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# THE CIVIL SERVICE IN BRAZIL AND TURKEY: A COMPARATIVE STUDY

Karabekir Akkoyunlu

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# **The Civil Service in Brazil and Turkey: A Comparative Study**

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Brasília  
- 2018 -

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Catalogado na fonte pela Biblioteca Graciliano Ramos da Enap

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A3155c Akkoyunlu, Karabekir

The civil service in Brasil and Turkey: a comparative study / Karabekir Akkoyunlu. -- Brasília: Enap : Flacso Brasil, 2018.

32 p. : il. -- (Cadernos Enap, 60)


Inclui bibliografia  
ISSN: 0104-7078

1. Administração Pública – Brasil. 2. Administração Pública – Turquia. 3. Governança. I. Título.

CDU 351:005.731(81:899)

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*Ficha catalográfica elaborada por: Daiane da Silva Yung Valadares – CRB1/2802*

 Enap, 2018

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## **Executive Summary**

Despite their notable differences, Brazil and Turkey have been widely compared as emerging economic powers led by popular governments in the 2000s. These comparisons have largely ignored the parallel institutional evolution of their civil service since the early 20th century. Throughout the past century, the two countries experienced simultaneous attempts to reform and modernise their public administrations mostly in the Weberian model. From the 1980s onwards, their paths diverged: Brazil after re-democratisation reinforced the central, merit-based structure of its civil service, while Turkey introduced new private sector arrangements and practices.

Although today both civil services boast a mix of career and contract arrangements, they also display different structural characteristics, and face opposite sets of challenges regarding meritocracy, professionalism, efficiency and political patronage. While until recently Turkey could be viewed as a relatively successful example of economic and political liberalisation – including integrating NPM principles into the state bureaucracy – the country's recent decline into authoritarianism and excessive political interference in state institutions have turned it into a cautionary tale for Brazil.





# I. Introduction

Despite their notable societal, institutional and geopolitical differences, Brazil and Turkey have been compared frequently in recent years on economic and political grounds. During the 2000s, both countries were categorised as emerging economies, featuring popular governments overseeing dynamic GDP growth. The combination of strong economic performance and the electoral success of the Workers' Party (PT) and Justice and Development Party (AKP) governments drew international praise and attention, which in turn translated into increasing confidence for the two governments on the world stage. Since 2013, the focus of comparisons has turned decidedly less upbeat, as both countries have been mired in political and economic crises, societal tensions, high level corruption cases and concerns of democratic retrenchment.

Amidst narratives of fast-paced rise and decline, one relatively slow-changing dimension that can reveal much about the two countries has gone unexplored: the evolution the civil service. This is a story that merits going further back in time – to the early 20th century foundations of the modern state structures in Brazil and Turkey, and consequent periods of reform – in order to unearth various similarities as well as differences in the structural characteristics of the Brazilian and Turkish public administrations today.

Therefore, the aim of this research is to analyse from a comparative perspective the historical evolution and the existing legal, institutional, structural and political characteristics of the Brazilian and Turkish civil services, together with the major debates and initiatives surrounding reforming them. The point of departure is the presence, in both cases, of bureaucratic apparatuses established upon Weberian principles (professional and career-based with

centralised recruitment systems) which, in the past two to three decades, have been pushed (by diverse actors and varying intensities) towards adopting more flexible, efficiency-driven and performance-based arrangements, generally associated with market liberalisation and the New Public Management (NPM) approach.

The two-case comparative approach used in this research enables us to observe salient issues and dynamics that may not be detectable through the lens of a single case study. In this aspect, the differences between the two cases – particularly the issues surrounding the Turkish state and the civil service, which have gone further down the path of market liberalisation since the 1980s than Brazil – may serve as a useful reference point in debates regarding the future of the civil service in Brazil.

This report consists of five sections including this Introduction. The following section sets the “Comparative Framework” of the report, focusing on the macroeconomic and institutional-political characteristics, and assesses the merits and difficulties of juxtaposing two seemingly very different and geographically far-apart countries. The third section narrates the “Evolution of the Civil Service in Brazil and Turkey” since the turn of the 20th century until the present time, with a focus on simultaneous periods of reform, such as under modernising strongmen, Getúlio Vargas and Mustafa Kemal Atatürk, under military influence in the 1960s or in the era of re-democratisation and neo-liberalisation in the 1980s and 1990s. The fourth section provides a detailed overview of the “Structure of the Civil Service” in the two countries today, touching upon prevalent debates and problems. Finally, the fifth section draws “Evaluations and Conclusions” from the study.

## II. Comparative Framework

### a. Comparing Apples & Oranges?

Before moving on to an analysis of the civil service in Brazil and Turkey, it is necessary to establish a comparative framework of the two countries. A perfunctory first look, summarised in Table 1 below, immediately reveals a number of basic differences rather than the similarities between the two countries, which brings up the question of whether this is a comparison of apples and oranges.

	Brazil	Turkey
Population	207.7 million (2016)	79.5 million (2016)
Urban population	86.2% of total population (2017)	74.4% of total population (2017)
Popular religions	Roman Catholic 64.6%, Protestant 22.2%	Muslim 99.8% (mostly Sunni)
Border countries	Argentina, Bolivia, Colombia, French Guiana, Guyana, Paraguay, Peru, Suriname, Uruguay, Venezuela	Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Iran (534km), Iraq (367 km), Syria (899 km)
Political System	Federalism Presidentialism	Unitarism Parliamentarism*
Freedom House 2018 Score	78/100 (Free)	32/100 (Not Free)

Table 1 – Comparing Brazil and Turkey

Brazil is ten times the total size of Turkey and has around 2.5 times its population. Unlike Turkey, or its predecessor the Ottoman Empire, which have not experienced extended periods of direct foreign rule, modern Brazil has been shaped by its legacy of three-centuries of European (Portuguese) colonisation. Consequences of this formative historical experience are visible in Brazil's racial and cultural diversity as well as its engrained socio-economic inequalities. The population of Brazil is largely Christian, whereas Turkey is overwhelmingly Muslim. In terms of natural resources, Brazil stands out as a major producer and exporter of oil and gas, while Turkey lacks both and is a net importer of energy.

In geopolitical terms, Turkey is situated in one of the more unstable and conflict-prone regions of the world, sharing long borders with Iran, Iraq and Syria to its east and southeast, with the European Union to the west, and a maritime border with Russia to the north. Brazil, in contrast, enjoys significantly calmer borders and an overall more peaceful regional environment. As a result, it might be argued that transnational rivalries, conflicts and dynamics shape domestic politics of Turkey to a greater extent than that of Brazil, as evidenced by Turkey's long-standing (but troubled) accession bid to the European Union, membership in the NATO or its various degrees of involvement in the armed conflicts and crises of the Middle East.

