

THE CONTESTING ROLES OF THE HAK-İŞ TRADE UNION
CONFEDERATION: CLASS AND POLITICAL IDENTITIES

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DECLARATION OF ORIGINALITY

I, Yunus Furkan Arıcan, certify that

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ABSTRACT

The Contesting Roles of the Hak-İş Trade Union Confederation: Class and Political Identities

This thesis aims at scrutinizing the tension between class and political identities of the Trade Union Confederation Hak-İş from a historical institutionalist perspective. This has been done by putting the transformation of the Confederation's religious character and its elective affinity with the political Islamic parties in Turkey into economic and political institutional contexts from 1976 to 2017. Setting certain historical episodes, this thesis first analyzes the harmony and tension in the class and political roles of the Confederation by taking into account the Confederation's responses to the ever-changing post-fordist pressures and incorporation practices. Then the thesis looks at the ways in which the Trade Union Confederation Hak-İş engaged in a privileged relationship with the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) government. By putting a great deal of emphasis on the period of the AKP government, this thesis attempts to offer insights into the ways of politically supported interest mediation that favored the Confederation and how this privileged relationship resulted in the short-term gains of the Confederation at the expense of long-term benefits. Finally, by drawing lessons from the nature of the political exchange between the AKP government and the Trade Union Confederation Hak-İş, the thesis claims that the Trade Union Confederation Hak-İş has become part of a newly-emerged political community around the AKP government that has been consolidating not around class but around an identity axis which will trigger the competing roles of the Trade Union Confederation in the following years.

ÖZET

“Hak-İşçi Sendikaları Konfederasyonu’nun Çekişen Roller: Sınıf ve Politik Kimlikleri”

Bu tez, tarihsel-kurumsalcı bir perspektiften, Hak-İşçi Sendikalar Konfederasyonu’nun sınıf ve politik kimlikleri arasındaki gerilimi irdelemeyi amaçlıyor. Bu, 1976’dan 2017 yılına kadar, Konfederasyon’un islami karakterinde ve Türkiye’deki politik İslami partilere olan yakınlığındaki dönüşümlerin ekonomik ve politik bağlamlara konulması ile yerine getirilmeye çalışılıyor. Bu tez öncelikle, belirli tarihsel dönemler ortaya koyarak, Konfederasyon’un sınıf ve politik kimliği arasındaki uyumun zaman içerisinde nasıl değiştiğini, Konfederasyon’un sürekli değişen post-fordist baskılara ve içirme pratiklerine karşı verdiği tepkilere bakarak analiz ediyor. Daha sonra tez, Konfederasyon’un ve AKP hükümetinin nasıl birbirleri ile ayrıcalıklı bir ilişkiye girdiklerine odaklanıyor. Tez, özellikle AKP dönemine daha fazla odaklanarak, Konfederasyon’u ayrıcalıklı bir noktaya taşıyan siyaset güdümlü örgütlü çıkar ilişkisinin, Konfederasyon’un uzun vadeli endüstriyel kazançlar pahasına kısa vadeli kazançlara yönelmesine dikkat çekiyor. Bu tez son olarak, AKP hükümeti ve Hak-İşçi Sendikaları Konfederasyonu arasındaki politik mücadelenin doğasından dersler çıkararak, AKP hükümeti etrafında sınıf temelinde değil fakat kimlik temelinde oluşmaya başlayan bir politik çevreye Hak İşçi Sendikalar Konfederasyonu’nun da dahil olduğunu ve Konfederasyon’un sınıf ve politik kimlikleri arasındaki gerilimin ilerleyen yıllarda daha da artacağını iddia ediyor.

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CHAPTER 1

INTRODUCTION

“Hard times can often result in strategic paralysis, but can also be a stimulus for the framing of new objectives, levels of intervention and forms of action. Underlying such potential choices is the question often raised by a former British union leader: ‘what are we here for?’ Unions face both ideational and practical challenges which require credible answers to this question.”
(Hyman & Gumbrell-McCormick, 2010, p.327)

Trade unions have experienced hard times when they constantly sought new ways for operating union activity. Across the world, trade unions have found themselves in a place where the core meaning of their existence has been called into question. The strong roots of trade unions have been diminished by the erosion of post World War II conditions under which trade unions had the capacity to influence both industrial and political arenas. After the structural changes towards post-fordism in industrial relations systems, which have had a long-lasting effect on the roles of trade unions as actors of organized working class, there has been an increased political role assigned to trade unions, which, on some occasions, falls into contradiction with their class-based role, to defend the social rights of their members through political channels rather than only industrial ones. This has brought this question from a former British union leader: What are trade unions here for and how can they voice the demands of their constituencies? Possible answers for this question can be found in trade unions’ manifesto for their grievances regarding their complex and contradictory roles in challenging times.

In this context, this thesis intends to scrutinize the tension between class and the political identities of trade unions in the case of the Trade Union Confederation

Hak-İş. In the particular case of the Confederation, the elements of both class and political identity can be clearly observed. In its formative years, from 1976 to 1980, the Confederation openly declared its Islamist outlook and affirmed its affinity with the National Salvation Party which was then the party representing political Islam in Turkey.¹ Yet the discourse and the activities of the Confederation have undergone certain transformations from its foundation in 1976 to the years under the rule of the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) government after 2002. As a class actor in a constituency of political Islam in Turkey, the Confederation has also a clear political identity. Yet the contradiction between these two competing identities has become evident since the approach Islamist parties to industrial relations proved to be incompatible with workers' interests by the end of the 1980's. From the late 1980's to the beginning of the 2000's, the Confederation began to act more as a class actor and tried to distance itself from the idea of "Islamic trade unionism" and the Islamic parties as much as possible. When the AKP came to power in 2002, a new episode opened and the relationship between class and political identities of the Confederation became more complex and contradictory.

As a class actor, the Confederation has mobilized its political identity as a relational source to obtain benefits and concessions provided by the government while it has been forced to accept several constraints imposed by the government in the realm of industrial relations. The constraints stressed in here stem from the increased commodification practices led by flexible employment relationships within a post-fordist production regime which include de-unionization practices and the

¹ Political parties representing the political Islam in Turkey are as the following: The National Salvation Party (*Milli Selamet Partisi*, MSP) 1972–81, the Welfare Party (*Refah Partisi*, RP) 1982–98, the Virtue Party (*Fazilet Partisi*, FP) 1997–2001 and the Felicity Party (*Saadet Partisi*, SP) 2001–present and the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) 2001-present.

flexibilization of labour markets as well as the proliferation of atypical working schemes. Given that the Confederation's founding period, 1976-1980, corresponds to the time during which Turkey's political economy was prone to post-fordist settlement, this thesis underlines that the Trade Union Confederation Hak-İş is a product of post-fordist environment. Yet its outlook and strategy as a collective class actor of industrial working class and political Islam have not remained constant. Hence, the articulation of its economic and political roles with the ever changing institutional contexts from 1976 to 2017 should be elaborated in a detailed fashion.

Emerging from this context, the questions this thesis pursues are the following: How can a trade union survive in the face of structural challenges towards industrial arena? What are the ways in which the Confederation could act along class lines in order to defend the class interests of their members? Does the Confederation adopt to the post-fordist setting by compromising class interests or display resiliency to these pressures? Does the Confederation adopt a nuanced position by exchanging and recalibrating its class interests? Put another way, is there an ongoing contradiction between class and political identities of the Confederation?

This thesis aims to answer these questions first by looking at industrial laws that are at the core of Turkish industrial relations. The first of these laws is the law on 'The Trade Unions and the Collective Agreements, Strikes and Lockouts No: 6356' that was put into effect in 2012, which replaced the former laws passed in 1983 after the coup d'état in 1980.² By re-organizing the thresholds for being

² These former laws are 'Trade Union Act No: 2821' and 'Collective Agreement, Strikes and Lockouts Act No: 2822'.

eligible for collective bargaining, this law contributed to the Confederation to strengthen its industrial power. The second law is ‘the Omnibus Bill No: 6552 enacted in 2014 brought some narrow-scoped improvements to the poorly regulated rights of sub-contracting workers. This law made it easier for sub-contracting workers to be unionized and hence, to benefit from the advantages of collective bargaining. This thesis will shed light on this law in question in terms of both its effects on the striking rise in the membership of the Trade Union Confederation Hak-İş and the Confederation’s demands for unionizing sub-contracting workers along with the other trade union confederations in Turkey.³ These two laws will be assessed together as the source of industrial concessions in the period of the AKP rule.

This thesis, then, will analyze the Confederation’s unprecedented struggle for granting sub-contracting workers state-guaranteed status as the most visible source of its class identity during the period of the AKP government. The discussions revolving around the status of sub-contracting workers in Turkey have intensified since the current government in power, AKP, has intended to create a new status called “contract-employee” for sub-contracting workers instead of making necessary regulations for state-guaranteed status. This was promised by the government before the general election held on June 7, 2016. The erratic moves of the government have been widely criticized by the all trade union confederations, so the issue of granting sub-contracting workers state-guaranteed status has become a focal point for Turkey’s industrial relations. The responses of the Trade Union Confederation Hak-İş, in this regard, lead the way in terms of the Confederation’s

³ The other trade union confederations in Turkey are as follows: Confederation of Progressive Trade Unions of Turkey (*Devrimci İşçi Sendikaları Konfederasyonu*, DİSK) and Confederation of Turkish Trade Unions (*Türkiye İşçi Sendikaları Konfederasyonu*, TÜRK-İŞ).

accusations of the government officials and its effort to generate pressure on the government. However, the Confederation's attempt to resist the government on the issue of the ambiguous status of sub-contracting workers did not turn into strikes, since strikes are not regarded as an appropriate way for resolving conflicts. This is due to the Confederation's institutional emphasis upon mechanisms of social dialogue originating from the culture of reconciliation of social parts at times during which a conflict emerges.

In order to identify the characteristics of the political identity of the Confederation in the AKP period, this thesis takes coalitional alliances between the Confederation and AKP its focus as an alternative way to explain the Confederation's attempt to secure its position in the industrial relations as a privileged trade union. What is implied here is that the extent to which the Confederation brings class-related interests forward is also related to the Confederation's stance on issues beyond the terrain of industrial relations. The class identity of the Confederation is constrained by its political identity, an identity which creates an elective affinity with the AKP. Given that the Confederation and the AKP are actors in the constituency of political Islam in Turkey, albeit in a different positions, the close and privileged relationship between the two push the Confederation to serve as a political actor acting in conformity with the government's macro-political agenda to stay relevant as a class actor. Therefore, issues that are not directly related to industrial relations have a capacity to trigger the coalitional alliances between the Confederation and the AKP. The Confederation has been a pioneer many times as a civil society organization during the constitutional referendums that took place in 2010 and 2017 and many political events in which the Confederation has sided with the AKP government.

This thesis claims that the content and scope of these alliances can somehow offer some insights into the interest politics that the Confederation pursues as an existential imperative. What is meant by existential imperative is that as an industrial class actor, the Confederation has to conform the requirements of industrial relations and the needs of its members through expanding its organizational bases and making more and more collective bargaining. Beside that, being sided with the government on political issues as a way to strength its position in the competitive industrial realm has helped the Confederation to conduct its relations with the government in a positive manner. This, in turn, led to some gains favourable for workers that were beneficial for workers, especially for subcontracting workers. Yet the way in which the interest politics is carried out by the Confederation has caused co-optation of broader or long-term class interests, and in most cases, protection of what has already been achieved, a status quo, in exchange for short-term gains. The core point of the thesis lies here: there is a continuous exchange relationship between the AKP and the Trade Union Confederation of Hak-İş. What follows is the constant challenge faced by the Confederation to craft a balance between its class and political roles. The extent to which these two roles would be in conflict with each other depends on institutional and political contexts that define the advantages and constraints faced by the Trade Union Confederation Hak-İş.

Among the OECD countries, Turkey ranks at the bottom level in terms of union membership and union density. This is because the AKP intensified the de-unionization practices in line with the its neoliberal outlook in industrial relations. Additionally, the uneven distribution of political power that favors the AKP over industrial actors, namely trade union confederations, makes the conditions harsher

for which trade unions can obtain benefits through both industrial and political channels. In this context, the Trade Union Confederation Hak-İş provides a fruitful ground on which the interest politics in Turkey can be studied. By taking the Trade Union Confederation Hak-İş as the main unit of analysis, this thesis draws insight into the way trade union activity is carried out under these double institutional pressures in Turkey.

1.1 Methodology

This thesis intends to shed light on the competing roles of the Trade Union Confederation Hak-İş from a historical institutional perspective. The way historical institutionalism approaches trade unions can be defined in the following manner:

historical institutionalist approaches look at the ways in which unions evolved in opposition to the modern state and in alliance with political parties of the working class or of religious minorities; past origins are drawn upon to explain present differences in unions' political status and political strategies. (Streeck and Hassel, 2003, p. 4)

In order to historicize institutional and political factors, this thesis follows new institutional approach, which is a growing body of thought within historical institutionalism. To form an analytical framework to fully encapsulate the tension between class and political identities corresponding to its class and political roles of the Trade Union Confederation Hak-İş, a timeline needs to be constructed to historicize the certain episodes in which the tension has been taking place. The timeline covers the period between 1976 and 2017. The timeline is divided into four episodes in line with the institutional and political dynamics that have no doubt impinged upon the Confederation. The episodes are: 1976-1980, 1980-1989, 1989-

2002, and 2002-2017. These episodes have been chosen for the nature of the questions they raise about the relationship between class and political identities. As Collier notes, "to characterize a process, we must be able to characterize key steps in the process, which in turn permits good analysis of change and sequence" (2011, p. 823). Thus the main qualitative methodology for analysis is "process tracing" in order to trace the links occurred between causes and outcomes in the tension between competing identities of the Confederation. Thereby, process tracing can be useful in "evaluating hypotheses about the causes of a specific outcome in a particular case" (Mahoney, 2012, p.571). Since this thesis relies on a historical within-case analysis, process tracing allows me to observe the interaction between institutional setting and actors' preferences in a more rigorous way. As Trampusch and Pallier (2016) put it, the main aim of process tracing is to "observe causal process through close-up qualitative analysis within single cases, rather than to statistically estimate their effects across multiple cases" (p. 439).

The competing identities of the Confederation eventually determine the degree to which the Confederation puts emphasis upon its class and political roles. The historical institutionalist approach allows the thesis to trace historical patterns, that are shaped by political and economic settings, all of which have left non-negligible impacts on the contemporary state of affairs of the tension between class and political identities of the Confederation. As Thelen argues, "where the context is changing, those who are invested in particular institutions reevaluate their investment in light of these changes" (1999, p. 396). The way in which political and industrial struggles are mediated requires not only focusing on institutions but taking into account a bulk of preferences that are available to actors in a given historical conjuncture. Then, what can help us to understand the factors that would

likely to affect the preferences of actors beyond institutional context? This thesis attempts to answer this question by bringing the challenging identities of the Trade Union Confederation Hak-İş onto its agenda.

This thesis relies upon qualitative methodologies, the first of which is explained in the previous section as a process tracing. As a second qualitative methodology, this thesis has made use of elite interviews conducted with the administrative branch of the Trade Union Confederation Hak-İş.

The reason the method of elite interviewing was chosen is that the ultimate decisions that guide the Confederation in the face of political and economic challenges are made by administrators with a strategic common mind. Therefore, rather than pursuing a strategy based on interviewing individual workers who are members of the Confederation, this thesis shifts its perspective to the administrators and consultants of the strategic trade unions that are affiliated unions of the Trade Union Confederation Hak-İş.

I thus decided to narrow down the number of interviews by interviewing only the top-level administrators and consultants, whose statements on the process of industrial and political contacts contributed to investigation pursued in the thesis. In line with this reasoning, interviews were conducted with five interviewees from the top-level administrators and consultants of the Confederation. These include the General Secretary of the Trade Union Confederation Hak-İş, the President of the Öz-Orman İş Trade Union (who is also the Vice President of the Trade Union Confederation Hak-İş), the Chief Consultant of the Hizmet-İş Trade Union, the Assistant Secretary of the Öz-Orman-İş and the former trade union senior expert of the Trade Union Confederation Hak-İş.

1.2 Organization

In Chapter 2, this thesis defines the concepts derived from related theoretical approaches. This chapter consists of five parts: a) Trade Unions as Political actors, b) Harmony and Tension Between Class and Political Roles of Trade unions, c) Political Exchange, d) The Mode of Incorporation of Trade Unions as political institutional context, and e) Trade Unions in Post-Fordist Period as economic institutional context.

Chapter 3 examines the milestones and key events in the history of the industrial relations from 1923 to 2002 in Turkey with specific reference to trade unions. It aims at presenting an overview of the historical changes and continuities in the history of Turkish trade unionism.

Chapter 4 analytically engages with the history of the Confederation. This chapter constructs a timeline between 1976 and 2002. The timeline is divided into three historical episodes with regard to the conflicts emerged between class and political identities of the Confederation.

Chapter 5 constitutes an integral part of the thesis by carefully examining the competing identities of the Confederation in terms of the advantages and disadvantages of both neoliberal retrenchment in industrial relations and the political context of a strong single-party rule.

Chapter 6 summarizes the main findings of the thesis and its contribution to the Turkish industrial relations literature. This chapter also draws insights into the future prospects of trade unionism that will likely be pursued by the Trade Union Confederation Hak-İş.

CHAPTER 2

THE CONCEPTUAL FRAMEWORK FOR ANALYSIS

This thesis follows theoretical approaches drawing interrelated concepts from both political science and industrial relations literatures to make an institutional analysis of mediation of interest politics. The concepts are used to explore the case of the Trade Union Confederation Hak-İş with reference to its conflictual relationship between class and political roles. The nature of these roles stemming from trade unions' identities offers crucial insights into the way in which trade unions either pursue a conflict or cooperative-ridden agenda in their relations with actors of political arena to obtain concessions or avoid certain drawbacks that would likely affect the industrial arena.

This chapter presents a discussion of the theoretical approaches relevant for the objective of the thesis which examines the historical sequence of the choices made by the Trade Union Confederation Hak-İş. The choices in question are situated in economic and political contexts where the Confederation placed relative emphasii on its class or political roles.

Therefore, this chapter first conceptualizes trade unions as political actors alongside their economic roles. It then focuses upon processes within which trade unions as political actors try to exert influence in the political arena, namely over political parties and legislative organs. The process conceptualized here forms a political exchange. The economic-institutional context is conceptualized as flexible employment and de-unionization practices, which are embedded in the post-fordist

production settlement, paving way for changes in occupational structures and proliferation of atypical working schemes. The political-institutional context concerns how the manner in which the mode of incorporation of trade unions set by the state or a political party can have explanatory power in analyzing trade union activity carried out on both class and political lines. It is in this context that this thesis explores how the Trade Union Confederation Hak-İş has been acted as a class and political actor from 1976 to 2017.

2.1 Trade unions as political actors

The conceptualization of trade unions with regard to their role has been under examination within a perspective concerning their engagement in both industrial and political arenas. Their role as a class actor located in the industrial sphere is based on the negotiation of “routine terms and conditions of employment” in collective bargaining arrangements (Hyman, 2001, p.1). Seen in this way, Webb and Webb (1894, p.1 as cited in Hyman, 2001, p.2), one of the most distinguished early scholars in the field of industrial relations, have aptly set the definition of trade unions as being only class agency in the following way: “a trade union, as we understand the term, is a continuous association of wage earners for the purpose of maintaining or improving the conditions of their employment”. Moving from Webb and Webb to the contemporary discussions in the comparative political economy literature, especially in the Varieties of Capitalism (VoC) literature, there has been a rapidly expanding trend in approaching the roles of trade unions only vis-a-vis employers (Hall and Soskice, 2001) or, in an increasing manner, their contribution to vocational education systems (Culpepper, 2007).

These approaches, however, fail to satisfy the political conditions under which trade unions exert a degree of influence. The break with the those of economic perspectives has been the result of renewed salience of the trade unions' political roles. This implies that trade unions have begun to act as not only vehicles of industrial but as political integration as well (Trampusch, 2010). In the process of interest mediation, trade unions, therefore, display two functions, one of which is the economic function aiming at gaining relatively stable position in labour markets, and the other is the political function, serving as a basis for influencing state policies so that they serve their economic interests (Ebbinghaus, 1995).

More explicitly, Hyman and Gumbrell-McCormick (2010) argue that "trade unions are not merely economic (or 'industrial relations') actors: they are necessarily protagonists in the political arena" (p. 315). In a parallel vein, Andrew J. Taylor (1989) in his seminal book - "*Trade Unions and Politics*" - aptly claimed that "unions are inevitably political, whether they or politicians like it; (...)" (p. xiv). As political actors, trade unions are involved in public policies by extending their vision to a wide -range of social policies, including compensation for unemployment and social welfare schemes which are likely to have an impact on their industrial objectives. Especially in the system of corporatism, trade unions structured themselves in a body of tripartite institutions that eventually "at least in their political behaviour, leaders of trade unions entered "the corridors of power"⁴ (Coates and Topham, 1986, p. 23). Beyond the industrial terrain, they serve as the main actors behind social and political development as evident in their involvement in the democratization process of societies (Rueschmeyer and Stephens and

⁴ The phrase "the corridor of power" belongs to former General Secretary of Trades Unions Congress, George Woodcock, in Britain. The phrase implies that trade unions have begun to act increasingly on political lines rather than pursuing conventional methods of trade union activity.

