Napoleonic tradition, majoritarianism, and Turkey's statist policy style

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Introduction

A discussion of Turkey was not included in *Policy Styles in Western Europe* edited by Jeremy Richardson (1982) when it was originally published. This volume is updating the original volume with an expanded geographic coverage. This chapter, therefore, presents the contemporary predominant policy style of Turkey by focusing on the post-1980 period in light of Howlett and Tosun's (2019) revised typology. It explores the macro-institutional underpinnings of Turkey's policy style, its main features and dynamics of inclusion of societal actors.

In presenting the rationale for updating Richardson's (1982) original volume, Howlett and Tosun (2019) observe in their introductory chapter that scholarly work on policy styles in countries beyond Western Europe is few and far between. Turkey is no exception. In fact, it is not only that no systematic attempt has been made to categorize Turkey's policy style to date; but even more problematic is the paucity of policy-related empirical research on Turkey, past and present (Keleş, 2007).¹ Existing scholarly works reporting on various aspects of Turkey's policymaking processes provide some clues as to the nature of the predominant policy style. One line of research that may be useful in

identifying Turkey's policy style focuses on the general features of Turkey's "administrative culture" (Keleş, 2007). Although rather small in number, these studies suggest that Turkey's administrative tradition and/or model is a part of the Napoleonic administrative tradition (Turc et al., 2016). The administrative tradition, in turn, has significant implications for the nature of the policy style. Another line of research examines the macro political-institutional features of Turkey. These studies emphasize the majoritarian character of Turkey's legal-political system (Özbudun, 2014; Lord, 2012). As it will become clearer in the rest of the chapter, an important implication of the recent intensification of majoritarianism is that the term "state" can be (or even should be) used synonymously with the term "government" in describing Turkey's policy style.

If we re-interpret the main findings of this literature to help us explore Turkey's policy style within Richardson's original framework, we can safely reach two key conclusions. First, state actors' approach to problem-solving would typically be seen as "anticipatory" since the literature on Turkey represents state actors as the ultimate "central authority" in policymaking and implementation. As seen from the literature, state actors in Turkey have, in Richardson's words, "limited conflict over values" endowed with "high coercion ability". These qualities bring any radical policy change within easy reach of state actors (Richardson et al., 1982: 12). Second, the existing literature on Turkey typically depicts the relationship between state and societal actors as strictly hierarchical. In Richardson et al.'s (1982: 13) formulation, such relationship in Turkey comes closest to those cases where states "'deal' with the interest groups in society" in "impositional" ways. In policymaking, state actors tend to impose decisions "notwithstanding opposition from groups" (Richardson et al., 1982: 13). There is usually not much concern on the part of state actors for reaching consensus with societal interests in policymaking, although state and societal actors interact in important ways at the implementation stage.

In this chapter, we argue that Turkey's policy style can best be described by what we term "statism". Popular images of an "anticipatory" and "impositional" policy style in Turkey bodes well with what Vivien Schmidt (1996) terms "statism" for portraying how the French state interacts with business interests. Accordingly, we borrow Schmidt's term for depicting the relationship between government and a larger constellation of societal actors in Turkey. We thus explore the main features and dynamics of inclusion of societal actors underlying Turkey's statist policy style in this chapter.

While we are using the term "statism" for the first time to represent Turkey's policy style, in the literature, Turkey's political economy has also traditionally been characterized by "state capitalism" similar to Turkey's neighboring Mixed Market Economies in the Mediterranean (Bolukbasi, 2012). The emphasis on the state in Turkey's policy style is only natural given Turkey's state-led process of late-late development. *Etatisme* has been a typical form of organization

marking the interventionist role of the Turkish state during the early republican era of the 1930s (Boratav, 2006). Moreover, the state has unsurprisingly been at the center of everyday policymaking language in Turkey. The 1982 Constitution has a “statist philosophy”, protecting “the state and its authority against its citizens rather than protecting individuals against the encroachment of the state authority” (Ozbudun, 2011: 18). Furthermore, the political science literature on Turkey has typically “assumed” a polity dominated under a “strong state” (Kalaycioglu, 2004: 251). The vocabulary of “statism”, therefore, is no alien to political and public life in Turkey.

In this chapter, however, the term statism, as we use it here, represents a predominant pattern of policy style, whereby the government is *the* actor exclusively structuring the state-society relationship through having the last word on whether, and if so who, on what issue, when and how to include societal actors in policymaking processes. The chapter focuses on the period since the 1980s, after which Turkey's statist policy style has been tested time and again. A watershed worldwide in several respects, 1980s were a period of new ideas in the formulation and delivery of public policies in the form of “good governance”, “decentralization”, “subsidiarity”, and “participation”, which gained currency in discourse in Turkey's policymaking processes. The 2000s posed another, this time more powerful, challenge with the launch of Turkey's pre-accession process to the EU (Bolukbasi, Ertugal and Ozcurumez, 2018). Despite the transformative power of these forces, Turkey's statist policy style remains alive and well.

This chapter explores the macro-institutional underpinnings of Turkey's policy style, its main features and dynamics of inclusion of societal actors in three steps. The next two sections focus on two sets of key institutions underpinning the policy style: macro political-legal features of the polity and administrative tradition. The fourth section delineates the key features of Turkey's predominantly statist policy style. In order to reveal the dynamics of inclusion of societal actors, the fifth section identifies the potentially dominant actors in policy processes in Turkey. The sixth section explores the extent to, and the mechanisms through, which these actors are included in policy processes. The seventh section summarizes the main conclusions.