It is indeed indicative that Turkey's oldest and most violent conflict, the 40-year old armed struggle against Kurdish separatists, is truly international in nature, directly involving not only neighbouring Iran, Iraq and Syria (which are also home to significant Kurdish minorities) but also global powers such as Russia, the United States and various European nations, through their military presence in the region or as a result of diasporic politics.

Perhaps the most significant difference between the two countries with high relevance for the subject matter of this research is in their systems of government. As a reflection of its size and history, Brazil is a federative presidentialism,

made up of 26 states (plus the federal district) which enjoy a certain degree of autonomy in their internal governance. In contrast, Turkey is a highly centralised unitary state (the most centralised of any country in the OECD, of which it is a member) that has been governed under a parliamentary system since its foundation in 1923. This difference bears its marks on the structure and make-up of their state bureaucracies, which will be discussed below. While Turkey continues to retain its excessively centralised structure, its political system has been undergoing significant changes in recent years, with a referendum in 2017 finalising a controversial transition into an executive hyper-presidentialism, which will be officially inaugurated in 2019

Finally, while during the first decade of the 21st century, Brazil and Turkey were widely praised as emerging powers featuring democratic politics (often evoked in contrast to Venezuela or China in Brazil's case, and Iran or Russia in Turkey's case), the two countries' paths have also diverged in recent years, especially in the aftermath of the popular protests that both Brazil and Turkey experienced in mid-2013. This is in part because of the dramatic democratic backsliding experienced in Turkey under President Recep Tayyip Erdoğan's increasingly authoritarian one-man rule. In its 2018 report, the Washington, D.C.-based democracy watchdog Freedom House downgraded Turkey for the first time from Partly Free to Not Free, stating that it had experienced "the most dramatic decline in freedoms" of any country globally over the past decade<sup>1</sup>. Despite its ongoing political and economic turmoil, which included the impeachment of President Dilma Rousseff in 2016, Brazil is still categorised as a Free country and remains by definition a liberal democracy, albeit a problematic one.

<sup>1</sup> "Turkey's status declined from Partly Free to Not Free, due to a deeply flawed constitutional referendum that centralized power in the presidency, the mass replacement of elected mayors with government appointees, arbitrary prosecutions of rights activists and other perceived enemies of the state, and continued purges of state employees, all of which have left citizens hesitant to express their views on sensitive topics." Freedom House, Freedom in the World 2018, <https://freedomhouse.org/report/freedom-world/freedom-world-2018>

## b. Macroeconomic Indicators

Over the past decade, comparisons between Brazil and Turkey have largely focused on their macroeconomic performance and profile as emerging economic powers, and it is here that we come across a set of similarities and parallel developments. Breaking the cycle of high/hyper-inflation<sup>2</sup>, economic crises and austerity experienced during the late 1980s and the 90s, both countries tamed inflation and went on to boast high growth rates in the first decade of the 2000s. This came on the back of increasing foreign direct investment, growing consumer spending, rise in exports, and in the case of Brazil, surging global commodity prices (which, conversely, has a dampening effect on energy-poor Turkey's growth rate).

	Brazil	Turkey
GDP	1.796 trillion USD (2016)	857.7 billion USD (2016)

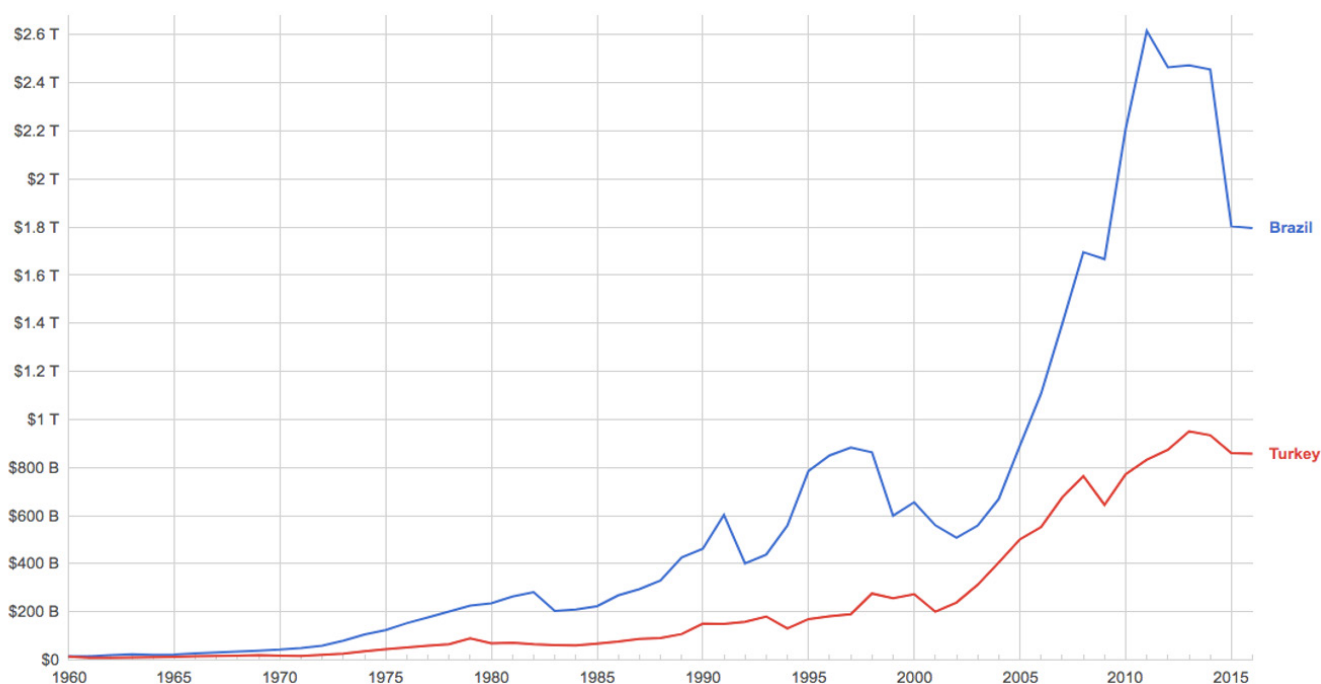


Table 2 – GDP growth

<sup>2</sup> Although Turkey grappled with consistently high inflation during the 1990s, with annual CPI change reaching 106% in 1994, its inflationary problems paled next to the hyperinflation in Brazil, which neared 3000% in 1990.

Growth halted abruptly but temporarily in both countries as a consequence of the global financial crisis in the late 2000s, but recovered again, before slowing down sharply and more permanently (and in the case of Brazil, entering into a recession) due to domestic political and global structural factors after 2012.

