

# Trade Unions in Turkey

by

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*After a brief sketch of the history of trade unions in Turkey, the author summarises the relevant events that followed adoption of the 1961 Constitution. He then analyses the factors that have hitherto hindered trade union development and explains the structure and functions of Turkish trade unions.*

ALTHOUGH the emergence of trade unions in Turkey can be traced back to the beginning of the twentieth century, as a result of various adverse factors it would not be unreasonable to say that the country does not have a well-entrenched trade union movement. However, certain new developments have recently taken place and the prospects for a stronger trade union movement in the future seem promising.

It is, of course, difficult to make predictions as to the future structure and functions of the unions, but experience so far indicates that they are interested in economic bread-and-butter functions more than any other aspect of trade union activity. In fact, Turkish trade unionism can by no means qualify as an ideological labour movement, nor is it possible to link it with any philosophical-religious principles. Various factors inherent in the legal framework and in the social structure of the country have led to a trade union movement whose basic characteristic seems to be business-oriented rather than ideological. Parallel to this trend, the new Trade Unions Act of 1963 has also stressed that trade unions should be comprehensive organisations and that no discrimination on grounds of race, language, religion and political affiliation should be made with respect to membership and elections in unions, whose services should be offered equally to all members.

## HISTORICAL BACKGROUND

The right of association was first recognised in Turkey under the Constitution of 1908. As a reaction to foreign exploitation in

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industries held under concessions, an outbreak of strikes followed this liberation era. These strikes, some of which were successful in spite of the very inefficient state of the workers' organisations, spread to several towns and took the form of general strikes. As a result, trade union organisation in industries engaged in public services was suppressed, and such unions as were already organised were abolished by the administrative authorities. Strikes were prohibited by the Work Stoppage Act of 1909, which qualifies as the first document impairing workers' organisation in Turkey; for although, on its face value, its scope seems to be limited to unionisation only in public services, the ratio of public service workers to the total labour force was very high at that time.

In the unsettled period that followed, trade unions could not develop; and, when peace returned, the one-party régime, in spite of the liberal provisions of the new 1924 Constitution and the 1926 Civil Code, did not encourage the development of associations, and particularly the trade unions.

The Work Stoppages Act remained in effect until 1938. As a result trade unions could still be established in sectors that did not fall into the category of public services. However, in 1938 the Turkish legislature adopted a new Associations Act and prohibited the establishment of class-based organisations, thus making it virtually impossible to form trade unions. In any case, the Labour Code, passed only two years before the Associations Act of 1938, had already tightened the restrictions on strikes and lockouts by establishing legal penalties, and laid down a compulsory arbitration procedure for the settlement of labour disputes. This Code made no reference to trade unions.

After the Second World War, political democracy was established in Turkey, when a multi-party system was adopted, and there followed an era of liberalism so far as the right of association is concerned. The Associations Act of 1938 was amended and in 1947 an Act specifically concerning the formation of trade unions was passed.

The Trade Unions Act of 1947 established several democratic principles. Voluntary unionism was stressed, i.e. no person could be obliged to join or to refrain from joining a trade union, or to withdraw or to refrain from withdrawing from a trade union. Trade unions could also be established without prior permission of the administrative authorities. However, the Act introduced certain restrictive measures as well. For example trade unions were to be national organisations in the sense that they should treat national interests as being above their own economic and organisational goals. The Act was limited in scope to manual workers, and white-collar workers were not permitted to form and join unions, the only

exception to this restriction being a special Act concerning journalists. Moreover, those who worked for small businesses, such as a grocery store or a small retail enterprise, could not unionise, even though they might be wage earners. The Act also contained articles which were in sharp conflict with trade union freedom, such as the provisions which put unions under government control. Trade unions could not join international organisations without the consent of the Government, nor could they engage in political activities. The annual amount of membership dues was limited to a maximum of 120 Turkish pounds per member; and by making trade unions subject to the provisions of the Associations Act, the legislature restricted their freedom to increase the rate of dues, to own property and to improve their financial situation.

Perhaps most important of all, the Act of 1947 maintained the same restrictions on strikes and lockouts. However, the I.L.O.'s Right to Organise and Collective Bargaining Convention, 1949 (No. 98), was ratified by Turkey in 1951. But the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which has a more important bearing on our subject-matter, has not yet been ratified by the Turkish Government.

