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to social security for all?
Inclusion into old age protection
in the Ottoman Empire
and the Republic of Turkey
(1865–2020)**

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Inclusion into old age protection in the
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(1865–2020)

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ABSTRACT

How do inclusion and exclusion dynamics unfold in social security systems? Which groups are covered by social security, and in which chronological order are they included? This pilot study of a larger research project on Ideational Dynamics of Inclusion explores these questions through an analysis of old age protection in the Ottoman Empire and Turkey.

Inclusion into social security systems either happens through the inclusion of 'groups' ('social categories' or 'target populations') into existing programmes or through the creation of new programmes for certain groups. In legislation, programmatic texts or public debates social rights are ascribed to certain groups of people. Such group construction processes are not trivial and may show much diversity: in social security law, groups may be constructed around diverse dimensions such as employment, profession, gender, age, merit, citizenship, location, or ascribed identity.

Through an analysis of primary legislation and programmatic texts, this paper seeks to understand the sequence of inclusion into old age protection in the Ottoman Empire and Turkey. We observe a transformation from a system aimed at protecting state elites towards a system covering diverse societal groups and aspiring universal social protection. This long, gradual and halting process rested on the construction of a multitude of groups mainly but not exclusively along the dimension of employment status. The Ottoman Empire institutionalised its centuries-old system of protection of elderly state employees surprisingly early, through pension funds in the late nineteenth century. This narrow and deeply stratified pension system was transformed from the mid-twentieth century onwards. A close look at the sequence of inclusion reveals similarities in the shifts in political inclusion and the inclusion profile of old age protection. Key expansions in the scope of old age protection mirror shifts in the political regime. Inclusionary dynamics involved both, the expansion of existing programmes to new groups (e.g. employees working in small firms) and the creation of new programmes for new groups (e.g. the self-employed), producing new stratifications in turn.

ZUSAMMENFASSUNG

Wie vollziehen sich In- und Exklusionsdynamiken in sozialen Sicherungssystemen? Welche Gruppen werden in welcher Reihenfolge in soziale Sicherungssysteme aufgenommen – oder außen vorgelassen? Die vorliegende Pilotstudie des Forschungsprojektes Mechanismen der Verbreitung von Sozialpolitik: Ideelle Inklusionsdynamiken und die politische Legitimation von Leistungsbezieher*innengruppen versucht diese Fragen durch eine Analyse der Alterssicherung im Osmanischen Reich und der Türkei zu beantworten.

Die Inklusionsdynamik eines sozialpolitischen Programms beruht darauf, dass bestimmte Kategorien von Personen als Leistungsbezieher*innengruppen in ein bereits bestehendes Programm neu aufgenommen werden oder ein Programm eingeführt wird, das speziell diesen Gruppen soziale Sicherungsformen eröffnet. Die Zuschreibung sozialer Rechte bzw. die Berechtigung zu bestimmten Sozialleistungen erfolgt in Gesetzen, programmatischen Texten oder der öffentlichen Diskussion mit Bezug auf eine Bezeichnung der Personengruppe, die als Rechtsträger*innen angesehen werden. Gruppenkonstruktionen können dabei anhand verschiedener Dimensionen wie Erwerbsarbeit, Gender, Lebenslauf, Staatsbürgerschaft, oder Wohnort definiert werden.

Durch eine Analyse von Gesetzen sowie programmatischen Texten wird in dieser Studie die Inklusionssequenz im Falle der Alterssicherung im Osmanischen Reich sowie in der Türkei untersucht. Zu beobachten ist insgesamt eine Transformation von einem auf den Schutz von Staatseliten ausgerichteten System hin zu einem System, welches den Anspruch auf universelle soziale Sicherung durch die Abdeckung verschiedenartiger Gruppen zu gewährleisten versucht. Verbunden ist dieser Prozess mit der Konstruktion von verschiedenen, hauptsächlich an der Dimension der Erwerbsarbeit orientierten Gruppen.

Das Osmanische Reich institutionalisierte bereits überraschend früh, im späten neunzehnten Jahrhundert, sein jahrhundertealtes System zur Absicherung von alten Staatsbeamten. Dieses auf eine kleine Schicht begrenzte und dennoch zugleich stark stratifizierte Rentensystem wurde seit der Mitte des zwanzigsten Jahrhunderts von Grund auf verändert. Eine genaue Betrachtung der Inklusionssequenz zeigt dabei Parallelen zwischen dem Wandel in der politischen Inklusion und im Inklusionsprofil der Alterssicherung auf. Der Wandel des politischen Regimes ist in manchen wichtigen Reformen des Alterssicherungssystems reflektiert. Inklusionsdynamiken beruhten dabei sowohl auf der Ausweitung existierender Programme auf neue Gruppen (z.B. Beschäftigte in Kleinunternehmen) als auch auf der Schaffung neuer Programme für neue Gruppen (z.B. Selbstständige).

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1. INTRODUCTION

How do inclusion and exclusion dynamics unfold in social security systems? Which groups are covered by social security, and in which sequence are they included? This pilot study of a research project on *Ideational Dynamics of Inclusion* provides preliminary answers to these questions through an analysis of old age protection in the Ottoman Empire and the Republic of Turkey.¹

Inclusion into social security systems either happens through the inclusion of 'groups' ('social categories' or 'target populations') into existing programmes or through the creation of new programmes for certain groups. In legislation, programmatic texts or public debates social rights are ascribed to certain groups of people. Such group construction processes are not trivial and may show much diversity: in social security law, groups may be constructed around various dimensions, such as employment, profession, gender, age, merit, citizenship, location, or ascribed identity.

Comparative research on inclusion of social policy programmes often focuses on quantitative analyses of 'legal' and 'effective' coverage (Schmitt, 2020). Explanatory approaches and welfare state typologies focus on additional categories, thereby also referring to group constructions as a key analytical element for describing and explaining changes with regard to legal coverage. Yet, despite various attempts (Abbott & DeViney, 1992), there has been no systematic and comparative analysis of the development of such social constructions of groups and of the chronological order in which these groups have been included into social security systems. Against this background, this paper undertakes a first modest attempt to fill that gap through a case study of old age protection in the Ottoman Empire and Turkey.

Old age security is at the heart of Turkey's social security system (Bolukbasi & Öktem, 2020). We find that in the Ottoman Empire old age protection started very early with the provision of pensions for state elites. This system was institutionalised in the late nineteenth century through the creation of various contributory pension funds for state employees, starting with the pension fund for soldiers in 1865.² The Ottoman pension system was thus organised around the axis of employment. With its creation in 1923, the Republic of Turkey inherited this pension system. The Republic essentially continued the Ottoman approach to old age protection for the first two and a half decades. From the late 1940s onwards, however, as the country shifted from single-party rule to a multiparty system the system was gradually expanded beyond state employees. The year 1949 constitutes a turning point in this respect. In terms of the sequence of inclusion, employees of medium and large companies in continuous employment came first, with employees in small companies and employees in temporal employment covered next. In the early 1970s, the system was expanded to the self-employed. From the late 1970s, agricultural workers, farmers and the poor were included into the system. Overall, expansion mainly revolved around covering new occupational groups (for an overview see annex, figures 1–3). However, employment status was not the only relevant dimension of inclusion.

This in-depth look at the sequence of inclusion reveals parallels between changes in political inclusion and social inclusion. These remarkable parallels between politics and old age inclusion echo interpretations of social security in Turkey in light of democratization efforts (Talas, 1992). Yet, the fact that democratic and non-democratic governments alike devised and implemented inclusionary reforms cautions against mono-causal explanations.

In terms of research methods, the paper focuses on the analysis of primary legislation and programmatic texts, complemented by a review

1 The research project 'Mechanisms of Social Policy Diffusion: Ideational Dynamics of Inclusion and the Political Legitimation of Beneficiary Groups' is part of the Collaborative Research Centre 1342 on Global Dynamics of Social Policy. For further information see: <https://www.socialpolicydynamics.de/projects/project-area-b-transregional-dynamics/project-b01-2022-25->

2 There is disagreement on the precise date of the Fund's creation: 1865 (Manav, 2014, p. 9) or 1866 (Özbek, 2006, p. 46).

of secondary sources. We conducted keyword searches of official gazettes, analysed secondary sources on the subject and consulted historic and contemporary official documents on old age pension policy in Turkey.

The paper is structured as follows. In section 2, we survey the literature on dynamics of inclusion into social security in a comparative perspective. Next, we provide an overview of the social security development in the Ottoman Empire and Turkey. Then, the methodological approach and case selection is outlined. In section 5, we trace the dynamics of inclusion in the Ottoman Empire. Our analysis starts with the creation of the first retirement fund for soldiers in 1865/1866 and ends with the dissolution of the Empire in 1922. We then turn our attention to the Republic of Turkey. Here, we first explore the period from 1923, when the Republic was founded, until 1949 – a period in which the focus remained on protecting employees of the state. Then, developments since 1949, when the focus of old age protection shifted from people employed in state institutions to the general population, are explored. We conclude with a discussion of the implications of our findings for comparative research and outline the further research agenda.