Institutional foundations I: Turkey's macro-political legal system

The features of Turkey's formal macro-political legal-political system, which shape Turkey's policy style, are typical of the majoritarian model depicted by Lijphart's (2012) study categorizing patterns of democracy.² The majoritarian model of democracy “concentrates political power in the hands of a bare

majority – and often even merely a plurality instead of a majority”. In contrast to the consensus model, this model is “exclusive, competitive, and adversarial” (Lijphart, 2012: 2). The political system in Turkey had always had predominantly majoritarian features. In the post-1980 period, these features are clearly visible in the first decade under the Motherland Party governments. The next decade saw a strengthening of consensual elements under coalition governments. From 2002 onwards, Turkey’s political system increasingly swayed back towards majoritarianism under the successive Justice and Development Party (JDP) governments.

Lijphart (2012) relies on two dimensions in evaluating whether a political system fits best with the majoritarian or the consensual model: the executive-parties dimension and the federal-unitary dimension. In terms of the executive-parties dimension, first, Turkey features a *concentration of executive power* under single-party governments between 1983 and 1991 and from 2002 onwards. In the period following 1983, single-party governments survived more than three times longer than coalition governments.

Second, the period since 1983 has been characterized by *executive dominance*, which has been a typical feature throughout the Republican era except for the 1961–1980 period. The political system traditionally assigns a dominant role to the prime minister who solely holds centralized and concentrated executive power. As the prime minister leads the party with the highest number of seats in the parliament, (s)he is the ultimate decision-maker over the entire policy cycle starting with agenda setting and continuing with policy formulation, decision-making and implementation. Executive dominance is also made possible by giving the prime minister vast competences on bureaucratic appointments. The Grand National Assembly of Turkey (GNAT) remains weak as the 1982 Constitution allows active and autonomous legislative action to ruling party(ies) in government and limits autonomous action by parties in opposition. Therefore the party with the majority in parliament effectively rules with very limited checks and balances. The fact that the party system is made up of political parties with very rigid party discipline also strengthens executive dominance. The electoral system, too, by incorporating a 10% national threshold in parliamentary elections, bolsters executive dominance by exaggerating the power of parties in gaining parliamentary seats even when they only win a plurality of votes. The expanding powers of the president – initially *de facto* and subsequently *de jure* with the 2007 and 2017 referendums – further allows executive dominance. All of these majoritarian tendencies have been strengthened even further since 2007 as ruling JDP governments, having captured both executive positions (prime minister and president), have enjoyed united control.

Third, during the 2000s, Turkish politics has been metamorphosing toward a *predominant party regime* in a multi-party political system (Sayari, 2016). The JDP has been maintaining a dominant position in parliament controlling the

government since 2002. Such predominant party regime represents an extreme form of majoritarianism.

Fourth, the electoral system in Turkey integrated majoritarian elements since the 1980s in response to what the founding fathers of the 1982 Constitution saw as fragmentation and volatility stemming from proportional representation. The electoral system is still largely based on the principle of *proportional representation*. It incorporates, however, significant majoritarian elements such as *cut-off provisions* and a *national threshold* of 10%, both of which are functioning to provide stable, exaggerated majorities. These provisions, in effect, favored large parties at the expense of smaller parties, leading to a less heterogeneous GNAT. Moreover, re-districting led to the dividing up of large districts giving way to over-representation of “primarily small, predominantly agricultural sector dominated Eastern and Southeastern provinces” which are also areas “more susceptible to patronage distribution” (Carkoglu and Erdogan, 1998 cited in Lord, 2012: 242).

Fifth, the interest intermediation model in Turkey fits clearly neither to pluralist nor to neo-corporatist models (Buğra and Savaşkan, 2014: 172; Özen, 2015: 54–55). The model incorporates elements of pluralism with some formal opportunity structures allowing access to private associations. It also entails elements of the neo-corporatist model allowing representation by functional interest groups such as trade union confederations, peak business associations and other professional organizations. In practice, however, policymaking and implementation processes are centralized and largely insulated from societal interests. It is, therefore, difficult to judge as to whether such *hybrid interest intermediation system* in Turkey fits better with those in majoritarian or consensual systems.

In terms of Lijphart's (2012) federal-unitary dimension, first, Republican Turkey had always had a tradition of a heavily centralized unitary state. The exclusive functions of sub-national government are not clearly provided for in the 1982 Constitution. The fact that the Constitution defines the political system of the Turkish state as “indivisible” is narrowing down the room for maneuvering of sub-national government. There have been waves of decentralization reforms introduced in the post-1983 period aiming at re-designing the division of labor between the central and sub-national government. Although these reforms led to expanding competences of metropolitan municipalities, the central government reins in through ultimately keeping overall oversight in local governance (Bayraktar and Massicard, 2012). Even after these reforms, the Constitution falls short of guaranteeing the powers of local government as would otherwise be the case in decentralized political systems. Local governments are still financially dependent on the centralized government. The introduction of “regions” and establishment of Regional Development Agencies during the 2000s has not changed the centralized unitary nature of the Turkish state (Ertugal, 2011; Kadirbeyoglu, 2017).

Second, the Constitution *concentrates legislative power* in a *unicameral* legislature. Except for some special type of legislation (such as constitutional amendments), a simple majority in the GNAT suffices in passing any kind of legislation should the government so wish. Such concentration, again, reinforces the majoritarian principle.

Third, the 1982 Constitution represents the tradition of written, *rigid constitutions* of Republican Turkey and late Ottoman history. The Constitution incorporates a set of deeply entrenched general principles, which can neither be amended nor challenged. Additionally, an amendment requires a two-thirds majority of all GNAT members. The possibility of an amendment through a reduced three-fifths parliamentary vote and a simple majority vote in a referendum has been subsequently introduced. Ruling governments have resorted to constitutional amendments through referendums six times since 1983. To date, the 1982 Constitution had been amended 18 times which led to amendments in 100 of 198 articles. Although the Constitution remains generally rigid by Lijphart's classification (2012: 207), these changes attest to the increasing power of the ruling party commanding a parliamentary majority in changing the rules of the game.