#### NEW DEVELOPMENTS

Since the 1960 Revolution the trade union movement has gained new momentum in Turkey, particularly with the enactment of the 1961 Constitution. This change, which may even be regarded as too abrupt, is accounted for by various factors which can perhaps be discussed under two categories, internal and external.

##### *Internal Factors*

The Revolution of 27 May 1960 was initiated and conducted by a coalition of the universities, the press and the army, a combination of forces which has traditionally been the innovating element of the Turkish society. The legislative outcome of the Revolution—the Constitution of 1961—has, among other progressive social provisions, established trade union freedom, the right of workers to bargain collectively with employers, and the right to strike. To reinforce these rights guaranteed by the constitutional provisions, following a tripartite national labour assembly held in January 1962 to discuss the main principles of the new labour policy the legislature passed the Trade Unions Act and the Collective Agreements, Strikes and Lockouts Act, both of 15 July 1963.<sup>1</sup> Meanwhile,

<sup>1</sup> See I.L.O.: *Legislative Series*, 1963—Tur. 1 and 2.

draft Bills for a new labour code and social insurance Act were presented to the survey of the authorities concerned.

Besides, collaboration between the public authorities and trade unions has been notably enhanced. There were six trade union leaders sitting as delegates in the Constituent Assembly of 1961. Numerous meetings were held in a relatively short period of time between the ministries concerned and the trade union leaders. The President called in union leaders to discuss their problems. The Prime Minister visited union centres. Union delegates were sent to the Senate from the quota allocated to the Presidency.

Meanwhile, the Turkish press has taken up widely and discussed topics like socialism, social justice, trade unionism, strikes and collective bargaining, writing both for and against at times. Within this favourable atmosphere, trade unions have started functioning as pressure groups, making themselves felt in manifestations like mass open meetings, silent marches and hunger strikes. While the draft Bill on collective agreements, strikes and lockouts was being discussed in the National Assembly, 320 trade union leaders followed the proceedings and published a statement reflecting the commonly held views of labour. Unions are following the discussions in the National Assembly and the results of these discussions are tabulated to indicate the attitudes of Parliament members on labour issues. Naturally, public opinion and the workers' awareness of their own problems are likely to be strengthened by such developments, and to draw the attention of government authorities to social questions. This, in turn, will tend to increase the effectiveness of the self-help mechanism of organised labour.

In addition to all these developments, Turkish unions are facing a radical change in structure. International contacts, which increased after the Revolution, have provided union leaders with new opportunities to establish relations with international organisations, thus getting acquainted with them and observing their structural characteristics. As a result union leaders, impressed by the structure of trade unions in the Federal Republic of Germany, have launched substantial reforms in the structural organisation of Turkish trade unions. The aim is to set up 18 or 20 national unions, but the plan has not yet been fully realised. When the objectives of this reorganisation are achieved, it is anticipated that the existing 500 unions will have been reorganised in larger, centralised units.

The collaboration of the workers has been sought in implementing the first Five-Year Plan. For this purpose frequent meetings have been held between the trade union leaders and governmental authorities. While government circles have brought out the fact that recovery programmes cannot be realised unless the require-

ments of social justice are met, union leaders have stated that "the Turkish workers will support the planning activities of the Government and see to it that the plan reaches its objectives".

The new Constitutional Court, established by the Constitution of 1961, abolished the prohibition of strikes and lockouts envisaged in article 72 of the Labour Code. The specific Act pertaining to the use of the right to strike and lock out was passed by the Turkish legislature on 15 July 1963. The enactment of this legislation, heavily influenced by the labour practices of democratic Western countries, has marked the beginning of a new era of industrial relations in Turkey.

Since it is not possible to discuss the new Trade Unions Act of 1963 in detail here, we will emphasise below only a few important novelties that it has brought into the Turkish industrial relations system, as contrasted with the Trade Unions Act of 1947.

1. Union membership is not confined to manual workers. The definition of "employee" is no longer parallel to its counterpart in the Labour Code. Thus, the new Trade Unions Act, by abolishing the distinction between manual and intellectual work in terms of membership, has entitled white-collar employees as well as manual workers to form and join unions.

2. All those who are over the age of 16 can become members. Even workers below 16 can join trade unions with the written consent of their guardians, though they have no right to vote in the general assembly of a union.