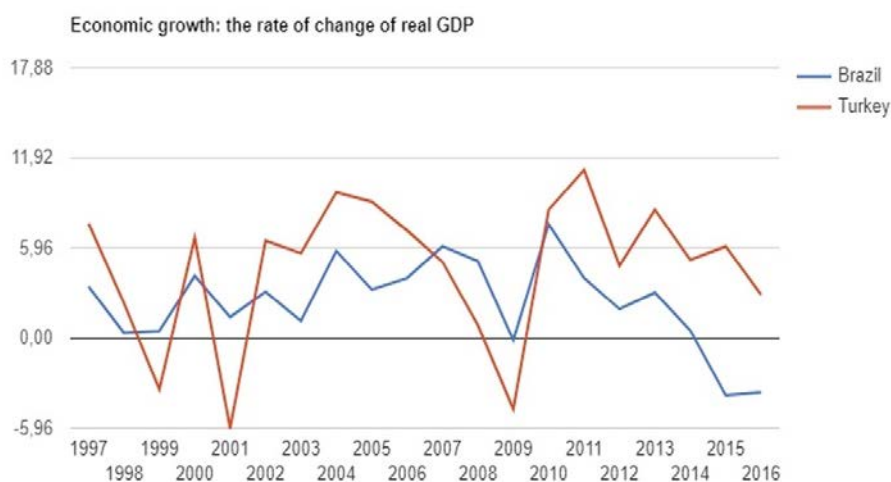
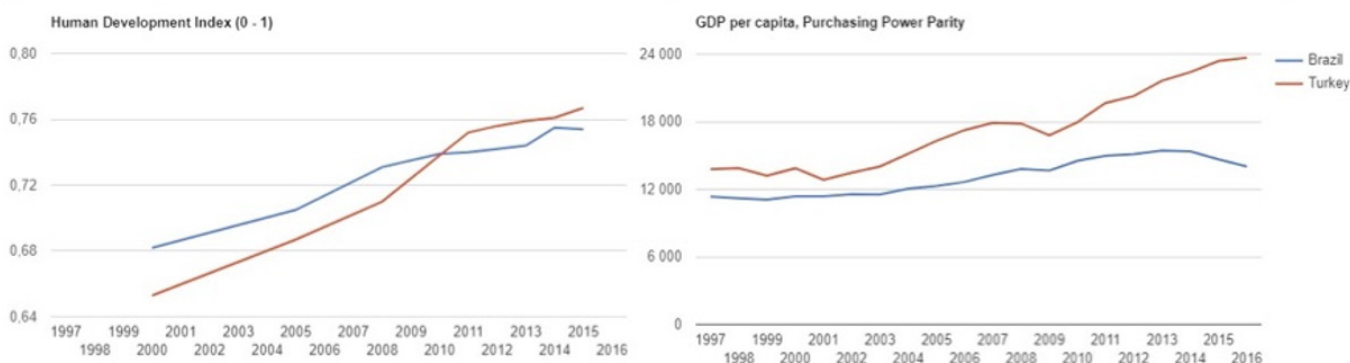


Table 3 – Economic growth

As a result of this period of sustained growth, Brazil and Turkey entered the world’s top economies and witnessed various improvements in their socio-economic indicators. The Human Development Index rose in both countries. In Turkey, the GDP per capita, based on purchasing power parity (PPP), nearly doubled between 2001 and 2014. In Brazil, millions of citizens were lifted from poverty as a result of the government’s extensive social welfare policies.

These achievements, however, risk being undone in the wake of the turbulent period the two countries have entered in recent years. Singling out the two countries, a World Economic Forum report recently noted: “Among the emerging markets seen as having great potential in the early 2000s, Brazil and Turkey have now lost much of the ground they gained before 2013.”<sup>3</sup>

	Brazil	Turkey
GDP rank	8th (nominal) / 8th (PPP)	17th (nominal) / 13th (PPP)



Source: World Bank

Table 4 – HDI and GDI per capita growth

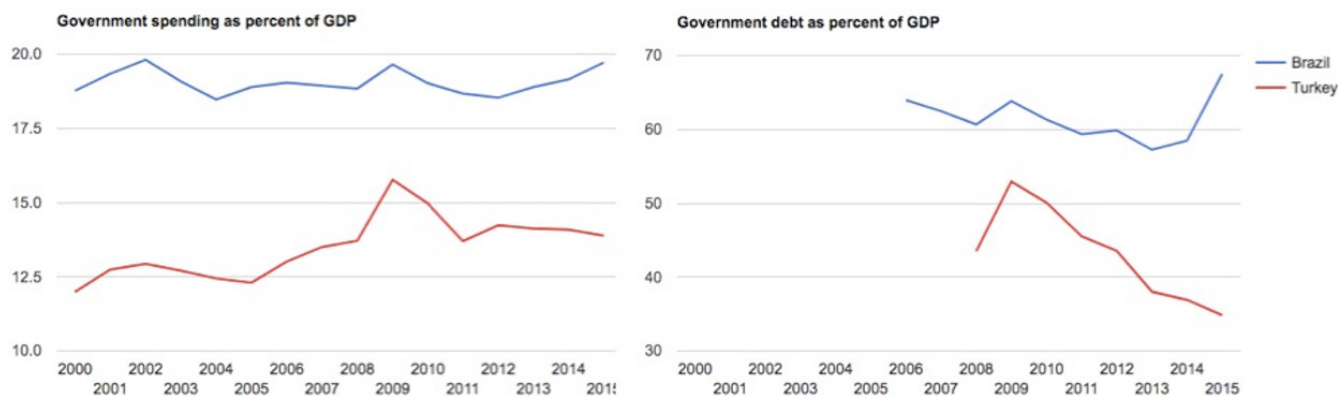
During the above mentioned period of growth, the role that the state played as an economic actor has differed notably in

<sup>3</sup> World Economic Forum (WEF), The Global Competitiveness Report 2017-2018, <https://www.weforum.org/reports/the-global-competitiveness-report-2017-2018>, p. 16.



Brazil, where social spending, subsidies and loans to national corporations featured prominently, than in Turkey. As a result, both public spending and debt have been higher in Brazil compared to Turkey (Table 5).

This is partly reflective of the ideological orientation of the governing parties that steered the two countries for much of the 2000s, Brazil's Workers' Party (PT) being more to the left in economic policy than Turkey's Justice and Development Party (AKP), which on the whole followed a more neo-liberal path.



Source: World Bank

Table 5 – Government spending and debt

### c. Quality of Government and Governance Indicators

Perceptions of systemic corruption (both petty and high level), bureaucratic inefficiency and lack of trust in public institutions and politicians have long been causes of public discontent in Brazil and Turkey. Correspondingly, at various points in the recent past, the two countries launched initiatives to stem corruption, increase public trust in institutions and enhance efficiency in governance. These efforts often followed sustained popular backlash and/or international market pressures that came on the back of high profile political scandals or economic crises.