Stephens, 1992; Buchanan and Nichols, 2003; Cook, 2004; Lee, 2011). Thus they engage in political processes where they have vested interests. The way in which trade unions are articulated with political arena can either take the form of political support to the political parties they are affiliated with or take various political action in the face of socio-political developments.

The first area for considering trade unions as political actors is the nature of their established relationships with political parties. That trade unions are linked up with political parties is an issue which literature commonly agrees upon.

Ebbinghaus (1995) defines this relationship with particular reference to the left-wing political parties and trade unions as ‘Simase Twins’. The relationship between the two also reveals that trade unions are assigned to political roles in terms of generating electoral mobilization and offering coalitional alliances on specific policy issues to the social democratic political parties (Howell, 2001). The political roles of trade unions also have been underscored as being responsible for the expansion of welfare state together with the powerful left-wing parties during the fordist era (Korpi, 1983; Esping-Andersen, 1990).

The second area takes “political action” into account in order to analyze trade unions as political actors (Masters and Delaney, 1987). According to Hamann and Kelly (2004), “political action is designed to influence state’s policy-making process and involves union involvement at many different levels of government” (p. 93). They add that that “three spheres of activity fall within the political domain: elections, legislation and the implementation of policies” (p. 93). The political action is used in varying degrees and levels across countries and institutional contexts that define the type of trade unionism in the face of ever changing

economic and political challenges.⁵ Since “the positioning of labour is the product of a fundamentally political process”, the political action seems inevitable and stands as an alternative way to voice the demands of the trade unions (Hamann, 2012, p. 3). However, political action by itself should not be read as the sole choice that trade unions pursue but should be perceived a complementary mean to their involvement in collective bargaining during which their economic interests are subjected to negotiation (Cella and Treu, 2001).

2.2 Harmony and tension between class and political roles of trade unions

Trade unions bear the traits of industrial and political spheres which push them to act on both class and political lines. Yet the extent to which these two roles accompany each other stands out as an analytical problem. As Hyman and Gumbrell-McCormick (2010) insist, “yet if unions are inescapably both economic and political actors, the relationship between the two roles is complex and contradictory, and the priority assigned to eachy varies across countries and over time” (p. 317). In the same manner, Gumbrell-McCormick (2013, p. 242) sheds light on the complexities emerged between union identity and ideology in determining the primary roles that trade unions would pursue:

‘worldviews’ and ‘cognitive maps’ are components of trade union ideology, which may derive from external sources (such as a political party or church) but are internalized within the union or union movement; union identity can be understood as the relatively stable characteristics and orientations of an organization, tending to persist regardless of changes in personnel, which have both an internal dimension (assuring members, activists and officials

⁵ For example, McIlroy (2000, p.3) explains the type of trade unionism pursued by The Trades Union Congress (TUC) as “campaigning pressure group” while Olimpieva and Orttung (2013, p.4) stressed the recent “politicization” of Russian trade unions in their search of finding allies among political parties in Russia.

what the union is and does) and an external one (proclaiming the nature of the union in the broader industrial relations and public sphere).

However, the idea in question does not imply that there is an absolute antagonism built around between these two roles derived from union ideology and identity. In other words, being an agency of a particular segment of working class does not necessarily pave the way for abandoning political roles and a particular identity that trade unions embrace. If this were the case, as far as the interests of trade unions are concerned, class and political roles would be overlapped depending upon the historical context or juncture in which trade unions emerge and define their primary roles. This is most evident in the Socialist School of War Tradition about the role of trade unions implying that “they are military school of the working man in which they prepare themselves for the great struggle which cannot be avoided; (...)” (Engels, 1987[1845], p. 233). The great struggle taking place between labour and capital and between labour and the state makes trade unions implicitly as actors of both industrial and political arenas. Therefore, from a socialist perspective, the political action alongside the economic action is *sine qua non* for which trade unions can be main actors of class struggle. In a less radical fashion, trade unions’ political roles can be generated from religious or social identities which altogether contribute to their class-based roles. In a well-documented historical analysis of American trade unions, Marc Karson revealed how the social and moral hazards of working men are inseparable from their economic interests. As Karson (1958, p. 273) quoted from the manifesto of the Catholic Workers Association:

It is necessary, however that in his great work of Christian democracy she should receive not the passive but the active support of every Catholic

working-man and indeed the co-operation and support of those workers not within the fold who should look to her for guidance and protection.

The overlapped roles of the trade unions are, indeed, not always constant and are subject to change. The literature examines the factors leading to the emergence of conflictual relationship between political and class roles. From this point of view, Crouch (1993) provides insight into the formation of varying types of system of industrial relations in Western Europe by evaluating the distinctive patterns of interaction between state-society relations. In a same manner, Ebbinghaus (1995) claims that, as elements of a path-dependent process, historical cleavage lines, which exist in every society, leave their imprint on the character of industrial relations. The emphasis on state –society relations and historical cleavage lines also shape the initial formation and continuing evolution of trade unions' identity and their relations to the political parties. This implies that trade unions' class identities and political ideologies are shaped by distinctive trajectories of varying types of cleavage and interplay between state and society.

The decisive roles of state –society relations and historical cleavage lines on the formation and evolution of trade union identity and ideology can be traced through trade unions' relations to political parties (Hyman and Gumbrell-McCormick, 2010). As discussed in the previous chapter, there is an elective affinity and an established relationship between trade unions and political parties regardless of whether these two are located on the left or the right end of the political spectrum. As Haywell says, “the relationship of trade unions to political parties has been an aspect of their overtly political role that has attracted the most attention” (Haywell, 2005, p. 5). The question is how class and the political roles of

trade unions, in indicating their class and political identities-belongings, shift away from being overlapped to contradictory one.

As with state –society relations and historical cleavage lines, the contradiction emerges at times of institutional pressures that rupture the harmony in the political and economic roles of trade unions. For example, along with the rise of secularization in Western Europe since the 1960s, there has been a pernicious trend towards “ideological blurring” between the Christian democratic political parties and their affiliated trade unions (Pasture, 1996, p. 380).⁶ Murillo, in a similar vein, focuses on the established relationship between labour-based political parties and trade unions in Latin American countries in times of market reforms towards neo-liberal restructuring that creates identity dilemmas for both trade unions and labour-based political parties (Murillo, 2004). Partisan coalitions between labour-based or social democratic parties and trade unions in Western Europe have also been adversely affected by the convergence of ideological convictions of left-wing parties to their right-wing political counterparts which eventually led to an identity crisis for trade unions (Kitschelt, Lange, Marks, and Stephens 1999; Hassel, 2015).

⁶ Pasture, in particular, engages in further examination with regard to the tension between union ideology formed along religious line and challenges occurred in the operation of industrial relations. In particular reference to Christian trade unions across the Europe, he gives useful quotations that neatly summarize his point of argument. Of the quotations he used in his book, the following is also remarkable for the purpose of this thesis. He elaborates significant turn of Christian Trade Union Movement (CTFC) in France in terms of changes in the union’s Christian identity and attitudes towards class struggle emerged in practice. As he quotes from CTFC booklet that “Ideologies are collapsing. The value of a man is emerging: dignity, irrespective of race, sex, age, health, social role... A new type of trade unionism answers him. It prefers the open hand to the clenched fist, the defence of life over the class struggle. It is the trade unionism of the CTFC” (Pasture, 1994, p. 16).

2.3 Political exchange

It is by now widely accepted that trade unions face dramatic challenges in terms of decline in their membership and loss of leverage in collective bargaining process in the post-fordist era. Then what accounts can be helpful for analyzing trade unions' actions in the context of post-fordist production regime? As discussed in previous sub-chapters, trade unions are economic as well as political actors. Therefore, the answer to this question, in a nutshell, is that they take political action by forging their links with political parties they are affiliated with (Taylor, 1989). Trade unions also engage in political processes that are both within and beyond the industrial terrain.

The discussions revolving around the way in which trade unions make contact with the political arena focus on the process called 'political exchange' (Pizzorno, 1978). The term political exchange refers to a form of exchange between trade unions and political parties where the former "provide(s) crucial resources for labour-connected parties-votes, money, an infrastructure within the organized working class- and those parties, when in government, provide legislation and economic and social gains that benefit workers and help unions act in the industrial sphere" (Howell and Daley, 1992, p. 4). At this point, it is important to recall that the literature on political exchange has exclusively gained ground in the following first three decades of the post-war political and economic settlement. This is due to the fact that "interests and constituencies of party and union has overlapped" in that period (Howell and Daley, 1992, p. 4). Moreover, the way in which political exchange has been analysed put a great deal of emphasis on the relationship between left-wing labour unions and political parties. However, the concept of political exchange has undergone a rapid change since the burgeoning salience of

the post-fordist economy has posed significant challenges to the post World War II settlement, which eventually led to the weakening of the ties between left-wing unions and political parties. That said, crisis of the fordist economy in the late 1960's gave way to a collapse in the material bases of the close relationship between trade unions and parties. By the middle of the 1970's, the attention had slowly turned to analyzing the complex relationship between trade unions and parties, where right-wing and conservative parties replaced left-wing parties or in other cases, left-wing parties, which were organized on class lines, were compelled to embrace the post-fordist economy, which left limited room for class politics is to be carried out (Giddens, 1998).

As will be discussed later in the thesis, the dwindling rate of union membership and union density led by the post-fordist economic system have changed the patterns of political exchange. The historical change in the patterns of political exchange offers useful insights into the decisive role of the institutional context. In a period of prolific moves towards de-unionization, mass flexibilization and changes in occupational structures and proliferation of atypical working schemes, the fordist settlement, which was then based on corporatist reconciliation through mechanisms of collective bargaining, was lost 89uits capacity to provide mutual benefits to both unions and governments (Hyman, 1997; Hyman and Gumbrell-McCormick, 2013). In this context, trade unions have been curtailed in their strength to be a powerful actor in collective and economic bargaining.

The arena where political exchange takes place is now considered outside scope of collective bargaining in the industrial arena, but it takes place in the political arena, where unions try to exert power over policy-making and the

legislation process. As Payne (1968) aptly puts it “due to labour’s weak position in industrial arena, a pattern of industrial relations emerges in which political bargaining is more important than collective bargaining as a means of pursuing labour gains” (as cited in Collier and Collier, 1991, p. 21).

As discussed in previous chapters, trade unions’ political action and their engagement in politics may take the form of involving policy making and legislation processes or supporting political parties in situations where political support in the form of coalitional alliances on crucial policy issues is needed (Frege, Heery, and Turner, 2004). The whole picture pertaining to the post-fordist era indicates that unions have become more politicized, or as Boreham and Hall maintain that “political unionism” has emerged as a new way of operating union activity (1994; p.314 as cited in Coulter, 2014, p. 8). Political unionism as a form of union activity required by political exchange in the post-fordist era is “less an institutionalised form of exchange and more of an ad hoc process of political engagement with policymakers over issues salient to organised labour.” (Coulter, 2014, p.8).

Piore and Sabel (1984) in this regard argued that the new economic paradigm, which they identified as the ‘second industrial divide’, bears the characteristic of flexible production, somewhat brought the mechanisms of reciprocity relations that are promoting the cultural and social affiliations between the social actors (Buğra, 1999). This holds true, especially in the logic of post-fordist flexible production regime in that flexible production alters the power of collective bargaining practices in a way that collective bargaining cannot be functional, as it has been in the fordist era, for trade unions in times of massive de-unionization practices in the post-fordist era. Therefore, trade unions increasingly

engage in politics, in many case by using their personal networks or their religious political-ideological affinity with the political party in power. Political exchange, therefore, by its nature is a politicized process which complements the weakened capacity of collective bargaining by means of political bargaining. Yet the struggle posed by the political exchange itself lies at the question of to what extent trade unions can act on political line without moving away from class-related interests. A more subtle question is what the process of political exchange implicitly triggers in the tension between class and political roles of trade unions. These are all questions pertaining to the nature of the politics of industrial relations referring to the mode of incorporation of trade unions and the economic restructuring of industrial relations that puts trade unions on shaky ground as well.

2.4 The mode of incorporation of trade unions

Trade unions' political actions to influence the state policies are based upon institutional advantages and disadvantages which deal primarily with the structuring of a system of industrial relations (Streeck and Hassel, 2003). The process through which how industrial systems are structured and developed is subjected to state intervention, albeit in varying degrees and types (Howell, 2005).

However, the term state intervention stands as a high level of abstraction that prevents a complete grasp of the variation in the patterns of interventions and their likely outcomes on trade unions. Collier and Collier (1991), from this point of view, in their path-breaking book entitled *Shaping the Political Arena: Critical Junctures, the Labour Movement, and Regime Dynamics in Latin America* claim that there are, in more broad terms, two types of incorporation consisting of “state

incorporation and party incorporation” of labour movement and trade unions (Collier and Collier, 1991, p. 8). They explain the main features of these two modes of incorporation models in the following way:

In the case of state incorporation, the principle agency through which the incorporation period was initiated was the legal and bureaucratic apparatus of the state, and the principle goal of the leaders who initiated incorporation was the control and depoliticization of the labour movement. In the case of party incorporation, a central agency of incorporation was a political party or a political movement that later became a party, and a fundamental goal of political leaders, in addition to control, was the mobilization of working class support through this party or movement. This mobilization of labour contrasted sharply with the depoliticization characteristic of state incorporation. (Collier and Collier, 1991, p. 8)⁷

As an integral part of a wider labour movement, trade unions therefore have to deal with the associated political pressures. The analytical distinction is crucial in its capacity to allow the observation regarding to the tension between political and class roles of trade unions under different types of regime types as well. For example, in his well-detailed analysis, Drake (1996) argues that capitalist authoritarian regimes run by military dictatorships and coupled with state incorporation of trade unions have created a vicious cycle of political and economic adversaries upon the trade unions in the Southern Cone regimes.

As with state incorporation, party incorporation constitutes the second and the most salient aspect of the political institutional context. As it is substantially different from state incorporation, party incorporation reveals the mechanisms of control of trade unions. In this respect, party incorporation of trade unions appears to contain a set of apparatus at its disposal to make trade unions dependent on political parties. Of the methods party incorporation implements, “favouritism” in

⁷ Though the main units of analysis are Latin American countries, the analytical distinction between the two types of incorporation matters for this thesis and offers valuable insights for which this thesis is conceptualized the political-institutional context.

the form of inducements and concessions come first (Collier and Collier, 1979).⁸

Inducements such as elements of party incorporation are offered by a political party to reshape the industrial arena by creating easily controllable trade unions rather than eliminate and depoliticize them by directly keeping them under control as it is evident in the mode of state incorporation (Collier and Collier, 1991).

By proceeding from the point where Collier and Collier define the extent and nature of party incorporation, the analytical puzzle requires explanation of the interplay between trade unions and political parties in the system of interest representation. Considering that party incorporation needs the support of social entities it intends to incorporate, there are grounds for political exchange. However, party incorporation may function as something which renders the political relationship between different social parts into a clientelistic mode. Hopkin (2006) gives a basic definition and outlines the premises of political clientelism that allocates benefits to certain selected groups which inherently includes favouritism in a way that “such selective benefits include help in the labour market, for instance allocation of public sector jobs, help acceding to welfare benefits, or favouritism in administrative decisions (exemption from military services, building permits etc)” (Hopkin, 2006, p.6). From this point of view, favouritism can take place through legislative and administrative regulations that makes certain trade unions privileged over the other trade unions. The capacity of a political party to mobilize the

⁸ Inducements and concessions refer to, among other things, “subsidy of *groups*-provide important organizational benefits” (Collier and Collier, 1979, p.969). As it will be discussed later in the thesis, the organizational benefits, which are at the core of the interplay between the Trade Union Confederation Hak-İş and the AKP government, will be of utmost importance.

mechanisms of political clientelism can therefore provide a powerful basis on which party incorporation of trade unions can be initiated.⁹

Favouritism can also take other forms of controlling the industrial arena. According to the Annual Survey of Violations of Trade Union Rights conducted by International Trade Union Organizations (ITUC), one of the examples of favouritism is to force workers to become a member of unions that are friendly to the ruling party (ITUC, 2012).¹⁰

Since trade unions' capacity to struggle against the restructuring of the system of industrial relations is dependent upon their perceived roles in both the industrial and the political arena, as has been argued so far, varying types of incorporation of trade unions should be explained in detail. Otherwise, the analysis may risk reaching misguided conclusions. In order to complete the analytical puzzle on the competing and the ambiguous class and political roles of trade unions, economic restructuring, alongside political restructuring, should be elaborated. Therefore, the following question gains importance: How can political pressures generate from the modes of incorporation of trade unions be linked to economic pressures? In other words, in given economic and political settings, what are the ways in which trade unions operate? Therefore, the economic-institutional context lies at the core of the thesis in its capacity to constrain preferences as well as objectives of trade unions in times of industrial challenges.

⁹ Clientelism as a mode of political incorporation of trade unions brings rather temporary solutions to ongoing vicious cycle of industrial issues. From this regard, it is important to bear in mind that the method of incorporation directly affects the way in which trade unions obtain benefits through engaging in political arena. For the further discussion with regard to how clientelism works as a mode of incorporation, see (Mouzelis, 1985).

¹⁰ The survey conducted by ITUC covers a wide range of violation of trade union rights across the globe. In the survey published in 2012, the favouritism in the form of forcing workers to resign from their affiliated trade unions in favor of a become a member of government friendly unions has been mentioned in the case of Turkey. For further information, see (ITUC, 2012, p.222).

2.5 Trade unions in the Post-Fordist period

In all parts of the world, trade unions suffer from organizational decline, loss of political power and shrinking capacity in labour market institutions as a result of the transition from the fordist production regime, an era during which trade unions mattered for industrial and political development, to a post-fordist production regime. In this context, as Wallerstein and Western (2000, p. 355) argue that:

Unions are in big trouble, as everyone knows. Under attack by conservative politicians, battered by overseas competition, threatened by capital flight, bewildered by changes in the nature of work, and shackled by an outmoded egalitarian ideology, unions increasingly appear like large but aging dinosaurs struggling to adapt as the climate changes.

The climate referred to the above lines points out that the political economy built around post-fordism has led to the greater flexibilization of labour markets, coupled with globalization pressures towards competitiveness. Along with the decoupling from the fordist production regime after the post World War II settlement, according to Jessop (1994), “as a labour process, post-Fordism can be defined as a flexible production process based on flexible machines or systems and an appropriately flexible workforce” (p. 257). As opposed to regulated labour markets that were, without a doubt, favorable for trade unions and political parties, the ultimate aim of the new production regime, often referred to as neo-liberalism, can be summarized as follows: “the battle cry of neo-liberalism has been to tear down any barriers that impede labour market flexibility and that constitute so-called labour market rigidities” (Gall, Wilkinson, and Hurd, 2011, p. 7). However, changes in labour markets do not necessarily pave the way for completely eliminating the pre-existing institutional environment. As has been argued by Rhodes (1998, p. 179) “successful economic adjustment, including greater flexibility

of labour markets and the organization of welfare states, may require, in turn, a flexible form of ‘market’ or ‘competitive’ corporatism rather than attempted moves in a neo-liberal direction”. Yet even though the institutions adopt themselves to the requirements of post-fordist political economy, it would suffice to argue that the post fordist political economy has aimed at dismantling the power of unions and, in most cases, lowering the real wages of workers and weakening the collective bargaining de-unionization measures.

The post-fordist production regime also affects the political power of trade unions alongside their industrial power. As Dore (2003, p. 32) aptly argues, “not only flexibility/efficiency objectives but also the political objective of breaking the power of the trade unions and their ability to influence the electorate” have considerably shrunk (as cited in Hyman in 2007, p. 206). Thus, in a post-fordist context, the revitalization efforts of trade unions have rapidly gaining ground for which trade unions to overcome these economic pressures (Behrens, Hamann and Hurd, 2004).

The transition from fordism to post-fordism brought about a significant change in the nature of employment practices. These arose from the flexibilization of labour markets and can be classified as atypical forms of employment (Cordova, 1986) or non-standart forms of employment (International Labour Organization, 2016). According to the European Foundation for the Improvement of Living and Working Conditions (Eurofound) (2009), atypical work is defined as “employment relationships not conforming to the standard or ‘typical’ model of full-time, regular, open-ended employment with a single employer over a long time span”. It is generally accepted that the most prevalent forms of atypical jobs are temporary employment contracted by mechanisms of outsourcing and sub-contracting (Munck,

2002). Yet the proliferation of atypical working schemes poses a great challenge to trade unions since atypical forms of employment alter the profile of workers that are eligible for trade union membership. Since trade unions conventional composition of their members often consists of blue-collar workers who have full-time and permanent job, the emergence and domination of atypical working schemes unavoidably-and structurally made conditions complicated for which trade unions exert a degree of power in organizing workers (Phelan, 2007; Gumbrell-McCormick, 2011). The response to forms of atypical employment, however, “is conditioned by their own structures and ideologies, the national industrial relations system in which they operate, (...)” (Gumbrell-McCormick, 2011, p. 297).

In the face of globalization articulated with post-fordist employment relations, all of which together constitute a congruent whole, trade unions are often mobilized on political lines and devise new alternatives for realizing their existential objectives which are to defend the rights of their members. The factors that constrain trade union activity should be hallmarks for any analysis in order to arrive at accurate conclusions. Within the scope of this thesis, therefore, the mechanisms of incorporating trade unions into the given political and economic order and the ways in which trade unions’ respond to these challenges are the central analytical questions. Thus, the following analysis of the Trade Union Confederation Hak-İş is situated in the analytical framework that I present in this chapter.