Fourth, the Turkish political system incorporates what Lijphart (2012: 212) calls a "centralized system of *judicial review*" by the Constitutional Court (instead of the regular court system). This means that the Constitution serves as a "higher law", effectively binding parliamentary majorities (Lijphart, 2012: 204). The 1982 Constitution, however, confines the Court's remit to procedural grounds and imposes limits on the referring authorities. Nevertheless, the Court with its increasing judicial activism emerged as a veto player during the 1990s (Ozbudun, 2011: 122–127; Shambayati and Sutcu, 2012). These institutional qualities exemplify the consensus model. With the constitutional amendment of 2010, the ruling government reined in the expanded role of the Court by changing the rules of appointment of its members. The powers of the parliamentary majority and the president have increased in appointing members of the Court. Increasing parliamentary – *read*, effectively, executive – control over appointments through this amendment led to strengthening of majoritarian elements in the political system. With the newly introduced changes, ruling governments (especially under united control) find it easier to pack the Court with members sympathetic to the ruling government.

Finally, the *Central Bank of the Republic of Turkey* (CBRT) became politically *independent* through a new law in 2001 following the massive crisis that shook the Turkish economy. This means that the political system initially incorporated another layer of power sharing through the Bank gaining *de jure* independence. In time, however, the CBRT's *de facto* independence has waned (Gurkaynak et al., 2015), implying a return to concentration of power in the hands of the executive.

Institutional foundations II: administrative tradition

Turkey inherited significant elements of the Napoleonic administrative tradition from the nineteenth-century Ottoman Empire. The Ottoman state had undergone a series of administrative reforms modeled after those in France. These reforms continued well into the twentieth century as the young Turkish Republic adopted Western models of legal, administrative and political administration (Bouckaert and Kuhlmann, 2016: 15; Keleş, 2007). These reforms have aspired to create a Weberian legal-rational bureaucracy (Güler, 2013: 101) ruling through a centralized state. The state was built on the principles of territorial integrity and indivisibility as enshrined in the Constitution of 1921. The territorial administration is based on the principle of deconcentration rather than devolution, which has resulted in the establishment of an elaborate administrative tutelage by the central administration over the local government and a notion that the central and local governments together form a unified entity (Ergun, 2015: 173–182; Eryılmaz, 2017: 104–111; Güler, 2013: 87–88). Key features of Turkey's administrative tradition, which shape Turkey's policy style, are typical of the "Napoleonic tradition". In outlining Turkey's administrative tradition, we rely on Peters (2008) who elaborates the six key dimensions of the Napoleonic model.

The first dimension of the Napoleonic tradition concerns the nature of the relationship between state and society. The conception of state in the Napoleonic administrative tradition is an "*organic*" one, where state and society are seen as forming a whole or as linked. This conception is in contradistinction with a "contractarian" one where the state emerges from a "conscious contract" between members of society and public institutions (Peters, 2008: 121). Scholars of Turkish politics have repeatedly underlined the absence of a social contract in the formation of the Turkish state (e.g., Mardin, 1973; Buğra, 1996; Öniş, 1998; Keyder, 1987). In the organic conception of the state, as in Turkey, the source of power is the state, not society, resulting in a state-centric polity with an aversion to, or even dislike of, autonomous societal actors. This state-centric structure has not eroded throughout Turkey's modern history (Göymen, 2010: 171). Much like in Peters' (2008: 121) conceptualization of Napoleonic tradition, the state in Turkey is "conceived as integrating society and subsuming difference in the general entity".

The second dimension distinguishes between law and management in the formulation and execution of public tasks. The Napoleonic tradition *emphasizes law* at the expense of management and consequently leads to a legalistic conception whereby the civil servant's main task is to administer and implement public law rather than to ensure performance or to get things done (Peters, 2008: 122). Similar to the Southern European countries of the Napoleonic tradition, the tendency to solve problems through passing new legislation has

resulted in the “over-production” of laws, by-laws, regulations and directives in Turkey (Sotiropoulos, 2004: 415; Eryilmaz, 2017: 299). Concomitantly, again similar to Southern European countries, the maze of rules and regulations has given rise to a set of informal practices (especially in implementation), which exist side-by-side these rules, at times “circumventing” and at other times “violating” the latter (Sotiropoulos, 2004: 415; Eryilmaz, 2017: 299). Public administration reforms and neo-liberal economic policies since the 1980s have not led to changes in the dominant role of law in public tasks.

The third dimension concerns the degree to which *civil servants are autonomous* from politicians (or conversely, the degree of politicization) (Peters, 2008: 123–124). The Napoleonic tradition is associated with few barriers between civil servants and politicians. This has also been the case in Turkey where the degree of politicization of the bureaucracy has been increasing since the 1980s (Boratav, 1994: 167). Within the majoritarian political system, top-level bureaucrats, though supposed to be career civil servants, are appointed politically with each change of partisan control of government (Ergun, 2015: 297–298; Eryilmaz, 2017: 297). This practice in Turkey is equally exaggerated as in Southern European administrations (Sotiropoulos, 2004: 409). While the civil servants cannot be dismissed, they may be forced to retire or to move sideways under partisan pressure (Eryilmaz, 2017: 297). The degree and scope of politicization have been increasing in tandem with intensifying majoritarianism in recent years.

The fourth dimension concerns the nature of the bureaucratic career – whether *civil service career is distinct* from careers in other sectors (Peters, 2008: 124–125). The ideal type is the *corps* system in France, which distinguishes public bureaucracy from both political careers and private sector careers (Peters, 2008: 124). Since the transition to multi-party politics in Turkey in 1946, patterns of bureaucratic recruitment that privilege party based patronage rather than meritocracy at lower levels have been increasing steadily (Ergun, 2015: 298; Eryilmaz, 2017: 298). This has been increasingly the case despite the introduction of competitive exams for first level entry into public bureaucracy in 1999. The consequence has been that like in most Southern European countries (but unlike in France) Turkey lacks a cohesive, well-educated administrative elite with a high degree of *esprit de corps* (Sotiropoulos, 2004; Ergun, 2015: 299). Yet, the traditional Turkish bureaucracy managed to preserve its autonomy in a number of key bureaucratic agencies (especially in military, economic and foreign affairs fields) despite increasing partisan recruitment, appointment and promotion practices.