2. DYNAMICS OF INCLUSION IN A COMPARATIVE PERSPECTIVE

Systematic comparisons of the development of group constructions, and the sequences in which these groups have historically been included into social security systems are rare. Instead quantitative explorations of the development in coverage rates has provoked more scholarly interest (Flora & Heidenheimer, 1981). Yet, implicitly or explicitly group constructions have played an important role in much qualitative, historical research on welfare states. Research on the early phase of welfare state building in Western Europe, for instance, mainly centered on the introduction and expansion of social security for employment-based groups (Alber, 1982; Flora & Alber, 1981). In most cases, this early phase was defined by a focus

on the male breadwinner. Thus, the dimension of gender comes into play. These male breadwinners were to be protected against what has been termed ‘old social risks’ (Bonoli, 2005), primarily work injury, old age and health. With the shift from the industrial to the post-industrial age and the rise of the so-called ‘new social risks’ (Bonoli, 2005) and ‘social investment policies’ (Hemerijck, 2017), other relevant groups, such as working and/or single-mothers, became more prominent.

Group constructions have also been important for studies of social rights. Following Marshall (1950) the question of what social rights are granted to which groups has been analysed from a range of perspectives (Esping-Andersen, 1990), including the social rights of migrants (Seeleib-Kaiser, 2019), or the social rights granted through social cash transfers in the Global South (Leisering, 2018). On a more general level, universalism and targeting are often seen as central concepts of a dimension of inclusion, based on which welfare states or social policy programmes can be located (Nelson, 2007; Öktem, 2020). This has been employed to understand the political bases of support, the extent of redistribution, and the capacity for poverty reduction in welfare states (Jacques & Noël, 2021; Korpi & Palme, 1998).

Labelling, defining and demarcating social groups cannot be done in an objective manner based on the social position of groups alone. Instead, group constructions result from social and political struggles. Based on the assumption that there is variation both in the labelling and in the social construction of groups, can we identify certain sequences of inclusion on a global level, at least for key groups? Given the (historical) importance of workers in social policy, one may assume that inclusion starts with industrial workers and expands to eventually cover the whole residential population (Alber, 1988; Gough, 2008). Alternatively, one may presume that inclusion started in the state apparatus itself and that the military was in a particularly privileged position, as research on some Latin American countries has shown (Mesa-Lago, 1978).

Both pathways assume that the social construction of groups is based on one’s position in the labour market. That is, groups are mainly oc-

cupational groups, such as workers, civil servants or self-employed. Nevertheless, in social legislation there is much more variety in terms of groups, going far beyond occupational status. In modern societies, diverse groups can be identified, based on respective ascribed characteristics. Apart from occupation, the 'institutionalized life course' (Kohli, 1985), gender, family, or citizenship are key characteristics. Therefore, to fully understand inclusion sequences and profiles one needs to take into account a multitude of dimensions beyond employment.

In this study, we aim to do so based on a new framework developed to study group construction in social security, to explore the inclusion sequence in the case of old age security in the Ottoman Empire and Turkey.

3. SOCIAL SECURITY DEVELOPMENT IN THE OTTOMAN EMPIRE AND THE REPUBLIC OF TURKEY

As a single case, the Ottoman Empire and the Republic of Turkey offers immense internal variation. In 1880, the Ottoman Empire was a vast multi-ethnic empire, an absolute monarchy that struggled with external threats and with ever-strengthening demands for constitutional reform. Continuously losing territory, the Ottoman Empire became a constitutional monarchy in 1908, but was eventually crushed by its defeat in World War I.

The degree to which the Empire really controlled its territory was extremely uneven. Thus, the very capacity for the state to effectively implement social policy on the ground is unclear. Bearing these limitations in mind, it is important to acknowledge that in the late nineteenth century modernisation and centralisation led to a sea change in the state's approach to social issues. Historical research has revealed an institutionalisation of centuries-old practices of social protection (often influenced by Islamic ethics) and the creation of modern social policies in this period. Poor relief, for instance, was increasingly provided by the state and a social assistance programme was institutionalised. Partly in response to epidemics,

public health also increasingly became a key concern of the bureaucracy. In mining areas, labour regulations were devised. These developments have been interpreted as an attempt of autocratic rulers to shore up 'legitimacy' (Özbek, 1999, pp. 1–2). Often perceived as charitable actions by the Sultan himself, these policies became increasingly seen as social services provided by a 'modern state' in the constitutional era. All these initiatives have been interpreted as a response to increasing social problems brought about by a variety of factors, including war-related population movements (Özbek, 2006, pp. 29–30).

In the aftermath of the First World War, with even the Empire's capital occupied, a nationalist uprising led by Mustafa Kemal (Atatürk) started in Anatolia out of which the Republic of Turkey in 1923 was built. Constituting an historic rupture, the Republic was a secular nation-state. Under single-party rule of the Republican People's Party (CHP) until 1945, the country aimed at rapid, state-led modernisation. Inspiration for this modernisation was sought in Europe, with even basic legislation, such as the civil code, heavily drawing on European legislation.

With regard to social policies, successive CHP governments achieved important innovations in this period, including the creation of a separate Ministry of Health and the introduction of comprehensive public health legislation. Governments made efforts to spread education to villages, with literacy rates rising dramatically, especially among women. After much debate, a labour code was passed in 1936 that gave workers individual rights, while restricting collective rights (Özbek, 2006; Talas, 1992). However, the development of social security policies in a narrower sense, e.g. pension or health insurance, took a backseat during these years. Therefore, in policy areas such as poor relief and social assistance, the government generally continued the approach of the Ottoman era (Buğra, 2008; Öktem, 2018). This is in line with historical perspectives that emphasise surprising continuities between the late Ottoman Empire and the early Republic (Zürcher, 2004).

With the end of the Second World War, the country shifted to a multi-party system. The first peaceful and democratic transition of power came

in 1950, when the CHP-offshoot Democrat party (DP) beat the CHP. This political transition was accompanied by groundbreaking social security legislation, such as the creation of a Worker's Insurance Institution in 1945 and a sickness and maternity insurance in 1950. Often described as the birth of social security in Turkey (Talas, 1957, p. 1), these reforms have been interpreted by some as an attempt by the state elite to devise social policies as part of the broader modernisation project (Dinç, 2009, pp. 41–43).

Even though elections were usually free and fair, democracy never fully consolidated. Repeated military interventions, sometimes culminating in outright military rule, shook up the political system (Özbudun, 2000). The first of these interventions in 1960 paved the ground for a shift from elite competition to the inclusion of the masses, albeit mostly through populist means. The 1961 constitution, drafted under the aegis of a military regime, defined the Republic as a 'welfare state' (*sosyal devlet*). This aspiration is still vital in political rhetoric of government and opposition alike. The early 1960s featured seminal, but never fully implemented legislation aiming to create an NHS-style health system in 1961 (Günel, 2018) and the streamlining of the previously fragmented social insurance legislation in 1964 (Özbek, 2006). These pathbreaking reforms have often been linked to the new rights and freedoms granted by the 1961 constitution (Talas, 1992).

Subsequent interventions of the military into politics in 1971, 1980 and 1997 aimed at the exclusion of class-based (the left), ethnic-based (Kurds) and religion-based (Islamists) political actors. Meanwhile, Turkey transformed from being an agricultural economy to an urbanised middle-income country. From 1980 onwards, approaches at state-driven, planned development gave way to export-led industrialisation, as Turkey's economy became ever more interconnected with Europe. Over the decades, successive governments expanded social security to new groups. At the heart of the social security system were pensions, with the share of social expenditures devoted to the elderly surpassing 50 percent by the 1990s (Bölükbaşı & Öktem, 2020). Legislation remained separate for different groups, however, and differ-

ent benefit rules brought unequal quality of social protection. In the resulting 'inegalitarian corporatism', the rural population and the informal sector remained severely disadvantaged (Buğra & Keyder, 2006).

In the aftermath of a severe economic crisis, the Islamist Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) came to power in 2002. Although it initially fashioned itself as a conservative-democratic party, its rule became ever more authoritarian over the years (Esen & Gumuscu, 2018). Presenting itself as a champion of low-income groups, the AKP government reorganised the social security system in a way that – paradoxically – appealed to the poor without antagonising business and international lenders (Akan, 2011; Y. Özdemir, 2020). The most tangible change has happened in healthcare, where the government established a mandatory health insurance with near-universal coverage (Agartan, 2012). Such inclusionary reforms, however, have been accompanied by pro-market policies that deepened inequalities, leading to Polanyi-inspired interpretations of a 'double movement' (Buğra, 2020).

Research is divided on the causal factors shaping Turkey's 'eclectic social security system' (Buğra & Candas, 2011). While some see it as a product of an all-dominating bureaucracy and state elite (Dinç, 2009, pp. 138–139) others argue that its dynamics were at least partly shaped by political competition and populist reforms (Akpınar & Akyol, 2018; Yakut-Çakar, 2007; Yörük, 2020). A third group of scholars emphasises the influence of a neoliberal reform agenda pursued by international actors, such as the International Monetary Fund or the World Bank after 1980 (Elveren, 2008; A. M. Özdemir & Yücesan-Özdemir, 2008).

4. METHODOLOGY AND CASE SELECTION

Defining and demarcating groups that are given social rights, that are seen as facing social risks and that are given social benefits is a central foundation of social policy. The most general target group for social rights would be 'human'. All labels that are more restrictive shall be defined as

'groups' and their labels as 'group constructions'. A historical reconstruction needs to be aware of the semantics, and the way the group or social category have been labelled at each point (Rasmussen, 2016). While employment is the most prominent form of differentiation in social security, other forms of social stratification, such as age, gender, family, migration, ethnicity, citizenship or race are also prevalent (Grünewald, 2021). Groups may not simply be defined in one dimension, e.g. employment, but also through the intersection of different dimensions, e.g. female industrial workers. Such intersectionality is rather typical for legal texts, which clearly need to demarcate who is entitled to what. Importantly, new groups can emerge and even labels of universality (e.g. citizen, people, employed) can change over time. The social and political construction of groups defines who gets which benefits. The whole semantics of groups is defined by power relations and discursive manoeuvres. Labelling groups not just shapes institutional possibilities, but also the categories in which social struggles are fought and collective identities are created and expressed.