CHAPTER 3

AN OVERVIEW OF THE HISTORY OF TRADE UNIONISM IN TURKEY

Turkish trade unionism has a considerable historical background and has been subjected to various types of political and economic challenges. This chapter offers a brief history and highlights the main patterns of interest politics of Turkish trade unionism. For that purpose, this chapter is divided into five short parts in line with the political and economic settings in which Turkish trade unions have operated and contributed to the evolution of the existing system of industrial relations. In so doing, the chapter focuses mainly on the pathways leading to the foundation and evolution of the Trade Union Confederation Hak-İş rather than engaging in a detailed and exhaustive examination of the history of trade unionism in Turkey.

The first sub-section, e.g. section 3.1, is based on the initial attempts of political authorities to establish only regulatory frameworks for labour relations rather than preparing a fertile ground for trade unions to operate. This discussion covers the early Republican experience until 1946. The sub-section 3.2 deals with a transition to multi-party period and the way political parties competed over labour issues in the period between 1947 and 1960. The sub-section 3.3 covers the years of a series of crises and advancements in labour rights unfolded by political changes that came with the constitution of 1960 and its related legal regulations, and a particular mode of political economy, import substitution industrialization (ISI), both favourable for trade unions to flourish. The sub-section 3.4 looks at the ways in which trade union activity has been significantly ruled out as a result of the

military coup of 1980 and the neoliberalization process, with which together it constituted an authoritarian rule. Finally, the last sub-section 3.5 draws attention to the character of interaction between the state and trade unions from the perspective of political exchange by underscoring that both the state and trade unions were responsible for shaping the overall political and economical settings and influenced by them as well.

3.1 A brief overview of trade unionism from the Early Republican period to 1946

The first attempts of workers' to form a collective organization which functioned mainly as a channel to voice their collective demands can be traced back to the late Ottoman era (Işık, 1995; Makal, 1997). As has been argued by scholars, the main characteristic of the late Ottoman era was a division of labour by the strictly drawn boundaries of occupational roles that eventually caused the labour movement to act collectively (Feroz, 1995). Having stressed that, however, there were several attempts of collective action, as reflected by going for a strike to “demand better wages and decent working” conditions (Sencer, 1969, p.240 as cited in Karakışla, 1995, p. 32).

From the early Republican period onwards, trade unions were brought to the agenda of the Turkish Republic, which were run by a single-party government, the Republican People's Party (*Cumhuriyet Halk Partisi*, CHP), by the principles of İzmir Economic Congress (*İzmir İktisat Kongresi*) in 1923 (Kaleağası-Blind, 2007, p. 290). Kaleağası-Blind underlies the fact that the Congress “legalized the right to unionize and limited the workday to eight hours, (...)” (2007, p. 290) Yet the Turkish trade unionism experience in the early Republican period was a short-lived

one due to the Maintenance Order issued by the CHP in 1925, which ordered the shut-down of all unions and union activities.

After a period of struggle with labour, the CHP promulgated Turkish Labour Law No: 3008 in 1936 in order to accord with the international labour standards promoted by International Labour Organization (ILO) (Aktay, 2003; Aklar, 2010). Accordingly, “with this law, for the first time industrial relations, inclusive of individual and collective dimensions, were regulated” (Aklar, 2010, p. 14). Nevertheless, according to Makal (1999, p. 87), while the law in question takes “protectionist outlook in its orientation to individual working relations, it bears the traits of authoritarianism when it comes to collective working relations”. Moreover, the law in question outlawed the right to strike. It is sufficient to claim that the law did not provide the necessary foundation on which the interest of the working class could be defended through trade unions. This is, due, in part, to the CHP’s understanding of organic society built around the principle of harmony of social classes and interests, rejecting any possibility of class antagonism and conflict (Parla, 1993).

In what follows, further restraints on labour were put into effect. In particular, the Association Law No: 3512 enacted in 1938 “placed a ban on the right to organize as class-based organizations” (Ekin, 1989, p. 235). Therefore, the Law No: 3512 eradicated any collective organizations, including trade unions that were organized -“on class lines”-, in the Turkish industrial system landscape. The law shrank the already weak presence of trade unions and continued for almost eight years until 1946. The restricted scene for trade unions, however, was about to change, albeit in a minor way, by the formation of the Democratic Party (*Demokrat*

Parti, DP) in 1946 and, therefore, by the end of continuing single-party rule of the CHP.

3.2 Trade unionism in Multi-Party period: 1947-1960

In 1946, Turkey entered a multi-party period by the foundation of the DP, which was then the only opposition party to the CHP. Therefore, it was during this period when the CHP and the DP “found themselves in a constant struggle over who would gather the votes of the growing working class” (Kaleağsi-Blind, 2007, p. 291). However, before directly jumping into the multi-party period, it should be recalled that Turkish trade unionism witnessed a breakthrough development, the “1946 Unionism” at the dawn of the multi-party period.

The fact that, in the initial months of the multi-party period, Turkish trade unionism went in direction that was opposite compared to the developments that had taken place in the early Republican years. After a long period of limitations, trade unions began to flourish in 1946. According to many scholars studying the labour history of Turkey, the year 1946 has a distinctive place in the history of Turkish trade unionism (Güngör, 1994, p. 131). It was in this year that a long vicious cycle of onslaughts against the organized labour movement came to an end, albeit for only six months. In this particular juncture in the evolution of Turkish trade union history, trade unions were acknowledged as legitimate actors of industrial relations (Kaleağsi-Blind, 2009). Trade unions, which were often grappling with the state’s visage of a classless society, began to organize in almost every major city after the ban on the organizing along class-lines, as provided by Law No: 3518, had been repealed (Çelik, 2010, p. 87). What makes the “1946

Trade Unionism” different is that foundation of many trade unions in that year signaled a rupture in the traditional patterns of trade unionism in Turkey in a manner which meant that trade unions were backed by left-wing political parties and gained a relatively role independent of the state’s tutelary interventions (Çelik, 2010, p. 86-87).

However, the law legislated by the CHP in 1947, the Employer and Employee Unions and Union Federations Law, put to an end trade union mobility and increased the already strict limitations on labour by setting new barriers for unions to operate (Türk-İş, 1976). The main feature of this law was to make trade unions depoliticize and push them to act in conformity with then the prevailing ideas of nationalism and statism (Güngör, 1994).¹¹ The limitations which the 1947 Union Act sought to implement on trade union activity made it such that “any union that acted against the national interest, waged strikes, or organized lockouts could be shut down for anywhere between three months and a year, following a judicial hearing” (Kaleağsi-Blind, 2007, p. 291). Immediately afterwards, the political rivalry was reflected on the industrial landscape as evidence of the foundation of the two trade unions that were dependent on the CHP and the DP.¹² Kaleağsi-Blind defines the political and industrial division as having “planted the seeds of state dependent unionism that has come to epitomize the Turkish labour movement to this day” (2007, p. 291).

¹¹ As Güngör (1994, p.153-154) cited from *Çalışma Dergisi* (February 1947, p.56-57), The Ministry of Labour then reveals the three different types of trade unionism in the following way: “There are three types of trade unionism operating against the state itself, subordinated by the state and acting in conformity with the state”. (...) The former, trade unions acting in conformity with the state, are the ones which fit perfectly the liberal ideas of Turkish regime”.

¹² CHP affiliated the CHP Worker Organizations and DP affiliated the Free Labor Unions Federation.

However, before the electoral triumph of the DP in the general election held in 1950, industrial issues began to surface as a result of political competition between the CHP and the DP. In this regard, the political rivalry between the two for working-class votes began to be understood as one of the most significant factors that accounted for electoral victory (Kaleağası-Blind, 2009; Mello, 2013). The scope and content of political rivalry appeared to stick on the issue of right to strike, an issue subjected to a long series of prohibitions throughout the 1930's and 1940's. However, the strategies embraced by the CHP and the DP were contradictory, since the CHP took a stance against the right to strike for the sake of a conflict-free organic society, while the DP, by incorporating the demands of workers, embraced the right to strike and made it a major component of the party-programme before the general election held in 1950 (Sakallıoğlu, 1992; Buğra, 2008). However, in the contexts of the presence of immature organized labour and the weakness of trade unions, however, the right to strike gained momentum only at the level of discourse. The DP, once in power, dropped its promises on the right to strike and “did not allow strikes during the ten years in which it stayed in power” (Kaleağası, 2007, p. 292). According to Buğra, the reason why the DP did not pursue a strategy that supported the working classes by means of granting the right to strike was the prevalence of the peasantry in Turkish society (Buğra, 2013). In this vein, the words of Adnan Menderes, Prime Minister of Turkey and the Party Leader of the DP, are striking. Menderes emphasized that “the social Justice in our country is more of a matter of the peasantry rather than of workers as in the other countries” (Avcıoğlu, 1973, p.617 cited in Buğra, 2008, p.165).¹³ Thus it was not a

¹³ “Bizim memleketimizde sosyal adalet, başka memleketlerdeki gibi bir amele davası olmaktan çok, daha fazla bir çiftçi ve köylü davasıdır”.

surprise that the DP's aversion to labour reflected on its rather pragmatic and control-driven approach to the industrial arena.

Within the first DP term, which lasted from 1950 to 1954, Turkey witnessed the foundation of the country's first trade union confederation, the Confederation of Turkish Trade Unions (*Türkiye İşçi Sendikaları Konfederasyonu*, Türk-İş) on July 31, 1952. The underlying factors which prepared the ground on which Türk-İş was founded has often been underscored as a direct result of the Truman Doctrine and Marshall Aid (Koç, 2003; Çelik, 2010).¹⁴ The main ideas promoted by these external factors aimed at creating a form of trade unionism that rejected class struggle and affiliation to political parties (Güngör, 1994). Therefore, Türk-İş adopted an "above politics" doctrine in line with the logic of American trade unionism.¹⁵ In terms of the patterns of the relationship between Türk-İş and the DP, it bore only limited resemblance to the CHP's attitude to trade unions, which depended on a strict control essential for state-corporatism. Sakallıoğlu (1992, p. 718) aptly argues that "through the corporatist logic of exchange and in return for its promise to keep 'above party politics', Türk-İş gained enormous benefits and increased its organizational supremacy".¹⁶ As cited by Sülker (1969, p. 81), Kaleağasi-Blind (2009, p. 43) states that "on the basis of these ideals, Türk-İş grew rapidly. By 1954, there were 18 federations and 150, 000 workers affiliated to it". Kaleağasi-Blind (2009, p. 43), as cited from Yazıcı (2003, p. 129), underscores that

¹⁴ Other than external factors, Turkish scholars have argued for that internal factors emerged in the natural period of evolution of Turkish labour movement have also accounted for the formation of Türk-İş. For further information, see (Sülker, 1987)

¹⁵ The "above-politics doctrine" entered into the Türk-İş bylaws on January, 1964.

¹⁶ An exchange relation rather than state imposing the rules of the game without giving a voice for trade unions was therefore the main distinctive feature of the DP period. Yet this is not to claim that state was absent in determining the rules of the industrial arena. Nor do trade unions, Türk-İş in this case, reached a capacity to become a powerful party in the exchange relations.

“by 1967, the number of unionized workers affiliated with Türk-İş had reached anywhere between 850, 000 and 1. 5 million.” Yet the DP’s attempts to make Türk-İş privileged led to a decline in the degree of organizational autonomy of Türk-İş since the confederation had become financially and politically dependent on the DP.¹⁷

The Transition to a multi-party system, coupled with ten years single-party rule of the DP, which ended in 1960 by military intervention, however, was hardly beneficial for trade unions, despite the initial inclination towards the political and economic liberalization of the country (Güngör, 1994). However, the increased authoritarian tone of the DP in ruling the country was about to bring major changes in the evolution of trade unionism in Turkey.

3.3 Years of crises and advancements: 1960-1980

After the coup d’etat in May 27, 1960, DP government was overthrown and a new constitution was put into effect in 1961. It has been widely acknowledged that the new constitution granted multiple freedoms for organized working classes and their organized interest associations (Yalman, 2004; Nichols and Sungur, 2005).

From the perspective of the political economy, Keyder (1987) argues that the factors lying behind the extensive body of social rights brought by the 1961 constitution, which altered the conditions from adversary to favorable for workers by granting right to strike and right to be covered by collective agreement (Beşeli,

¹⁷ As a source of financial dependence, union due was limited to only 120 Lira that put trade unions into financial trouble in which trade unions could not survive without state’s financial aid. Moreover, in particular case of Türk-İş, the amount of punishment fees paid by The Ministry of Labour as a part of financial aid to trade union, that Türk-İş received was three times more than the union dues” (Işıklı, 1990, p. 324)

1994), had nothing to do with the capacity of the working class and trade unions but somehow blended factors of the “world historical development of social democracy on the one hand, and through the legacy of bureaucratic reformism from above on the other” (p. 148). Keyder (1987) further argues that, in a period of ISI, these two factors were responsible for the successful launch of industrial gains. The corollary of Keyder’s argument thus, “relagated the working class to a passive status without any contribution to the designation of policy” (Keyder, 1987, p. 149). Yet Keyder’s argument has been found as reductive, since the strict political economy perspective renders actor’s preferences rather irrelevant or takes actors’ ever different interest as equal (Algül, 2015). Contrary to Keyder’s argument, Turkish labour activism and trade unionism, after the initial years of the 1961 Constitution, encouraged a display of discontent that resulted in major industrial gain. The right to strike, in this sense, can be interpreted as the most challenging issue and was the main motivation behind labour activism in Turkey. This is so because state intended to keep organized labour under control by eliminating any chance of industrial conflict fueled by strikes. With the introduction of the 1961 Constitution, the right to strike became legal, yet the question of how to realize that right was left to further legal regulations, which created a legal conflict because the existing Labour Law prohibited the right to strike. The right to strike was provided by Law No: 275 in 1963 after an incident referred to as the “Kavel Resistance” (Keskinoğlu, 1996, p. 494).

In the trade union scene, moving on from the 1961 Constitution, Türk-İş remained the only confederation in Turkey. However, despite the rapidly increasing representation and the industrial strength of Türk-İş, there was a growing discontent within the Confederation due to the Confederation’s close relationship with the

political parties in power and its strategy for resolving conflicts. After the coup d'état, according to Blind-Kaleağsi (2009, p. 45) “the first internal fissure in Türk-İş occurred in February 1961, when 12 union leaders left the Confederation to form the Workers Party of Turkey (*Türkiye İşçi Partisi*, TİP)”. The substantial disassociation from Türk-İş reached a peak when three Türk-İş affiliated trade union, the Mineworkers Union (*Maden-İş*), the Rubber Workers Union (*Lastik-İş*), and the Istanbul Print Workers Union (*Basın-İş*) along with independent unions- the Turkish Mines Union (*Türk-Maden-İş*) and the Food Sector Union (*Gıda-İş*)- joined forces to establish the second trade union confederation of Turkey. The Revolutionary Labour Unions Confederation of Turkey (*Devrimci İşçi Sendikaları Konfederasyonu*, DİSK) was founded on the historical trajectory presented here on February 13, 1967. Çelik (2010, p.24) argues in his well-detailed book entitled *Vesayetden Siyasete Türkiye’de Sendikacılık: 1946-1967* that “the foundation of DİSK, with the exception of the “1946 Trade Unionism” is the most salient feature of the Turkish trade union movement”. What Çelik insists on, according to Algül, (2015, p. 19) is that “DİSK presents a rupture in the history of Turkish trade unionism marked by tutelary practices by bringing politicization of trade union movement on class lines”. DİSK, both in its outlook and its activities, took a socialist position, since Türk-İş was sliding towards the right end of the political spectrum.

The Turkish political landscape, by the beginning of the 1960's, had already accommodated various types of political parties, signalling an ideological polarization process in which organized working class had a chance to represent themselves through DİSK and Türk-İş. According to (Nichols and Suğur, 2005, p.189-190), “by 1970, DİSK had a membership over 88,000” and the overall

number of unionized workers had reached over 1 million”. In the economic landscape, Turkey’s macro-economic paradigm operating under the tenets of the ISI model, which was based on a form of class compromise between labour and industrial bourgeoisie, was about to come to an end. By the mid 1970’s, the model deteriorated due to a crisis in economic governance, which eventually resulted in the starting of breaking up of alliances between capital and labour (Öniş, 2010). Both the ideological polarization and beginning of macro-economic instability further instigated social and political mobility (Eroğul, 1987).

Of the mobilizations, the mass protest in 1970 referred to as “June 15-16 incidents” in 1970 had a distinctive historical role and constituted a cornerstone of the mobilization of the working class (Sülker, 1987). The chief reason behind the two-day mass protest was the intention of Justice Party (Adalet Partisi, AP) to enact Law No: 1317 aimed at forcing strict rules to organize trade unions. This law drew harsh reactions from the organized working class, especially workers who were affiliated with DİSK. As a result, there were over 100,000 workers went on strike.

In addition to industrial strikes, the political and social spheres were prone to instabilities, all of which paved way for the March 12, 1971 military memorandum. After the military intervention in the Turkish political sphere, trade union were banned from going on strike between 1971-1973. Yet by the beginning of 1973, trade union confederations increasingly mobilized on the streets to resist against the malign regulations brought about by the military intervention and the constantly falling rate of real wages (Boratav, 2008). As such, “the rate of lost working days due to industrial strikes went up from 220,000 in 1970 to over 1.3 million towards the late 1970’s” (Nichols and Suğur, 2005, p. 191).

After the 1960's and 1970's, it has been argued that the years passed with a polarized political sphere and that industrial conflicts created an environment in which trade unions were founded on the ideological lines of certain political parties. Right before the military in June 1970, the Trade Union Confederation of Nationalist Workers (*Milliyetçi İşçi Sendikalar Konfederasyonu*, MİSK) was founded to represent nationalist workers and displayed a political affinity with the Nationalist Movement Party (*Milliyetçi Hareket Partisi*, MHP). In the same manner, on October 22, 1976, The Trade Union Confederation Hak-İş (*Hak İşçi Sendikalar Konfederasyonu*, Hak-İş) was founded on the ideological lines of the political Islamist party, MSP, to represent conservative workers and to emphasise an outright Islamist perspective towards how trade unionism should be carried out. In these years, the workers' movement achieved an ability to mobilize on the street to defend class-related interests- even Türk-İş, which sought to stick to the above-politics principle, got involved in strikes. Beyond that, the most striking defining character of this term was the political and economic climate, which left a direct imprint on the class and political identities of the trade union confederations. Ideological polarization and the shrinking of the ISI model were the hallmarks behind which trade union confederations acted in a more aggressive way in the period between 1960 and 1980. However, the major rupture in the history of Turkish trade unionism would take place in 1980, when military took over the country's civic rule and brought a new economic model on country's agenda.

3.4 Years of silence: 1980-2001

A New Constitution in Turkey came into effect after the military coup d'état in 1980, which considerably curtailed unions' and workers' rights as well as the capacity of political institutions, including political parties, to stay relevant in both the political and industrial spheres. Along with the military coup d'état, the mode of the political economy, which was then ISI, was replaced with competitive market economy. After the January 24 decisions, this economy model aimed at "not only providing short-term stability but at the same time designing the economy leading by private sectors" (Yeldan, 2004, p.44).

Therefore, this term can be marked as an authoritarian regime period and the beginning of the neoliberalization process. In order to set the scene for a competitive economy liberated from trade unions, which had been seen as obstacles to competitiveness, an authoritarian state incorporation was tyneeded. In line with this logic, trade union confederations and independent trade unions, right after the coup d'état, were shut down.¹⁸ The legal regulations that were intended to organize industrial relations imposed strict rules on trade union activity and certainly served as a basis for the state incorporation of trade unions. "The Trade Unions Act No: 2821 and Collective Agreements, Strikes and Lockouts Act No: 2822" created an environment in which trade unions were forcefully ruled out as a result of legal changes that made the requirements for unionization harder than they already were. As a typical characteristic of state incorporation, trade unions were not only controlled but pressured on a systematic basis to the point where they could not

¹⁸ DİSK closed down for 12 years and re-opened in 1992 while Hak-İş was closed down for only six months and allowed to operate, albeit in a limited manner. However, Türk-İş was the only trade union confederation that was not shut-down. Moreover, the General Secretary of Türk-İş then, Sadık Şide, was appointed as The Minister of Social Security to the provisional government found right after the miliarty coupt.

mobilize on the streets or display any major attempt to defend class interests of their constituencies. While trade unions were subjected to ever increasing heavy-handed control, employers began to surface as privileged actors of industrial relations. As such, the development of the relationship between state, trade unions and employers reflected the words of then president of TİSK, Halit Narin, as “it has been you (trade unions) laughing for a long time. Now , it is our turn to laugh”.¹⁹ According to Aydın, “the state no longer pretended to be above social classes acting as an arbitrator between employers and employess” (Aydın, 2005, p.54). Unlike in the 1970’s, when trade union militancy hit the top, the 1980’s passed as years of “constant silence”. One of major reasons for the silence can be traced through the dramatic decline in the number of trade unions throughout the 1980s. The following figures make a lot of things fall into place with regard to degree of silence of this term. According to Dereli (1998; p.42), “by 1990, the 750 unions in existence a decade earlier had been brought down to 69, and of these only 41 seemed to meet the minimum 10 per cent representation requirement to gain bargaining status (...)”.