The fifth dimension relates to equal treatment of citizens and *uniformity of policies* across the territory (Peters, 2008: 125–126). The aspiration to uniformity in Turkey’s administration has long been based on an explicit desire to build an integrated political system for state-building while creating a unified

nation as has been in the case of France (Peters, 2008: 125–126). Turkey's hierarchical, yet resolutely uniform, territorial administration on a wide territory with significant differences in terms of population, culture, economy and topography attests to such aspiration. However, the degree to which this aspiration translates into actual policy uniformity across Turkey's territory is a question begging empirical investigation. While uniformity of policy is a structural norm, in practice significant deviations from this norm have been inevitable, most notably with respect to the rural-urban divide. Such deviations could be observed even in the early decades of state-building under single-party rule (1921–1946) (Clayer, 2016).

The final dimension of the administrative system, the role of societal actors in policymaking and implementation, is closely related to the first dimension on the conception of the state concerning state-society relations at the macro level (Peters, 2008: 127). Based on the organic conception of the Turkish state, *interest groups have formally no legitimate role* to play in policy processes as their involvement is understood as undermining state authority and “state prerogatives” in conformity with the Napoleonic tradition (Peters, 2008: 127). Hence, historically in Turkey interest groups such as trade unions or business associations have been under strict control, regulated by successive constitutions (Waldner, 1999). Although the 1961 Constitution opened up the state to more pluralist and neo-corporatist forms of interest intermediation, the 1982 Constitution reversed this norm. The 1982 Constitution provides for strict regulations with regard to the establishment, activities and duties of associations, public professional organizations, chambers and their national level representation, labor unions and their confederations, and business associations and their peak representations. Issue-based associations such as environmentalists, animal rights activists, feminists, the disabled, retired employees and civil rights groups have made some headway in the 1990s, but with very limited impact (Kalaycıoğlu, 2001: 61). Given that access to policymaking is formally limited, interest groups and members of society spend a great deal of energy in the “politics of access” – a typical feature of the Napoleonic model (Peters, 2008: 127).

Turkey's predominant policy style: statism

The majoritarian system of government combined with a Napoleonic administrative tradition has produced a predominantly statist policy style in Turkey. In the statist model, the archetypical case of which is France, government actors, in particular those that make up the executive, dominate all stages of policymaking. In the eyes of government officials, the state assumes “authority above society, legitimated by democratic vote and a common ‘national’ interest” (Eising,

2009: 33). Thus policymaking is carried out through the leadership of government actors who “have primary control over structuring the ‘state-society relationship’” (Eising, 2009: 40). These actors “dictate the pattern of interest representation” and are able to “resist the pressures of interests, whether organized or not, where they choose” (Schmidt, 1996: 47). Thus government actors have the “power and authority to take unilateral action at the policy formulation stage, without prior consultation with those most interested in the policy” (Schmidt, 1996: 47). Turkish governments tend to pursue policies unilaterally without consulting the public in the formulation of policies. Therefore, interest groups tend to play marginal roles in the agenda setting, policy formulation and decision-making stages of the policymaking process (Paker et al., 2013).

In Turkey, a significant degree of policy ambiguity characterizes policies – objectives, targets, benchmarks, as well as means to achieve them are not clearly specified. This ambiguity helps interest groups find their ways into the policy process, once the government draws up the fundamental features of the policy. This means that societal interests may play significant roles primarily, if not exclusively, in policy implementation processes. It is the implementation stage, therefore, where governance becomes permeable, however selective. In statist models as in France, in general, implementation outcomes reflect “politics of accommodation, co-optation or confrontation” where the state is still in the driving seat (Schmidt, 1996: 48). Implementation outcomes are also similar in Turkey, too. However, as we discuss in more detail below in the section on “Role of societal actors in implementation”, in Turkey co-optation increasingly trumps all others although confrontation, and to a lesser degree accommodation, are also observed. In this statist policy style, therefore, although executive autonomy appears strong at the policy formulation stage, it remains weaker at the implementation stage. The degree of unilateralism seems to vary across agenda types in Turkey, as is usually the case in France (Schmidt, 1996): it is all the more heavily imposed especially when governments pursue “heroic” agendas such as development planning (Tekeli, 2012). In “everyday” agendas, however, societal actors may be included in the earlier stages of the policy process through consultation. When governments pursue such agendas, private interests may be able to shape the parameters of agenda setting, policy formulation and decision-making. Regardless of the type of agenda governments pursue, the predominant policy style is still statist as “the government retains the upper hand, to invite outside interests in, or to freeze them out” (Schmidt, 1996: 57).

Mapping policy style I: key policy actors

This section introduces policy actors that potentially play key roles in policy processes in Turkey.

Politicians: increasingly "steering from the center"

The executive in Turkey is the exclusive actor in policymaking, effectively "steering from the center".³ The executive dominates the legislature. Power is concentrated in the hands of the executive all the more so under single-party governments, which characterize the post-1980 period except for the 1990s. The core executive is personified in the office of the prime minister, who is the ultimate decision-maker over the entire policy cycle due to his/her exclusive control through centralized and concentrated executive power. This power stems from the fact that the prime minister is the leader of the political party that commands the majority of the seats in parliament. Executive control is magnified further when the party in power commands a majority over an extended period of time. Such increased control characterizes the 2000s where a predominant party regime emerged. Presidents are increasingly asserting executive power beyond their traditional role as stipulated in the 1982 Constitution. Such *de facto* expansion of presidential power is bolstered through the 2017 constitutional amendment amounting to a *de jure* change in Turkey's political system. The implication of the latter has been the further strengthening of the core executive *vis-à-vis* both the non-core executive and the legislature. The executive has been increasingly enjoying a freer rein in policymaking processes due to the fact that the GNAT is a unicameral legislature and that constitutional review of the executive-dominated-legislature has been weakening. Elected officials that make up the executive dominate all stages of the policy cycle and enjoy the ability to actively and autonomously push through legislation in the parliament.

