued since then.⁶

To organise public services according to the model of TQM means a re-definition of the role of the state as the controller of labour processes. The TQM model introduces the concept of quality in public services and the labour processes are now organised towards the objective of delivering the quality which is actually defined by market forces and competitiveness. Public services are to be standardised in order to give the 'best service' to their 'customers'. Some new roles are emerging for some public employees: there will be 'leaders' of quality teams, 'entrepreneur managers' will be formed and, as a result, the whole system of management will change.

This transformation process certainly presents some very critical problems. First of all, it should be made clear that these restructuring aspects are leading the process of the privatisation of public services. Privatisation of public services is one of the critical transformations within neo-liberal policies, which are very clearly in opposition to the logic of public services for the sake of society as a whole. Secondly, in this altered state, the re-organisation of labour processes develop individualised and segmented relations for public employees. The capitalist character of public labour processes becomes clearer and, furthermore, the role of the state in these processes becomes more 'capital-like'.

Discussion: the restructuring of the state and the public labour processes

The arguments around these issues of alteration attract our attention to one of the important points as the effect of the new state structures on public labour takes shape. How will the labour relations area, as a part of social policies, be changed during this transformation period?

In order to assess this point, the position of the state on the point of production, that is to say, regarding the direct labour process, will be the focus.

The capitalist process of production consists of the combination of the labour process and the process of creating value (the valorisation process). The labour process is the process where in which 'work' is defined. The labour process is the combi-

6 For further information, see the website of the Turkish Quality Association, KalDer: www.kalder.org.tr.

nation of the purposeful activity (work), the object on which work is performed and the instrument of that work. This framework helps us to develop a critical analysis for explaining changes in working practices. Each 'work' type should be analysed in the context of the labour process to which it belongs and each labour process should be considered as part of the capitalist process of production. This mapping out of first principles enables us to assess the totality of change. By means of such an analytical tool, both particular economies and capitalism as a system may be analysed critically in terms of production (Özoğlu, 2002).

Analyses of most of the approaches that concern 'work' depend on an examination of the point of production. Differing types of production/service organisation represent the transformation process. A critical observation of the determinants of organising production in innovative ways has to acknowledge the fundamental motives for changes in production, but would these very motives – driven in large part by profit maximisation and/or market forces under capitalism – provide essential continuity? This logic of capitalist production is often hidden inside the 'shell' of the transformation process. On the other hand, it should be stated that the labour process is directed centrally at the fundamental project of capitalism, i.e. the generation of surplus value. That is to say, the labour process is at the heart of capitalist production relations through the production of surplus value. Furthermore, the central dynamics of that process are to be considered in terms of exploitation (Cohen 1987).

Taking all these points into consideration, we can proceed on putting the state into its place in this framework. Without going into a detailed debate on the relative autonomy of the state, the position of the state against the social classes should be indicated. Boratav (1991) summarises this as follows: the class which has economic sovereignty and which seizes the surplus has control over the state apparatus. Only when there are big social crises, or in the transition periods between forms of production, does the state behave somewhat independently from the sovereign class (Boratav, 1991).

The next question is: how should relations between the state and the labour processes be stated? Taking into consideration both the capitalist labour process and capitalist state definitions, an approximate explanation can be driven forward. The capitalist state controls and/or organises the capitalist labour process. The main motive for this is the rationale of the labour process being the point at which surplus is produced and valorised. That is to say, the state aims to control the point at which capitalist exploitation is realised.

When it comes to 'public labour processes' and the influence of the state, it becomes a bit more complicated. The public sector has two points of argument on this topic. Firstly, the capitalist character of production relations is not as clear as it is in private spheres. This gives public labour processes a degree of ambiguity concerning their capitalist aspects. Secondly, in relation with the first point, the class positions of public workers are also considered to be vague. Carter (1997) puts it in this way: during public labour processes, there is production for determined needs but there is also another point: the securing of the accumulation of capital. That is to say, the public labour process is not independent of capitalist relations and, ultimately, the needs that are to be fulfilled are defined by capitalist relations. The public labour process should

be considered as the combination of those needs that are expressed by the state and the pressure of capital accumulation processes (Carter, 1997). This helps to point out the capitalist character of public labour processes. Especially where public service and public industrial enterprises are concerned, public labour processes appear to be a component of capitalist production relations. The state, in these examples, has a direct influence on labour processes concerning employment policies, legal regulations, proposed production techniques and the management mechanisms.

Another area of concern is the significant labour process of 'state employment'. Particularly in the cases of civil servants, the permanency and security of services become critical. Civil servants perform the main duties of the state and the labour processes are organised in the way that such a duty necessitates. The capitalist character of these processes is obvious, but the role of the state in organising the labour process differs. At that point, it is not only the regulations and employment policies, but the rules and the administration model as well, that determine the public labour process.

In the example of the restructuring of the Turkish state, it is not the state that is withdrawing from public labour processes. On the contrary, the restructuring enables new forms and new roles for the state in these processes. For example, under the privatisations, the state hands over its role as 'boss' to the private sector, to the 'new' bosses, and becomes a 'regulatory actor'. In privatised enterprises, the 'public' labour processes become private ones and the role of the state is transformed into a regulatory one. Under restructuring, the labour processes that were not privatised are also transformed: the state is re-organising the public labour processes in accordance with the rules of the market. The flexibility regulations and the subcontracting methods are the tools of this re-organisation. The withdrawal of the state from the areas of production indicate that the regulatory role of the state is also changing. The state is now regulating labour processes in favour of the markets, for the sake of free competition and for the capital classes as a whole. This new model is named the governance model.

When it comes to the influence of this new model on public employees, it can be said that they cannot keep step with this transformation at all. For them, the restructuring of the state means insecure and vague employment relations, plus working conditions being determined solely by the rules of the market, causing long working hours and inconvenient conditions. Performance pay relations could easily become low pay policies, which are determined subjectively. Public employees will be spending their earnings, which are determined by market rules, in the public services market. The main needs of the people will be served in the market, like education, health, municipality services, etc. It is not difficult to assume that public employees will experience peer competition within their workplaces. Trade unions will lose strength because they will be becoming more and more non-functional in the 'quality' system of the public institutions. Working conditions will become more and more irregular, inconvenient, temporary and individualised.

Privatised and market-led public services will imply that the needs of society come second. It is strongly felt that this is something which will alienate public employees. Being respectful to the market rather than labour engenders their becoming competitive entrepreneurs instead of productive helpers for society.

Public employees are asked to be professionals who are serving 'customers' according to the rules of the free market, applying performance criteria for the sake of 'pay rises' and chasing 'quality' to alter their colleagues!

Those responsible for implementing this restructuring are imposing this process as the only alternative for Turkey's modernisation. And the whole process is linked with Turkey's integration with the EU. The ruling classes of the country insist on being part of Europe and playing the game with the rules of the EU. The rules are introduced as being set by the European governance model. On the other hand, for some others in the country the new model is associated with a deepening of inequalities, more poverty, more dependency, etc. – namely, everything that neo-liberalism means to the labouring classes. The question then comes: Is the EU the only alternative future for Turkey?

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