3. The requirement of a two-thirds vote stipulated by the previous legislation for the affiliation of a trade union to a higher multi-union organisation has been removed and such affiliations have consequently become much easier.

4. Each branch of economic activity and the sub-branches related to it are to be fixed, as a basis for organisation, by a regulation issued by the Ministry of Labour.

5. Trade unions are allowed to affiliate with and withdraw from international organisations without prior permission from the Government.

6. Principles concerning trade union freedom have been guaranteed in accordance with international standards.

7. The Act aims to provide the union member full protection against the arbitrary action of the employer and establishes certain safeguards and penalties.

8. Trade unions have been empowered to make investments on condition that they do not distribute profits and that, in general, the making of profits should not be pursued as the sole purpose.

9. The Act has empowered unions to appoint shop stewards. Trade unions have thus been granted representation at the work-place level which they did not have under the old system.

10. Unions are no longer bound by the regulations of the Associations Act in fixing the rate of membership dues. They can thus determine the amount of dues without any limitations imposed by legislation. Also, with the introduction of the check-off system, employers are required to deduct the dues from the wages of their employees upon the request of the trade union concerned.

#### *External Factors*

The post-revolutionary period enabled Turkish trade unions to have increased international contacts and relations with Western trade unions. Under the pretext of a clause in the Trade Unions Act of 1947 and for various reasons, the Government had, until 1960, rejected the trade unions' requests for affiliation with international organisations, and the resulting lack of international contacts and affiliations had to some degree hampered the expected development of Turkish trade unions.

Since 13 February 1961 various Turkish unions, and in particular Türk-İş (the Confederation of Turkish Trade Unions), have received the Government's permission to affiliate with international trade union organisations. So far the number of such authorisations has amounted to 13. (In fact, under the new Trade Unions Act there is no need for a trade union to obtain the Government's approval in order to affiliate with an international organisation.) Thus close relations have been established between Turkish trade unions and the federations and confederations of international unions. Numerous union leaders have visited union headquarters in other countries, attending conferences, conventions and seminars and thus benefiting from the experience of the industrially advanced countries. In other words, a new era of continual contacts has begun. The prospects of these for the development of Turkish trade unionism seem to be promising indeed.

At the same time, various international organisations have been playing a significant role, especially in the education of union officers and leaders. Assistance has been extended by bodies like the O.E.C.D., the I.C.F.T.U., the I.T.S. and the I.L.O., and the educational programmes of these international organisations are still being carried out in various parts of the country.

#### FACTORS IMPEDING THE DEVELOPMENT OF TRADE UNIONS IN TURKEY

In spite of the recent trends explained above, the trade union movement of Turkey has for various reasons remained rather

insignificant and ineffective. In general, the development of trade unionism depends on the realisation of two conditions. The first is the existence of a legislative framework favourable to the growth of unions. Indeed, the abolition of legal restrictions imposed on the right to organise is an indispensable prerequisite. However, the mere existence of a favourable legal environment is obviously not sufficient to ensure the rapid development of trade unions. In fact, unions have not gained strength in many underdeveloped countries though legal restrictions on their growth have already been removed. Therefore, a second factor has to work in conjunction with the first, that is, the recognition of trade unions in everyday practice by employers and the State, and first and foremost by the workers themselves as organisations destined to protect their own interests. This latter requires, in turn, the emergence of class consciousness among the workers.

Of the specific factors hindering the development of Turkish trade unions one can cite, in addition to the legal obstacles already mentioned, the difficulties caused by the structure of the economy and labour force, by the working class itself, by relations between trade unions and employers, and by the political, social and cultural characteristics of the country in general. These are discussed in turn below.

#### *Structure of the Turkish Economy and Labour Force*

The structure of the labour force, that is, its distribution by occupational sectors, age, sex, etc., is closely related to the growth of trade unions in Turkey. Despite all efforts aimed at industrialisation, little growth has been recorded in the size of the industrial labour force. Consequently unions, deprived of an industrial working class to back them, have not enjoyed favourable conditions for rapid growth. In fact, the distribution of the active population by economic sector shows that 77 per cent. of the active population is engaged in agriculture, a ratio much higher than that of the industrially advanced countries. On the other hand, the ratio of the active population engaged in industry to the total active population is only 10 per cent. Actually, this ratio falls as low as 5 per cent. when we consider only workers covered by the Labour Code. Taking account of the fact that the champions of union organisation in Turkey are those workers covered by the Labour Code, the retarding effect of this factor, i.e. the lack of a well-entrenched industrial labour force, takes on greater significance.