The political and industrial pressures, indeed, coupled with economic pressures were evident in the falling rates of the real wages of workers throughout the 1980’s. Finally, the trend towards constantly falling real wages hit bottom in 1988. As a result, workers attempted to display resistance that soon spilled over throughout the country. The mass wave of protests started in 1986 spread around the country. The strong backlash of trade union militancy came to a peak in 1989, later called as the “1989 Spring Protests” and marked its place in the history of the

¹⁹ “Bugüne kadar siz güldünüz, şimdi gülme sırası bizde!”

Turkish labour movement”.²⁰ From the late 1980s onwards, mass protests were responsible for real wages increasing.

Throughout the 1990’s, there were several attempts to make legal improvements in the conditions of trade unions (Nichols and Sungur, 2005). Trade unions were allowed engage in the political process, which turned them into political actors as well as class actors. By the middle of the 1990’s, Turkey’s negotiations with the European Union left a non-negligible impact on the liberalization of trade unions. However, these improvements did not alter the state’s emphasis on a competitive market economy paradigm that pushed for flexibilization and mass privatization. Trade unions and many trade associations and civil society organizations, for the first time in the history of trade unionism in Turkey, gathered to form the “Platform of Democracy” on July 23, 1993, aiming to raise a voice against the ban on strikes and the state’s efforts to move trade unions out of the industrial as well as political sphere. Trade unions took on political roles, which later become a defining point for Turkish trade unionism in terms of their acting collectively, especially in AKP years. The Platform of Democracy was followed by the “Labour Platform”, which was founded in 1999. Both had somehow managed to bring trade union confederations with ever-different ideological backgrounds together on issues common to their rank and file bases.

However, the problem of why trade unions developed different attitudes towards state and other trade unions as the context changed is related to the interplay between institutional configuration and trade unions’ preferences reflected

²⁰ In his well-detailed analysis, Gökem-Doğan argues, however, that it is unconvincing that the underlying reasons behind the period of mass protests from 1986 to 1991 can solely be explained by a level of destitution of working classes brought about by falling rate of real wages but by other factors involving the constant assault on worker’s moral economy (Doğan, 2010).

on their class and political roles and on the type of exchange relations with which they engaged with the state.

3.5 Notes on the interplay between the state and trade unions

The state and the trade unions found themselves in a constant conflict over industrial relations from the early Republican periods to the late 1990's. In particular, the focal point of the struggle was the state's attempt to control and often depoliticize trade unions, as opposed to the trade unions' rather weak response to the state.

The state's main mechanism of incorporating trade unions varied, depending on the type of the political economy and the overall political climate that the country had been passing through. The main focus of interest of the trade unions, on the other hand, was limited to wages and the right to strike. At first glance, it seems that trade unions' were compelled to organize more along class lines due to strict prohibitions imposed by the state, which prevented them from developing political interests. However, there were certain times when the interests of the state and the trade unions constituted a sort of harmony that assigned trade unions a political role as well. In this vein, Dereli (1968, p.59) points out that "until 1947, the only ideology to which both management and labour were jointly committed was the economic and social development of the nation". This was particularly evident throughout the single-party rule of the CHP, which came to end in 1947 with transition to a multi-party period. The harmonization of interests manifesting itself in the reconciliation of social parts regarding to country's social and economic development paradigm brought about a limited political role under

which trade unions were seen as unwanted elements of a conflict-free society and pushed to act only in conformity with the state. Moreover, from the perspective of political exchange, the exchange relations between the state and trade unions signalled a one-way relationship, holding that state was the main actor in determining the boundaries under which trade unions were allowed to operate.

Despite the state's efforts, however, there were several times when trade unions resorted to strikes to demand favourable laws. With transition to a multi-party period, the DP promised to alter the prevailing attitudes of the CHP by bringing the right to strike onto its agenda. However, as emphasized earlier in this chapter, the DP dropped its promises with regard to the right to strike for the ten years during which it ruled the country. Koçak (2008), in this regard, identifies the divergence of strategies pursued by the CHP and the DP in the following way: while the CHP promoted the idea of "corporatist strategy", the DP followed a "populist strategy" (p. 98). The main difference lies in the incorporation of trade unions. However, the identification of strategies of incorporation disregards the historical continuities as if there was a major rupture in the patterns of incorporation of trade unions. As Sakallıoğlu (1992) aptly argues, "having come to power, the apparently liberal government of the DP opted for keeping the pre-existing pattern of interest representation system and, together with it, the tutelary and interventionist role of the state in the labour sector, (...)" (p. 715). It is sufficient to claim that the mode of incorporation of trade unions signalled a path-dependent process due to insufficient institutional capacity and political party preferences that did not favor the labour movement in Turkey. Under the tutelary practices imposed by the CHP and the DP, trade unions were barely able to influence the political and

economical conditions to organize not only on class lines but on political lines, as well.

After the military coup in 1960, the new constitution changed the scene by allowing a plurality of interests which gave trade unions a chance to follow their agendas. Coupled with a favorable political economy, which was the ISI model at the time, trade unions reached an organizational ability to voice their demands through the traditional methods of industrial militancy, including, most importantly, going on strike. Throughout the 1960's and 1970's, trade union militancy entered the Turkish trade unionism in an unprecedented manner, thereby changing the patterns of interest representation at a considerable level. Türk-İş, which embraced the principle of "above politics", which would purportedly operate as a shelter from the political arena, engaged in both the industrial and political spheres. DİSK, as a first confederation adopting a leftist outlook, overtly embarked upon militant "class-unionism" and developed alliances with political parties in times of elections. Even though the state planned to give Türk-İş privileges, the growing importance of trade unions as actors in the industrial sphere still stood as a point of departure from the main trajectory of state-trade union interaction inherited from both the CHP and the DP periods. Despite the changes as of the late 1960's which resulted in the military intervention in 1971, trade unions were able to accelerate, thanks to the growing instability of the ISI model and political polarization. They became essential actors in both the industrial and political arenas.

This was most evident in the following years after the coup d'état in 1980. Due to trade unions' rising militancy and increased organizational power, trade unions took the brunt of the oppressive methods that shaped the political and industrial arena implemented by military order. Trade unions were subjected to the

constant fear of being excluded from the industrial sphere. The subsequent legal regulations after the military takeover were designed to repeal what had been gained throughout the two decades earlier. Seen in this way, state incorporation articulated with the requirements of the competitive market economy in the 1980's was designed to break the nexus of the class and political role of trade unions. The shifting away from patterns of intervention and the overall logic of political exchange signaled that Turkey's political and economic spheres had entered a critical juncture in which trade unions recalibrated their interests and main strategies to survive the ever intensifying pressures of the neoliberal authoritarian context. Therefore, as was presumably expected, after the end of authoritarian rule, trade unions found themselves crushed, having lost almost their entire organizational bases. As for the importance of this context for the purposes of this thesis, the Trade Union Confederation Hak-İş passed into its crawling phase, given that it had opened its eyes in 1976 right before the 1980 period.

CHAPTER 4

THE FORMATION AND EVOLUTION OF THE HAK-IŞ TRADE UNION CONFEDERATION

The overview of the history of Turkish trade unionism presented in Chapter 3 points out the peculiar characteristics of each institutional context that prepered the ground on which trade unions were founded. In that sense, The Trade Union Confederation Hak-İş shares similarities with other trade union confederations in Turkey as a product of specific institutional configurations. Yet one factor, as far as this thesis is concerned, stands out distinctive when it comes to comparing the Trade Union Confederation Hak-İş with other trade union confederations in Turkey: From the very beginning of its foundation, the Trade Union Confederation Hak-İş had a clear political identity with a strong elective affinity with political Islam and with the Islamic political parties that were established one after the other.

This chapter deals with the history of the Confederation, with specific reference to its own understanding of the meaning and essentials of trade unionism in order to trace the changes in its class and political identities and to prepare the foundation for an analysis of its position in the rule of the AKP. This will be done by briefly elucidating the Confederation's articulation with the institutional context as it manifested itself in its relations with political Islamic parties. In this regard, this chapter seeks an explanation for the tension that emerged between the Confederation's being an agency of industrial relations and becoming an actor in the constituency of political Islam. In order to discuss the identity tension of the Confederation, the period between 1976 and 2002 is analyzed through certain

phases during which the Confederation put a relative significance on its class and political roles.

4.1 The birth of political identity: 1976-1980

The Trade Union Confederation Hak-İş was founded in 1976 in an environment where Turkish industrial relations were ideologically divided in line with the political polarization in the political sphere (Akkaya, 2002). As discussed in the previous chapter, in the beginning of the 1970's, in addition to the presence of already-established trade union confederations, Türk-İş and DİSK, there were also trade unions that were founded to represent their political parties in the industrial arena.

As a part of the then coalition government, National Front (*Milliyetçi Cephe*, MC)²¹, the MSP took an active part in the formation of the Confederation. In fact, the Minister of Labour and Social Security, Ahmet Tevfik Paksu, who was then affiliated with the MSP, stated that “preparations to gather all trade unions sharing the values of the MSP under a trade confederation had commenced” (“Hak-İş (Türkiye Hak-İşçi Sendikaları Konfederasyonu)”, p. 527). The successor of Paksu, Şevket Kazan, speeded up the process by making his secretary, Necati Çelik, establish the Trade Union Confederation Hak-İş. Hence, alongside the appearance of the political Islam in the public sphere with the presence of MSP, a political Islamic trade union entered the industrial arena with the foundation of the Confederation.

²¹ The other political parties in the coalition government were Justice Party (*Adalet Partisi*, AP), Nationalist Movement Party (*Milliyetçi Hareket Partisi*, MHP).

Beyond being in the constituency of political Islam with the MSP, the Confederation initially embraced Islamic values to promote its own views about how trade unionism should operate. At the outset, the so-called Islamic ways of operating union activity reflected the Confederation's perception of class. According to the Confederation, there was no place for class or class conflicts between labour and capital in an Islamic society, only a peaceful harmony of interests of those social actors (Buğra, 2002; Engin and Yıldırım, 2005). In the second annual report of the Confederation in 1979, the perception of class was clearly presented:

Trade union organization will leave its place for another system only when capital and labour, and worker and employer complement each other, and the whole Nation develops both materially and morally and has prosperity and peace in the system of National Order. (Hak-İş, 1979, p. 9)²²

The rejection of class conflict as an idea that was detrimental to social cohesion necessarily came with strict objection to class unionism that was often pursued by the socialist and communist tradition of trade unionism. In an Islamic vision of society which harmoniously situates labour vis-à-vis employers, one can find a historical resemblance to the tradition of Christian trade unionism, which adhered to the principles declared by Pope Leo XIII in 1891. The papal decree called *Rerum Novarum* (New Line) explains the necessity of mutual responsibilities between labour and capital as something stemming from the naturalness of private property, which in turn brings a rejection of any kind of socialist tendencies in opposition to private property (Hyman, 2001). The following phrases can extremely helpful in examining the sources of an outright class rejection of the Confederation:

²² "Emek ile sermayenin, işçi ile işverenin birbirlerini tamamlıyan unsurlar haline geldiği ve bütün Milletin madden ve manen kalkındığı, huzura ve refaha kavuştuğu MİLLÎ NİZAM'da, sendikal teşkilatlanma yerini bambaşka bir sisteme bırakacaktır".

The great mistake made in regard to the matter now under consideration is to take up with the notion that class is naturally hostile to class, and that the wealthy and the working men are intended by nature to live in mutual conflict. So irrational and so false is this view that the direct contrary is the truth. Just as the symmetry of the human frame is the result of the suitable arrangement of the different parts of the body, so in a State is it ordained by nature that these two classes should dwell in harmony and agreement, so as to maintain the balance of the body politic. Each needs the other: capital cannot do without labour, nor labour without capital. (Rerum Novarum, 1891, #19)

One can see similar logic in the arguments that the Confederation made many times on the issue of class and conflicts:

Social classes do exist but they are not always in conflict with each other. Constant conflict only benefits the powerful at the expense of the weak as has occurred under capitalism and socialism. So relations between classes should revolve around co-operation and solidarity. (Duran and Yıldırım, 2005, p. 237)

As I will argue later in the thesis, even though the initial position of the Confederation on class relations changed remarkably in the following periods, its emphasis on a society where the working man is granted his remuneration and, in turn, the employer's property is respected and protected and even increased by the efforts of working man's labour, has not changed much. Yet one thing that was clearly abandoned in the following episodes is the Confederation's hatred towards May 1 as a Jewish celebration day in its formative years. In the second annual report in 1979, the Confederation made its case against May 1 in very concise terms: "Hak-İş Confederation and all Turkish workers condemn the May 1 Jewish day of celebration and desires no celebration and holiday on May 1" (Hak-İş, 1979, p. 33 as cited in Koç, 1995, p. 139).

In its formative years, the position on class and May 1 celebrations were the leading themes that came to the front in defining the nature of trade unionism that

the Confederation then embraced. Instead of promoting class identity and organizing on class lines, the Confederation acted in conformity with the MSP, as if the Confederation was its mirror image in the sphere of industrial relations. Duran and Yıldırım (2005, p. 231) contend that the “programme and constitution were very similar to those of the MSP”. However, the Confederation, in a chaotic political environment, neither had a chance to display any major attempt in organizing workers nor was it able to strive for the class interests of its members; instead, its activities to voice political Islam remained limited in the industrial arena, as they attempted to attract only conservative workers. The adherence to Islamic principles in the representation of collective interests prevented the Confederation from developing its own industrial agenda compatible with the needs of the industrial relations. In this regard, the political identity shared with the MSP and the principles of Islamic trade unionism were the focal points that would be transformed in the following two decades.

4.2 The crawling phase and the identity dilemma: 1980-1989

The early years of the 1980's were as chaotic for the Trade Union Confederation Hak-İş as they were for the other trade union confederations in the country. However, since the Confederation was founded in 1976, after only four years, it was dragged into the most chaotic political and economic events that Turkish trade unionism had ever witnessed. However, it would be wrong to assume that the Confederation suffered greatly in the years of oppression. When the military confiscated the country's civic rule, all trade unions were shut down, each for a different period of time. In this regard, it was DİSK that was suspended from the

industrial arena for almost twelve years while the duration of closure for the Trade Union Confederation Hak-İş was only about six months. Yet in terms of union activity, ranging from organizing workers and being authorised for collective bargaining, the Confederation subjected to pressures that were exerted on the other trade unions as well. In fact, the current president of the Öz-Orman İş-also the vice president of the Confederation-describe the harsh conditions of the period: “ in the 1980’s, even the level of zero meant something” (the President of the Öz-Orman İş Trade Union, Personal interview, 28.12.2016).²³

Beyond its political dependence on the MSP, it seemed that the Confederation had lost its already limited power, which resulted in the loss of its industrial autonomy to be an active actor in industrial policy-making. Note that the the unfavorable factors which stemmed from the state incorporation practices with an extra focus on, let’s say, “trade union free” competitive market economy, hurt the already strong trade unions the most. In the case of the Confederation, however, the institutional setting had the potential to undermine the political identity of the Confederation consolidated around the principle of Islamic trade unionism and its relationship with the political Islamic parties. If so, novel changes in both the political and industrial autonomies of the Confederation could thus be possible as the Confederation began to gain industrial autonomy by means of expanding its organization bases among workers and on the different branch of economic sectors.²⁴ The emphasis on the two types of autonomy corresponding to the

²³ “1980’li yıllarda “0” bile bir seviyeydi”.

²⁴ For example, in their article Lavasque and Murray (2010) engage in factors that have capacity to affect union power. The factors are listed as “internal solidarity; network embeddedness; narrative resources that frame understandings and union actions; and infrastructural resources (material, human, processes, policies and programmes)” (Murray and Lavasque, 2010, p. 333). Of the factors they explain, infrastructural resources points to the fact that expanding organizational bases of trade

political and industrial arenas clearly indicates that the political and class identities of the Confederation would not remain constant, and thus, an identity crises would emerge at a certain stage of the evolution of the Confederation. At this very point, it should be recalled that three years after the military coup d’etat of 1980, the military turned over the country’s rule to a civilian political party. By the relative relaxation of the regime Dynamics that went hand in hand with the introduction of a series of oppressive industrial laws, the Confederation re-started its activities in 1983.

According to Buğra, “after 1984, Hak-İş has indeed managed to establish itself as a national actor whose significance could not be limited to strictly defined islamic segments of the labour movement” (1999, p.42). Table 1 shows the number of unionized workers, clearly indicating an incremental and gradual expansion of the organizational basis of the Confederation. The increased organizational base of the Confederation would likely have been linked up with the window of opportunity created by the exclusion of DİSK from the industrial relations scene.

Table 1. Number of Member Workers and Notified Trade Unions of Hak-İş, 1985-1998

Publication Period	HAK-İŞ	
	Trade Union Notified Member	Member Workers
January 1985	7	117,022
July 1985	6	129,206
January 1986	6	145,737
July 1986	6	149,158
January 1987	6	155,810
July 1987	6	162,313
January 1988	6	172,240
July 1988	6	180,557
January 1989	6	205,852
July 1989	7	166,597
January 1990	7	186,280

unions through union membership provides a leverage to trade unions to act more powerfully in the industrial and political arena.

July	1990	7	189,090
January	1991	7	199,072
July	1991	8	249,637
January	1992	7	330,579
July	1992	7	268,035
January	1993	7	269,153
July	1993	7	272,338
January	1994	7	278,751
July	1994	7	283,292
January	1995	7	286,733
July	1995	7	295,729
January	1996	7	309,361
July	1996	7	317,265
January	1997	7	322,987
July	1997	7	335,577
January	1998	7	345,523

*Source: The Ministry of Labour and Social Security, Ankara cited in Buğra (1999, p. 103)

**The numbers presented here, however, are overestimated due to the lack of a coherent system in recording the number of unionized workers until 2012. Nevertheless, the numbers signal that Hak-İş began to gain ground in the trade union scene.

As indication of the changes in its way of operating union activity, the Confederation started to organize strikes as of 1984, which may stand at odds with its reconciliatory approach. In fact, the Islamic solidarity between the social actors seemed to have left its place to a much more militant discourse on the protection of workers' interests. The shifting emphasis from "passive reconciliation", which the Islamic trade unionism represented, to "conflictual reconciliation", which the Confederation pursued as a governing mentality of industrial strike, was revealed by the Chief Consultant of the Hizmet-İş Confederation in the course of our interview:

We used to conform to our Prophet Muhammad saying that "you should remunerate worker's labour with what he deserves before the sweat of his brow dry out" in our relations to employers. However, if an employer is reluctant to give the remuneration of the worker, then we, as a trade union, are obliged to take it by the most appropriate way. (Chief Consultant of the Hizmet-İş Trade Union, Personal Interview, 22.12.2016)²⁵

²⁵ "Biz eskiden peygamberimiz Hz.Muhammed'in "işçinin hakkını alınının teri kurumadan verin" hadisini endüstriyel ilişkilerde temel kabul ederdik. Tabii şimdi bir işveren bu sözün hakkını yerine getirmiyorsa, biz bir sendika olarak mümkün olan en uygun yolla bu hakkı almak zorundayız".

Despite the fact that the above quotation reflects the view of a current trade unionist, we find a similiar legitimization of strikes in the early documents of the Confederation. As Koç (1995, p. 150) quoted:

With respect to how we understand strikes; (...) the Strike, in itself, is not the ultimate end of trade unions whose reason of existance is to provide workplace peace and tranquility but a measure of the last resort and the most effective complemanty mean to guide to workers who place their hopes on trade unions and to protect the sacret value of labour. (Hak-İş, 1986, p. 155)²⁶

However, despite the expanded power resources of the Confederation in terms of a rise in the number of affiliated workers and notified trade unions established in various types of economic sectors, class identity could hardly be distinguished from its political identity. What has been witnessed throughout the 1980s were that the seeds of the tension between class and political identity were beginning to come to the surface. As of 1984, the Confederation faced the first signs of its identity dilemma, which later would result in a limited industrial and political autonomy of the Confederation until 2002.

4.3 The rise of class identity and relative autonomy: 1989-2002

Throughout the 1980s, the Confederation, once the mere representative of the MSP in the industrial sphere, gained ground as a relatively autonomous actor. Turned into a trade union confederation with a considerable membership, the Confederation was becoming convinced that Islamic trade unionism was incompatible with the class-interests of its grassroots. Therefore, the main feature of the 1990's was the

²⁶ “Grevi nasıl anladığımıza gelince; (...) Kendisine umut bağlayan üyelerine ışık olmak, emeğin en yüce değerini korumak, iş barışı ve huzurunun temininde kararlı olmak azminde olan sendikaların amaç değil, araç olarak başvuracakları en son ve etkili çaredir GREV”.

gradual rise of class identity in the Confederation as it was reflected on its perception of the meaning of May 1 celebrations and its relationship with the RP, the successor of the MSP. As of the middle of the 1990's, the Confederation also changed its former attitude towards the East Asian economic model, considering it superior to the Western one. In terms of the differences in "instituting the economy" (Buğra, 2002, p. 190), the redistributive aspects and the formal mechanisms of a Western-type economic paradigm were not regarded as constitutive principles of trade unionism embraced by the Confederation in its formative years. Since the concept of reciprocity relationships of the East Asian economic model was a perfect match for the Islamic way of interest representation, which positions employer and employee in a non-conflictual situation, the Confederation emphasized the principles of the East Asian economic paradigm, where formal boundaries of interest representation are replaced by the informal and face-to-face relations.