Turkey's financial crisis in 2001-2002 initiated IMF-sponsored structural reforms in the country's banking system and macroeconomic policy, and led to a political restructuring that brought to power a newly established party, the Islamist-rooted AKP, on the back of promises of eradicating corruption, improving economic growth, infrastructure and the efficiency of public services. For nearly a decade

under the AKP, perceptions inside and outside Turkey regarding corruption, public trust in institutions and government efficiency improved considerably. This trend slowed down and reversed after 2013 in a new period socio-political crises, high level corruption charges against the government and deteriorating civil liberties under what has become President (and former Prime Minister) Erdoğan's increasingly illiberal rule.

Despite this downturn, when it comes to perceptions of government effectiveness and control of corruption, Turkey's overall record over the past 15 years still appears better than that of Brazil (Table 6)<sup>4</sup>. Under the PT government, Brazil witnessed the eruption of two major corruption scandals; the vote-buying scandal (Mensalão) of 2003,

<sup>4</sup> The World Bank's index of Government Effectiveness "captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies." The index for Control of Corruption "captures perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as capture of the state by elites and private interests."



and the Lava Jato investigation, launched in 2014, into high level graft and bribery allegations. These cases were influential in shaping public perceptions of the government and ultimately bringing about the PT's downfall in 2016.

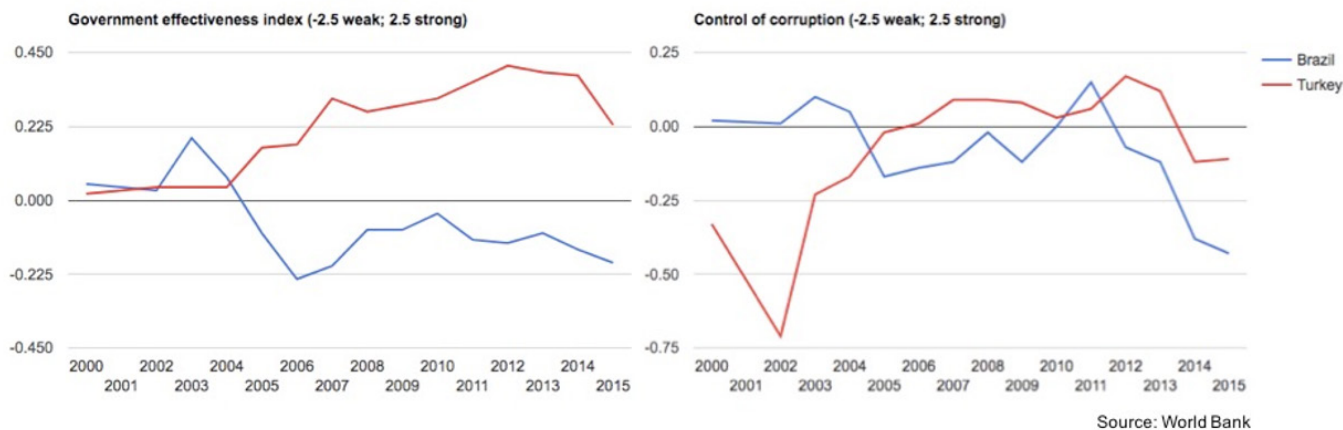


Table 6 – Government effectiveness and Control of corruption

The picture changes somewhat when looking at the most recent trend, with slight improvement noted in perceptions of public sector corruption in Brazil after 2015, most likely a result of the continuation of high level prosecutions in the Lava Jato case, as opposed to continued deterioration in Turkey (Table 7). This view is also reflected in the Global Competitiveness Report 2017-18 of the World Economic Forum<sup>5</sup>. However, both countries consistently underperform compared to Chile, another emerging economy.

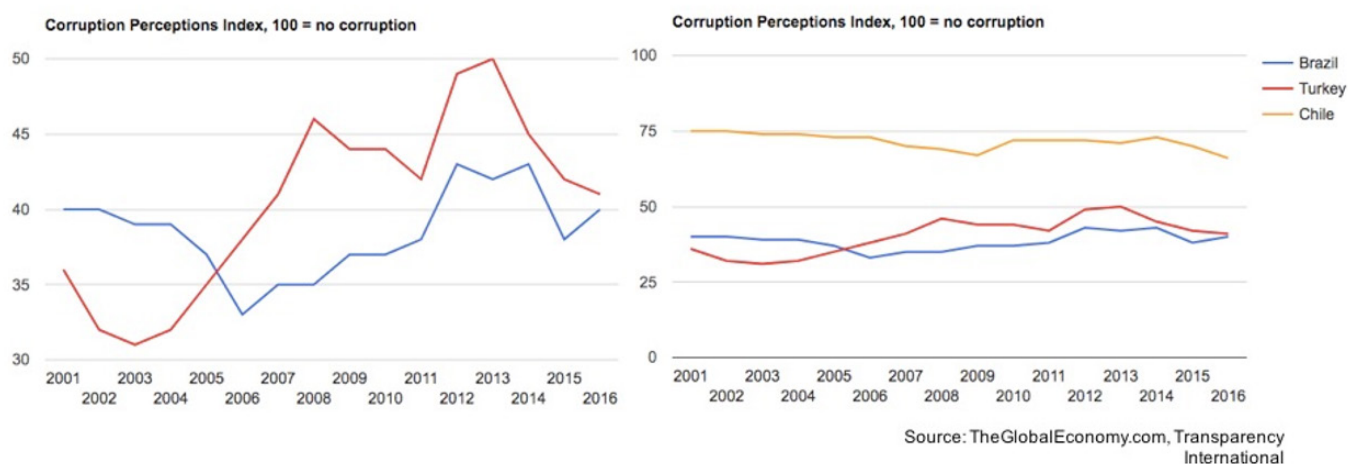


Table 7 – Perceptions of Corruption

Despite this modest upward trend, the WEF 2017-18 report paints a bleak overall picture regarding efficiency and transparency of, and trust in, Brazilian public institutions (Table 8). It is particularly noteworthy that Brazil comes last among 137 countries listed for ‘public trust in politicians’ and near the very bottom for ‘diversion of public funds’, ‘efficiency in government spending’, and ‘transparency of government decision making’. Turkey comes across more favourably in all these categories. Its most problematic assessment is ‘favouritism in government decisions’, which points to enduring practices

<sup>5</sup> “After being rocked by corruption scandals and political instability, the institutions pillar recovers 11 positions, showing the effects of investigations leading to more transparency and a perception of successful proceedings to curb corruption within the institutional limits of Brazil’s constitution.” WEF, p. 71.



of partisanship, clientelism and insufficient transparency in government-sponsored tenders, contracts and appointments.