Moreover, even if the objectives of the five-year plans (three of them to succeed each other between 1963 and 1977) are attained, the ratio of the active population in industry to the total active population will be only 15.6 per cent. as indicated by table I.

TABLE I. PERCENTAGE DISTRIBUTION OF ACTIVE POPULATION BY ECONOMIC SECTORS, 1962 to 1977

Sector	1962	1967	1977
Agriculture . . . . .	77	71	58
Industry . . . . .	9.8	11.9	15.6
Services . . . . .	12.8	17.0	26.3

Meanwhile, the rate of urbanisation, which is closely dependent on the pace of industrialisation, has also remained insignificant. In 1960, 71.3 per cent. of the population were living in the country whereas 28.7 per cent. were urban inhabitants.

In the same manner, the 1960 census gives a distribution of the active population by occupational status and provides us with clues as to why the trade union movement has not gained strength : employers and self-employed, 29.5 per cent. ; unpaid family workers, 48 per cent. ; wage earners, 19 per cent. ; unknown, 3.5 per cent. The ratio of the total wage-earning population—the agricultural sector included—to the total active population is only 19 per cent., whereas the unpaid family workers seem to constitute the highest proportion. Naturally the low ratio of wage earners is accounted for by the predominance of agricultural activities in the Turkish economy.

Moreover, the indifference of female workers towards unionisation, resulting probably from the pressure of tradition and the lack of sophistication required to recognise trade unions as self-help organisations, has been an important obstacle to further union expansion. Legal restrictions which used to prevent young workers from joining trade unions until the enactment of the new legislation have also barred trade unions from increasing their membership, for it must be considered that child labour is employed in Turkey on a large scale in spite of the existing legal restrictions. This has posed various problems and difficulties for unions.

The mobility of Turkish workers between the villages and urban centres leads to high labour turnover in industry. This, in turn, has negative effects on the development of trade union organisations, since it inhibits the development of class consciousness among workers. Almost all over the world, the first trade union organisers have been the skilled workers. This is no mere coincidence. The low labour turnover among skilled workers provides them with stability and more favourable chances to organise unions. On the



other hand, unskilled workers have, almost everywhere, organised much later and with greater difficulty. Since the unskilled and peasant-type portion of the Turkish labour force constitutes the majority, the development of a sense of collective identity among workers has been a difficult process, and this has hindered the development of an effective trade union movement.

Certain qualitative characteristics of the workforce also account for the ineffective state of trade unions. As with the success of political democracy in a country, so with the realisation of industrial democracy; they both require certain prerequisites, a certain level of sophistication and education. Trade unions, as organisations institutionalising industrial democracy, demand certain minimum requirements, a certain level of educational attainment, literacy and class consciousness among workers. As regards education, however, Turkey possesses the characteristics proper to other underdeveloped countries: a significant number of workers are illiterate, not having enjoyed even an elementary education. These workers face tremendous difficulties in adapting themselves to the requirements of an industrial urban life.

Owing to the primitive living conditions in villages, peasant-type workers find it extremely difficult to acquire the qualities of industrial workers in technological advanced societies. The attitudes, the ambitions and enthusiasm for self-advancement, the dexterity and perseverance, the occupational solidarity and class consciousness exhibited by the workers of industrially advanced societies are lacking in these people. Given these characteristics, they are not enthusiastic about joining and bolstering the trade unions, since they are constantly afraid of being laid off by their employers. This indifference and lack of courage are all the more understandable in view of the vast number of unskilled workers on the Turkish labour market.

Workers in Turkey attach more importance to issues such as job security and old-age protection than to the mere development of the trade union movement. Since, at their present stage, unions are far from possessing the power to provide security of employment for their members, most workers do not think of joining them, nor do they care about the social status of the unions.

Except in a few state-owned and state-operated factories, workers do not seem to remain in industry permanently. However, in large industrial centres, one can occasionally find workers who have already cut their ties with their village origins and who have come to depend on wages as their sole source of income. In such large industrial centres industrial workmanship is just emerging as an established way of life.

*Relations with Employers*

To a certain extent the present rather ineffective state of trade union organisation in Turkey can also be attributed to the behaviour and attitudes of the Turkish employers. The causes of employers' antagonism towards labour organisations include not only certain characteristics such as their origin and tendencies but also the nature of economic activity in Turkey.