Despite the fact that the Islamic cultural orientation of the Confederation has been always an aspect of its social and political worldview, according to Buğra (1999, p. 47), "it is possible to discern, in the history of the confederation, a subtle change whereby its class identity gradually begins to surface and become at least as visible as its religious character". The religious character that forms the basis of the formation of political identity of the Confederation and the requirements of industrial relations had to be balanced in order to compete with the other trade union confederations. In 1989, the Confederation changed its logo from one designed to emphasize its religious character to a logo typical of any trade union.²⁷ Beyond that, for the first time in its history, the Confederation agreed to celebrate

²⁷ "The former badge of Hak-İş, depicted a factory and a mosque inside a crescent, whereas the new one consists of a flywheel, olive branch and crescent representing labour, peace, unity, independence and freedom" (Duran and Yıldırım, 2005, p. 234).

May 1. In the same year, the president of the Confederation, Necati Çelik, revealed that Hak-İş believed that “May 1 should be celebrated as being the day of unity, solidarity and struggle of the world workers” (Uslu, 1992; p.48).²⁸

Table 2 shows the Confederation’s participation in the celebrations of May 1 by itself and together with other trade union confederations in Turkey. The table also suggests signs of cooperation among trade union confederations, which were often criticized by the the Trade Union Confederation Hak-İş for alleging they were communists and socialists (Işık, 1996). The table portrays a trade union that actively participated the celebration of May 1.

Table 2. May 1 Celebrations of Hak-İş, 1991-2001

Year	Organization	Place of Celebration
1991	HAK-İŞ	Hotel Dedeman, Ankara
1992	HAK-İŞ+TÜRK-İŞ+DİSK	General Directorate of Highways, Ankara
1993	HAK-İŞ	Taksim Square, Istanbul
1994	HAK-İŞ+TÜRK-İŞ+DİSK+the members of Platform of Democracy	Abide-i Hürriyet Square, Istanbul
1995	HAK-İŞ	ASKİ, Ankara
1996	HAK-İŞ+TÜRK-İŞ+DİSK+KESK	Kadıköy, Istanbul
1997	HAK-İŞ	National Library, Ankara
1998	HAK-İŞ+TÜRK-İŞ+DİSK+KESK	Abide-i Hürriyet Square, Istanbul
1999	HAK-İŞ+KAMU-	HAK-İŞ Headquarters,

²⁸ “Sendikamız, 1 Mayıs gününün dünya işçilerinin birlik, dayanışma ve mücadele günü olarak kutlanması gerektiği görüşündedir”.

	SEN+MEMUR- SEN+TIEC	Ankara
2000	HAK- İŞ+TÜRK- İŞ+DİSK+KESK	Abide-i Hürriyet Square, Istanbul
2001	HAK- İŞ+TÜRK- İŞ+DİSK+KESK	Abide-i Hürriyet Square, Istanbul

*Source: The 12th Regular General Assembly Annual Report of Hak-İş (2011, p. 42-43).

As the Confederation acted as an industrial actor to comply with the requirements of the industrial arena, the newly emerged class identity left its imprint on the Confederation's preferred mode of economic development. The Confederation, in this regard, opted for a strategy to operate by accepting the tenets of the Western approach to industrial relations. In particular, the Confederation was accredited by the international trade union organization, the ICFTU (International Confederation of Free Trade Unions) in 1993 and by the ETUC (European Trade Union Confederation) in 1997 (Baydar, 1999). In part, this was followed by a change of perspective from its political identity formed under the banner of Islamic-cultural values and rejecting any possibility of a relationship with the West in favor increased support for Turkey's EU membership. In 1989, the Confederation, in line with its approach to political Islamic parties, affirmed its strong rejection of the European Community (EC), the name of the EU at the time, in the following way:

Due to the fact that Turkey is a Muslim country, it poses a significant problem for its integration to Europe... Turkey is not a Western country by its history, moral, philosophical, religious and national characteristics. (...) The absolute insistence on its EC would mean absolute surrender. (Hak-İş, 1989, p. 471-472 cited in Çelik, 2006, p. 191)²⁹

Nevertheless, Turkey was accepted in December 1999 as a candidate to join the European Union. The rising political and social opposition to political Islam,

²⁹ "Türkiye'nin Müslüman bir ülke olması, Avrupa ile entegrasyonunda ciddi bir sorun teşkil etmektedir... Türkiye, tarihi, ahlaki, felsefi, dini ve milli karakterleri itibari ile batılı değildir. (...) Eğer mutlaka AT üyeliği için ısrar edilecek olursa, bu mutlak bir teslimiyet anlamına gelecektir".

and to the RP in particular, the Confederation overtly embarked upon a series of attempts to build bridges with European Union as a survival strategy (Cicioğlu, 2013, p. 36). On the one hand, the Confederation found itself in a repressive political climate which led to the weakening of its ties with the RP on the one hand, and on the other, in an institutional setting formed by the internationally recognized standards of European Union, opening a window of opportunity to keep organizing on class lines. Moreover, the Confederation's emphasis upon Islamic brotherhood between employer and employee seemed to match perfectly with the "social dialogue" approach of the European Union and international organizations, most notably with the International Labour Organization (Koray and Çelik, 2007). In fact, the General Secretary of the Confederation stated that:

The social dialogue approach is basically the same thing that we had been defending over the course of the years. We were not aware that such an approach existed when we first started. Nowadays we are the only confederation that can effectively apply mechanisms of social dialogue in Turkey. (the General Secretary of the Confederation, Personal Interview, 21.12.2016)³⁰

Towards the end of the 1990's, the Confederation also changed its stance towards the European Union. In a highly visible strategy to distinguish itself from radical use of Islam in the political sphere by the RP, the Confederation supported Turkey's EU accession process. Salim Uslu, then the president of the Confederation, shared the official stance of the Confederation in the 9th general assembly report (1999, p. 51), stating that "Hak-İş wishes for full candidacy of Turkey to the European Union and supports all efforts in this direction".³¹ As the Confederation

³⁰ "Sosyal diyalog yaklaşımı bizim yıllardan beri savunduğumuz görüşün aynısı aslında. Biz, tabi, ilk yola çıktığımızda böyle bir yaklaşımın var olduğunda haberdar değildik. Fakat bugünlerde, sosyal diyalog mekanizmalarını Türkiye'de en etkili konfederasyon biziz".

acted as an autonomous political and industrial actor, it soon became clear that the Islamic principles that were initially embraced in the formative years started to be understood as elements of ancient history. This point especially gained ground when the Independent Industrialists and Businessmen's Association (*Müstakil Sanayici ve İşadamları Derneği*, MÜSİAD) was established in 1990. As an employer organization in the constituency of political Islam in Turkey, there seemed to be a divergence of opinion with regard to the type of institutional setting in which the mediation of interests should be followed. Buğra (2002, p. 199) neatly summarizes the internal inconsistencies of representatives of different social classes in the constituency of political Islam in the following way:

As opposed to MÜSİAD administration that calls for an anti-Western strategy where the development of relations with Islamic countries as well as with East Asian economies is strongly advocated, the leadership of Hak-İş adopts a much more nuanced position. While the commitment to a one-dimensional, Western-looking strategy is criticized in favour of a more versatile and flexible orientation in foreign policy, it is nevertheless clearly stated that Turkey has made a definite choice by adhering to the European Customs Union and pursuing its application for full membership in the European Community.

In line with this argument, Özdemir (2001, p.842) mentions the opinions of one of the trade union specialists in the Confederation that she interviewed: “the Confederation finds it much more harder to organize in enterprises of MÜSİAD than TÜSİAD³²”, an employer organization that adopts a Western looking strategy in its orientation to the industrial sphere.³³ The way the Confederation followed a path leading to the image of “liberalization of Hak-İş”

³¹ “Hak-İş, Türkiye'nin Avrupa Birliğine tam üyeliğini istemekte ve bu yöndeki çabaları desteklemektedir.”

³² Turkish Industry and Business Association (Türk Sanayicileri ve İş Adamları Derneği, TÜSİAD).

³³ For further and comparative discussion with regard to divergence of strategies of MÜSİAD and TÜSİAD in industrial relations, see (Buğra, 1998).

(Yazıcı, 1996, p. 173 cited in Cicioğlu, 2013, p. 36) further harmed its already damaged relationship with the RP (Işık, 1996, p. 221).³⁴ In this way, the Confederation reached a certain degree of autonomy, that is, it tried to distance itself from the RP and MÜSİAD and the Islamic principles of industrial relations that these two actors overtly defended. It should be noted that the international environment within which the Confederation and MÜSİAD should operate differed remarkably. While MÜSİAD could have an option to define the type of business environment in which it would operate its activities, due to its scarce resources, the Confederation had no choice but to associate itself with the Western actors for staying as a powerful industrial actor. It can be claimed that different organizational necessities should be held responsible as a reason, which prevents these two actors from developing close ties with each other. However, as Özdemir (2001, p. 843) warns, the rising domination of class identity and the relative autonomy of the Confederation over its political identity and political-religious affinities are not sufficient to conclude that there is a transition to a “Western type of differentiation of social class”. It holds some truth that the affirmation of class identity in the case of the Confederation was brought to the agenda mostly by the increasingly close-relationship between Turkey and EU.

It should still be noted that while the Confederation is a collective actor of industrial arena pursuing its economic interests which, inherently following the

³⁴ However, it would be wrong to analyze the relationship between the Trade Union Confederation Hak-İş and the RP as a complete divorce. This implies that organic relations between the two persisted. This relations in question kept manifesting itself on the form of political support of the Confederation to the RP. For example, in the general election of 1995, then the president of Hak-İş, Necati Çelik, resigned from the Confederation to become an elected member of parliament from the RP. The organic relations in this kind will be repeated in many times during which the AKP has been running the country. Yet the degree of industrial and political dependences on the RP have changed remarkably. Therefore, even though the Confederation gained an autonomy and somehow managed to discern itself from the RP, it only emphasized the recalibration of interests of the former in the face of political and economic challenges.

behaviours of homo-economicus that shapes its class identity, it is still an agency in the constituency of political Islam that is bound to the basics of Islamic values and principles, which makes it also a homo-sociologicus that cannot solely pursue its own industrial and economic objectives. In this aspect, a cultural explanation of the identity tension assumes an embedded cultural identity that affects the behaviour of the Confederation in the face of practical issues in the industrial arena. Yet the extent to which the embeddedness of cultural identity gained ground as an organizing principle of the Confederation's industrial and political actions requires us to analyze the context, which can reduce the emphasis on cultural identity to a certain point. As Salim Uslu summarizes, "the East is where our roots are, but the West is our direction" (Buğra, 2002, p. 199).³⁵ Therefore, the challenge here is here to find the causal relationships between the institutional context and the Confederation's preferences for the identity it embraced in different periods.

4.4 Taking institutional context seriously: practice and preferences

The cultural elements involved in the identity dilemma of the Confederation should be interpreted in a broader context, which requires an examination of the Confederation's response to the specific mode of capitalist production regime surrounded by political-institutional factors. Therefore, the analysis of how the challenges encountered in practice are translated into the Confederation's preferences requires moving beyond cultural explanations. Table 3 provides an

³⁵ Yet the Confederation never embraces the term "class" in the sense of its leftist implications but rather uses "labour" as the former, according to the Confederation, represents a conflict between social classes which may erupt the harmony of a society. In an interview with the assistant secretary of the Öz-Orman-İş, it is revealed that "the term class is alien to us. We instead tend to promote the value of the labour" (The Assistant Secretary of the Öz-Orman-İş, Personal Interview, 28.12.2016). "Sınıf" terimi bize yabancı bir terim. Biz daha ziyade emeğin değerini yücelten bir anlayışa sahibiz".

overview of industrial relations from 1989 to 2001 by presenting the total number of workers covered by collective bargaining and the rate of unionization;

Table 3. The Ratio of Workers Covered by Collective Bargaining, 1989-2001

Year	Coverage of Collective Bargaining	Year	Coverage of Collective Bargaining
1989	27	1995	18
1990	24	1996	17
1991	25	1997	15
1992	22	1998	14
1993	24	1999	14
1994	21	2000	12
		2001	12

*Source: Çelik (2015a, p. 176)

**The official records of unionization provided by The Ministry of Labour before 2013 are not reliable (Çelik and Lordoğlu, 2006). Therefore, in order to reach a more reliable and actual unionization rates before 2013, the ratio of workers covered by collective bargaining is presented.

As is clear from the numbers presented in Table 3, coverage of collective bargaining, i.e., actual unionization rate, was in the rapid decline, which was likely to have pushed trade unions to act more as class actors in order to overcome their institutional weaknesses. For the Confederation in particular, although its membership base and the number of affiliated trade unions were limited (Table 1), the industrial setting was directly responsible for a gradual increase in its class identity. As unionization and the coverage of collective bargaining rates were falling, therefore, it was sine qua non for the Confederation to bring its class identity forward to exist as a trade union, since Islamic trade unionism struggles to provide sufficient room for maneuvering effectively in the industrial sphere. Further to this point, given that competitive market economy paradigm dominated the 1980's and 1990's, the Confederation had no choice but to engage in the industrial arena as more of a class actor situating itself in the system of industrial relations. This was most evident when the union membership figures were in rapid decline as

of the 1990's. As discussed in the previous section, the Confederation acted more overtly as a class actor rather than mere reflection of the political Islam in the industrial relations in the 1990's.

Beyond economic-institutional challenges, it should be noted that the mode of incorporation of trade unions had a direct effect on the Confederation's relative emphasis on its class and political identities. By recalling Collier and Collier, discussed in the chapter II, the state incorporation practices in Turkey, which were chiefly instruments of an authoritarian mindset, resulted in the depoliticization of the trade unions. Therefore, it was claimed that the depoliticization of the Confederation, along with the other trade union confederations in Turkey, paved the way for the weakening of its ties with the political Islamic parties and the political Islamic vision of society, expressed by the MSP in the 1970's as the "National Order" and by the RP in the 1990's as the "Just Order".

Keeping the institutional environment in mind, I note that the period between 1980 to 1987 bears the traces of state incorporation of trade unions coupled with 'neoliberal authoritarianism'. The repressive regime dynamics pushing for authoritarian state incorporation of trade unions gradually turned into a limited democratic regime after the general election held on November 29, 1987, trade unions and political parties and the other civil society organizations gathered to form different platforms to raise a voice against the industrial and political instabilities then existed in the country. What is worth emphasizing is that by the beginning of the 1990's, thanks to the relatively favorable regime dynamics for the mobilization of trade unions and civil society organizations as well as political parties, the Confederation had a chance to label itself as a proper trade union organization. It had a chance to engage in solidaristic relationships with other trade

unions and develop political interests that were not always appealing to the actors in the constituency of political Islam.

It is one of the claims of this thesis that, after the initial phases of state incorporation period, which was conceptualized as a context of neoliberal authoritarianism, the Confederation significantly transformed itself. With the first signs of the transition from authoritarianization to democratization appearing on the country's political agenda, these allowed trade unions to develop new political and industrial interests. Yet by time the AKP came into power, the Confederation's identity dilemma become more complex and conflictual, given that the AKP, has historically been a Islamic identity which created an elective affinity with the Confederation. The AKP is the first political party in the constituency of political Islam in Turkey which labelled its ideology a "conservative democracy" (Akdoğan, 2006, p. 50). That said, the AKP differentiated itself from the political Islamic parties and their vision of political economy mixed with heavy Islamic tones. In terms of political power that the AKP has garnered over the years, it has, as far as this thesis is concerned, appears as a more powerful actor than any other political Islamic party in the history of the Turkish political scene in terms of its capacity to impose rules and boundaries on the industrial and political arenas in which trade unions operate. Although the AKP, with its differences from and resemblance to the early political Islamic parties, is not the focal point of this thesis, the historical continuities and changes in political Islam's approach to the system of industrial relations and to the institutional foundations of interest representation offer some insight into the way in which the Confederation articulated itself into the political environment and developed new ways of operating union activity in the face of severe institutional challenges.

CHAPTER 5

CONFLICT AND HARMONY:

THE HAK-İŞ TRADE UNION CONFEDERATION IN THE PERIOD OF THE

AKP GOVERNMENT

Having come to power in 2002, the AKP has altered the existing patterns of the incorporation of trade unions and further exacerbated the existing post-fordist economic challenges stemming from a competitive and flexible labour market paradigm, which it inherited from the previous authoritarian neoliberal era that had put trade unions, not only the Trade Union Confederation Hak-İş, on a slippery slope.

What is worth emphasizing for this thesis is that under the AKP government, the Confederation has not appeared as a class actor but also as a political actor pursuing the macro-political agenda of the party in power. Moreover, the government has recently been in need of coalitional alliances in order to craft the right balance between the neoliberal political economy and the industrial needs of the Confederation, which are heavily curtailed by neoliberal political economy. Therefore, the Confederation stands at the crossroads of the AKP's conflicting and constrained policy agendas in that the Confederation has both resisted the government's neoliberal outlook to a certain degree while endorsing the government whenever political support on macro-political development is needed by the government so as to remain a relevant actor in the system of industrial relations. This thesis argues that the relationship between the two has resulted in short-term gains for the Confederation at the expense of long-term benefits in the

system of industrial relations. In this regard, the harmony and conflict between the AKP and the Confederation created in a certain institutional setting reflects the competing identities of the Confederation under the AKP rule.

The aim of this chapter is to present a picture of the economic and political institutional environment and to link it with the Confederation's union activity and policy preferences in order to explain changes in the class and political identities of the Confederation. This will be done by evaluating the Confederation's involvement in the enactment of the main industrial Law No: 6536, which most notably, *inter alia*, determines the eligibility thresholds for collective bargaining and the issue of sub-contracting workers with their right to unionization and the right to be covered by collective bargaining, which is secured by the Law No: 6552. These are central for an analysis of the Confederation as a class actor. The Confederation's efforts as a political actor in securing its privileged position in the competitive trade union scene by siding with the government on issues beyond industrial terrain will serve as a reference point for the selected macro-political development took place in Turkey.

5.1 Party incorporation of trade unions in the period of the AKP rule

As argued in the chapter 2, the interplay between the state and trade unions and the labour movement in general bore the characteristic of tutelary relations in that the state was the party chiefly responsible for determining the rules of the industrial arena. This was particularly evident during the rule of the CHP and the DP until 1960. After 1960, the country's political economy was built on a form of class compromise between capital and labour either by favorable institutional advantages

or the struggle of trade unions and labour movement that altered the interplay between state and trade unions in that trade unions gained industrial and political importance on the one hand, and on the other, the state resorted to certain tactics, including favoring some trade unions and excluding others. That said, in that period, political exchange began to come to the fore, but not significantly.

The period between 1980 and 2002, however, witnessed state incorporation backed by the military coup, which aimed at curbing the already strong trade unions as an objective requirement for a competitive and flexible political economy model that left its imprint on industrial relations. In this period of institutional change, Turkish industrial relations passed through a critical juncture, with the first major institutional rupture, manifesting itself in the form of a state incorporation model and the main mode of a neoliberal political economy. The playground on which political exchange could be carried out dramatically disappeared from the industrial and political scenes. Towards the end of the 1980's, the state incorporation and the military coup left its place to a relatively democratic political arena which, to a certain degree, led to the mobilization of trade unions, which could then at least channel their voice to the ongoing political and industrial assaults that all trade unions in the country faced.

Turkey's system of industrial relations faced the second major institutional rupture in the mode of incorporation of trade unions in 2002, when the AKP came to power. The mode of incorporating trade unions in the AKP term can be characterized as party incorporation, which was unlike the period between 1960 and 1980 and the period after the 1980s. Before explaining in what regard party incorporation differs from the patterns of incorporation which took place throughout the political history of Turkey, it will be useful to discuss how the

AKP's approach to trade unions and industrial relations differs from that of previous political Islamic parties.

Beyond the basics of Islamic trade unionism and industrial relations briefly discussed in chapter 4, the National Order and the Just Order took a “positive-sum conciliation” stance in its approach to labour and accepted trade unions as “civil society organizations to contribute to the effective enforcement of public economies” (Akan, 2016, p. 191). On the other hand, the AKP approach to the representation of organized interest in the system of industrial relations can be conceptualized as “unconflictual compromise” (Akan, 2016, p. 191). It still resembles the political Islamic vision of industrial relations in terms of its insistence on unconflictual relationships between the state and trade unions and harmony of interests. Yet the AKP actualizes its own principles of organized interest representation through the mechanism of social dialogue, which institutionally gained ground in the AKP term, rather than with reference to core Islamic principles. The AKP, by endorsing the principles of ILO and the EU³⁶, stuck to the idea of social dialogue and made it a major component of its party programme throughout its tenure.³⁷ The main difference from the political Islamic tradition lies in that, until recently, the AKP favored a relationship with the West, especially with the EU, that matched the direction of the Trade Union Confederation Hak-İş. The Confederation embraced the West as a way of economic and social development by the middle of the 1990's.

³⁶ For further detailed analysis of social dialogue approach of both the EU and ILO and current trends in the system of social dialogue, please see (ILO, 2017).

³⁷ Even though the AKP fostered the regulatory schemes and both bipartite and tripartite institutions “their impact has been relatively minor in terms of social dialogue both at national and local levels” (Yıldırım and Çalış, 2008, p. 220).