Against this background, we differentiate between eight dimensions according to which groups can be constructed in social security legislation:

1. Employment, occupation, income, sector and company-based
2. Age- and life course-related
3. Gender-related
4. Cohabitation-related
5. Based on merit, burden (e.g. military service, displacement)
6. Based on place of residence (e.g. rural or urban)
7. Religious, ethnic, caste, or race-related
8. Migration, citizenship, residency-related

The particular name of groups often focuses only on one dimension. Analytically, however, all dimensions need to be taken into account (even if not all dimensions are reflected in the name of the group). If, for instance, industrial workers are provided a disability insurance in Germany, this construction is mainly based on employment. It might apply to all industrial workers, regardless of age,

sex, citizenship, ethnicity. However, it might also just apply to married, male, German industrial workers until a certain age. That is why the legislative proceedings are essential material to reconstruct to whom the respective label of the group actually applies.

We describe the sum of all groups that are defined in the legislation as *inclusion profiles*. To assess inclusion and/or exclusion in a given reform, the group constructions have to be compared to the previous state. Still, it is important to note that not being included does not mean that a group is not protected. To be included might be disadvantageous for privileged groups if they have to give up private protection and are forced into a 'risk pool' (Baldwin, 1990) with the less fortunate. Whether non-inclusion means discrimination, exclusion or privilege thus has to be carefully assessed. The inclusion profile therefore covers:

1. The name of the group
2. The analytical location of the group construction in the eight dimensions
3. The assessment as inclusion or exclusion process.

Based on these inclusion profiles, we aim to conduct a systematic analysis of the sequences in which the different groups have historically been included into social security. We focus on the case of public protection against the social risk of old age. Primarily, this protection takes the form of pension programmes, although our approach is open to other forms of old age protection.

Old age security is a central part of nearly all welfare states worldwide. Old age is not necessarily linked to employment, therefore employment-unrelated dimensions may be salient. As a social risk, old age is potentially relevant for the whole population, and this may facilitate the emergence of universalist approaches. Finally, in most countries old age protection is one of the first fields of social security that the state tackles (Schmitt, Lierse, Obinger, & Seelkopf, 2015), making it a fruitful subject for historical analyses of shifts and transformations of group constructions.

We selected the case of the Ottoman Empire and the Republic of Turkey as the pilot study of a

larger project that includes twenty countries. These countries have been selected with the goal of achieving high variation on a number of dimensions (social, cultural, political, economic, religious), in line with the diverse case method (Seawright & Gerring, 2008, p. 300). The case of the Ottoman Empire and Turkey is particularly interesting for a research endeavour focusing on the social construction of groups as it represents a case of 'externally induced modernization' (Therborn, 1995, pp. 132–133). Here, diffusion is assumed to be extremely important. Yet, it is not a case of 'coercion' as in the case of former colonies, where colonial powers often directly imposed social policy. Instead, there is potentially more room for idiosyncratic social categories.

In terms of research material, the paper focuses on the analysis of primary legislation and programmatic texts. While legislation and programmatic texts are regularly consulted by researchers working on Turkey's social policy, in-depth analyses of this material are less common. Studies of what specific groups were included in what sequence through legislation and how this legislation constructed these groups do not appear to exist. With regard to primary legislation, we conducted keyword searches of the official gazettes of the Ottoman Empire, *Düstür*, (Akman, 2007a, 2007b; Başvekalet Neşriyat Müdürlüğü, 1937; Başvekalet Neşriyat ve Müdevvenat Dairesi Müdürlüğü, 1939, 1941, 1943) and the Republic of Turkey (Resmi Gazete, 2021). For the case of the Ottoman Empire, we relied on transliterations of the texts into the Latin Turkish alphabet. Alas, due to the language and alphabet barrier it was not feasible to conduct the same kind of in-depth analysis of the Ottoman legal texts that we did for legislation from the Republic of Turkey. In addition to this keyword search, we relied on two other types of sources. First, secondary sources on the development of the policy field in the Ottoman Empire and Turkey. Second, historic and contemporary official documents (e.g. five-year development plans) on old age pension policy in the Turkey. For the Republic of Turkey, we also applied keyword searches of the database of parliamentary proceedings (Türkiye Büyük Millet

Meclisi Kütüphane ve Arşiv Başkanlığı, 2021).³ An overview of selected social categories in Turkey's social security legislation is given in Table 1 in the annex.

5. DYNAMICS OF INCLUSION IN THE OTTOMAN EMPIRE (1865–1922)

In the Ottoman Empire, old age security was first and foremost protection for people in the state apparatus. Before modernisation in the nineteenth century, former bureaucrats and soldiers were financially supported after their retirement through different practices. For instance, the state assigned the revenue of a certain land to a former civil servant as a retirement income (*arpalık*). Regular payments to former civil servants were also common (*tekaüd ulufesi* and *oturak ulufesi*). In principle, this was comparable to an old age pension. Yet, it was not codified through regulation and it remains unclear whether all civil servants benefitted from that practice, to what degree benefit amounts were standardised and what happened during economic crises (Özbek, 2006, pp. 45–47).

In the nineteenth century, the Ottoman Empire underwent comprehensive modernisation, with the *Tanzimat* period starting in 1839 constituting a critical juncture. This modernisation entailed a substantial expansion of the bureaucracy (Özbek, 1999). The state codified rules and regulations for civil servants and paid civil servants regular wages (Orhan, 2015). As repeated failed military endeavours brought economic turmoil upon the Empire, the traditional practice of paying retired civil servants pensions through the general state budget became financially untenable. Creating pension funds based on contributions paid from civil servants' wages appeared to offer certain advantages in this respect.

Thus, as part of its modernisation drive, the Ottoman Empire institutionalised its old-age pension

3 With regard to data access, keyword searches of official gazettes complemented by other sources should provide good results for the Republic of Turkey. For the Ottoman Empire, it is likely that some relevant material has been missed.

system in the form of a contributory pension system for civil servants and employees of the larger state apparatus. This institutionalisation of pensions was expressed in the first constitution (*Kânûn-ı esâsî*) in 1876. Article 39 of the constitution granted all civil servants with good conduct (*hüsn-i hareket ve eshabından olanlar*) the right to pension in case of dismissal or retirement. In 1878, the constitution was suspended by Sultan Abdulhamit (who ruled the country until 1908) and the Empire returned to absolute monarchy. Still, the promise of a right to pensions encapsulated in Article 39 was mostly put in place in the late nineteenth century through the creation of numerous pension funds, as we explain below.

Generally speaking, the public administration of the Ottoman Empire in the late nineteenth century consisted of three groups: soldiers (*askeriye*), civil servants (*mülkiye*) and the Muslim religious state administration (*ilmiye*). The Ottoman pension system covered these groups in this temporal sequence. Soldiers were covered first, starting with the Soldiers' Retirement Fund (*Askeri Tekâüd Sandığı*) created in 1865/1866 (see Figure 1 in the annex for a timeline of pension legislation in the Ottoman empire).⁴ After a lost war with Russia led to an economic crisis, the state set up new retirement funds for separate branches from 1880 onwards. Yet, in 1886 the military pension system was again unified through the creation of a new fund (*Umum Askeri Tekâüd Sandığı*). In addition to soldiers, employees and permanent workers of the Imperial Arsenal (*Tersane-i Amire*), the main naval shipyard of the Empire, were covered through the Workers Fund (*Amele Sandığı*) in 1875 (Martal, 2000).

Policymakers started to work on a pension fund for civil servants around 1870. However, the creation of this fund was repeatedly postponed. Instead, funds for special parts of the civil administration were devised. In 1876, a fund for civil servants working in the post and telegraph ministry and in 1878, a fund for civil servants working in customs was created (Akman, 2007a, 92, 99). In 1879/1881, the state established a retirement fund

for the civil administration (*mülkiye*). Influenced by the French pension legislation for civil servants, this new fund was later merged with the funds of the post, telegraph and customs – despite opposition by members of the latter funds (Manav, 2014).

Some civil servants remained outside of the new fund. For instance, in Crete, civil servants refrained from entering the fund, arguing that wages were too low for them to pay contributions (Manav, 2014, p. 76). Again, in Crete, a special fund for the gendarmerie was created in 1884 (Akman, 2007a, p. 202). Moreover, some parts of the state administration, such as local administrations, remained outside of the retirement funds and so, the state continued to set up special funds. For example, in 1884, the health administration (*idare-i sıhhiye*) obtained a special pension fund (Akman, 2007a, p. 202).