In the first place, employers have not yet crystallised and matured as a social class. Because industrial development is relatively new, they are still at primary stages of forming a class of their own. Unlike the employers of industrialised countries, they do not have established traditions, nor do they manifest any continuity from one generation to the next. The great majority of employers in Turkish industry came originally from agriculture and commercial sectors. By and large, they cherish an individualistic mentality and do not sympathise with workers' problems. Most of them prefer to engage in speculative transactions and invest their capital in areas where the short-term returns are relatively high.

The patriarchal mentality of the employer, his autocratic management and his conviction of being "the master of his own estate" have, in turn, led the workers to conceal their identity as trade union members. Under these conditions, collective bargaining relations can be improved only by the enforcement of legal sanctions. However, as indicated later in this article, some employers have taken active steps in recent years to change this situation and have organised employers' associations which decided, at the end of 1962, to set up the Confederation of Turkish Employers aimed at fostering the development of industrial relations on modern lines.

The reports presented to trade union conventions contain factual data on the antagonistic attitudes of employers towards the unions. The managers of state enterprises, however, have been more understanding and, relatively speaking, trade union leaders have benefited from various advantages offered by state enterprises, and have not felt compelled to conceal their identity as union officers.

It should be added that all these facts can also be explained in terms of the political and cultural conditions of Turkey. In a country where democracy was established only very recently, where free institutions and self-governing organisations have not developed, such deep-rooted authoritarian practices are naturally apt to hinder the growth of trade unions.

*Structure of Trade Unions and Trade Union Leadership*

In contrast to the situation in many of the developing and newly emerging nations, where positions of leadership in trade unions are occupied by white-collar intellectuals, in Turkey, because of the legal restrictions that existed until recently, union leaders have come from the rank and file of the manual workers. As a result of this restriction, unions have been deprived of sophisticated leaders and intellectual guidance. Moreover, the possibility for Turkish labour to develop an experienced trade union leadership from within its own ranks was ruled out since the restrictive policy of the Government had suppressed the trade union movement and virtually eliminated the generation of capable union leaders that had emerged after the Constitution of 1908.

Another tendency observed has been the low turnover of leaders in trade union posts, as a result of which younger workers of promise, seeing their chances of reaching positions of leadership blocked, form another union in the same branch of activity. By splitting the trade union movement such internal conflicts create obstacles to the centralisation and strengthening of the workers' movement. In addition, some leaders have used their trade unions as stepping-stones to political life ; since members do not consider such people as reliable leaders, this tendency has weakened trade unions and led to the formation of endless regroupings. Other union leaders have tried to overwhelm management by avoiding the democratic handling of problems and by adopting a unilateral approach in their negotiations with employers. Some of these have turned out to be intolerant personalities far removed from any sense of objectivity in their views ; others have become entirely submissive to and dependent upon management.

*Political, Social and Cultural Environment*

Apart from the legislative difficulties already mentioned, which included the severe restrictions placed on the right to strike effective until 1963 and a number of the provisions of the Trade Unions Act of 1947, the reactions of public opinion have had adverse effects on the growth of trade unions. Because industrialisation and labour problems arising from industrial employment are relatively recent phenomena in Turkey, public opinion has not yet become accustomed to them. The public has a rather suspicious image of the trade union movement and frequently confuses this business-centred self-help mechanism with leftist ideologies. Many people see trade union leaders as being favourable to communism. The police have likewise always been rather cautious and suspicious in

dealing with union officers. Since industrial workers are not a significant force in quantitative terms, they obviously cannot have much influence on public opinion. However, this unfamiliarity of the public with workers' problems has tended to disappear gradually, although it still seems to be an obstacle to further recognition of trade unions by Turkish society.

Until 1960, the relations of trade unions with the Government were not generally encouraging. During pre-election periods government authorities, and particularly the Minister of Labour, always endeavoured to establish friendly relations with organised labour but habitually reversed this policy in post-election years. During the years preceding the 1960 Revolution hostility against unions was encouraged, especially by the Ministers of Labour themselves. Unions which did not support the party in power were put under constant pressure, and some regional trade union groupings were even abolished by court decisions. Furthermore, the demands of trade unions to establish international affiliations were continually rejected. Such restrictive measures were carried even so far as to ban the labour education programmes of the university departments.