WEF 2017-2018 Report	Brazil rank (out of 137)/trend	Turkey rank (out of 137)/trend
Country rank (overall)	80/ ↑	55/ ↓
Institutions (overall)	109	71
Public trust in politicians	137	70
Diversion of public funds	134	38
Irregular payments & bribes	107	53
Favouritism in gov decisions	112	82
Efficiency in gov spending	133	38 (2016-17)
Transparency of gov decisions	127	42

Table 8 – Performance of public institutions

Finally, corruption and bureaucratic inefficiency are listed among the top obstacles to doing business in Brazil by the WEF Executive Opinion Survey 2016. While inefficient government bureaucracy is also viewed as a major concern for businesses in Turkey, corruption only comes fourteenth with 2.7% of respondents citing it as a problem for doing business in the country.

Most problematic for doing business (WEF, Executive Opinion Survey 2016)	
Brazil	Turkey
1. Tax rates	1. Inadequately educated workforce
2. Corruption (13.6%)	2. Access to financing
3. Tax regulations	3. Inefficient government bureaucracy (10.5%)
4. Inefficient government bureaucracy (11.9%)	4. Political instability
5. Political instability	5. Tax rates
	...14. Corruption (2.7%)

Table 9 – Obstacles to doing business

This relative difference in the assessment of the two countries' institutions could be partly attributed to the previously mentioned divergences in their macroeconomic policies. Institutionally bound to and monitored by the IMF and the European Union, Turkey implemented far-reaching market liberalisation programmes in the 1990s and the early 2000s. Even though many of the other reforms enacted during this period (to curb corruption, improve government transparency, strengthen the rule of law and uphold civil liberties) have since been rolled back, Turkey has maintained its open-door policy to businesses and foreign investment, which might explain its comparatively positive evaluation by the WEF.

In contrast, Brazil under the PT government pursued a more protectionist path, keeping trade barriers and social welfare spending high, bankrolling national champions and maintaining the state as a central actor in the economy. Bounded to a lesser degree by supra-governmental obligations than Turkey (and lacking an external anchor like the EU), the Brazilian government was able to pursue this path so long as it was being supported by surging commodity prices. Unsurprisingly, Brazil's latest corruption scandal and the political turmoil erupted as commodity prices crashed and the country entered into recession. It is also no coincidence that the recent upward trend in the WEF assessment comes as the new Brazilian government pushes to enact new market-friendly legislations.

Besides macroeconomic policy, there are political and institutional factors that play a role in this divergent picture. Brazil's hybrid system of coalitional presidentialism, with its division of power between the executive and the legislature, which features a high number of undisciplined and personalistic parties, arguably renders policy-making inefficient and opens the way to non-transparent and corrupt practices like vote-buying and graft for the sake of consensus-seeking.

In contrast, in the Turkish parliamentary system, the composition of the executive branch has been informed by the distribution of seats in the national assembly<sup>6</sup>. The country's extremely high 10% national election threshold (a product of the junta-made 1982 Constitution which emphasised political centrism and efficiency over democratic representation) indirectly limits the number of parties that can enter the parliament. The system thus allows for highly disciplined and popular mass parties, like the AKP, to control both branches of government and enact legislation efficiently and without the need to strike non-transparent deals like those witnessed in Brazil.

Political expediency, however, can come at the expense of democracy. The AKP's sustained domination of the ballot box, and therefore Turkish politics, has led to a type of

<sup>6</sup> This will change once Turkey transitions into presidentialism in 2019, with the president and the parliament elected via separate (but simultaneous) elections.



institutional hegemony, which gradually saw the erosion of the democratic separation of powers and the country's check-and-balance mechanisms. Both the PT and the AKP governments declared the corruption investigations that beset Brazil and Turkey in 2014 to be a judicial coup against the democratically elected government, and protested the media's biased representation of the cases. But, in a telling contrast, only the AKP had the institutional capacity (and political audacity) to silence critical media outlets and suppress the criminal investigation.

### III. Evolution of the Civil Service in Brazil and Turkey

A look at the evolution of the Brazilian and Turkish public administrations reveals a comparable history of institution-building stretching back to the beginning of the 20th century. This century-long evolution is marked by five distinct periods of policy development and implementation (Table 10). In two of these five periods (the 1960s and 1980s) the reforms in Brazil and Turkey are opposite in nature and direction, while in the other three they share similar objectives and characteristics.

#### a. The turn of the Century: European influences

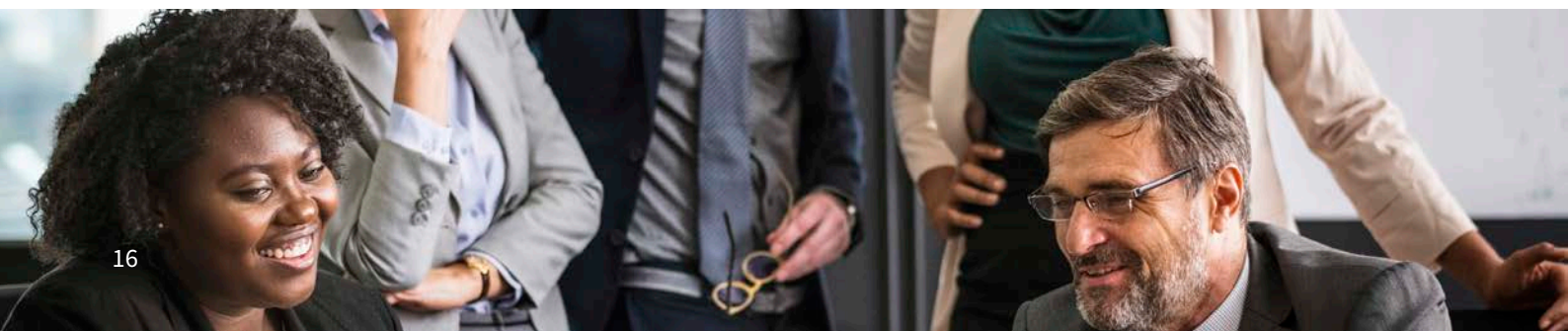
Both countries entered the 20th century having embraced European (particularly French) inspired ideas of modernisation and progress. Influenced by the French positivist philosopher Auguste Comte, the First Republic in Brazil adopted "Order and Progress" as its national motto. Similarly, in the late Ottoman Empire, the secular nationalist political party that was inspired by French positivists and German romantic nationalists, and which seized power following the Constitutional Revolution of 1908, was called the "Committee of Union and Progress".