The last main group to be covered were Muslim religious civil servants (*ilmiye*). The Ottoman Empire defined itself as Islamic caliphate and the Ottoman Sultan claimed the status of caliph, leader of the Muslim world. Accordingly, the religion of the Empire was Islam (although its population was very diverse in religious terms). Therefore, religious authorities were part of the state apparatus. In 1874, a survivors' pension fund was created for religious civil servants, such as *imams* and *muftis*. Religious civil servants working in the civil administration (*mülkiye*) were covered by the pension fund for the civil administration. However, an old age pension fund for religious civil servants was only created in 1894 (Orhan, 2015). Hence, they were the last main group in the state apparatus to be covered.⁵

In addition to civil servants, the state set up special retirement funds for employees in the civil state administration, who were left outside of the existing funds. For instance, in 1884 employees in the

4 Additionally, each part of the military, such as navy or army, built separate survivors' funds.

5 It is possible that the relatively late inclusion into the old age insurance system was related to an idea of lifelong service. In 1921, during the War of Independence, the Grand National Assembly of Turkey, the parliament of the independence movement passed a law according to which *muftis* would be exempt from retirement regulations and could only retire in case of inability to work (*Muhtülürin tekâütten istisnası hakkında kanun*, Law No. 147).

tax administration (*vergi emaneti tevzi kaleminde müstahdem ketebei*) and in 1885 some customs employees (*rüsumat kantarcıları ile muhafaza kayıkçıları*) were given a special pension fund. Moreover, from 1890 onwards special retirement funds for specific state-linked companies were created. Created for shipping companies and railways, these funds applied to both, civil servants and employees of these companies.

In sum, we find that old age protection was institutionalised through a shift from tax-financed payments made to retired civil servants to a fragmented system of contributory pension funds. This shift occurred from the 1860s onwards for soldiers, from the 1870s onwards for civil servants and in the 1890s for religious civil servants. Beyond civil servants, we observe that some white- and blue-collar workers who worked for state institutions were covered from the 1870s onwards.

In analytical terms, we thus find the employment-related dimension to be of paramount importance. The main axis of inclusion into old age security was employment for the state and related institutions, i.e. the public sector. Also, a clear division between civil servants and non-civil servants can be observed. The former group was itself divided between different parts of the bureaucracy, soldiers, civil and religious servants. In addition to employment, citizenship, gender and residence were salient dimensions. As citizenship was a condition for becoming a civil servant, this also mattered for old age inclusion. Gender, although apparently not explicitly mentioned, was also important, as the number of female civil servants in the Ottoman Empire was extremely limited. Finally, residence played a role for inclusion, as some retirement legislation applied only to certain regions.

Beyond the protection of employees of the state administration, old age security in the Ottoman Empire remained underdeveloped. Self-employed were traditionally organised in guilds (*lonca*). Akin to their European counterparts (Alber, 1982), these guilds provided some form of protection against social risks through assistance funds (*teavün sandıkları*) until they were dissolved in 1913. The state, however, did not interfere with or regulate these funds and it remains unclear to what degree guilds were able to provide effective

social protection to their members (Dilik, 1988, pp. 61–63; Dinç, 2009, pp. 58–60; Orhan, 2015).

In addition to the contributory pension funds, the state provided cash benefits to the poor. Indigent Benefits (*Muhtacin Maaşı*) appear to have become widespread in the course of the nineteenth century, as the state took over (charitable) foundations (*vakıf*), traditional providers of social assistance and social services. The regular cash payment to poor people was formalised in 1910, two years after the country shifted to constitutional monarchy, with a regulation on Indigent Benefit (*Muhtacin maaşatı hakkında nizamname*). According to this regulation, beneficiaries had to be too old or disabled to earn an income, be citizens, have no source of income, and no relatives that had to take care of the applicant (Özbek, 2006, p. 33). So, this benefit was akin to a proto-social pension for the elderly and disabled. Still, by all accounts only a very small share of the poor elderly and disabled actually benefitted from the programme. Hence, we conclude that effectively, inclusion to old age protection remained limited to people employed by the state.

6. DYNAMICS OF INCLUSION IN THE REPUBLIC OF TURKEY (1923–2020)

The dynamics of inclusion in old age protection in the Republic of Turkey can be relatively neatly divided into two periods. In the first period, the state continued the general approach of the Ottoman Empire. Inclusion was mainly restricted to civil servants and other people working for state institutions or enterprises, with separate legislations for separate groups. This period lasted from 1923 until 1949. In the second period, the state unified legislation for people working for the state and gradually expanded the system to people not working for the state. This period started in 1949 with two landmark legislations on old age pensions for civil servants and for workers in private enterprises.

6.1 A continued focus on state employees (1923–1949)

On various accounts, the creation of the Republic of Turkey in 1923 constituted a rupture with the past. A secular, republican nation state replaced a multi-ethnic, Islamic monarchy. This Republic was ruled (in a single-party system) by the Republican People's Party (*Cumhuriyet Halk Partisi*, CHP), a party that explicitly framed itself as a departure from the past. Still, the Republic was founded as the legal successor of the Ottoman Empire and historical research in recent decades has pointed to long-overlooked continuities between the late Empire and the early Republic (Zürcher, 2004). Hence, it is not surprising that the pension legislation of the Empire generally continued to apply. Furthermore, in the early Republic the approach of the state towards old age pensions did not really change. Protection was provided first and foremost to civil servants. In addition, employees of state institutions were included mostly through special funds (see Figure 2 in the annex for a timeline of pension legislation in the early Republic).

The main pension legislation of the early Republic was passed in 1930 and integrated the system for soldiers and civil servants (*Askeri ve Mülki Tekaüt Kanunu*). In principle, it covered all civil servants and soldiers, insofar as they 'received their wage from the general budget' (Article 1). Still, in practice it also covered civil servants in some special institutions (Article 67) and in institutions with separate budgets (Article 68), until special legislations for these institutions would be passed.

In addition to this general pension law for civil servants, the CHP government passed special legislations for civil servants and employees in state institutions. The first of these was created in 1926 for employees in military production facilities. Here, an 'assistance and insurance fund' (*İmalâtı harbiye teavün ve sigorta sandığı*), financed partly through employee contributions, was to provide protection against work injury, disability and old age. Such special legislations proliferated in the 1930s and early 1940s. Importantly, pension funds usually covered both civil servants and em-

ployees of the respective state institution.⁶ As in the Ottoman Empire, there were special funds for railways and shipping companies. A peculiarity of the early Republican pension system was the legislation for civil servants from the former Hatay government. Passed shortly after Turkey had annexed the area in 1939, this legislation covered both pensioners and civil servants losing their job after annexation.

In 1942, the government created a special fund for state-owned enterprises that included all civil servants and permanent employees of these enterprises. The early Republic pursued state-led modernisation, which meant that the role of state-owned enterprises in the industrial sector was crucial (Boratav, 2009). However, relative to the size of the labour force, pension coverage remained small.

In the early Republic, farmers constituted the overwhelming majority of the population and this group, as well as the self-employed and private sector workers, remained essentially excluded from old age protection. The Indigent Benefit programme for disabled and elderly continued to be implemented by the central state through the General Directorate for Foundations (*Evkaf Umum Müdürlüğü*). Yet, it remained residual.⁷

In analytical terms, the same general conclusion as for the Ottoman era holds: The most important dimension of inclusion remained employment-related. In general, people employed in the public sector were covered, while others were not. Due to the important place of civil servants in this pension system, the role of citizenship

6 Like Ottoman pension legislation, legislation in the early Republican era commonly used the term 'müstahdem', which can be translated as white-collar worker (or *Der Angestellte*) Tuna (1964), but is also used to describe employees in charge of cleaning and simple tasks (*odacı*). At least in one legislation (on railways), however, parliamentary debates clarified that the term also covers workers ('işçi usta, amele, makinist ve ateşçi gibi müstahdemler', Türkiye Büyük Millet Meclisi (1934, p. 3).

7 Information on the programme is sparse. However, there is information on benefit amounts and total spending for the programme in the budget laws of the administering institution (cf. *Evkaf Umum Müdürlüğü'nün 1929 mali senesi bütçe kanunu*).

as a condition for inclusion remained crucial. Interestingly, we also find differentiation based on gender. In the pension legislation for civil servants and soldiers, male civil servants and soldiers marrying or living with foreign women were excluded from the system. This mirrors a provision from the civil servants' law from 1926 (*Memurin kanunu*), according to which men married to 'foreign girls and women' (*ecnebi kız ve kadınlarla müteahhil*, Article 4) could not become civil servants. However, crucially from a gender perspective, these provisions were silent about female civil servants marrying or living with foreign men – despite the fact that the civil servants' law especially stated that women could become civil servants (Article 5). The main difference between the Ottoman era and the early Republican era is the disappearance of residence- or region-based exclusions, as no pension legislation for specific regions was passed.

6.2 Expanding beyond state employees (1949–2020)

With the end of the Second World War, Turkey gradually transitioned from a single-party system to a multi-party democracy. In 1950, the Democrat Party (*Demokrat Parti*, DP), an offshoot of the CHP, that styled itself as a politically and economically more liberal alternative, beat the CHP in the first free and fair elections. Just before that, in June 1949, the parliament passed two laws that proved to be a turning point for old age protection in Turkey. The Retirement Fund legislation (*Türkiye Cumhuriyeti Emekli Sandığı Kanunu*) unified the system for civil servants, soldiers and employees in state institutions. The Law on Old Age Insurance (*İhtiyarlık Sigortası Kanunu*) provided coverage to employees in the private sector (see Figure 3 in the annex for a timeline of pension legislation since 1949) through the Worker's Insurances Institution (*İşçi Sigortaları Kurumu*) that had come into existence in 1946. This was a critical juncture that marked the expansion of old age security beyond people employed in the state apparatus (Özbek, 2006).

The Retirement Fund legislation (*Emekli Sandığı*) took a rather broad approach and provided coverage not just to civil servants and soldiers, but to a set of people working in all kinds of state institutions, including state-economic enterprises. The legislation listed all institutions that were affected and groups of people that were covered (Article 12). This included janitors (*kapıcı*), guards (*bekçi*) and employees in charge of cleaning and simple tasks (*odacı*). Instead of the distinction between civil servants and non-civil servants, the main criteria of inclusion became being employed in a permanent position (*daimi kadrolar*). Additionally, the new institution covered presidents, mayors and elected local politicians. The most important exclusion in the new law were workers in the state railways and military factories, which kept their special retirement funds until 1968.