Criticism by trade unions of the Government's foreign trade policy was interpreted as "involvement in politics". Until very recently unions never had any say in matters that closely concerned their interests, such as employment, wages, distribution of national income, taxation policy and the like.

### STRUCTURE OF TURKISH TRADE UNIONS

Article 1 of the Trade Unions Act of 1947 had stated that workers, as defined by the Labour Code and employed in the same branch of activity or on types of work belonging to the said branch of activity, could form a trade union. In practice, the lowest level of organisation became the "local union". Local unions in a certain branch of activity could establish "federations" on a regional or national basis. Also, regardless of the occupation or industry they represented, locals of an urban or regional area could constitute, among themselves, *birliks* (regional associations).

When the Trade Unions Act was passed in 1947, workers seemed reluctant and hesitant to organise for some time. Nevertheless, as the years passed, both membership and the number of organisations increased, as indicated in table II. According to these figures, by 1963 membership had increased eightfold while the number of unions had increased at almost the same rate.

TABLE II. NUMBER OF WORKERS' UNIONS, UNION MEMBERSHIP AND MULTI-UNION ORGANISATIONS, 1948 TO 1963

Year	Number of unions	Number of union members	Number of <i>birlik</i> s and federations	Number of confederations
1948	73	52,000	1	—
1949	77	72,000	2	—
1950	88	76,000	3	—
1951	137	110,000	8	—
1952	248	130,000	16	1
1953	275	140,000	17	1
1954	323	180,387	23	1
1955	363	189,595	27	1
1956	376	209,155	26	1
1957	385	244,853	18	1
1958	394	262,591	18	1
1959	417	280,786	21	1
1960	432	282,967	27	1
1961	511	298,679	28	1
1962	543	307,839	36	1
1963	400	420,000	34	1

A few federations were formed on a nation-wide basis to bring together all workers in the same branch of activity in Turkey. These have become the nucleus of the new reorganisation drive aimed at centralising the trade union structure within large national unions. In fact, as far as collective bargaining is concerned, the new legislation has given priority to the federation, or to the union organised on an industry-wide basis if there is no federation in the particular industry. A local union is authorised to make collective agreements at the workplace level only if it is impossible to have industry-wide bargaining. Parallel to this emphasis on industry-based bargaining, the efforts of the Confederation of Turkish Trade Unions to model the trade union structure after the pattern of the Federal Republic of Germany has aimed to centralise trade unions within larger national units. The consequences of this new plan have been a reduction in the number of existing trade unions in spite of the increase in total membership. The amalgamation of the various federations in the same branch of activity has been stressed so as to bring about a central national union in each industry. This reorganisation is intended to create a much more effective trade union structure.

Until 1952 when Türk-İş, the Confederation of Turkish Trade Unions, was established, trade unions in Turkey had no central organ, a spokesman to represent labour's views and demands, although the need for such a top-level organisation had long been apparent. The affiliates of Türk-İş are the federations, *birlik*s

(regional organisations), industry-based (Turkish-type) larger unions and directly affiliated trade unions. The number of these affiliates and their membership are given in table III, which shows that about three-quarters of all trade unionists are members of unions affiliated with Türk-İş.

TABLE III. AFFILIATES OF TÜRK-İŞ AND THEIR MEMBERSHIP

Type of organisation	Number of organisations	Number of members
Federations. . . . .	10	139,409
Industry-based (Turkish-type) trade unions . . . . .	24	138,266
Directly affiliated unions . . . . .	21	17,022
Total . . .	55	294,697

### FUNCTIONS OF TURKISH TRADE UNIONS

Trade unions have been accorded new functions by the Trade Unions Act of 1963. At the same time, as organisations subject to the Associations Act they possess all the powers of other associations plus the specific functions they are entitled to perform under article 14 of the Trade Unions Act. According to this article trade unions may :

- (a) initiate collective disputes ;
- (b) conclude collective agreements ;
- (c) submit their views to the authorities concerned, to conciliation and arbitration boards and labour courts on any labour disputes, and request information from them ;
- (d) provide legal assistance for members and for the heirs of members in cases arising from the employment relationships ;
- (e) send representatives to organisations formed under the provisions of law and international agreements ;
- (f) establish aid funds for social and cultural purposes, and conclude insurance contracts on behalf of members ;
- (g) initiate and administer the strike or lockout ;
- (h) organise lectures and courses to improve the vocational and general education of workers ; establish health and recreational organisations ;
- (i) undertake or assist in the formation of co-operative societies on behalf of their members ;

- (j) lease, loan or donate raw or semi-finished materials, tools and machinery to members for use in their occupation ;
- (k) conduct research and engage in activities in any area concerning the welfare and occupational interests of members.