In relation to the way the AKP differs from pre-existing patterns of incorporation of trade unions, a categorization made by Akan is extremely helpful in that it approaches to the evolution of the Turkish system of industrial relations in a systematic fashion. According to Akan (2011a, p. 320), the period between 1960 and 1979 followed a “development” of trade unions, while the term between 1980 and 2001 followed a “dissolution” of trade unions. During the AKP period, Turkish industrial relations have been categorized as a situation of “re-organizational crisis”, which accords with the argument of this thesis in that the AKP period has witnessed an institutional rupture in which the system of industrial relations has been re-designed. At this point, it is worth remembering that, although the evolution of industrial relations and the corresponding mode of incorporation changed remarkably throughout the periods discussed in chapter 3, the state’s role as the main organizing actor signals a path-dependent process in the long run. This is true even in the AKP period, where the mode of incorporation was initiated by a single powerful party. The overall picture pertaining to the relationship between the state or the party and trade unions displays periodic changes with long-term continuities with regard to the state’s overarching role in industrial relations.

With regard to the changes, the AKP’s preferred mode of incorporation put emphasis on controlling trade unions by giving them privileges over their rivals in the trade union scene. This is different from state incorporation coupled with neoliberal authoritarianism. As Çelik puts it, “instead of completely eliminating unions, the AKP has set for itself the goal of creating unions it can control, unions that exist symbiotically with the party” (2015b, p. 631-632). As opposed to state incorporation, which strictly pushed for the de-politicization of trade unions, the mechanism of control brought by the AKP involves the politicization of trade

unions, on almost every occasion, in support of the government's macro-political agenda. In line with Çelik (2013, p. 47), who has described the nature of the trade union scene under the AKP as "symbiotic unionism", it is possible to argue that the relationship between the party and party-favoured trade unions has led to newly emerging coalitional alliances and a new ground for political exchange where industrial and political gains are subjected to trade-off, if not a reconciliation.

This thesis argues that party incorporation constitutes an institutional rupture, although the state's or, in this case, the AKP government's rule-making role persisted. The rupture stems from the changing nature of incorporation compared to the previously dominating methods of incorporation. First of all, the party incorporation that the AKP has been implementing is based on a specific set of doctrines with the capacity to gather and bind the actors together around the specified objective of that doctrine. This clearly departs from state incorporation, which suppresses all trade unions, irrespective of their ideological or political stances. Second, the party incorporation of the AKP, significantly alters the role of selected trade unions by explicitly or implicitly allowing them to organize on both class and political lines. The difference can be observed especially the developments that took place between 1960 and 1980. Contrary to the period between 1960 and 1980 in which trade unions with a variety of ideological background flourished, the development of trade unions under the AKP, despite the historically low unionization and coverage of collective bargaining rate, has benefitted those trade unions backed by the government. In this vein, while party incorporation similar to the methods of controlling and privileging of trade unions, these methods mediated by party incorporation led to an unprecedented rise in the number of government favored trade unions.

5.2 Industrial relations in the period of AKP rule

In a discussion on the institutional environment created during the rule of the AKP government, one should make an analytical categorization of institutional change in different policy areas. Therefore, it would be useful to differentiate a broad range of policies to be able to describe the political economy of the AKP.

Tim Dorlach (2015), in this regard, offers an analytical distinction between productive and protective welfare state institutions for identifying the institutional character of Turkey's political economy under the rule of the AKP. According to Dorlach (2015, p.519):

The policy mix that has emerged can be usefully conceptualized as social neoliberalism, combining relatively orthodox neoliberal economic policies and retrenchment of the protective welfare state (e.g. labour market institutions) with a significant expansion, both in terms of public spending and population coverage, of the productive welfare state (e.g. public health care).

From this perspective, what the country witnessed was the “egalitarian expansion” of productive welfare state institutions on the one hand and the “inegalitarian retrenchment” of protective welfare state institutions (Dorlach, 2015, p. 526). In terms of the expansion in productive welfare state institutions, the Islamic or conservative character of the party reflected on its social policy orientation (Buğra and Keyder, 2006; Koray, 2015). In a line of argument similar to Dorlach, Akan argues that the AKP's political economy bears the traces of “Conservative Democratic strategy of ‘responsible pragmatism’ as a flexible social policy strategy that oscillates between Islamic egalitarianism and neoliberal austerity” (2011b, p. 368).

As opposed to the egalitarian and expansionary trends in productive welfare state institutions, protective welfare state institutions have been subjected to neoliberal challenges, which primarily hit the system of industrial relations. As the AKP responds to worldwide post-fordist pressures by flexibilizing labour markets (World Bank, 2006), the union density and the coverage of collective bargaining hit bottom. As illustrated in Table 3, the coverage of collective bargaining, as a reliable indicator of unionization rate, declined rapidly in the AKP period (Table 4).

Table 4. Coverage of Collective Bargaining, 2002-2012, %

Year	Coverage of Collective Bargaining	Year	Coverage of Collective Bargaining
2002	12	2008	7
2003	10	2009	7
2004	11	2010	7
2005	9	2011	7
2006	9	2012	6
2007	8		

*Source: Çelik (2015a, p.176).

**The official records of unionization provided by the Ministry of Labour before 2013 are not reliable due to (Çelik and Lordoğlu, 2006). Therefore, in order to reach reliable and actual unionization rates before 2013, the number of workers covered by collective bargaining is used.

By 2015-2016, the coverage of collective bargaining increased to 7 %, signaling a limited favorable development (DİSK-AR, 2016). In terms of trade union density, which the OECD defines as the ratio of unionized workers, Turkey follows the general tendency towards downward convergence but has the lowest ratio among OECD countries. Figure 1 illustrates trade union density in selected OECD countries to provide a solid picture of what is currently taking place in industrial relations.

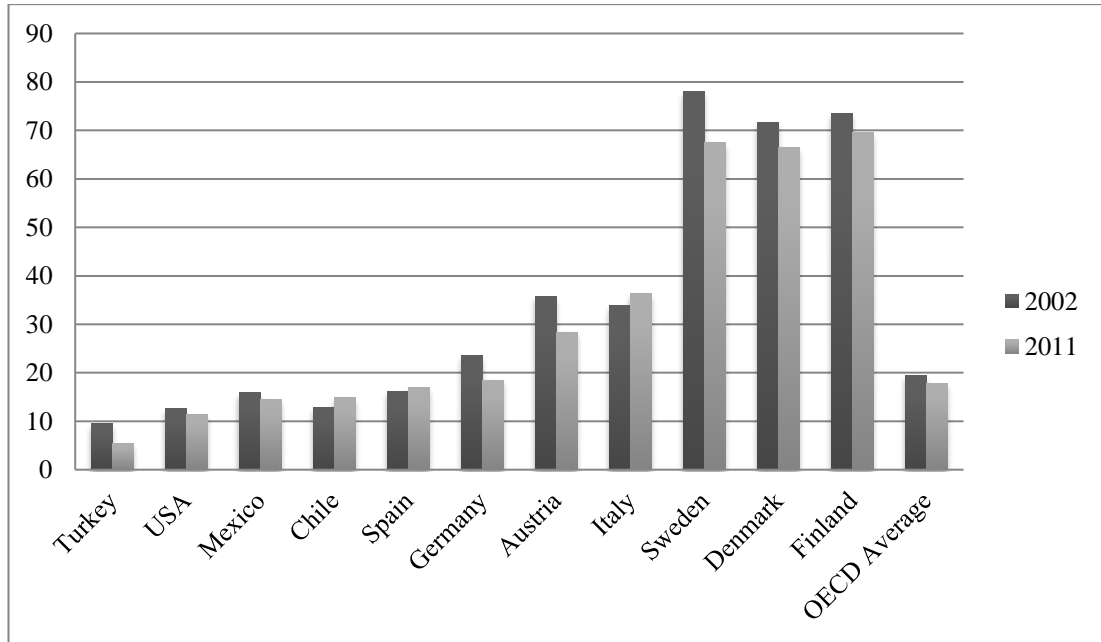


Fig. 1 Trade union density in selected OECD countries, 2002-2011

*Source: OECD (April 20, 2017).

**Turkey's trade union density is taken from Çelik (2015b, p. 629), calculated in line with the methodology of OECD.

***OECD Average presented here shows the average trade union density rate between the period 2002 and 2011 in OECD countries except Turkey.

According to the OECD statistics illustrated in Figure 1, Turkey had the lowest rate of unionization among OECD countries in 2002 at a rate of 9.5 and in 2011 at a rate of 5.4. Çelik (2013, p. 45) neatly summarizes the situation by stating that “Turkey not only holds the last place in unionization rates among OECD countries, but it is also the OECD’s deunionization champion”. After the introduction of Law No: 6356 in 2012, however, there was a gradual increase in the trade union density rate. However, the official statistics released by the Ministry of Labour and Social Security do not reflect the real unionization since the Ministry only takes formal workers into account and does not include informal workers.³⁸

³⁸ The methodological disputes over what should be included in calculating the actual rate of unionization prevent to reach scientific statistics. In Turkey, the Ministry of Labour and Social Security has been criticized over the years by ILO for methodological issues. For further information, please see (Çelik and Lordoğlu, 2006).

According to the official statistics provided by the Ministry of Labour and Social Security, the unionization rate was in the range of 9.2 % in January, 2013 and 11.5 % in July, 2016. However, if informal workers are included, the figures change: “according to the calculation based on the ILO method, trade union density based on the new system varies from 7.3 to 9.4 percent between 2013 and 2016” (Çelik, 2016, p. 4).

The parallel downward trend can be traced through the coverage of collective bargaining. According to Çelik and Lordoğlu (2006, p. 19), collective agreements covered 1.443.473 workers in 1986 and 1.010.563 in 2001. Note that almost 400.000 workers lost the advantage of being covered by collective bargaining between 1986 and 2001. When the AKP came into power, the figures were falling (Table 5), signaling the institutional persistency inherited from the country’s neoliberalization transition. The neoliberalization paradigm has gone hand in hand with the AKP’s desire to incorporate trade unions, in the mode of party incorporation, and has thereby made the system of industrial relations even a less favorable arena for trade unions than it was after 1980.

Table 5. Coverage of Collective Bargaining, 2002-2011

Year	Coverage of Collective Bargaining	Two-Year Totals	Two-Year Averages
2002	255.059	1.030.537	1.007.305
2003	629.240	884.299	957.418
2004	325.386	954.626	919.462
2005	587.456	912.842	933.734
2006	304.392	891.848	902.345
2007	466.429	770.821	831.334
2008	262.786	729.215	750.018
2009	504.796	767.582	748.399
2010	338.671	843.467	805.525
2011	502.931	841.602	842.535

*Source: The Ministry of Labour and Social Security, (April 2017).

However, the numbers presented in Table 6 reflect only one aspect of the picture. Despite the gradual rise in the number of workers covered by collective bargaining, the analysis must focus on the number of unionized workers who were not covered by collective bargaining in order to fully grasp the neoliberal retrenchment in industrial relations.

Table 6. The Ratio of Uncovered Unionized Workers by Collective Bargaining, 2012-2015

Year	Number of Workers Covered by Collective Bargaining	Number of Unionized Workers	Number of Uncovered Unionized Workers	Ratio of Uncovered Unionized Workers
2012	689.915	1.001.071	311.756	31,1%
2013	875.794	1.096.540	220.746	20,1%
2014	954.192	1.297.464	343.272	26,5%
2015	1.004.143	1.514.053	509.910	33,7%

*Source: DİSK-AR (2016).

Table 6 clearly shows that in 2015, the most recent year of available data, “one out of three unionized workers is not covered by collective bargaining”(DİSK-AR, p. 7). This fact leads to further interpretations in light of the strategies followed by trade unions as they strive for unionization to be able to be a part of collective agreement. Given that low level of unionization is accompanied with higher level of uncoverage rate, as Table 6 indicates, the likely result of this is that trade unions seek new ways of pursuing union activity. The utmost importance of Table 6 lies in the fact that under the repressive institutional environment, trade unions have found themselves weaker than they were before, and they were thus compelled to seek alternatives outside the terrain of industrial relations. The analysis presented here can be applied to the relationships between the Confederation and the AKP. The higher level of workers who are not covered by collective bargaining and low level

unionization in general have led to exchange relations between trade unions and AKP in the form of conserving what was achieved by the latter at the cost of losing ground on which broad class-related interests can be defended. As Buğra, Adaman, and Insel (2009, p. 171) note that:

given the constraints of the environment in which labour unions operate, the latter are compelled to follow a shortsighted strategy in an attempt to protect their ever-diminishing membership base. This strategy tends, in turn, to limit the prospects for the improvement of the position of labour organizations in society through, among other channels, a larger popular support for their demands for legislative change.

In the period of the AKP government, the proliferation of atypical modes of employment and the ways in which trade unions' have been responding to it are perfect examples that match the above line of argument. In that sense, the issue of sub-contracting became an essential point for Turkey's industrial relations.³⁹ However, one of the drawbacks of studying subcontracting workers in Turkey is the lack of data available to researchers. The gradual rise of sub-contracting practices in Turkey began at the beginning of the 1980's and kept rising until the late 1990's. According to Çam (2002 as cited in Birelma, 2015, p. 74-75), "while the ratio of sub-contracting workers in SOE's was 4 % in 1984, it went up for 15 % in 1996". Although there is no reliable or multiple source from which the actual number of sub-contracting workers can be calculated, Birelma (2015) claims that the most reliable numbers were provided by the the Minister of Labour and Social Security, Faruk Çelik, in 2012, in response to parliamentary question asked by a CHP member of parliament, Mahmut Tanal. According to the answer given by Minister

³⁹ It should be noted that although the changes in industrial relations under the rule of the AKP government should be analyzed in a more detailed fashion covering a broad range of social and industrial policies, for the objective of the thesis, it would be prudent to narrow down the changes to certain developments that are much directly observable and effective on the trade union activity of the Trade Union Confederation Hak-İş.

Çelik, the number of sub-contracting workers in both public and private sectors has increased significantly since the AKP's first year of rule, 2002.

Table 7. The Number of Sub-contracting Workers, 2002-2012

Year	Formal Sub-contracting Workers		Total
	Male	Female	
2002	385.511	28.607	387.118
2003	410.135	38.876	449.011
2004	537.471	44.019	581.490
2005	620.680	36.997	657.677
2006	862.528	44.625	907.153
2007	1.114.806	49.112	1.163.917
2008	1.207.785	53.846	1.261.630
2009	1.008.009	41.956	1.049.960
2010	1.240.128	53.775	1.293.893
2011	1.550.304	60.905	1.611.204

*Source: Faruk Çelik's response to the parliamentary question of Mahmut Tanal No: 7/9123

The numbers reached over 1.5 million in 2011, which is the latest data available, yet it is likely that the number of sub-contracting workers has continued to increase in the 2010s. When it came to power, the AKP, first enacted Labour Law No: 4857, whose article No. 2 regulates the type of jobs that are legally allowed to be carried out by sub-contracting workers. The subsequent legal changes led to the emergence of a new line of conflict between trade unions and the government. The conflict arose because sub-contracting workers are contracted on a temporary basis, which makes unionization hard, given that trade unions all over the world establish their organizational priorities on long-term permanent employees. Considering that the increased ratio of sub-contracting workers to all wage earners poses great challenge for trade unions to adopt their strategies to a flexibilization process, this would likely result in the bleeding of trade unions' membership base. In the case of Turkey, this holds true and stands as a valid fact. According to Birelma "while the ratio of sub-contracting workers to all wage earners was less than 4% in 2002, it went up to 11% in 2011" (2015, p. 76). Birelma

concludes that “by 2011, one out of every nine wage earners were a sub-contracting worker” (2015, p. 76).

Given the industrial environment, which has gone through neoliberal retrenchment in the AKP period, what could account for the rise of the Trade Union Confederation Hak-İş? Given the fact that the elite cadre of the AKP and the Confederation placed themselves in the constituency of political Islam in the past, is Islam responsible for the increased influence of the Trade Union Confederation of Hak-İş in the industrial arena?

The reason the Confederation has risen as a pivotal actor in industrial relations is a combination of its prior developments and its evolution before the AKP came into power, and the party incorporation model of the AKP that helped the Confederation to articulate the politics of industrial relations. During the period of the AKP government, Islam, in that sense, can be evaluated as a “relational resource” that brought the Confederation and the AKP together in a less conflictual fashion (Buğra and Savaşkan, 2015, p. 44).⁴⁰ The class and political identities of the former have been significantly transformed since political Islam no longer constitutes a reference point for the Confederation’s political identity. However, the changing attitude toward May 1 celebrations and the Western-oriented strategy, as evidence of its newly emerged class identity after the middle of the 1980’s, are not sufficient to assess the class identity of the Confederation in the period between 2002 and 2017. Sub-section 5.3 aims at seeking alternative explanations for the

⁴⁰ Although, Buğra and Savaşkan place their emphasis upon recent developments emerged between the the AKP and employer organizations and use the Islamic religion as relational resource in explaining the relationship between the two, the concept, nevertheless, offers valuable insights into trade unionism in the AKP period, as well.

transformation of the Confederation's class and political identities through its responses to the certain industrial laws.

5.3 The Hak-İş Trade Union Confederation and industrial concessions

The party incorporation model of the AKP operated as means of granting concessions to the Trade Union Confederation Hak-İş, which certainly manifested itself on the unprecedented rise of membership base of the Confederation. With the introduction in 2012 of Law No: 6356, through which the Ministry of Labour and Social Security publishes reliable trade union membership data, one can now observe the results of the politically privileged place of the Confederation compared to those of Türk-İş and DİSK. The Figure 2 reveals how far the Confederation expanded its organizational base in terms of union membership from 2013 to 2016.

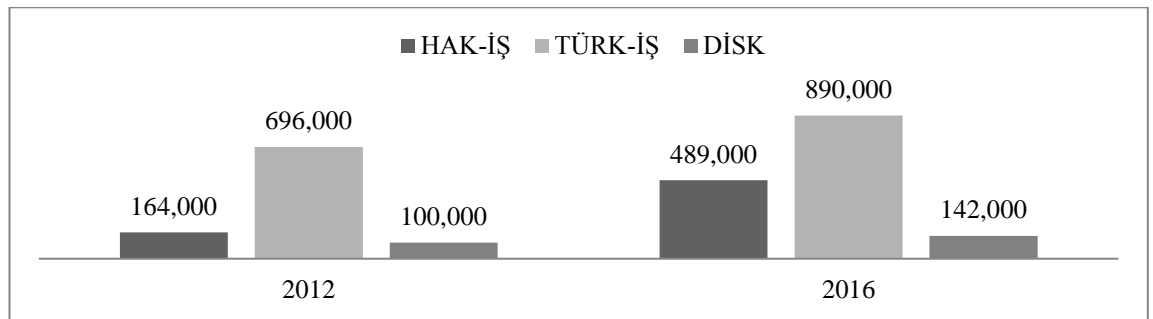


Fig. 2 Change in trade union membership, 2012-2016

*Source: The Ministry of Labour and Social Security

**The data are sourced from the statistics released by The Ministry of Labour and Social Security in January 2013 and January 2017, respectively.

The Figure 2 clearly shows that, while Türk-İş continues to be the largest confederation in terms of its membership base, DİSK witnessed a modest increase in the number of members in 2017, the rise of Hak-İş is beyond comparison. The Confederation increased its membership base to over 300,000 workers only in only

5 years. In a nutshell, the figures indicate that the AKP's rule lifted the Confederation to a level where it was able to represent one third of the total unionized workers in the country, whose number is slightly over 1,5 million in 2017 (The Ministry of Labour and Social Security, January 2017). In terms of the change in percentage of trade union membership between 2012 and 2016, the results are also striking (Figure 3).

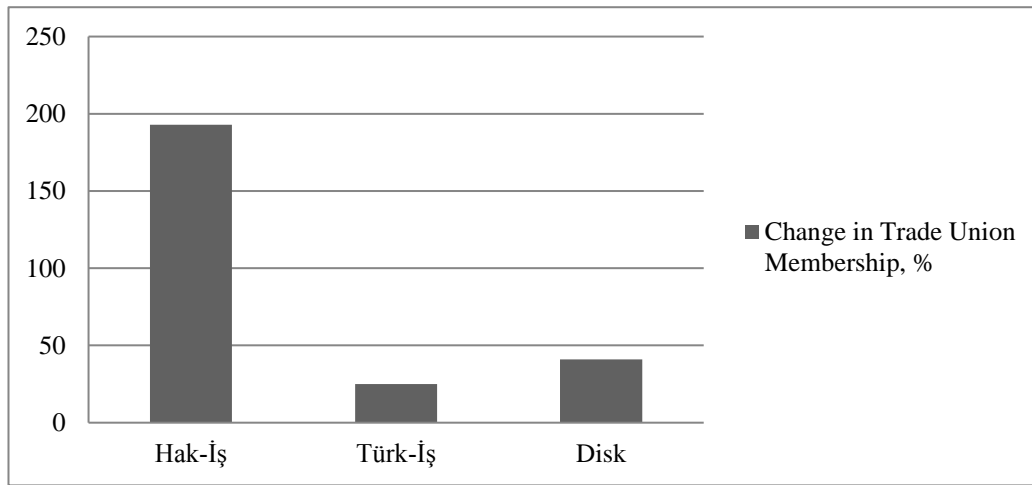


Fig. 3 Change in trade union membership, 2012-2016, %

A parallel development has been observed in the rise of the membership of the government supported public servant union, Memur-Sen (Confederation of Public Servant Trade Unions), whose membership was about 40.000 in 2002 and 956.000 in 2016, according to the Ministry of Labour and Social Security (Çelik, 2015).