The legislation for the private sector, the Law on Old Age Insurance, covered all workplaces to which the Labour Law applied, and included all employees that were defined as being insured by the Labour Law. This peculiar way of defining inclusion needs to be explained. The Labour Law, a milestone legislation of the early Republic passed in 1936, initially had contained a social insurance scheme for the private sector. However, this plan to make social insurance part of the Labour Law had been scrapped in a parliamentary commission. Still, the Labour Law included an outline for a social insurance system for workers (*işçi*) in the private sector that was to be created (*Türkiye Büyük Millet Meclisi*, 1936). That is why the old age insurance legislation referred to these provisions in the Labour Law.

While the Labour Law defined workers (*işçi*) along the lines of 'physical work' (*bedenen çalışması*), it explicitly also included 'employees' (*müstahdem*), who did not fit the definition of a worker, as being included in social security (Yavuz, 1947). Initially, only employees (*çalışanlar*) in companies with ten or more employees were covered. Moreover, the legislation excluded various groups. Among those excluded were all kinds of relatives of employers, working in the company of the employer; foreigners working for a foreign institution and sent to Turkey for work; temporarily employed and seasonal employees. Policymak-

ers justified the exclusion of the latter group with the argument that these employees would not be able to fulfil stringent eligibility criteria for pensions (Türkiye Büyük Millet Meclisi, 1949, pp. 1–2). Furthermore, the Labour Law applied only to certain sectors. Aviation, seafaring and, most importantly, agriculture – the sector in which the overwhelming majority of the labour force worked – were excluded.

In the course of the 1950s, the legislation became gradually more inclusive, either indirectly through changes in the Labour Law or directly through changes made in the old age insurance legislation. Special legislation for journalists in 1952 and for seamen in 1954 led to the inclusion of these sectors. Also, in 1954 employees in seasonal work (*mevsimlik*; as opposed to temporary – *süreksiz*) were included in the legislation. Most importantly, the rule that only employees in companies with at least ten employees was softened in 1952, when the threshold was lowered to four employees in cities with at least 50,000 residents for certain sectors. Still, the legislation remained fairly narrow throughout the DP-era, as it applied only to a small part of the labour force in Turkey. This restrictive approach was maintained when in 1957 a new legislation on Disability, Old Age and Death Insurances that superseded the 1949 law was passed.

In analytical terms, the most important dimension defining inclusion thus remained employment. Inclusion was mainly linked to company size, sector of employment and duration of employment. But beyond these employment-related criteria, we also find other dimensions to be relevant. For instance, relatives cohabitating with their employer were excluded. Curiously, this applied to wives of employers, but not husbands, indicating gender-based criteria. The place of residence was also an important dimension of inclusion, as residence in Turkey was a condition of receiving pensions.

In 1960, a military coup swept the Democrat Party from power. During the military interregnum, a new constitution was passed that defined the Republic as a welfare state (*sosyal devlet*). The first development plan published after the coup featured the universalisation of old age insurance as

an objective (T.C. Başbakanlık, Devlet Planlama Teşkilatı, 1963, pp. 109–110). In economic policy, the post-coup policy regime prioritised state-led, planned development through import substitution industrialisation (Bolukbasi, 2012). The new political regime ‘aimed at adding new groups to the social bases of politics’ (Cizre-Sakallioğlu, 1992, p. 717), including unions. All this shaped social policy development in the following decades.

In 1964, after the return to an elected government, old age protection for private sector workers was significantly reformed with the Social Insurances Law (*Sosyal Sigortalar Kanunu*) that unified fragmented social insurance legislations and transformed the Worker’s Insurances Institution into the Social Insurances Institution (*Sosyal Sigortalar Kurumu*, SSK). From the perspective of the dynamics of inclusion, it was important that the law severed the ties to the Labour Law. Instead, inclusion was now defined solely within the Social Insurances Law. In principle, everyone working on the basis of a work contract under one or more employers was defined as insured. Still, in practice many exclusions remained, such as agricultural workers, domestic workers, relatives of employers, trainees. Policymakers conceded that the exclusion of agriculture was a ‘major deficit’. Still, in their view the ‘fragmented nature of agriculture, the lack of big companies’ and the reciprocal nature of agricultural work, were obstacles to inclusion that could not yet be overcome (Millet Meclisi, 1964, p. 20).

For many white collar-dominated sectors (such as banking), an opt-out system was put in place, according to which firms could create their own social insurance rules, regulated by the state, to remain exempt from the Social Insurances Law.⁸ Crucially, the legislation aimed at covering also employees in small enterprises, which would boost effective coverage. However, it took nearly a decade until this rule was in place in all provinces.

In 1971, the pension system was expanded from employees to the self-employed. This step had been on the agenda of the Justice Party (*Adalet Partisi*, AP, successor of the DP) government that had come to power in 1965, but was

8 This opt-out system remains in place.

only implemented after the military had enforced a change in government in 1971. The new technocrat government created a separate social insurance institution for 'shopkeepers, artisans and other self-employed' (*Esnaf ve Sanatkârlar ve Diğer Bağımsız Çalışanlar Sosyal Sigortalar Kurumu, Bağ-Kur*). According to the draft bill, which had been prepared by an AP lawmaker, "shopkeepers and artisans" were the group 'most in need of social security' after workers (Millet Meclisi, 1971, p. 2). While the new institution aimed at covering the self-employed, including company owners, it crucially excluded the biggest group among the self-employed: farmers. In analytical terms, *Bağ-Kur* therefore also primarily ensured inclusion through employment-based criteria. Its main exclusionary aspect, in turn, was sector-based, which had ramifications for its geographic scope. Age (minors) and citizenship (foreigners) were also salient dimensions.

After the end of the military interlude in 1973, competing centre-right and centre-left governments aimed at expanding the scope of social security. In 1976, an AP-led government implemented an election promise of the CHP and created social pensions for elderly and disabled people (*65 yaş aylığı*). The scheme was geared at the elderly poor. This was a watershed.

Already in 1968, a smaller non-contributory pension programme targeting participants of the War of Independence (1920–1923) had been created by an AP government. Paying non-contributory pensions (primarily but not exclusively) to participants of this war on account of their 'service for the homeland' (*vatani hizmet*) had been common. Yet, these were always targeted at individual beneficiaries, for whom particular legislation was passed.⁹ The 1968 programme for the first time constructed these people as a group. The initial plan had been to create a means-tested programme, but during the parliamentary hearings MPs argued that it would be stigmatising for these 'national heroes' to undergo a means-test (Millet Meclisi, 1968). Hence, the sole criteria for inclu-

sion were the receipt of an 'Independence medal for participation in the national struggle' and Turkish citizenship.¹⁰

In comparison to the non-contributory war veterans' pension of 1968, the 1976 social pension legislation had a far greater scope. By the early 1980s, around one-fourth of over 65-year-olds were beneficiaries of social pensions (Öktem, 2018).¹¹ This was despite an ostensibly quite restrictive approach to inclusion in the legislation. The law aimed to provide monthly cash-payments to the 'over 65-year-old, indigent, Turkish citizens, who have no one that could take care of them and are unable to work' (*65 Yaşını Doldurmuş Muhtaç, Güçsüz ve Kimsesiz Türk Vatandaşları*).

In analytical terms, social pensions for the first time shifted the main criteria of inclusion from employment to income and wealth. Age, citizenship and a special burden (inability to work) were additional dimensions of inclusion that mainly served to separate the deserving from the undeserving poor. In the parliamentary hearings, these criteria were heavily contested, and inclusion of the disabled was in fact only belatedly added to the legislation (as manifested in the incomplete title of the legislation). The only uncontested criteria remained citizenship (Öktem & Erdogan, 2020).¹² While gender and residence were not used to define inclusion in the legislation, both dimensions were, in practice, important. In the 1970s, most people in Turkey lived in villages and most of the elderly were women. However, existing old age

9 E.g. Law No. 6386 from 1954: Kars'lı Hasan Aydın'a vatani hizmet tertibinden aylık bağlanması hakkında Kanun.

10 The programme was expanded in 1976 and in 1983 to include participants of the Korean War (1950–1953) and the Turkish Invasion of Cyprus (1974). In 1969, there were around 75,000 recipients (to compare: the total number of old age pensioners in the worker's and civil servant scheme was only around 100,000 at the time), but the number gradually declined (Millet Meclisi, 1976, p. 1).

11 When the programme was introduced, the number of old aged receiving social pensions was comparable to the number of recipients of social-insurance-based old age pensions. In 1980, for instance, around 630,000 elderly received social pensions, while 620,000 elderly received old age pensions from Emekli Sandığı, SSK and Bağ-Kur (Bolukbasi & Öktem, 2020).

12 While other parts of the social assistance system have been opened to migrants, social pension legislation remains tied to citizenship up to this day.

protection legislation mainly protected men in urban areas. In contrast, social pensions disproportionately benefited elderly women and rural Turkey.

From the late 1970s onwards, the system was further expanded to include hitherto excluded sectors and professions, such as employees in fine arts, domestic workers (in continuous employment) and sex workers. Most importantly, agriculture as a sector was gradually covered – around the time when Turkey's population became predominantly urban. The first step was taken in 1977, when legislation was amended to include agricultural workers. Although this applied to all agricultural wagedworkers (*tarım işlerinde ücretle çalışan*), only few people were effectively covered.¹³ In 1979, farmers gained the option to become part of the scheme for self-employed. Yet, this legal change had limited practical effect.