Progress was also the buzzword among Brazilian and Ottoman intellectuals, who deliberated the causes of their countries' perceived backwardness vis-à-vis the 'civilised' nations of Europe and proposed various ways of catching up with the times<sup>7</sup>. Much like the French, Brazilian and Ottoman reformers of the 19th and the early 20th centuries saw the civil service through an imperial and modernist lens simultaneously, as an elite preoccupation and the institutional embodiment of a modern and rational state apparatus.

	Brazil	Turkey
Turn of the 20 <sup>th</sup> century	"Order and Progress"	"Union and Progress"
Interwar Era	"New Republic" Reforms of Getulio Vargas (1934– 37) Centralisation, Rationalisation, Modernisation	"New Republic" Reforms of Kemal Atatürk (1923 – 38) Centralisation, Rationalisation, Modernisation
1960s	"Military dictatorship" Decree Laws 199 & 200 of 1967 Decentralization & Delegation	"Military guardianship" Law 657 of 1965 (still in effect) Centralized, Weberian bureaucracy
1980s	"Re-democratisation" 1988 Constitution Single Juridical Regime, Career System (Weberian)	"Neo-liberalisation" 1982 Constitution Privatisations, Private sector practices in public sector
Turn of the millennium	"Economic liberalisation" Cardoso reforms (1995 – 98) New Public Management ideas	"Europeanisation" EU reforms (1999 – 2005) New Public Management ideas

Table 10 – Evolution of the Civil Service in Brazil and Turkey

<sup>7</sup> Brazilian and Turkish literary classics provide great satirical depictions of the ambitious but also rather superficial interpretation of 'civilisation' in the early 20th century. Two examples that stand out are Jorge Amado's *Gabriela, Cravo e Canela* and Ahmet Hamdi Tanpınar's *Time Regulation Institute*.



Yet during the First Brazilian Republic (1889 – 1930) and the late Ottoman Empire (1879 – 1923), the lack of resources, expertise and/or political will (and in the Ottoman case, decades of warfare) meant that the discourse of progress and modernisation did not always successfully translate to actual policy, and that reforms targeting state institutions were superficial and non-programmatic.

### *b. The Interwar era: Modernising dictators*

Both Turkey and Brazil undertook notable steps towards centralisation and rationalisation of the state apparatus under the presidencies of modernising strongmen, Mustafa Kemal Atatürk (1923 – 1938) and Getúlio Vargas (1939 – 45, 1951 – 54). Under the founder and the first president of the modern Turkish republic, Mustafa Kemal, the 600-year Ottoman monarchy and the 1500-year Islamic caliphate were abolished. Discarding Islamic legal code, the new republic adopted a secular civil code based on the Swiss model and a new penal code based on fascist Italy. With a law enacted in 1926 (no. 788) civil servants were officially designated as a distinct class within the state, separated from other government employees. Laws enacted in 1927 (no. 1108) and 1929 (no. 1452) were aimed at standardising the calculation of civil servant wages and the public service budget<sup>8</sup>. However, until the 1960s Turkey lacked a coherent legal framework organising the administrative structure of the increasingly sprawling public sector.

Under Vargas, Brazil adopted two constitutions: the Weimar-inspired Constitution of 1934 was replaced in 1937 by a Polish-inspired text, which declared the Brazilian “New Republic” (Estado Novo) and established Vargas as dictator<sup>9</sup>. As part of his drive to centralise political power to counter the influence of the provincial oligarchy, Vargas carried out a series of administrative reforms between 1934 and 1937. The ‘Readjustment Law’ of 1934 introduced a merit-based professional system, which was a mix of position and career schemes, and organised the first general classification of positions and salaries in the civil service<sup>10</sup>. In 1937, a central agency (O Departamento Administrativo do Serviço Público, DASP) was inaugurated and tasked with overseeing the organisation and management of the civil service apparatus. Despite the initiative for bureaucratic rationalisation, however, political appointments continued to supersede merit-based appointments and professional careers<sup>11</sup>.

<sup>8</sup> Republic of Turkey, State Personnel Presidency: <http://www.dpb.gov.tr/tr-tr>.

<sup>9</sup> The civil rights curtailed by this constitution were restored, and the authoritarian powers bestowed upon the president withdrawn, with the Constitution of 1945, which was enacted after Vargas was forced to resign.

<sup>10</sup> Francisco Gaetani (2008) “Constitutional public management reforms in modern Brazil 1930-1998”, Unpublished PhD thesis, London School of Economics.

<sup>11</sup> Pedro Cavalcante and Paulo Carvalho (2017) “The professionalization of Brazilian federal bureaucracy (1995-2014): advances and dilemmas”, *Rev. Adm. Pública*, vol.51 no.1, Rio de Janeiro, Jan/Feb.

Symbolising the purity and modernity of the republic, and the break-away from the ‘old and corrupted’ imperial past, Turkey’s capital was transferred from Istanbul to Ankara in 1923. If cosmopolitan Istanbul on the shores of the Bosphorus represented the old elite, the new capital – previously a sleepy merchant town in the dusty interior of the country – would embody the young republic’s progressive ambition and connection with ‘the people’. To develop the city, modernist architects and urban planners were brought in from Switzerland and Austria. In the 1950s, Brazil pursued the same ideal with the construction of Brasília. Although inaugurated under Vargas’ successor, Juscelino Kubitschek, the transfer of the capital from Rio de Janeiro to the country’s interior in 1960 was the final achievement of the period of centralisation and modernisation ushered in by Vargas.

### *c. The 1960s: Under the generals’ shadow*

Politics in Turkey and Brazil came under the grip of their militaries in the 1960s, although the nature of the militaries’ involvement in the two countries was different. In Brazil, the armed forces took over power following a coup d’état that toppled President João Goulart in 1964 and ruled the country directly until 1985. The first coup in Turkey took place in 1960. Although the military junta overthrew the elected government and had the constitution rewritten, it subsequently reinstated democratic elections and civilian politics in 1961. Unlike the military dictatorships of South Europe and Latin America, the Turkish military opted for an indirect ‘guardianship’ role, influencing politics behind the stage through veto institutions like the National Security Council, but also through direct interventions when deemed necessary (i.e. the coups of 1971, 1980 and 1997). The army returned power to civilians after every direct intervention, but not before making critical constitutional changes that further empowered the military and the civilian high bureaucracy over elected politicians.

During the 1960s, the Brazilian military directly and the Turkish military indirectly oversaw the implementation of far reaching public sector reforms. The direction and the nature of the reforms enacted in the two countries, however, were notably different. In Brazil, the reform of 1967, “one of the most important, widest, and most comprehensive public management reforms that Brazil had seen”<sup>12</sup>, transformed the civil service from a centralised into a decentralised structure. The Decree Laws of 199 and 200 created a direct and an indirect public sector, where the latter implied delegation of authority to autonomous governmental units on the basis of private sector employment and accountancy principles. Private sector practices were further expanded in the 1970s.<sup>13</sup> These reforms defined the organisation of the Brazilian public sector until re-democratisation in 1988.