Workers' organisations are also obliged to spend at least 5 per cent. of their revenue to improve the educational and cultural standing of their members. Until recent years the educational activities organised by trade unions for their members were very limited, no doubt because of inadequate finances. Trade union publications were also limited to a few periodicals against which the Government took action occasionally. Almost no serious research has been done on the labour market, and the claims of unions have been predicated on the news quoted in daily newspapers.

Before 1963, legislation had empowered trade unions to play some part in the conciliation and compulsory arbitration process and to conclude collective agreements on behalf of their members. Also, the Obligations Act of 1926 contained some vaguely-stated provisions which entitled workers and workers' organisations to make collective agreements with employers. However, the legal prohibition of strike action made it virtually impossible for unions to bargain collectively with employers. Collective agreements concluded over a period of 37 years were really negligible both in terms of quality and quantity. The individual contract, therefore, remained the exclusive instrument regulating the employment relationship, and employment conditions were imposed unilaterally by the employers within, of course, the limits set by the regulatory provisions of labour legislation. And compulsory arbitration was resorted to as the only measure for the settlement of collective labour disputes.

Compulsory arbitration, however, could never serve as a substitute for the development of collective bargaining relations. Until 1963, therefore, trade unions could not transform the system into a dynamic and democratic pattern of direct relations with employers. They had almost no influence on employment conditions nor did the compulsory arbitration system prove to be effective in any sense.

The social, financial and legal assistance provided by trade unions for their members also remained limited and insignificant. This was only to be expected since the financial resources of unions were meagre, membership dues were low and the unions faced numerous difficulties in collecting them.

Following the enactment of the new legislation in July 1963, trade unions began to initiate the collective bargaining machinery.

In implementing this new practice, they have received expert knowledge and collaboration from Western trade unions, international confederations and federations, and particularly from the I.L.O.<sup>1</sup> Meanwhile, they have maintained close relationships with certain university departments teaching in the field of labour relations. Some consequences brought about by the application of the new legislation so far can be summed up as follows :

1. About 220 collective agreements were concluded between 24 August 1963 (the date on which the new legislation was put into effect) and the end of April 1964. Thus the employment conditions of a significant number of workers which were formerly regulated by individual contracts have been thrust into the area of collective relations.

2. Considerable progress has been made by trade unions in terms of increasing their membership and finances. Employers, too, have found it necessary to organise and formed numerous nation-wide employers' associations. They have also established a top-level employers' confederation, and have received the aid and co-operation of employers' associations in Western countries.

3. In their collective bargaining activities state enterprises, which play an important role in the Turkish economy, have tended to deal with trade unions independently rather than jointly with private entrepreneurs. This may be because of the inevitable differences between enterprises in the public and private sectors in terms of organisational goals, profitability, wage structure, etc., which no doubt make state-operated plants more receptive to the idea of bargaining and to the demands of trade unions.

4. So far, collective bargaining seems to have operated at the workplace level, although legislation has clearly stressed the predominance of industry-wide, multi-employer bargaining. At this stage, authorisation for industry-level negotiations seems to be difficult, as the trade unions occasionally fail to represent the majority of workers in an industry, a condition required of a union in order to be the party to collective bargaining, or simply because no employers' organisation exists to match the particular union in an industry.

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<sup>1</sup> In this connection it may be mentioned that, at the time when the Bills on collective bargaining and trade unions were still under discussion in Parliament, the I.L.O. sent to Turkey, at the request of the Government, a joint team of experts composed of a Swedish employer leader, a British trade union leader and an I.L.O. official, who spent a month in Turkey having numerous contacts with government, employers' and workers' circles in order to promote a better understanding of labour-management relations and to place at their disposal the experience acquired in this field by the I.L.O. and by other countries having a long tradition of collective bargaining and co-operation between labour and management.



5. Collective bargaining has nearly always been initiated by the trade union concerned: it is almost invariably the workers' union that requests bargaining.