In 1980, another military intervention upended the political system. In the economic realm, the new military regime engineered a transition from import substitution to export-led industrialisation, guided by the international financial institutions. In the political realm, a new constitution put strict limits on political participation. Yet, it did not do away with the welfare state-clause and the universal right to social security and even added the provision that the elderly will be protected by the state (Talas, 1992).¹⁴ Just before the return to competitive elections in late 1983, the military regime continued with the inclusion of agriculture into social security. This was done through two new laws. First, special legislation for agricultural workers who were without a fixed employer and who were involved in temporary work was devised. This legislation offered this group voluntary coverage in the social security institution for workers. Second, a special legislation for farmers was passed. This group would become members of the social security institution for the self-employed.

After the return to multiparty politics, the legislation for farmers was gradually implemented. It took, however, nearly ten years until this legislation was applied to all provinces. Curiously, the legislation for farmers primarily targeted men above 22, who were working on their own account in agriculture. Women were only targeted in case they were 'family heads' (*aile reisi*). Farmers between 18 and 22 working without income on family farms, and women above 22 were only eligible for voluntary coverage. These age and gender-related distinctions were dropped in 2003.

Through the concept of voluntary coverage (*isteğe bağlı sigorta*), the old age protection was expanded further, yet in more diffuse ways. Voluntary coverage had initially been created as an option for formerly insured people with several years of contributions to continue being insured and (presumably) fulfil pension eligibility criteria. In 1979, voluntary coverage in the social security institution for the self-employed, *Bağ-Kur*, was expanded to include the whole resident population, except for minors, foreigners without Turkish ancestry and pensioners. Interestingly, housewives were explicitly mentioned as being included in this scheme (with the argument that they could not do other work because they were in charge of 'protecting the happiness of the family', Millet Meclisi, 1979, p. 48). In 1987, voluntary coverage under the legislation for employees was broadened so as to include everyone, who at any point had been registered as being insured as an employee. This, however, was reversed in 2003, when eligibility was restricted to people with at least three years of insurance. In the same year, resident foreigners became eligible under the self-employed legislation. In sum, while voluntary coverage was increasingly devised as a universal category, the social categories featured dimensions of age, gender, citizenship and ethnicity.

In 2006 the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) government passed a landmark reform to unify social security. The unification of the social security system was a longstanding goal of policymakers. It had already featured on the agenda of the first development plan in the 1960s (T.C. Başbakanlık, Devlet Planlama Teşkilatı, 1963, p. 38). However, successive

13 By 1982, around 40,000 out of more than 600,000 agricultural workers were insured (Danışma Meclisi, 1983, p. 2).

14 While the aspiration of universal social security was not dropped from the constitution, the military regime did severely retrench social security.

governments postponed plans for unification. The 2006 reform merged the three main social security institutions for civil servants, workers and the self-employed into the new Social Security Institution (*Sosyal Güvenlik Kurumu, SGK*).

Many existing social categories defining inclusion were maintained in the new law. Other distinctions were dropped in the process of streamlining legislation and new distinctions were created. For instance, farmers and self-employed with a low income were exempted from mandatory coverage with the argument that they may not be able to carry the burden of social insurance contributions (*Türkiye Büyük Millet Meclisi, 2006, p. 9*). Overall, however, the 2006 reform kept the emphasis on the dimension of employment and still differentiated mainly between state employees, private sector workers and the self-employed.

In recent years, reforms created new social categories centring around the concept of the part-time employee. For instance, in 2015, domestic workers with changing employers and at least ten days of work per month were established as a new group. Among other recent important reforms of the AKP government was the creation of a specific social pension for poor widows (*Eşi Vefat Eden Kadınlara Yönelik Yardım*) in 2012. However, all these reforms remained relatively minor in scope.

To conclude, since 1949 Turkey's pension system has expanded beyond state employees to cover a broad set of social groups. Inclusion was mostly defined along the dimension of employment. Still, this was not the only relevant dimension. Over time, various new groups defined through age, life course, gender, cohabitation, income, residence, ethnicity and citizenship were devised. Furthermore, through the concept of voluntary coverage, the pension system aspired universality in terms of inclusion, even though this may have not been achieved in practice. Still, the most important dimension defining groups remained employment.

7. CONCLUSIONS

In this paper, we explored dynamics of inclusion and exclusion in old age protection in the Ottoman Empire and Turkey. We analysed how inclusion was achieved through the creation of social categories or groups and in what chronological order the inclusion of these groups unfolded. For this purpose, we looked at primary legislation and differentiated eight separate dimensions, according to which social categories may be built in social security legislation. We found that in the Ottoman Empire and Turkey inclusion was mainly defined through employment-based criteria.

In the Ottoman Empire, practices of protecting elderly state employees existed early on. In the nineteenth century, the state institutionalised these practices through a system of contributory old age pension funds that guaranteed monthly cash payments to retired soldiers and civil servants. After soldiers and civil servants, employees working in and for state institutions were covered. This included also some workers in specific institutions, such as the navy's shipyard. The pension system was fragmented in different ways, with separate institutions for different ministries, and sometimes even special pension laws for single companies. Beyond people in state employment, old age protection was residual.

With its creation in 1923, the Republic of Turkey inherited this pension system. Until the late-1940s, the focus in old age protection remained on civil servants and workers in state institutions. As the Republic strove for state-driven industrialisation, the government passed new legislation for newly created state-owned enterprises and other state institutions. Still, the focus remained squarely on protecting employees of the state.

From the late-1940s onwards, however, and in tandem with democratisation efforts the state transformed this narrow and deeply stratified system. First, the fragmented system for state employees was unified in a single retirement fund in 1949. Second, the system was expanded to people not working for the state. This process continued through turbulent times that saw many political upheavals. In terms of the sequence of inclusion, em-

employees of medium and large companies came first, followed by employees in small companies and temporary employees. In the early 1970s, old age protection was expanded to the self-employed. From the late 1970s, agricultural workers, farmers and the poor were covered. Inclusionary dynamics involved both, the expansion of existing programmes to new groups (e.g. employees of small firms) and the creation of new programmes for new groups (e.g. the self-employed), producing new stratifications in turn. Expansion mainly but not exclusively revolved around covering new occupational groups.

How can we situate these findings in the broader literature on social security in Turkey? The development of Turkey's welfare state has been variously linked to the state-elite (Dinç, 2009), to a broader modernisation project (Schirrmacher, 1987), to IMF-imposed neoliberal reforms (Elveren, 2008), to democratic development (Talas, 1992), political competition (Yörük, 2020) and populist reforms (Akpınar & Akyol, 2018). What do the shifting inclusion profiles of old age pensions – arguably the core of Turkey's welfare state – tell us in this regard?

Our in-depth exploration of the sequence of inclusion reveals parallels between changes in political inclusion and social inclusion. The institutionalisation of pensions for state elites in the late nineteenth century came about in a period defined by the struggle between the sultan and the rising bureaucracy. The expansion beyond state employees in the late 1940s coincides with the transformation from a single- to a multi-party system. The expansion beyond formal sector workers employed in medium- to large companies occurred during a time when politics shifted from elite competition to the inclusion of the masses. These remarkable parallels between shifting political regimes and old age inclusion bring into mind perspectives that read the development of social security in Turkey in light of democratisation efforts (Talas, 1992). Yet, it was not just democratic governments, but also non-democratic ones that shaped the inclusion profile of old age protection. Therefore, the causal links between political regime and old age inclusion should not be overdrawn.

In comparative perspective, the chronological sequence of inclusion in the Ottoman Empire and Turkey does not resemble the path of Western European countries outlined in classic welfare state research (Alber, 1988). Old age protection did not start with the working class. Quite to the contrary, the sequences show that state elites were covered first, while workers were only included at a later point. In this respect, the case of the Ottoman Empire and Turkey resembles the Latin American path (Mesa-Lago, 1978). It is also important to note that although inclusion mostly revolved around the axis of employment, occupational status was not the only dimension of inclusion. Instead, citizenship, gender, income and other characteristics remained relevant.

From a comparative perspective, the case studied here also raises the question in how far states that were part of the Ottoman Empire in the late nineteenth century followed a similar trajectory as Turkey. It is well-known that many countries in the Middle East have pension systems that favor or used to favor state employees (Loewe, 1998). However, the particular groups that were included and the sequences of their inclusion remain understudied. It may be that the approach to inclusion into old-age security of the Ottoman Empire did to some extent shape the dynamics of inclusion of pension systems across the region.

As explained above, this paper constitutes the first output of an ongoing pilot study of a larger research project. The next step after identifying the social groups in the legislations and the sequence of inclusion of these groups will be to look more closely at the patterns of discursive legitimisation that underlie both the group construction processes and the sequences of inclusion. The present study already hinted at different discursive themes that were relevant in the parliamentary proceedings of the respective legislations. However, a thorough and systematic analysis, as well as an exploration of the causal mechanisms (Kuhlmann & Nullmeier, 2022) that may play a role in explaining the dynamics of inclusion remains to be undertaken.