The state represents a collection of institutions to be captured by political parties. At the central level, the ruling party in control of the executive has the power to substitute written rules and regulations with partisan interpretation of the gaps in these rules and regulations (Gourisse, 2016: 22). This is secured through politicization of the bureaucracy (see the section on "Bureaucracy: from professionalization to politicization" below). In this sense, capturing the executive means that the ruling party can effectively control the entirety of economic and societal resources concentrated in the state (Gourisse, 2016: 22). At the local level, in cases where local governments are led by the political party dominating the executive, municipalities become arenas of partisan local interest intermediation. Municipalities, in these cases, largely function to distribute state resources, in partisan ways, to clients at the local level (Şengül, 2003: 199).

*Societal actors: "invited in" or "frozen out"*⁴

In Turkey's statist policy style, societal actors are selectively invited in or frozen out by government actors (Schmidt, 1996: 57). The organized actors are business

interests, organized labor, professional organizations, issue-based voluntary organizations, foundations and hybrid public-private bodies.

There are a number of public and private organizations for representing small and big business interests. The most important peak organization for small businesses is the Unions of Chambers and Commodity Exchanges of Turkey (TOBB), which is public in the sense that all small businesses are required to register with the Union by law. As small businesses constitute bases of political support of JDP governments, TOBB has been an important player often “invited in” policy processes. Turkish Industry and Business Association (TÜSİAD) and Turkish Confederation of Employer’s Unions (TİSK), which represent big private sector businesses, have remained key actors especially since the 1980s. Their relative significance has been waning at the expense of Independent Industrialists’ and Businessmen’s Association (MÜSİAD) in the 1990s and Turkish Confederation and Businessmen and Industrialists (TUSKON) in the 2000s, which had close ties with ruling governments after 2002 (Bugra and Savaskan, 2014).

Labor is fragmented and private sector employees are organized under three different trade union confederations: Turkish Confederation of Labor (TÜRK-İŞ), Confederation of Revolutionary Worker’s Union (DİSK), and HAK-İŞ Trade Union Confederation. As the largest and oldest confederation representing mainstream labor, TÜRK-İŞ has always had close relationships with ruling governments. The revolutionary confederation DİSK has almost always been “frozen out” of the policy process. HAK-İŞ, with closely knit relations with the JDP, has been the most favored by the ruling government. Public sector employees, too, are organized under three different confederations: Confederation of Public Sector Unions (KESK), Confederation of Civil Servants’ Trade Union of Turkey (Kamu-Sen), Confederation of Public Servants’ Trade Unions (Memur-Sen). While KESK and Kamu-Sen are generally not invited in, Memur-Sen, is the most politically favored confederation.

A set of public-private bodies potentially plays a role in policy processes. The first set of these hybrid bodies is composed of public professional organizations. These bodies are public in the sense that, although their members do not work for the government and their functions are non-governmental, they are established by law. Among these bodies are Bar Associations, Engineers and Architects Associations, Associations of Small Traders and Artisans, and Medical Associations. While these are autonomous entities, they are “subject to the administrative tutelage of central administrative authorities” (Ozbudun, 2011: 90). Although these bodies had traditionally been consulted in policymaking and had regulatory and disciplinary powers in implementation, they have been increasingly “frozen out” in the 2000s.

A second set of hybrid bodies has proliferated since the 1990s to increase the inclusiveness of policymaking and implementation as a result of the influence

of global policy paradigms and of the EU. At the central level, to include socio-economic partners in the making of social and economic policymaking, the Economic and Social Council was formed in 1995. However, it failed to prove functional and has not convened during the last decade. The Coordination Council for the Improvement of Investment Environment (YOİKK), involving economic ministries, non-governmental organizations and Foreign Economic Relations Board, was set up to rationalize bureaucratic procedures and red tape. More significant is the proliferation of hybrid public-private bodies at regional and local levels since the 2000s. At the instigation of the EU, regional development agencies (DAs) were formed, which bring together local public and private actors including governors, mayors, chambers of industry and commerce and non-governmental organizations representing the private sector and/or civil society. DAs are responsible for regional development planning and implementation by using public resources. Despite the hybrid character of DAs, the public actors, especially governors, are at the forefront of decision-making processes (Yıldızcan and Bayraktar, 2017; Ertugal, 2017). The Social Assistance and Solidarity Foundations (SYDVs) were formed at local (provincial and sub-provincial) levels to implement social assistance policy through the use of public funds allocated to them. Again, while non-governmental organizations are represented in their trustee boards, the influence of the (sub)governors as public actors is at the forefront (Yıldızcan and Bayraktar, 2017).

Additionally, there are issue-based voluntary associations. The number of such associations has traditionally been low and the military *coup* in 1980 uprooted most of them. The subsequent 1982 Constitution made it especially difficult to form associations while strictly regulating the formation and activities of organizations. The number of these voluntary associations has been increasing since the 1990s. Yet, as we discuss below in the section on “Role of societal actors in policy formulation”, their impact on policymaking remains limited.