Through the increased membership, the Confederation has expanded its industrial activity by increasing the number of its affiliated trade unions across all economic sectors.⁴¹ In 2017, the Confederation completed its organization in every

⁴¹ The number of economic sectors were downed from 28, which was regulated by the Law No: 2821 that was in effect from 1983 to 2012, to 20 by the Law No: 6356 which was introduced in 2012. By

economic sector specified by Law No: 6356 in that the Confederation has 22 affiliated trade unions (*Hak-İş Journal*, Vol.11/May 2016). One of the factors which explains the success the Confederation has to do with developments brought about by Law No: 6356. The law in question has been long discussed with respect to the its discretionary threshold levels for being eligible for collective bargaining. At first, in its draft form, Law No: 6356 brought down the previous threshold barrier at industry level from 10%, which was in effect from 1983 to 2012, to 3% to be able to organize. However, after the law passed, in its implementation a distinction was made between trade unions which are affiliated with trade union confederations that are members of Economic and Social Council (ESK) and independent trade unions. While the 3% threshold is legally applied to independent trade unions, the ESK member trade union confederations were subjected to a 1% threshold until 2016 and 2% between 2016 and 2018. The 3% threshold would only be applied to these trade unions after 2018. At this point, it should be noted that the Trade Union Confederation Hak-İş strongly opposed the application of 3% threshold to all trade unions. In fact, in a committee on European Union harmonization in which Law No: 6356 was discussed by the representatives of industrial social actors, Mahmut Arslan, the president of the Confederation, clearly stated why the Trade Union Confederation Hak-İş found the 3% threshold as a danger to trade union activity: “the 3% threshold turns bigger than the 10% threshold if we take the total number of workers in a given sector recorded by Social Security Institution rather than the Ministry of Labour and Social Security” (*TBMM Sağlık, Aile, Çalışma ve Sosyal İşler Commission Report*, February 9, 2012, p. 8). In a similar vein, the former trade union specialist of the Confederation

the help of this legal re-arrangement, the Trade Union Confederation, along with Türk-İş and DİSK, had a chance to complete its organization in every 20 economic sectors.

revealed that “the new trade union law has certainly helped most the Hak-İş by lowering the threshold to 1% to the ESK members trade union confederation” (Former Trade Union Specialist of the Trade Union Confederation Hak-İş, Personal Interview, 29.12.2016).⁴²

The interests of the Confederation and the policy agenda of the AKP have clashed over the 3% threshold issue. However, by creating an exclusionary and discretionary difference in threshold levels, the AKP, either deliberately or not, protected the interest of the Confederation. Çelik argues that the new trade union law favours the Trade Union Confederation Hak-İş-affiliated trade unions, Medya-İş and Öz Büro-İş (Çelik, 2012). This is in conformity with the increase in the membership of these unions. According to the January 2013 and January 2016 statistics of the Ministry of Labour and Social Security, Medya-İş increased its membership from 560 in 2012 to 1.922 in 2015, while Öz Büro-İş has increased its membership base from 5.998 in 2012 to 30.506 in 2015. In these cases, both of these trade unions expanded their organizational level in 2015 sufficiently to be eligible for collective bargaining by surpassing the 1% threshold.⁴³ Nevertheless, the Trade Union Confederation Hak-İş has not been fully supportive of the new labour law and has declared its opposition, stating that the new law, in many aspects, preserves main characteristics of the previous repressive labour law in

⁴² The legal discrimination created by Law No: 6536 that set different levels of thresholds was canceled by the Constitutional Court in 2014 after the development occurred after the CHP's appealing to Constitutional Court for the annulment of an article of Omnibus Bill No: 6552. According to the verdict of the Constitutional Court, the new threshold was fixed at 1% for all trade unions in the country to be eligible for collective bargaining. Note that since the trade union Law No: 6356 does not allow for industry wide collective bargaining, trade unions should organize at least 1% of the workers in a given economic sector and 50+1 % in workplace and 40% in enterprises in order to be eligible for collective bargaining.

⁴³ The representativity rate of the Medya-İş was 1.98 while the rate was 1.04 in the case of the Öz Büro-İş (The Ministry of Labour and Social Security, July 2016).

terms of setting barriers to unionization and the right to strike (*Hak-İş Journal*, Vol.62/June 2012).

While Law No: 6356 contributed to increased union membership of the Confederation, the underlying driving force was the legal improvements in the unionization and collective bargaining rights of sub-contracting workers brought about by Omnibus Bill No: 6552. According to the Confederation, “the Trade Union Confederation and in particular the Hizmet-İş Trade Union are the ones that contributed most to the attempts in passing Omnibus Bill No: 6552” (*Hak-İş Journal*, Vol.8/May 2015). The law in question is of central significance to the analysis of the Confederation’s membership expansion and its ability to articulate with the current institutional environment in which industrial relations suffer from neoliberal retrenchment. As shown in Table 7, the growing number of sub-contracting workers pose a great challenge that every trade union should overcome. In the context of Turkey, the issue became a major concern of industrial relations which neither the AKP nor trade union confederations could ignore. Therefore, after the enactment of Omnibus Bill No: 6552, Hak-İş made a great effort to organize sub-contracting workers. According to Mahmut Arslan (2017), the Confederation has around 220,000 sub-contracting worker membership base, which makes it the largest confederation with the highest number of unionized sub-contracting workers. Note that, given the total number of the union members of the Confederation is around 489,000, almost half of its membership is comprised of sub-contracting workers.

The Confederation preferred to organize among sub-contracting workers in the public sector, especially municipal workers (*Hizmet-İş Journal*, 2016-I). In this regard, the Confederation’s fastest growing trade union, Hizmet-İş, which operated

in sector No: 20, general services, has carried out its main activity in municipalities all over the country. It has been reported that the Hizmet-İş in particular has been successful in unionizing nearly 100,000 sub-contracting workers (Chief Consultant of the Hizmet-İş Trade Union, Personal Interview, 22.12.2016). The increasing membership base of Hizmet-İş has skyrocketed after the enactment of Omnibus Bill No: 6552 in 2014, which is in line with the trade union's increased emphasis upon the unionization of subcontracting workers compared to the Türk-İş-affiliated trade union, Belediye-İş, and the DİSK-affiliated trade union, Genel-İş.

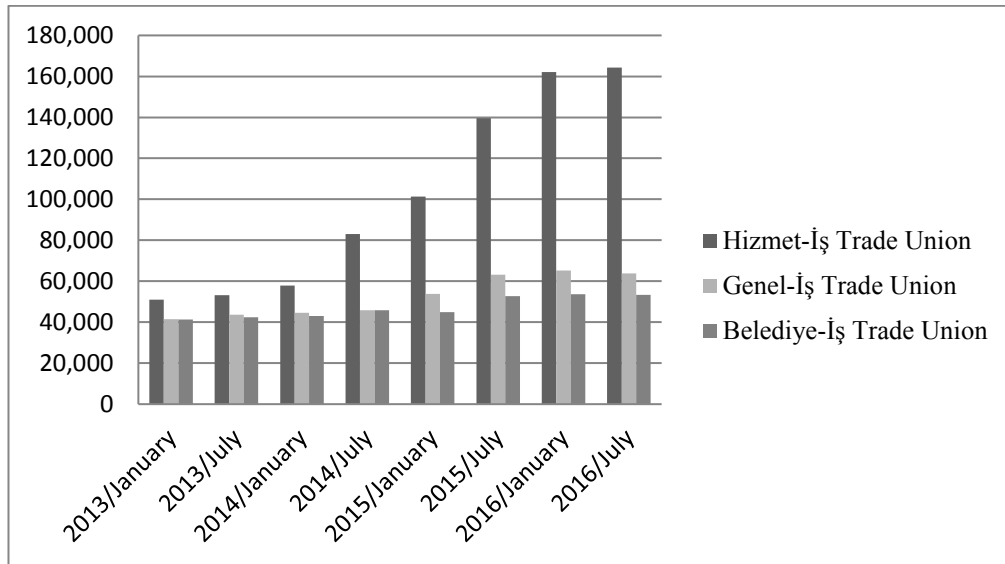


Fig. 4 Union membership of trade unions in general services sector, 2013-2016

*Source: The Ministry of Labour and Social Security (April 2017)

The general secretary of the Confederation reveals why the Confederation considers the issue of sub-contracting workers particularly important, stating that “even the presence of a trade union in the workplace can make a real difference not only for workers having stable jobs but also for those of sub-contracting workers”⁴⁴ (Personal Interview, 21.12.2016). To this end, the Hizmet-İş Trade Union branded its attempt to unionize sub-contracting workers with the slogan “a trade union

⁴⁴ Bir işyerinde sendikanın varlığı sadece görece olarak güvenli bir iş olanların değil fakat daha çok taşeron işçilerin hayatında büyük bir fark yaratıyor”.

protects you”, signaling the idea of defending the rights of sub-contracting workers through the type of trade unionism the Confederation embraced (Hizmet-İş Trade Union, 2015). Although there is no solid data about on which municipalities run by which political party does the most trade union organization, the chief consultant of the Hizmet-İş trade union stated that “we find it easier to organize in the AKP’s municipalities, just like DİSK finds it easier to organize in CHP’s municipalities” (Personal Interview, 22.12.2016). Considering that the Turkish industrial system has historically been ideologically divided, it is not unexpected that the Hizmet-İş trade union has a close relationship with AKP municipalities.⁴⁵ However, the boundaries of the close relationship, evident in the figures presented in Figure 4, have moved towards a systematic and deliberate strategy adopted by the AKP and the Hak-İş Trade Union Confederation and resulted in a disproportionate ability to unionize sub-contracting workers. Over 100,000 workers between 2013 and 2016 signed up with the Confederation, signaling a record-breaking pace of unionization of sub-contracting workers compared to the other trade unions.

It is possible to argue that that the uneven development of Hak-İş has been backed by the government through several industrial concessions. Moreover, as evident in the discretionary 1% threshold that favors the Confederation and the support the Confederation enjoyed in its attempt to organize sub-contracting workers, especially those working in municipalities, the AKP created an industrial

⁴⁵ For example, the relation between the Hak-İş affiliated trade unions and Ankara Metropolitan Municipality is striking. According to the news media, *Evrensel*, it has been reported that the workers of BUGSAŞ, an affiliated company with Ankara Metropolitan Municipality, were precluded to become a member of Türk-İş-affiliated trade union, Belediye-İş, and forced to become a member of Hak-İş-affiliated trade union, Öz Taşıma-İş (March 29, 2014). Considering this fact that in the 12th annual general committee report of the Hizmet İş Trade Union, a statement stands as noteworthy. The statement goes: “Workers who are working at Ankara Metropolitan Municipality affiliated associations coalesced into the Hak-İş affiliated trade unions (...). The total number of 12,500 workers became a member of Hak-İş-affiliated trade unions, Hizmet-İş, Öz Taşıma-İş and Öz-İş” (Hizmet İş Trade Union, 2015, p. 77).

clientelism through legal changes that are at the core of trade union activity in a neoliberal industrial setting. As Yıldırım (2006, p. 250) notes that:

AKP may have a desire to strengthen Hak-İş in order to create a friendly labour organization that will not be opposed to the government on every occasion. AKP may implicitly encourage Hak-İş as a leverage against Türk-İş.

However, while the AKP provides several concessions to the Confederation to control the industrial arena, it would be hard to claim that the Confederation remained passive without making any efforts to promote the class-related interest of its members. Yet the question is where to draw the line beyond which the Confederation and the AKP can work in a peaceful manner without any clash of interest between the two. This core question is related to two broad topics, one of which is the exchange between the short-term and long-term class interests of the Confederation and the ways in which the Confederation tries to protect its privileged position in the industrial arena. Answers to this question reveal the tension between being a class actor in a neoliberal industrial setting and being a politically supported trade union confederation under the rule of a strong single party.

5.4 The Hak-İş Trade Union Confederation as a class actor

Given that the AKP's method of incorporation favours the Trade Union Confederation Hak-İş, the Confederation, as a class actor, faced several dilemmas which jeopardized its cooperative-ridden and conflict-free relation with the AKP. A conflict of interest between the two became visible after the AKP promised to grant sub-contracting workers state-guaranteed status before the general election of June

7, 2015. However, the AKP left this promise to create a new status called “contract-employee” for sub-contracting workers which, according to the Confederation, took back the already achieved gains such as sharing the advantages of collective bargaining, premium rights and the right to be paid severance pay (*Hizmet-İş Journal*, 2016-II, p. 29-30).

The Trade Union Confederation Hak-İş, along with the other trade union confederations, called for a set of immediate actions against sub-contracting, which is the most prolific form of insecure and flexible mode of employment in Turkey.⁴⁶ When the AKP offered a “contract-employee” status instead of state-guaranteed status, the Confederation voiced its concerns with regard to the possible drawbacks of the government’s planned legislation. In fact, Settar Aslan (2016), president of the Confederation and the president of the Öz Orman-İş Union, publicly accused the government, claiming that “even in this issue, government is seeking ways to make profit out of it”. In an interview with the vice president of the Confederation, he shared his thoughts on the nature of sub-contracting practices: “we believe that there is no such thing as a temporary worker but only a temporary job! (...) If the government insists on the private-contract employee status instead of granting sub-contracting workers state-guaranteed status , we will go on hunger strike”(Personal Interview, 28.12.2016).⁴⁷

⁴⁶ The Trade Union Confederation Hak-İş prepared a wide-scoped report on the current state of affairs of sub-contracting workers in the Turkey concerning their material prosperity, educational background etc. For further information please, see (Hak-İş, 2015).

⁴⁷ “İşin geçicisi olur işçinin olmaz! (...) Eğer hükümet taşeron işçileri kadroya almak yerine özel sözleşmeli personal statüsü üzerinde ısrar ederse, Türkiye’nin yarısında açlık grevi başlatırız”. In fact, the vice president of the Confederation repeated his thoughts and arguments that also appeared in the website of the Öz Orman-İş Trade Union. For further information, please see <http://www.ozorman-is.org.tr/haberler.asp?id=715>.

It should be noted that however, the vice president of the Confederation emphasizes the sub-contracting practices in seasonal workers suffered from the Law No: 5620.

Although the Confederation has been promoted by the AKP, its organizational base of subcontracting workers forced the Confederation to raise a voice against the government. Therefore, the reason for which the Confederation and the AKP pitted themselves against each other has to do with the fact that there are over 200,000 sub-contracted workers in the membership base of 489,000 of the Confederation. The Confederation claims that “the contract-employee status is a threat to union freedom. As a result of this, The Trade Union Confederation Hak-İş will lost half of its trade union members. Five of affiliated trade unions to the Trade Union Confederation Hak-İş will lost their entire trade union members and right to be eligible for collective bargaining” (*Hak-İş Journal*, Vol.11/May 2016, p.53).

In this controversy we see that there is a limit to the Confederation’s passivity in the face of neoliberal retrenchment in the system of industrial relations. In particular, while the Confederation articulated the institutional setting by re-arranging its interest, as evident in its attempt to organize sub-contracting workers, the institutional setting compels it to contest the AKP’s neoliberal industrial policy preferences. From this regard, the Confederation was stuck into two conflicting alternatives: either displaying resistance to the AKP or being silent in the face of neoliberal assaults. In response to the AKP’s attempt to create contract-employee status for sub-contracting workers, the Confederation followed the first path in order to stay as powerful actor it is today. When the very core of its existence was threatened, the Confederation, despite its affinity with the AKP, chose the militant discourse. The extent to which the militant discourse would turn into strikes on the streets, however, was not at all clear. The general secretary of the Confederation stated: “trade unions are not alternatives of political parties. as a trade union, you have a certain leverage that you can use in the face of industrial dispute, but you

cannot get any result in doing that, what else we can do?” (Personal Interview, 21.12.2016).⁴⁸ It should be noted that Tte Confederation prefers to rely on mechanisms of social dialogue for the resolution of disputes over sub-contracting workers (*Hak-İş Journal*, Vol.9/September 2015). According to the report of the Group of Labour Studies (*Emek Çalışmaları Topluluğu*), in the number of protests concerning the problem of sub-contracting workers, a DİSK-affiliated trade union, Genel-İş led the way in organizing 28 protests, while the Türk-İş- affiliated trade union, Belediye-İş organized 7 protests between 2015 and 2016 (*Emek Çalışmaları Topluluğu*, 2016). However, according to the results of the same report, the Hak-İş affiliated trade union, Hizmet-İş did not make any major attempt to organize protests although it has almost 100.000 sub-contracting workers in its total membership base (*Emek Çalışmaları Topluluğu*, 2016).

Despite the fact that the Confederation engages in conflictual relations with the AKP, at least on a discursive level, in the process of the enactment of the long-awaited trade union act No: 6356, the Confederation pursued a non-conflictual strategy since the law has a capacity to strengthen its position in a competitive trade union scene. Although the new law preserves the repressive and discretionary approach of the former law (Çelik, 2012), the Confederation adopted a cautious position. In fact, the vice president of the Confederation, Settar Aslan, neatly described the Confederation’s strategy saying, “we do not have the luxury of losing the good for the sake of chasing the perfect” (Aslan, 2012).⁴⁹ As highlighted in this thesis, it would be an oversimplification to argue that the class identity of the

⁴⁸ “Eğer siz bir sendika olarak, endüstriyel alanda bir uzlaşamama durumu olduğunda, elindeki kozlarınızla hükümeti vurup vurup yine de hiçbir sonuç alamıyorsanız, başka ne yapalım? Sendikalar, siyasi partilerin alternatifi değildir”.

⁴⁹ “Mükemmeli aramak uğruna iyiyi kaybetme lüksümüz yok”.

Confederation became dominant during the AKP rule only because of its changing attitudes towards May 1 and the European Union. It is clear that the way the Confederation engaged in industrial arena had been transformed significantly by the time the AKP came into power. The transformation pictures a trade union confederation that was not only celebrating May 1 and supporting the European Union, but a trade union strategically re-designing its class interests as an autonomous industrial actor. The autonomy stressed here points not to political and industrial autonomy from the AKP in a strict sense, but to an autonomy that would allow the Confederation to stand its ground when it came to dealing with the government. Since Hak-İş continued dealing with the government as a politically supported trade union confederation, one can observe the newly emerging coalitional alliances with the AKP government. The political setting which allowed the formation of such political coalitions also reveals the increased polarization of society under the increasingly authoritarian rule of the AKP. The following subsection 5.5 discusses the political choices of the Confederation to side with the AKP in the pursuit of the government's macro-political agenda.

5.5 The Hak-İş Trade Union Confederation as a political actor

In analyzing the tension between class and the political identity of the Confederation in different periods and historical episodes, this thesis claims that the Confederation's political activities, which cover a broad range of issues—struggle for democratization of the country, supporting Turkey's full candidacy to European Union—have created a new momentum in the period of the AKP rule. As the political climate slides into authoritarianism, and having accelerated after the "Gezi

Park Protests” (which was instigated as a backlash of the general public to the authoritarian acts of the government), the nature of the power balance and the hegemony of the government over political institutions led to the classification of Turkey’s regime type as hybrid regime combining both the presence of democratic institutions and authoritarian operation of these institutions (Öniş, 2013; Esen and Gümüşçü, 2016).

The implications of authoritarian ruling for the industrial arena have altered the nature of the coalitions between trade unions and the government and among the trade unions as well. As has been argued in chapter 4, trade union confederations in Turkey managed to join together to form various platforms to act together in the face of the repressive political and industrial pressure in the 1990’s. Moreover, as Table 2 shows, trade union confederations in the country often celebrated May 1 together in either Ankara or Istanbul in spite of deep ideological differences. However, as Table 8 indicates, with the intensification of political and social polarization, the Trade Union Confederation Hak-İş began to disassociate itself from the rest of the trade union confederations. In recent years, the Confederations developed increasingly close relations with Memur-Sen (Erdoğan, 2014). The preferences of Hak-İş for May 1 celebrations changed differently. Since 2013, the Confederation opted for a strategy to celebrate May 1 in several Anatolian cities. When the governance of Istanbul prohibited May 1 celebration in Taksim Square, in conformity with the AKP’s desire, the Confederation terminated its celebrations in Taksim immediately in opposition to DİSK and KESK and other left-leaning NGO’s. Given that Taksim Square has a historical significance for the labour

movement in Turkey⁵⁰, it can be claimed that the Confederation preferred to follow a non-conflictual strategy by expanding its May 1 activities into anatolian cities where it could both celebrate May 1 and keep away from any clash with the government.

Table 8. May 1 Celebrations of Hak-İş, 2002-2016⁵¹

Year	Organization	Place of Celebration
2002	HAK-İŞ+TÜRK-İŞ+DİSK+KESK+EP	Tandoğan Square, Ankara
2003	HAK-İŞ+TÜRK-İŞ+DİSK+KESK	Abide-i Hürriyet Square, Istanbul
2004	HAK-İŞ	The Ministry of Foreign Affairs, Ankara
2005	HAK-İŞ+TÜRK-İŞ+DİSK+KESK	Kadıköy, Istanbul
2006	HAK-İŞ+TÜRK-İŞ+DİSK+KESK+EP	Tandoğan Square, Ankara
2007	HAK-İŞ	-----
2008	HAK-İŞ	Tandoğan Square, Ankara
2009	HAK-İŞ	Taksim Square, Istanbul
2010	HAK-İŞ+TÜRK-İŞ+DİSK+MEMUR-SEN+KAMU-SEN+KESK	Taksim Square, Istanbul
2011	HAK-İŞ+TÜRK-İŞ+MEMUR-SEN+DİSK+KESK+TMMOB+TTB+TEB	Taksim Square, Istanbul
2012	HAK-İŞ+MEMUR-SEN	Tandoğan Square, Ankara
2013	HAK-İŞ	Karabük
2014	HAK-İŞ	Kayseri

⁵⁰ In the May 1 celebration of 1977, gun fire from the roof of the Marmara Hotel in Taksim Square caused the death of 34 people and left 136 people wounded. To this day, the perpetrators of this violent act could not been found by the legal authorities.