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*Bir Daha Görüşölmek Üzere Geri Gönderme Tezkere-
si; 5434 Sayılı T.C. Emekli Sandığı Kanununa Beş Ek
Madde ile Üç Geçici Madde Eklennesi Hakkında
18/01/1990 Tarihli ve 3602 Sayılı Kanun ve Anayasa-
nın 89 uncu Maddesi Gereğince Cumhurbaşkanınca
Bir Daha Görüşölmek Üzere Geri Gönderme Tezkeresi;
Türkiye Cumhuriyeti Emekli Sandığı Kanununun Bir Mad-
desinde Değışiklik Yapılması Hakkında Kanun Tasarısı;
Türkiye Cumhuriyeti Emekli Sandığı Kanununda Değışiklik
Yapılmasına Dair Kanun Tasarıları [...] ile İçişleri; Sağlık,
Aile, Çalışma ve Sosyal İşler; Plan ve Bütçe Komisyonları
Raporları (1/1008, 1/8, 1/14, 1/408, 1/568, 1/571,
1/574, 2/79, 2/151, 2/152, 2/156, 2/196, 2/208,
2/301, 2/313, 2/322, 2/335, 2/423, 2/459, 2/558,
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APPENDIX

Table 1. Selected social categories in Turkey's social security legislation

Law No. & Year	Type of Inclusion	Original description	Translation	Dimensions							
				Employment-related	Age or life course-related	Gender-related	Cohabitation or family-related	Merit or burden-related (e.g. displacement)	Based on place of residence or region	Religious, ethnic, caste, or race-related	Migration, citizenship, residency-related
1683 1930	+	Umumi bütçeden maaş alan mülki ve askerî Memurlar	Civil servants and soldiers receiving their wage from the general budget of the state	Employment (occupation, sector)							
2921 1936	+	İnhisarlar Umum Müdürlüğü kadrosuna dahil olup bütçeden aylık olarak ücret alan müseccel daimî memur ve müstahdemler için bir Tekaüd Sandığı kurulmuştur	A Pension Fund has been created for registered, permanent civil servants and employees, who are part of the personell of the General Directorate of Monopolies and receive their wage from the budget.	Employment (place of employment, employment status (permanent), occupation)							
3008/5417 1936/ 1949	+	Bir iş akdi dolayısıyla, başka bir şahsın işyerinde bedenen veyahut bedenen ve fikren çalışan kimse (işçi)	A person who is physically or physically and mentally working at another person's workplace through a work contract.	Employment							
3008/5417 1936/1949	-	İşverenle aynı çatı altında yaşayan ve işverenin işlettiği işyerinde çalışan karısı, usulü, fîruu ve kardeşleri.	Wives, parents, grandparents, children, grandchildren, sisters and brothers of the employer, who cohabit with the employer.	Employment		Gender	Cohabitation				
3008/5417 1936/ 1949	-	Mahiyetleri itibarile ancak otuz iş günü devam eden süreksiz işlerde çalışanlar	People in temporary employment of up to 30 days	Employment status (temporary)							
6931 1954	-	İhtiyarlık Sigortasından aylık almakta iken yabancı memleketlere giden kimselere yabancı ülkelerde kaldıkları müddete ait aylıkları verilmez.	Pensioners who go abroad, will not receive pensions for the period they are abroad.						Residence		
506 1964	+	Bir hizmet akdine dayanarak, bir veya bir-kaç işveren tarafından çalıştırılanlar	Those who are employed by one or several employers based on a work contract	Employment							

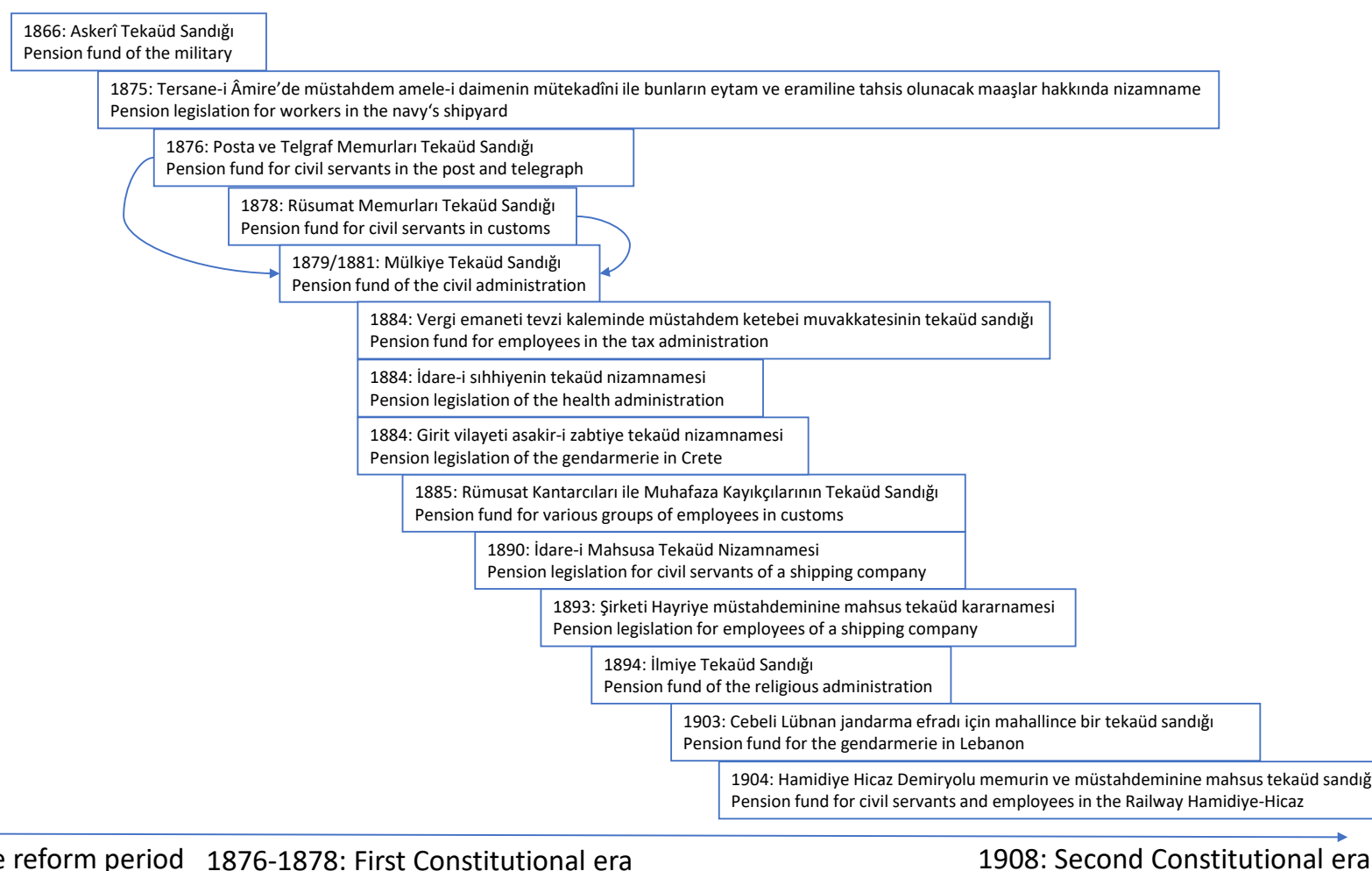
Law No. & Year	Type of Inclusion	Original description	Translation	Dimensions							
				Employment- related	Age or life couse- related	Gender- related	Cohabitation or family- related	Merit or burden- related (e.g. dis- placement)	Based on place of residence or region	Religious, ethnic, caste, or race- related	Migration, citizenship, residency- related
506 1964	-	<i>Tarım işlerinde çalışanlar (tarım sanatlarına ait işlerde veya tarım işyerlerinde yapılan ve tarım işlerinden sayılmıyan işlerde yahut tarım işyeri sayılmıyan işyerlerinin park, bahçe, fidanlık ve benzeri işlerinde çalışanlar hariç)</i>	Employees in agriculture (except for those working in workplaces that process agricultural products; and those doing non- agricultural work in agricultural workplaces; and those responsible for parks, gardens etc. in non-agricultural workplaces)	Employment (occupation, sector)							
1479 1971	+	<i>Herhangi bir işverene hizmet akdi ile bağlı olmaksızın kendi adına ve hesabına çalışan esnaf ve sanatkârlar ile diğer bağımsız çalışanlar</i>	Shopkeepers, artisans and other people who work independently, who work in their own name and on their own account and without being tied to an employer through a work contract	Employment (occupation, status)							
2022 1976	+	<i>65 yaşını doldurmuş, kendisine kanunen bakmakla mükellef kimsesi bulunmayan, iş görme ve çalışma gücünden mahrum ve muhtaçlığını kanıtlayan Türk vatandaşları</i>	Over 65-year old Turkish citizens who are in need, have no one that could take care of them and are unable to work		Age		Family	Need (in- come and wealth); inability to work			Citizenship
2100 1977	-	<i>Ev hizmetlerinde çalışanlar (ücre- tle ve sürekli olarak çalışanlar hariç)</i>	Employees in domestic work (except for permanent wage workers)	Employment (occupation and status (permanent))							
2167 1978	+	<i>Genel kadınlar da bu Kanun hükümlerine tabidirler</i>	Sex workers are also subject to the regulations of this legislation.	Employment (occupation)		Gender					
2229 1979	(+)	<i>Yurt dışında bulunan vatan- daşların herhangi bir işte çalış- mayan yanındaki eşleri de bu Kanunun ev kadınları için getirilen hükümlerinden primlerini döviz olarak ödemek koşuluyla yarar- lanabilirler</i>	Non-working spouses of citizens who live abroad can also benefit from the provisions for housewives that are made in this legislation, provided they pay their contribu- tions in foreign currency.	(Non-) Em- ployment		Gender	Family		Residence		