Bureaucracy: from professionalization to politicization

The bureaucracy typically informs the policy formulation phase. Bureaucrats carry out these functions within the parameters set by the executive. The ministerial bureaucracy is key in policy formulation. Within ministries, policy units prepare legislative files and legal units transform policy demands into actual legislative proposals (OECD, 2015: 31). While the rules governing the process of drafting legislative proposals require public consultation and consultation with external stakeholders since 2006 (Resmi Gazete, 2006), the practice of consultation varies widely. In practice, consultation is not held for all policy proposals, and when it is done so, it is often limited to the end of the policy

formulation phase after all the contours of the policies are drawn out (OECD, 2015: 34).

Originally, the early Republican bureaucracy operated on the principle of technocratic rationale, where bureaucrats were assumed to best know the “public interest”. They were characterized by an *esprit de corps*. In time, however, processes of politicization increasingly undermined their professionalism and their *esprit de corps*. In 1999 nationwide competitive generic exams were introduced for entry into civil service to ensure meritocratic recruitment. However, *esprit de corps* among Turkish bureaucrats weakened due to a number of factors related to recruitment and promotion: First, the interview stage, which follows the generic exams, brings in a significant element of arbitrariness. The OECD reports that the quality of selection processes at the interview stage across institutions in Turkey is highly uneven (OECD, 2016: 5). The method of interviews, instead of written exams, brings in an opportunity for partisan recruitment (OECD, 2016: 5) to the extent that these exams have been subject to complaints to the Ombudsman and appeals to the judiciary (OECD, 2016: 10). Second, practices of “back-door entry” – discretionary conversion of contracted staff status into permanent civil service status – undermine the *esprit*. Such practices amount to the removal of some of the steps in meritocratic recruitment (OECD, 2016: 5). The OECD reports that in recent years, such back-door recruitment practices are taking place on a massive scale.⁵ Third, top-level appointments are neither merit-based nor competitive (OECD, 2016: 5). Senior level positions staffed in this way totaled 986 in 2015 and 857 in 2013 (OECD, 2016: 13). Moreover, top-level positions have recently been displaying high turnover rates (52.7% in 2014 and 28.6% in 2015 compared to 8.2% in 2013) (OECD, 2016: 14).

Experts: from in-house to external

While policy-relevant expertise traditionally rested with in-house experts within bureaucracy with the exception of some technical fields, there has been a recent rise in resorting to external expertise (non-public consultancy services) providing technical/professional expertise especially towards the end of the 1990s. External experts (consultants) are used in the legislature, ministries and local governments performing different functions.

The use of consultants by parliamentarians in the GNAT has been increasing. Expertise is provided on a wide range of activities ranging from technical/professional tasks related to the legislative process to secretarial and logistical services. In most cases, consultants are recruited largely on the basis of larger family and kinship ties. Recruitment of experts, therefore, is less related to the experts’ performance and their technical/legislative know-how (Babaoğlu, 2011 cited in Yıldız, 2011).

The use of external expertise by Ministers themselves is for the purpose of informing decision-making in matters related to the particular policy field and also for providing political (rather than policy) expertise (Babaoğlu, 2011 and Canat Sürekli, 2011 cited in Yıldız, 2011). The impact of consultants on the minister depends more on personal ties of trust instead of professional expertise (Babaoğlu, 2011 and Canat Sürekli, 2011 cited in Yıldız, 2011).

Expertise had traditionally rested in-house within the ministerial bureaucracy. Only recently, since the start of the EU pre-accession process in 1999 and the flow of EU financial assistance into Turkey, has there been a rise in the use of external consultancy firms providing expertise in implementation (and to a limited degree in evaluation) of specific policy fields under the EU *acquis communautaire* (Visier, 2016: 30). Such practices in the administration of EU funds seem to have spilled over to other policy areas outside the EU *acquis*. Additionally, research-based foundations and think tanks have been providing expertise into the policy processes. These institutions have come to play significant roles in both policymaking (informing agenda setting and policy formulation stages) and implementation (through providing technical expertise in running projects).

At the local level, mayors have been relying on external experts increasingly since the 1990s in parallel with the increasing role of local governments and expansion in the provision of local services both in quality and quantity (Babaoğlu, 2011 cited in Yıldız, 2011). This type of external expertise, however, has been based less on technical proficiency and more on political campaigning and constituency-related work (Babaoğlu, 2011 cited in Yıldız, 2011). Most of these services are provided at the stage of policy implementation.

Mapping policy style II: inclusiveness of societal actors

Role of societal actors in policy formulation

The statist policy style, built on a very high level of public distrust towards intermediary bodies in policy formulation, is permeated in the organization of the political system. The majoritarian nature of the system ensures that the ruling government dominates the legislative process in its entirety from agenda setting to decision-making. This not only restricts societal interests being represented in the legislature but also redirects any effort at intervening into policy formulation exclusively towards the ruling party.

Historically, state actors have displayed deep-seated distrust towards societal interests, which is evident in the letter as well as the spirit of Turkish law. The 1982 Constitution illustrates the limited permeability of the state to societal actors in policymaking. In the name of depoliticizing governance, the

Constitution had effectively restricted political activity exclusively to political parties and the elected offices until the constitutional amendments of 1995 (Özbudun, 2009: 68). Organized societal actors including business interests, organized labor, professional organizations, issue-based voluntary organizations, foundations were *de jure* prohibited from engaging in political activity, nor were they allowed pursuing any political goal, however defined. Societal actors as such were barred from supporting political parties or being supported by them. Associations, foundations, unions, cooperatives and public professional associations and their peak organizations could not establish political relations with one another, nor could they cooperate (Özbudun, 2009: 68). Thus, the resulting non-participatory statist policy style had its legal sources in the Constitution throughout the 1980s and the early 1990s. Even though the legal restrictions on organized societal interests to engage in political activity were lifted in 1995, significant hurdles on participation remained in practice.