In Turkey, in contrast, the reforms introduced a centralised

<sup>12</sup> Gaetani (2008), p. 154

<sup>13</sup> *Ibid.*



Weberian logic to the public administration. Adopted in 1960, Law no. 160 established the State Personnel Department under the office of the Prime Minister as a centralised administrative body, tasked with regulating and overseeing the recruitment, transfer, wages, promotion and advancement of civil servants and other public sector employees. Renamed the State Personnel Presidency in 1984 and relocated to the Ministry of Labour and Social Security in 2011, this agency continues to serve this core function today. Another critical reform during this period was the adoption of the Law no. 657 in 1965 (on Civil Servants), which “deals with service, appointment, promotion requirements and features of civil servants in addition to their rights and responsibilities while acting as a civil servant”,<sup>14</sup> reorganising the civil service in a centralised career structure. Despite numerous amendments and periodic political debates about replacing it altogether, the Law 657 is still in effect and serves as the basis of the public sector employment in Turkey<sup>15</sup>.

#### *d. The 1980s: Re-democratisation vs. Neo-liberalisation*

The next phase of public sector reforms took place in the 1980s in both countries, although once again the nature of change was in opposite directions. In Brazil, the end of the military dictatorship and the beginning of the re-democratisation era provided fresh impetus for an overhaul of the public sector, which was widely perceived as having become ungovernable due to lack of coordination among autonomous divisions, and increasingly corrupt due to the high degree of unmonitored collusion of public and private interests. The establishment of a well-functioning, disciplined and centralised ‘bureaucratic elite’ came to be seen as a necessary aspect of institutionalising democracy.

Correspondingly, the Constitution of 1988 signalled a return to the Weberian idea of merit-based bureaucracy, through the empowerment of the direct administration and the adoption of a Single Juridical Regime (Regime Jurídico Único, RJU) for civil servants. The new arrangement brought an end to private sector practices in the public sector, guaranteed tenure and full post-retirement benefits to civil servants, and established new classes and careers in the civil service. The 1988 Constitution also established the National School of Public Administration (ENAP) and the Centre for the Development of Public Administration (CEDAM), both under the Human Resources Secretariat, prioritising the training and qualifications of state personnel.<sup>16</sup>

<sup>14</sup> As stated in the notification by Turkey to the WTO at the time of the law’s ratification, <http://www.wipo.int/wipolex/en/details.jsp?id=11090>.

<sup>15</sup> The provisions of the law will be discussed in more details in the following section.

<sup>16</sup> Cavalcante and Carvalho (2017).

In contrast, Turkey in the 1980s experienced both an intensification of the military’s non-democratic guardianship role and a radical shift to market liberalisation policies. While on the one hand, the right-wing military coup of 1980 and the Constitution enacted by the junta in 1982 empowered the repressive apparatus of the central state over civilian politics, on the other hand it went on to weaken labour laws and public sector unionisation, and initiated the privatisation of major public enterprises—a process that continued into the late 2000s. Although the Law 657 was maintained with its career structure intact, the scope for hiring contracted and temporary employees from outside the public service, first introduced in 1978, was expanded.

#### *e. The Turn of the Millennium: Economic Liberalisation & NPM*

First emerged and adopted in the early 1980s in the United Kingdom, the United States, Australia and New Zealand, New Public Management (NPM) is an administrative approach that instils private sector concepts such as competition, efficiency, decentralisation, consumer-focus and market-orientation into the public sector<sup>17</sup>. As the US-led neo-liberal economic paradigm came to dominate the post-Cold War world order, NPM practices gained increasing global traction and were championed by supranational organisations like the United Nations, the World Bank and the IMF in reforming the public sector.

During the 1990s and the early 2000s, NPM also became a buzzword among liberal reformers in Brazil and Turkey who saw the traditional bureaucracy as an administrative failure, an economic burden, and, contrary to the earlier belief, an impediment to democratic governance. Ailing from chronic economic instability and inflationary pressures since the 1980s, both countries were also prescribed market-friendly reforms in exchange for loans from global lenders as part of their standby agreements with the IMF<sup>18</sup>. As a result, this period witnessed efforts in both Brazil and Turkey to implement NPM practices in the civil service. In both cases, the reforms only had limited success due to the existence of popular, political and bureaucratic resistance, and limited political capital and enthusiasm on the side of the reformist actors.

In Brazil, a strong tendency for reform emerged during the first term of President Fernando Henrique Cardoso (1995 – 1998) who ran on a platform of macro-economic stabilisation, trade liberalisation and privatisation. The reforms were spearheaded by economist and former

<sup>17</sup> David Osborne and Ted Gaebler (1993), *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector*, New York: Penguin.

<sup>18</sup> Brazil signed five standby agreements with the IMF between 1988 and 2002, while Turkey signed seven agreements between 1980 and 2005; [www.imf.org](http://www.imf.org).

Minister of Finance Luiz Carlos Bresser-Pereira, who served as the Minister of Federal Administration and Reform of the State during Cardoso's first term. Bresser-Pereira's ambitious plan, as laid out in the 1995 Directive Plan for the Reform of the State Apparatus (PDRAE) was to transform the state apparatus on the basis of the principles of rationalisation, flexibility and publicisation.<sup>19</sup>

Minister Bresser-Pereira succeeded to some degree in remodelling the rigid tenure system of the civil service and introducing more flexible new forms of employment arrangements, including private contracts. However, outspoken opposition from labour unions, resistance from the Congress and the bureaucracy, and low public enthusiasm for the reforms meant that the ambitious agenda could not be fully realised. The reformist zeal waned in Cardoso's second term<sup>20</sup>. Overall, the government's initiatives appeared to have been more effective in shrinking the state through privatisations and decentralisation than transforming it: between 1989 and 2001 the number of active civil servants in the executive branch declined from 705,508 to 485,741.<sup>21</sup>

As discussed earlier, Turkey had already embarked on the path of market liberalisation in the 1980s. But until the late 1990s, successive governments focused more on pushing through with privatisation deals instead of producing a clear vision or willingness to overhaul the public administration. Hundreds of thousands of public sector employees were laid off throughout the 1980 and the 1990s, while continually rising inflation led to a rapid deterioration in the living standards of civil servants, leading to the rise of ubiquitous petty corruption and a general difficulty in recruiting qualified personnel to the civil service. Corruption was not only overlooked but tacitly approved by leading political figures of the time as a necessary and natural practice for civil servants. When asked how public officials could be expected to survive with their meagre wages, Turgut Özal (Prime Minister 1983 - 1989, President 1989 - 1993), the architect of Turkey's market liberalisation reforms, famously responded "my civil servant knows his way around".<sup>22</sup>

A comprehensive attempt to reform the public administration emerged following the Helsinki Summit of the European Council in 1999, in which Turkey was formally accepted as a candidate country for European Union membership. Reform of public service, including both increasing its flexibility and efficiency (NPM) and strengthening the merit principle (Weberian) was one of the four agenda points comprising the 'Democracy and Rule of Law' criterion of the EU accession process; the other three

being the civilian control of the armed forces, reform of the judiciary and fight against corruption. In 2003, the newly elected AKP government initiated an Emergency Action Plan and set up a ministerial committee for Enhancing Transparency and Improving Good Governance.<sup>23</sup> For the AKP and its coalition of liberal and conservative supporters, increasing political control over the bureaucracy was viewed as an integral part of disassembling the Kemalist military-led tutelary structures, although this would eventually lead to the rise of a new type of problem.