6. The drafts prepared by trade unions as a basis for collective bargaining generally consist of two parts, concerning (a) basic rights, and (b) wages and working conditions. Having suffered rejection by the employers in the past, trade unions seem to be extremely careful now to emphasise, among "basic rights" provisions, "recognition of the union by the employer". Wages, and particularly minimum wages, on the other hand, seem to constitute the most significant item of the latter part of the agreement.

7. So far, trade unions have been quite co-operative in their negotiations with employers. They have, for example, accepted the insertion into the contracts of certain provisions aimed at making their wage demands dependent on productivity increases.

8. The workers seem to have gained significant concessions through the agreements concluded. Most of the employment practices that were unquestionably within the unilateral decision-making area of the employer in the past, such as the power to discipline and punish, safety and health provisions, overtime work, etc., have been brought under the joint administration of workers and management. Wages have been increased by 5 to 35 per cent. and minimum wage rates have, as a consequence, been raised in various industries.

9. The majority of the disputes arising during collective bargaining negotiations have been settled by conciliation boards. Only in a few cases has the rejection of the conciliatory decisions by the unions resulted in strike action. And only one such strike has been banned by the Government, which, according to the law, is empowered to postpone a strike or lockout up to three months if it is liable to endanger the nation's security or health.

10. The agreements concluded up to the end of April 1964 have generally been for a definite period ranging from one to three years, but most commonly for a period of two years.

Since 1960, trade unions seem to have taken up an independent attitude towards political parties. Although, at first, some union leaders were enthusiastic about setting up a Workingmen's Party, the view that trade union activities should be concentrated, for the time being, on bread-and-butter functions overwhelmed such attempts to precipitate political action. As the explanations above suggest, trade unions now seem to be concentrating most of their energies on collective bargaining activities. Other economic activities, however, such as establishing or assisting in the formation of co-operative societies on behalf of members, have remained

limited for various reasons. In practice, consumption and production co-operatives are almost non-existent. Relatively speaking, however, construction co-operatives are widespread. Not only has the shortage of housing encouraged the establishment of such co-operatives: the credits extended by the Workers' Insurance Fund have also enabled them to spend considerable sums of money in financing programmes of housing development. One might argue, however, that since the purchasing power of wages is quite low in Turkey, workers would also benefit a great deal from the formation of consumption co-operatives if efforts could be undertaken in this direction as well.

### CONCLUSION

As the various sections of this article suggest, trade unionism in Turkey was originally instigated by the Government somewhat artificially. In this it resembled many other government-directed changes in Turkey, which were imposed from above without strongly felt needs and pressures originating from below. In the absence of a common need for a self-help mechanism, workers did not, at least for some considerable time, respond with any enthusiasm to the idea of organisation. Because the Government had been motivated mainly by prestige considerations rather than by a sincere commitment to the concept of trade unionism, it did not hesitate to suppress trade unions whenever they began to manifest vitality and action from within. This tendency of the political power to instigate, but at the same time closely control, the trade unions is obviously in sharp contrast with the historical development of strong trade union movements in the industrialised countries of the West. It is apparent also that such governmental intervention impairs any potential source of spontaneous development that may exist.

On the other hand, employers were under no pressure to organise, so long as the ineffective state of trade unions did not threaten their unilateral decision-making power. As a result the trade unions were not able to establish better employment conditions for their members than those provided merely by the existing protective labour legislation.

Nevertheless, after the Revolution of 1960 trade unions began to make themselves felt as pressure groups. Various psychological, legal and social characteristics inherent in this Revolution have had their impact on Turkish trade unionism. At present, unions are in process of reorganising themselves; determined to stay out of politics, they have also decided to focus their energies mostly on economic functions.

While adopting economic planning within a multi-party democracy, the political régime of the post-revolutionary period has also stressed the realisation of industrial democracy as one of its declared goals. Given this favourable democratic environment the prospects for the development of Turkish trade unionism seem promising. However, certain prerequisites for this development remain to be fulfilled. Having adopted the improvement of occupational interests as their main agreed goal, trade unions must not, as in the past, allow internal conflicts to impair their unity and growth. Another prerequisite is the long-awaited softening of employer attitudes, failing which the persistence of anti-union practices may result in increased frustrations and aggression and thus shift the management of worker protest to the hands of radical elements. Obviously, in the success of the new system much depends on mutual understanding, recognition and co-operation between workers and their unions, employers and the Government.

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