Despite these *de facto* difficulties, the terms “participation” and “consultation” increasingly found their ways into language in quotidian policymaking processes under fragmented coalitions (which served as checking the otherwise traditional imposing majoritarian reflexes) of the 1990s. Facing a jealously guarded statist policy style, these alien concepts emerged on the road to Habitat II, the Second UN Conference on Human Settlements in Istanbul in 1996. Concurrently, these terms made significant headway in public policy lexicon in the late 1990s and early 2000s with the launching of Turkey’s pre-accession process to the EU. At the same time, citizen participation emerged as a significant issue in parliamentary debates during the late 1990s and early 2000s. While the first JDP government adopted a “participatory rhetoric” initially, with the intensification of majoritarianism following JDP’s consolidation of power from 2007 onwards parliamentary debates rarely featured issues related to participation (Yalçın-Riollet, 2017: 10–11).

The discursive popularity of “participation” and “consultation” among state and government actors since the end of the 1990s did not preclude the traditional statist policy style from continuing to dominate policymaking. Given Turkey’s Napoleonic tradition and in an environment of increasing majoritarianism, successive JDP governments increasingly behaved as *the* masters in policymaking processes. They continue to hold near absolute control over whether, and if so whom, on what issue, when, and how to consult societal actors. Typically government actors formulate policies unilaterally when the drafting process is largely not open for participation of societal actors. Although formal consultation is provided for once legislative acts have been drafted, there is still no legal *requirement* on the part of the government for holding structured stakeholder consultation in legislative processes. The extent to which governments consult stakeholders is, thus, highly uneven and informal. Unless they adopt a pro-government stance, societal interests tend to play only marginal

roles in the agenda setting, policy formulation and decision-making stages of the policymaking process (Paker et al., 2013).

The policy style seems to be conditioned by the type of the agenda item – whether policy agendas are framed as “heroic policies” central to the government’s agenda with symbolic value grabbing headlines, or whether they are framed as “everyday policies” constituting the bulk of policymaking yet remaining behind the headlines. In making heroic policies, the government’s approach to problem-solving tends to be anticipatory and the relationship between the government and societal actors is generally impositional. In making “everyday policies”, however, the government tends to be more reactive to interests of core supporters in problem-solving. The predominant policy style still remains statist as the government, in Schmidt’s (1996: 57) words, increasingly “retains the upper hand, to invite outside interests in, or to freeze them out”.

Role of societal actors in implementation

Statist policy style in policy implementation in the pre-2000s left more room for the involvement of societal interests particularly through the ambiguities or gaps in legislative acts, which tended to leave a wide discretion in interpretation. Increased societal actor inclusiveness in implementation reflected at times co-optational and other times accommodative or confrontational state-society relations. State-society interaction has been so intense as to blurring their respective boundaries and taking various forms ranging from “mutual dependency” and “compromise” to “competition” and “resistance” (Gourisse, 2016; see also Paker et al., 2013). As such, some observers have characterized policy implementation processes in Turkey as a case of what Migdal sees “state-in-society” (Gourisse, 2016: 13–15). While the same observation is still valid for the post-2000 period, the intensification of majoritarianism is leading to a shift in the nature of state-society interactions in favor of co-optation (especially through clientelism) and confrontation at the expense of accommodation. Without denying the possibility of unintended outcomes, in the latter period, the government appears to exert greater (indirect) control over policy implementation by picking and choosing, and even establishing, societal actors to be included in service delivery.

In the post-2000 period, co-optation by the government has been most prevalent with respect to business interests, who are dealt with or addressed at the firm level. Big and small firms that were established by officials of the government or their immediate family, and firms that are affiliated with pro-government associations (such as MÜSİAD), as well as local firms informally connected to the local branches of the ruling party, have time and again been awarded the lion’s share in public procurement and lucrative privatization

contracts throughout the 2000s (Esen and Gumuscu, 2017). A similar picture emerges in the historically neglected policy areas of housing and urban regeneration, where the government implements policy through the Housing Development Administration of Turkey (TOKİ), which acts directly under the authority of the Prime Minister's Office (Massicard, 2014). TOKİ as controlling considerable public land engages in private partnerships with construction companies enabling them to capture significant rent on urban land especially through "income-sharing" schemes well below the market price (Massicard, 2014; Esen and Gumuscu, 2017). Here again, most of the construction firms who have been contracted out are affiliated with pro-government business associations (Marschall et al., 2016; Esen and Gumuscu, 2017). Co-optation by the government with respect to labor unions have also been prominent, such as in the case of HAK-IS, though more at the policymaking stage, as labor unions do not have a significant role in policy implementation.

Co-optation is equally prevalent at sub-national levels of governance in policy implementation. First, the government decides which private sector actors and non-governmental organizations to appoint into the boards of hybrid public-private bodies. This has been the practice in the case of DAs, implementing development policy at the regional level, and the SYDVs, implementing social assistance at the (sub)provincial levels. The private and non-governmental actors thus selected come from extensive local networks among the local branches of the ruling party, municipalities, local businesses and non-governmental organizations which are linked to the ruling government and with often overlapping memberships (Massicard, 2014).

Second, (sub)governors at the (sub)provincial levels have always served important functions in implementation and coordinating public investments in the provinces. Similar to the bureaucracy at the national level, both the (sub)governors and their civil service corps were subject to a major overhaul, through political appointments, by successive governments in the 2000s (Massicard, 2014: 7). Politicized (sub)governors engage in co-optation of societal actors more effectively as the heads of the newly created DAs and SYDVs and as important network intermediaries between the government and local pro-government businesses and non-governmental organizations.

Third, municipalities, where the ruling party is dominant, co-opt local businesses in the same way as the government. Following the reforms of 2005, municipalities freely enter into different types of partnerships with the private sector (including subcontracting, calls for tenders, acquisition of stakes and formation of mixed capital enterprises), in effect with those local firms that have political links to the government (Massicard, 2014: 16; Esen and Gumuscu, 2017). Municipalities also function in local intermediaries in clientelist practices through their roles as board members of DAs and SYDVs.