Law No. & Year	Type of Inclusion	Original description	Translation	Dimensions							
				Employment- related	Age or life course- related	Gender- related	Cohabitation or family- related	Merit or burden- related (e.g. dis- placement)	Based on place of residence or region	Religious, ethnic, caste, or race- related	Migration, citizenship, residency- related
2925 1983	(+)	Süreksiz olarak tarım işlerinde hizmet akdiyle çalışanlar istekte bulunmaları kaydıyla sigortalı sayılırlar	Employees who do temporary work in agriculture based on a work contract, are - provided they demand this - defined as being insured.	Employment (sector and status (tempo- rary))							
2926 1983	+	Herhangi bir işverene hizmet akdi ile bağlı olmaksızın tarımsal faaliyette bulunan kimselerden, a) 22 yaşını doldurmuş erkekler, b) 22 yaşını doldurmuş aile reisi kadınlar sigortalı sayılırlar	Of those people who are involved in agricultural activities independent of any employer and without work contract, a) Men above 22 b) Women heads of family above 22 are defined as being insured	Employment (sector)	Age	Gender	Family				
3396 1987	-	Türk asıllı yabancılar hariç, yabancı uyruklular	Foreign citizens, except for foreigners with Turkish roots							Ethnic	Citizenship

Source: Resmi Gazete (2021)

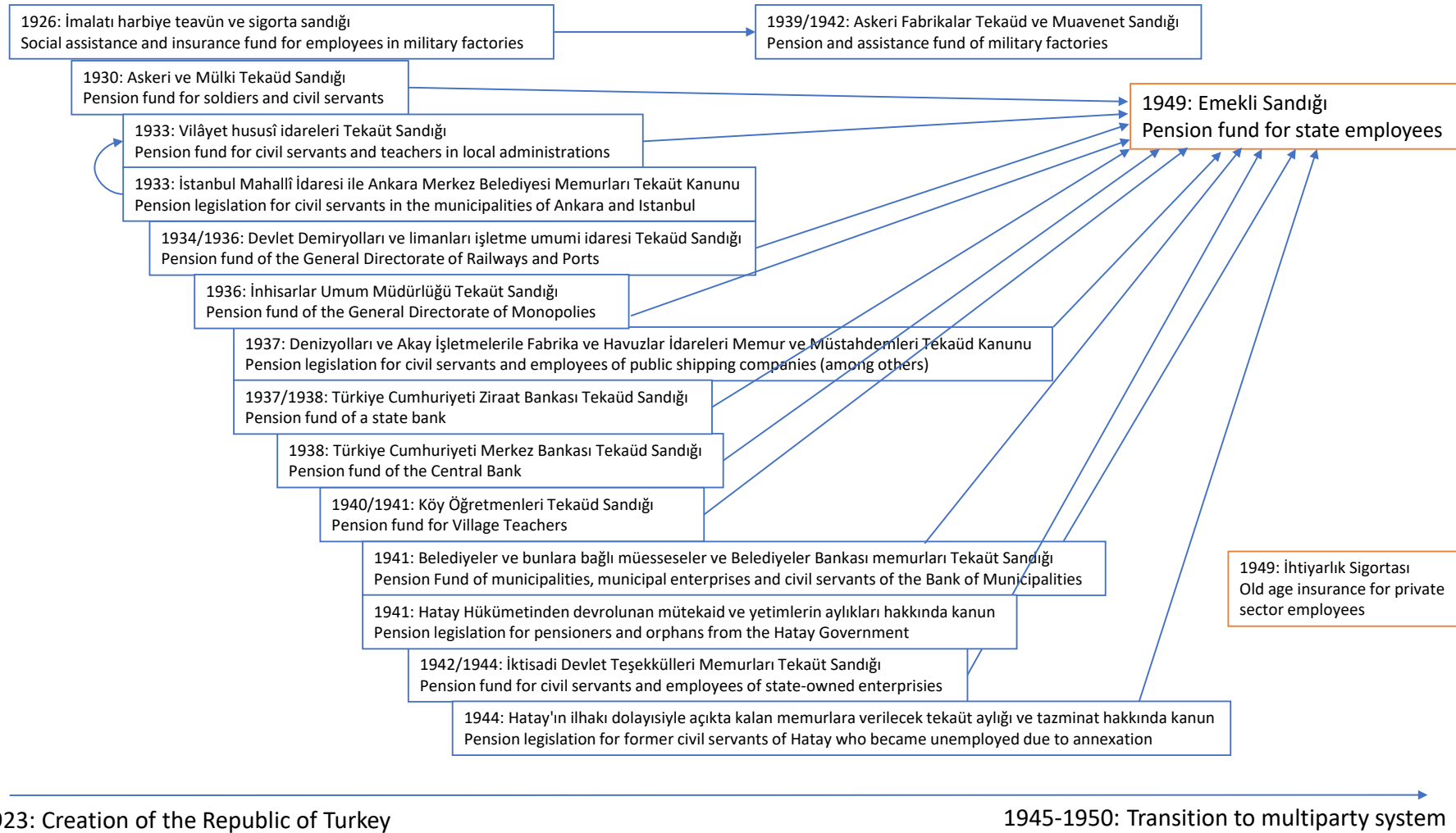
Note: Type of inclusion may indicate: + = inclusion; - = exclusion; (+) voluntary coverage.

Figure 1. Pension legislation in the Ottoman Empire



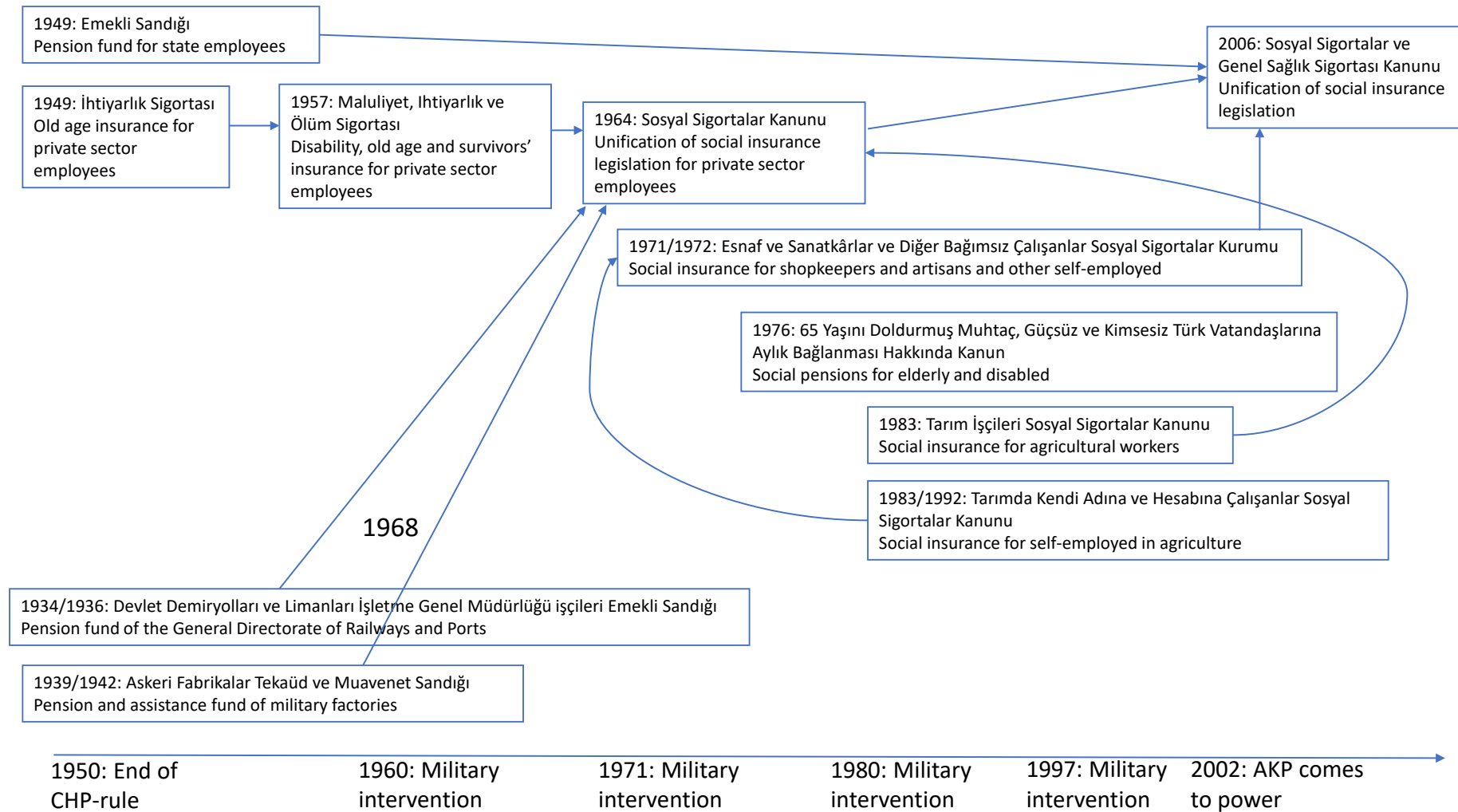
Source: Akman (2007a and 2007b) and Başvekalet Neşriyat Müdürlüğü (1937, 1939, 1941, 1943).

Figure 2. Pension legislation in Turkey until 1949



Source: Resmi Gazete (2021).

Figure 3. Pension legislation in Turkey since 1949



Source: Resmi Gazete (2021).