⁵¹ In 2017, the Confederation declared that the Trade Union Confederation Hak-İş celebrated May 1 in Erzurum. For further information, please see; http://www.hakis.org.tr/haberler.php?action=haber_detay&id=1531

2015	HAK-İŞ+MEMUR-SEN	Konya
2016	HAK-İŞ	Sakarya

*Source: The 13th Regular General Assembly Annual Report of Hak-İş (2015, p. 104).

Appealing to its political Islamic background, the Confederation has begun to be an integral part of the political coalition consisting of government supported employer organizations, trade unions and NGO's, all of which had once situated themselves in the constituency of political Islam in Turkey. Beyond its changed attitude towards May 1, as evidenced by the organization of May 1 celebrations and the cities where it has been celebrated, the Confederation got closer to MÜSİAD. Given the stark differences between the two occurred in the 1990's, in the AKP period, MÜSİAD and the Trade Union Confederation Hak-İş operated a project funded by the European Union (Increasing Adaptability of Employees and Employers with a Social Dialogue Approach), which covered a broad range of workers and enterprises. It was reported by the former trade union specialist of the Confederation:

due to Hak-İş's social dialog approach coincides with European Union, Hak-İş concentrated its activities on project-driven unionism. This has reflected its relationship with the employer organizations, most notably with MÜSİAD. These two actors came together for the first time in history in 2016 under a project funded by European Union (Personal Interview, 29.12.2016).⁵²

While the recent development between the Confederation and MÜSİAD reflects the type of unionism pursued by the former, this development can be linked to the Confederation's deliberate political action to work with government favoured employer organizations. In addition to the fact that the political favouritism initiated

⁵² "Hak-İş'in sosyal diyalog yaklaşımı Avrupa Birliği ile örtüştüğünden, Hak-İş proje-bazlı sendikacılığa yöneldi. Tabii bu durum işveren örgütleriyle fakat en önemlisi MÜSİAD ile ilişkisinde bir etki yarattı. Bu iki örgüt, tarihlerinde ilk defa, 2016 yılında, Avrupa Birliği tarafından fonlanan bir proje etrafında bir araya geldiler". In fact, the President of the Trade Union Confederation Hak-İş, Mahmut Arslan, claims to be the leading trade union in project-driven trade unionism. For further information, please see (*Hak-İş Journal*, Vol.7/January 2015, p. 44).

by the AKP government left its imprints on the rising influence of the Islamic employers associations such as MÜSİAD, TUSKON and TÜMSİAD (Gürakar, 2016), the Trade Union Confederation Hak-İş has also been included in the AKP's politically privileged community as an industrial actor. Therefore, the close relationship between the Confederation and MÜSİAD can be interpreted through the lenses of politicization of interest politics around the actors in the constituency of political Islam.

In terms of the relationships between the AKP and the Confederation, the latter showed its support in issues beyond the industrial terrain. The Confederation played an active role in the AKP "YES" campaign for the constitutional referendum held September 12, 2010.⁵³ The Confederation has also started a campaign for the recently held constitutional referendum in April 16, 2017 in which the Confederation, again, sided with the AKP government.⁵⁴ The support for the government manifested itself in embracing the main discourse of the government, most notably the "national will and the new Turkey". The Confederation took part of the formation and operation of what is called "The Platform of National Will", founded in 2013 and consisting of Hak-İş, Memur-Sen, İHH, TÜRGEV and the other government-leaning NGO's (*Hak-İş Journal*, Vol.7/ January 2015, p. 22-23).⁵⁵

Considering the increased closed ties between the Confederation and government-favoured actors, the Confederation's political role has gone beyond

⁵³ For further information, please see <http://www.milliyet.com.tr/hak-is-referanduma-evet-kampanyasi-baslatti-siyaset-1265922/>

⁵⁴ For further information, please see http://www.hakis.org.tr/haberler.php?action=haber_detay&id=1571

⁵⁵ Beyond that many top officials of the Confederation resigned their position to be a AKP member of parliament. In this regard, Salim Uslu who has been the president of the Confederation between the term 1995 and 2011, and now the honorary president of the Confederation, has been an AKP member of parliament from the Çorum electoral district since 2011.

generating weak political support to the political parties it had affiliated with. In the AKP term, the Confederation engaged in strategic political process to reconcile with the government. In order not to be excluded from political support, the Confederation seemed to use its political Islamic identity, as did the other political Islamic actors, in its relationship with the AKP. It should be noted that in a strong single-party rule coupled with neoliberal pressures on trade unions, the Confederation had no choice but to engage in politics to secure its privileged position in the industrial arena. However, the extent to which the Confederation compromises its long-term class interest is ultimately dependent upon the political power of the AKP. Therefore, this thesis offers the idea that, in the case of the AKP's positions on trade unions (it intends to move away from party incorporation model to a state incorporation model), it would be reasonable to expect that the Confederation will take a more conflictual stance towards the AKP.

CHAPTER 6

CONCLUSION

This thesis explored the tension between class and the political identities of the Trade Union Confederation Hak-İş by focusing on the institutional context in which the contesting roles of the Confederation have been shaped. Historical changes and continuities in the Confederation's preferred mode of trade unionism were analyzed, taking into account the ever-changing political and economic challenges. Thus, rather than emphasizing only the cultural factors that are often held responsible for the identity dilemmas of the Confederation, the main objective of this thesis was to emphasize the primacy of institutional setting in determining the strategies and interests of the Confederation.

In order to bring the institutional context to the agenda, this thesis first stressed the new challenges to trade unionism in post-fordist times, when trade unions across the world lost their capacity to influence both industrial and political arenas. The outcome of post-fordism, which has gone hand in hand with the flexibilization of labour markets and the proliferation of atypical working schemes, has been significant de-unionization and retrenchment in the protective welfare state institutions which were aimed at de-commodifying workers' labour by sustaining benefits often gained by the efforts of trade unions. In the particular case of Turkey, after the military coup d'état in 1980, the import substitution industrialization model from the late 1950's was replaced by a competitive market economy model organized around post-fordist lines. Beginning with the 1980's, trade unions in the

country have faced unprecedented neoliberal pressures and authoritarian state incorporation practices which pushed for the depoliticization of trade unions and left them with a shrinking organizational base. The double pressures, which are conceptualized as neoliberal retrenchment and state incorporation models, signaled an institutional rupture in the patterns of interest politics between trade unions and the state that had begun to gain momentum two decades earlier.

This thesis, therefore, attempted to situate the first signs of the identity tension of the Trade Union Confederation Hak-İş, which was founded in 1976 in the post-fordist and authoritarian institutional setting of the 1980's. The external neoliberal-post-fordist challenges, as evident in the transformations of the political economy around the world, and the internal authoritarian pressures that existed in Turkey, together led to a change in the harmony between the class and political identities of the Confederation, which were in full conformity with the principles of Islamic trade unionism embraced in the formation years of the Confederation.

Starting from the middle of the 1980's, the Trade Union Confederation Hak-İş acted in line with the objective requirements of industrial relations by expanding its organizational base and developing political positions that were not always compatible with the ideas of the political Islamic parties of the period. The evolution of the Confederation as a class actor rather than the mere reflection of political Islam in the industrial scene has clearly become visible in the 1990's. Thanks to the closer relations between Turkey and the European Union, the authoritarian regime dynamics inherited from the previous authoritarian rule were softened, moving towards democratization. The Trade Union Confederation Hak-İş, along with the other trade union confederations in the country, found a chance to mobilize workers in collective action in the face of political and economic instabilities. In that term, the

Confederation's class identity and industrial autonomy came to the front rather than its political identity and political dependence on political Islamic parties. It was symbolically important that the Confederation's prior rejection of the European model of socio-economic development and its adherence to the principles of Islamic unionism (which involved the rejection of May Day celebrations and an outright hostility to the West) were abandoned for unconditional support for Turkey's full candidacy to the European Union and active engagement in May Day celebrations.

While the Confederation, as a class actor, re-evaluated its primary interests as the institutional context changed, the institutional setting from the late 1990's and the very beginning of the 2000's also altered the traditional political convictions of political Islam itself. The AKP, therefore, appeared as a product of the internal fissure in the political Islamic movement in Turkey. Reflecting the direct influence of the institutional environment, the emergence of the AKP has been the result of the factors lying behind the harmonization of the AKP's elite cadre's interests with the trends toward Europeanization and neoliberalization of the country's system of industrial relations. The Confederation, in this regard, found themselves in an environment in which there were attempts to re-design the system of industrial relations in conformity with the standards of international organizations, most notably the EU and the ILO. However, while the Confederation might have reconciled with the government over what type of trade unionism is legitimate, the new political economy of industrial relations undermined the already limited capacity of trade unions to be effective as industrial and political actors. This is due to the fact that trade union density and coverage of collective bargaining hit bottom while flexibilization of labour markets occupied the center stage in the industrial agenda of the AKP government. Nevertheless, while the overall trade union density kept

falling, membership of the Confederation has disproportionably increased compared to the membership increase of both Türk-İş and DİSK. Thus, this thesis claimed that the reason for the unprecedented rise in the membership base of the Confederation was due to industrial concessions provided by the government to the Trade Union Confederation Hak-İş.

This thesis examined the sources of industrial concessions with reference to industrial laws. The first of these were Law No: 6356, which became effective in 2012, and Omnibus Bill No: 6552, enacted in 2014. As a main law of Turkey's industrial relations, Law No: 6356 has been the most visible attempt of the government to grant a privileged position to the Confederation over the other trade union confederations in Turkey. By creating discretionary threshold levels for the Economic and Social Council member trade union confederations, the law in question helped to the Confederation to organize in every industrial sector specified in the law and to be eligible for collective bargaining. However, the real boost in the membership base of the Confederation came after the enactment of Omnibus Bill No: 6552, for which the Confederation campaigned a long time. With the help of this bill, the Confederation reached the highest number of sub-contracting workers, who now constitute half of the Confederation's total membership base. While neoliberal retrenchment is in effect, the industrial concessions signaled a change in the patterns of state incorporation, which turned it into a party incorporation model. The party incorporation model contributed to the already privileged relationship between the Confederation and the government in a clientelistic manner through strengthening the power of the trade unions affiliated with the Confederation in relating industrial sectors in return for the Confederation's passivity to the overall neoliberal retrenchment and transformation in industrial relations.

The passivity of the Confederation, however, should not be understood as complete co-optation of its industrial power. Since the Confederation concentrated its activities on organizing sub-contracted workers, it has been a core supporter of state-guaranteed status for these workers. However, since the AKP planned to create a new status for sub-contracted workers called “contract-employee”, the Confederation showed an unprecedented opposition and took a conflictual stance towards government. This proves that, when the interests of the Confederation were in danger, the non-conflictual and privileged relations with the government could be ruptured, if not deteriorated. Moreover, based on this, the thesis argued that, in the AKP term, the Confederation should be taken into account as a trade union that had reached a certain level of professionalism and had the capacity to act as an industrial actor whose actions could not be limited to symbolic acts of class unionism and primordial dependence on the principles of Islamic trade unionism and those of Islamic political parties.

However, the Confederation’s resistance has its limits. The limits emerged from the excessive political power of the AKP in determining the rules of the industrial arena and its recently intensified authoritarian governing style. Together with party incorporation, the overall polarization of society— not only with respect to class but most visibly to an identity axis—positioned the Confederation in the constituency of the ruling party, along with other civil society organizations and employer associations. What is striking in this period is that the actors that placed themselves in the constituency of political Islam have begun to side with the government on the macro-political issues. Since the politically supported interest representation has been gaining ground in the trade union scene, as it has been long evident in the government’s relations with the employers organizations and

government supported firms, the Trade Union Confederation Hak-İş started not only to act in conformity with the government but also turned into a passionate supporter of and campaigner for the government's macro-political agenda beyond the industrial terrain. Moreover, although the Confederation's membership base—and hence its industrial power—have increased, it still suffers from the institutional disadvantages that have left the system of collective bargaining relatively dysfunctional and triggered further commodification of labour markets. Hence, this thesis argued that the expansion of the activities of the Confederation, from the industrial to the political arena, were due to its weak position in the industrial arena. By engaging in politics, the Confederation aimed to preserve its privileged position in the system of industrial relations.

This thesis showed that the political exchange between the Confederation and the AKP has taken place in a political arena where the Confederation pursued political unionism rather than acting only in the industrial arena. Observing that as the political bargaining gained momentum in the process of political exchange, the thesis pointed at the signs of the blurring of the boundaries between the political and industrial arenas in the case of the relations between the Trade Union Confederation Hak-İş and the AKP government. While it is a common knowledge that trade unions, as industrial market actors, develop political interests and seek political alliances in the face of given socio-political developments, what we may be witnessing in Turkey is that the politics of industrial relations has moved beyond the formal boundaries of interest politics as a result of the over-politicized nature of the interest representation. It would be justified to conclude that the politically supported process of engagement between the representatives of political and industrial spheres has brought reciprocity mechanisms into the heart of the interest representation. Due to the historical cultural

elective affinity between the Confederation and the AKP, the former has often been favored by the latter in return for its support for macro-political developments. In this regard, the Trade Union Confederation Hak-İş has become a pivotal actor in the political community formed around the AKP government by actors who situate themselves in the constituency of political Islam in Turkey. Hence, for the future prospects of trade unionism in Turkey, it could be claimed that the consolidation of the AKP's political power would be followed by the consolidation of industrial power of the Trade Union Confederation Hak-İş over the other trade union confederations, but this may result with a loss of industrial and political autonomies from the AKP government. However, the extent to which the harmony of organizational interests of these industrial and political actors would turn into conflictual one is a question of the AKP's ability to reconcile its neoliberal outlook with a party incorporation model that favors most the Trade Union Confederation Hak-İş. For the future studies, this thesis also suggests an ethnographic study of sub-contracting workers unionized under different trade union confederations in Turkey. This would be extremely helpful in order to cover the variety of union strategies towards the issue of sub-contracting and to make sense about the subjective responses of sub-contracting workers to these strategies.

APPENDIX A

INTERVIEW QUESTIONS IN ENGLISH

- 1) What are the main criticisms of the Trade Union Confederation Hak-İş of the law ‘The Trade Unions and the Collective Agreements, Strikes and Lockouts No: 6356’?
- 2) What are the positive sides of the law ‘The Trade Unions and the Collective Agreements, Strikes and Lockouts No: 6356’ compared to the ‘Trade Union Act No: 2821’ and ‘Collective Agreement, Strikes and Lockouts Act No: 2822’?
- 3) Has the Trade Union Confederation Hak-İş lobbied for the enactment of Law No: 6356 on the legislative and executive branches of the state as a pressure group? If lobbied, what is the nature of the lobbying activity?
- 4) Are there any points of reconciliation over the Law No: 6356 among the trade union confederations in Turkey? If so, please explain which points the Trade Union Confederations agrees with DİSK and Türk-İş.
- 5) Do you think that new enterprise and industry- wide thresholds for trade unions (which are regulated by the Law No: 6356) that will be authorized for collective bargaining will affect the Trade Union Confederation Hak-İş? If so, in which sector has it been easier or harder for you to operate under the current regulations?
- 6) What do you think of Omnibus Bill No: 6552, which made it easier for sub-contracting workers to have union rights (become a member of trade union and benefit from being covered by the collective agreement)?

- 7) Has the Trade Union Confederation Hak-İş lobbied for the enactment of Omnibus Bill No: 6552 on the legislative and executive branches of the state as a pressure group? If so, what is the nature of the lobbying activity?
- 8) After the enactment of Omnibus Bill No: 6652, sub-contracting workers have union rights, and a large majority of these workers have become a member of the Hizmet-İş Trade Union. In what respect do you think that this is a major trade union achievement?
- 9) According to the Trade Union Confederation Hak-İş, how do the sub-contracting practices affect trade union struggle?
- 10) According to the Trade Union Confederation Hak-İş, in what ways do trade unions fight against insecurity and flexibilization in industrial relations?
- 11) According to the Trade Union Confederation Hak-İş, why is the negotiation between the state and employers' organization based on a social dialogue approach considered superior to more radical trade union activity such as strikes and work-stoppage? To what extent does this superiority help the enactment of Omnibus Bill No: 6552?
- 12) What are the main points of disagreement between the Trade Union Confederation and AKP governments since 2002?
- 13) What are the main points of the dispute over the 'contract-employee statuses for sub-contracting workers that is planned by the AKP government?
- 14) To what extent do you think that the relationship between the Trade Union Confederation Hak-İş and the AKP government can continue on the basis of social dialogue?

15) Do you think there is any tension between the class identity and the political identity that stems from having a political Islamic identity? If so, what is the nature of the tension in question in the period of the AKP government and in what way does it differ from the tension during the National Salvation Party and Welfare Party periods?

16) According to you, what strategies should trade unions follow to protect the rights of the workers they represent in the context of post-fordist industrial relations after 1980?

APPENDIX B

INTERVIEW QUESTIONS IN TURKISH

- 1) 6356 sayılı “Sendikalar ve Toplu İş Sözleşmesi Kanunu”nda eleştirdiğiniz temel noktalar nelerdir?
- 2) 6356 sayılı “Sendikalar ve Toplu İş Sözleşmesi Kanunu”nun size göre yürürlükten kaldırmış olduğu “2821 sayılı Sendikalar Kanunu ile 2822 sayılı Toplu İş Sözleşmesi Grev ve Lokavt Kanunları” na göre olumlu tarafları nelerdir?
- 3) 6356 sayılı Kanun’un yürürlüğe girmesi için Hak İşçi Sendikaları Konfederasyonu yasama ve yürütme üzerinde bir baskı unsuru olarak faaliyet göstermiş midir? Eğer gösterdiyse, bu faaliyetlerin niteliği nedir? Eğer gösterdiyse, bu faaliyetlerin niteliği nedir?
- 4) 6356 sayılı Kanuna ilişkin olarak diğer işçi konfederasyonlarıyla (TÜRK-İŞ ve DİSK) üzerinde ortaklaştığınız noktalar var mıdır? Var ise lütfen açıklayınız ve ne ölçüde diğer işçi konfederasyonlarıyla ayrışılmakla olduğunuzu belirtiniz.
- 5) Size göre, 6356 sayılı Toplu İş Sözleşmesi Kanunu’nda sendikaların toplu iş sözleşmesi yapabilmesi için getirilmiş olan işyeri ve işletme yetki barajları sendikanızı etkilemiş midir? Eğer etkilediyse, kanunda getirilen bu düzenlemeler ile en çok hangi işkolunda/sektörde sendikalar faaliyet yürütmeniz kolaylaşmış veya zorlaşmıştır?

- 6) 6552 sayılı Torba Yasa ile kamu sektöründe taşeron yanında çalışan işçilerin sendikal haklara(sendikaya üye olabilmek ve toplu iş sözleşmesinde üye olunan sendika tarafından temsil edilebilmek) sahip olabilmesi konusunda neler düşünüyorsunuz?
- 7) 6552 sayılı yasa ile kamu taşeron işçilerinin sendikal haklara kavuşması konusunda Konfederasyonunuz, yasama ve yürütme üzerine bir baskı unsuru olarak hangi faaliyetlerde bulunmuştur?
- 8) 6552 sayılı yasa ile kamu taşeron işçilerinin sendikalı haklara sahip olmasıyla birlikte söz konusu işçilerin büyük bir çoğunluğunun üye sendikanız Hizmet-İş sendikasına üye olması sizin için neden bir sendikal başarıdır?
- 9) Size göre, taşeron işçilik meselesi, sendikal mücadeleyi ne yönde etkilemektedir?
- 10) Size göre, endüstriyel ilişkilerde güvencesizleşme ve esnekleşmeye karşı nasıl mücadele edilmelidir?
- 11) Size göre, devlet ve işveren örgütleri ile sosyal diyaloga dayalı bir müzakere anlayışı, daha radikal grev-iş bırakma-protesto gibi eylemlere göre neden üstündür? Bu üstünlük, 6652 sayılı Kanun'un yürürlüğe girmesi için ne ölçüde işe yaramıştır?
- 12) AKP hükümetleri ile 2002'den bugüne kadar ilişkinizde temel kırılma noktaları nelerdir?
- 13) AKP hükümetinin, kamu taşeron işçilerinin kadroya alınması teklifinde, söz konusu işçilerin "özel statülü işçi" olarak kadrolu olması düzenlemesine karşı itiraz noktalarınız nelerdir?

14) Özellikle AKP hükümeti ile olan ilişkilerinizi ne ölçüde sosyal diyalog çerçevesinde sürdürülebilir buluyorsunuz?

15) Konfederasyonunuzun sınıfsal kimliği ve siyasal İslam geleneğinden gelen politik kimliği arasında sizce bir gerilim var mıdır?

Varsa, bu gerilimin AKP dönemindeki niteliği ve ne ölçüde Milli Nizam Partisi-Refah Partisi dönemlerinden farklılaştığını belirtir misiniz?

16) Size göre sendikalar, 1980'den sonra post-fordist endüstriyel ilişkiler bağlamında temsil ettikleri işçilerin haklarını korumak için ne gibi stratejiler izlemelidir?

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