Confrontation by the government with professional occupational associations in implementation has been mostly the norm when co-optation strategies fail. Professional associations in Turkey tend to be left-leaning and hence, largely resistant to co-optation. For example, in land-use, environmental policy and health policy, the Union of Chambers of Turkish Engineers and Architects and the Turkish Medical Association, respectively have had frequent recourse to court decisions to halt the implementation of government policies throughout the 2000s. In time, however, governments increasingly disregarded these court orders. As resistance within the state apparatus is more or less overcome by the government, such court orders to stop policy implementation are increasingly hard to come by. Confrontation and exclusion also characterize the government's relationship with issue-based voluntary associations where the latter were not formed by the former. For example, while the government has collaborative relationship with Islamic women's organizations, it excludes a variety of feminist women's organizations (Doyle, 2017). A case in point is the government's effectively hijacking the agenda item on women's shelters (which had helped bring the issue of violence against women to the government's agenda, and therefore, which would potentially politicize the issue) originally set by feminist organizations (Ekal, 2017). A similar picture emerges with respect to environmentalist organizations, where the government disregards court orders to stop the execution of mining or other energy investments due to environmental concerns (Özen and Özen, 2009, 2010; Kadirbeyoglu, 2005).

Accommodation by the government, though not altogether absent, has become increasingly rare in the post-2002 period. An important instance of accommodation in policy implementation concerns the role of external experts, especially in the area of technical assistance in EU-funded projects (Visier, 2016). This practice has also spilled over into national policy implementation. However, the selection of external experts in national policy implementation is more often than not determined on the basis of either political views in line with, or political links to, the government.

Conclusions

This chapter explores the macro-institutional underpinnings of Turkey's policy style, its main features and the dynamics of inclusion of societal actors in the post-1980 period. It argues that Turkey's policy style during this period can best be characterized by what we call "statism". We show how this predominant policy style is supported by a Napoleonic administrative tradition and a majoritarian political-institutional set up. On the one hand, the Napoleonic administrative tradition endows state actors with "central authority" in policymaking and implementation and "high coercion ability" through concentrating all

authority, power and resources at the center (Richardson et al., 1982: 12). On the other hand, the majoritarian political institutions help bolster the power of central authority (in particular, ruling government), especially when the government is composed of a single-party controlling the executive-dominated legislature for a prolonged period, which characterizes Turkish politics in the post-2002 period. The interaction between the Napoleonic administrative tradition and the majoritarian political institutions (re)produces a policy style, which, in terms of Richardson's (1982) original conception, exhibits "anticipatory" and "impositional" characteristics.

Our analysis points to the dominance of government actors who increasingly impose the terms of engagement with societal actors in policy processes. Their perceptions, preferences and power effectively shape the selection of societal actors to be included in policy processes as well as the terms of inclusion. In fact, many of the present-day societal actors finding voice in policymaking and implementation have been either established by the encouragement of government actors or effectively shaped by them. Accordingly, their interests are essentially re-oriented in line with those of the government.

Our analysis of key societal actors in Turkey and their inclusion helps us explore nuances and distinctions to further qualify and flesh-out the workings of Turkey's dominant statist policy style. One important nuance, which is largely overlooked in the public policy and comparative politics literatures on Turkey, concerns the difference in the involvement of societal actors in policymaking and implementation stages. While government actors are dominant in both stages of policy, the policymaking stage is more insulated and the involvement of societal actors is more restricted. In the implementation stage, however, there is a high degree of interaction between the government and societal actors.

Another nuance we explore concerns the difference in the behavior of government actors when pursuing different types of agenda items in policymaking stages, which is, again, largely overlooked in the literature on Turkey. We observe that when pursuing "heroic" agenda items, governments do not refrain from acting unilaterally. These types of policies potentially contain the seeds of policy failure. In the case of grandiose development projects of 1980s, for example, implementation was impaired once it stumbled upon a variety of sources of societal resistance. In rare cases, such as macroeconomic stabilization in the post-2001 period, however, implementation hinges on weakness of resistance under crisis conditions. When governments pursue "everyday" agenda items, however, they may choose to interact with societal actors, albeit selectively and informally. This selective interaction tends to result in viable but short-termist policies. Such interaction, whether it takes place in the form of co-optation, accommodation or confrontation, increases the likelihood that policy outputs are transformed into policy outcomes one way or the other.

The impact of exogenous drivers of change (such as global policy paradigms and international pressures) is effectively mediated by dominant domestic actors, whose behaviors are strongly shaped by long-standing domestic institutions. Hence, the effect exerted by exogenous forces is re-molded by dominant domestic actors whose actions, following standard operating procedures, ensure a safe return to the default path dependent behavior – the statist policy style. In Turkey, the institutions of Napoleonic administrative tradition and majoritarian political system appear to have *independent* effects on how dominant actors in policymaking and implementation processes respond to otherwise powerful exogenous drivers. We conclude that recent changes in the macro-political legal institutions in Turkey towards an extreme form of majoritarianism reinforce the statist policy style. Studying Turkey's policy style and its institutional underpinnings show how domestic institutions (administrative tradition and macro-political legal system) over-determine the ways policy styles respond to exogenous drivers of change – all resulting in the very durability of Turkey's statist policy style.

Notes

- 1 This is typical of the social science literature on/in Turkey, which is best summarized by Bilgin and Tanrisever (2009: 174).
- 2 In addition to Lijphart (2012) we also draw on, and extend, Lord (2012) in operationalizing the institutional features of Turkey's political system.
- 3 Such trend of "steering from the center" is also evident across advanced industrialized democracies (Dahlstrom, Peters, and Pierre, 2011).
- 4 Schmidt (1996: 57).
- 5 For example, 200,558 contracts in the central administration were affected in 2011 and 103,673 contracts (including staff from municipalities) were affected in 2013 (OECD, 2016: 11).

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