Important reforms undertaken in this period include: the organisation of a single examination system (Public Personnel Selection Exam, KPSS) for all public employees overseen by the State Personnel Presidency, adopted in 1999 and came into effect in 2002; the Public Finance Management Control Law (no. 5018) of 2003 that addresses issues of transparency, accountability and efficiency in the accountancy, reporting and monitoring of public finances; the Law on the Freedom to Obtain Information (no. 4982) of 2003;<sup>24</sup> and the establishment under the Prime Ministry of a Council of Ethics for Public Services (Law no. 5176, of 2004), tasked with determining ethical behavioural codes, carry out investigations and inquiries, and embed a culture of ethics in the public administration.<sup>25</sup>

In its Progress Report of 2004, the European Union praised the "new impetus" for reforming the public sector and concluded that "important progress has been achieved in increasing the transparency and efficiency of public administration, including public finances."<sup>26</sup> In 2005, in view of the government's reform initiatives the European Council agreed to start full accession negotiations with Turkey.

There were also setbacks during this period. In 2005, President Ahmet Necdet Sezer - a vocal Kemalist opponent of the AKP - vetoed the Framework Law on Public Administration, which would distribute power from the central administration to local administrations, on the ground that "it conflicted with the unitary character of the state".<sup>27</sup> In 2006, facing resistance from labour unions, the state bureaucracy, the parliamentary opposition, and a generally unsympathetic public, the AKP government abandoned a draft law aimed at replacing Law 657 on Civil Servants with a new system based on NPM framework and private sector practices that would expand the scope

<sup>19</sup> Cavalcante and Carvalho (2017), p.6-7.

<sup>20</sup> Gaetani (2008)

<sup>21</sup> The reductions are a result of privatisations, decentralisation and "rushed" retirements preceding two periods of social security reform in 1998 and 2003. Cavalcante and Carvalho (2017).

<sup>22</sup> "Turgut Özal'ın Türk siyasetine armağan ettiği sözleri" [The quotes Turgut Özal gifted to Turkish politics], *Hürriyet*, 17 April 2015.

<sup>23</sup> Didem Soyaltın (2017) *Europeanization, Good Governance and Corruption in the Public Sector: The Case of Turkey*, London: Routledge, p. 72.

<sup>24</sup> The text of the law in English: [http://publicofficialsfinancialdisclosure.worldbank.org/sites/fdl/files/assets/law-library-files/Turkey\\_Right%20to%20Information%20Law\\_2004\\_en.pdf](http://publicofficialsfinancialdisclosure.worldbank.org/sites/fdl/files/assets/law-library-files/Turkey_Right%20to%20Information%20Law_2004_en.pdf)

<sup>25</sup> The text of the law in English: <http://www.turkstat.gov.tr/jsp/duyuru/upload/Kanun.pdf>

<sup>26</sup> Commission of The European Communities, 2004 Regular Report on Turkey's progress towards accession, Brussels, 6 October 2004, p.70.

<sup>27</sup> European Commission, Turkey 2005 Progress Report, Brussels, 9 November 2005, p.11.

of hiring non-tenured ‘contract’ employees and the introduction of performance-related pay.

The AKP government was able to implement some of the proposed changes in piecemeal fashion by partially amending the Law 657 in 2010. The most notable of these was the introduction in 2011 of “experts” as a new sub-category of civil servants. Finally, the Law on the Ombudsman, which would establish an independent Ombudsman’s Office to investigate acts, attitudes and behaviours within the public administration in the framework of human rights-based justice, legality and fairness, was approved in 2006 but its implementation was suspended by the Constitutional Court, only to come into effect in 2012 in the aftermath of the Constitutional Referendum of 2010.<sup>28</sup>

### *f. Recent Developments: PT and latter-AKP years*

The NPM-inspired reform drives observed at the turn of the millennium in the two countries gradually lost steam and were ultimately shelved by the mid-to-late 2000s. In Brazil, the election of Lula da Silva of the Workers’ Party (PT) as president in late 2002 signalled a return to the traditional view of bureaucracy, as part of the PT’s wider push to expand the role of the federal government as a central socio-economic actor. The number of civil servants in the executive branch, particularly in high managerial positions (DAS-4 to 6) increased significantly under PT governments, parallel to the establishment of new ministerial portfolios and the expansion of social policies.<sup>29</sup> There were also changes in the wages of civil servants, reflecting Brazil’s economic growth patterns: 230% actual increase between 2003 and 2010, followed by a subsequent actual decrease (despite nominal increase) due to inflationary pressures.<sup>30</sup>

The impeachment of President Dilma Rousseff in 2016 and her replacement by former Vice-President Michel Temer signalled an intensified focus on market-friendly socio-economic policies, which Brazil had already turned to during President Rousseff’s second term in the midst of a recession. While the Temer government’s historically low public backing, corruption allegations facing the president and questions of legitimacy surrounding his rise to power, prohibited this administration from advocating a comprehensive public administration reform policy, the 20-year public spending freeze that the government locked into the constitution in late 2016<sup>31</sup> and the pension reform being pushing through the Congress at the time of

<sup>28</sup> For text of the Law no. 28338 in English: [https://www.ombudsman.gov.br/contents/files/Law%20no\\_%206328-revised%20-edit\(1\).pdf](https://www.ombudsman.gov.br/contents/files/Law%20no_%206328-revised%20-edit(1).pdf)

<sup>29</sup> Cavalcante and Carvalho (p.15) show that DAS positions increased by 27% between 2003 and 2014. This is consistent with the rise in the number of civil servants in the federal executive during the same period: up to 613,639 in 2014 from 485,741 in 2001.

<sup>30</sup> Ibid, p. 11.

<sup>31</sup> “Brazil senate approves austerity package to freeze social spending for 20 years”, *The Guardian*, 13 December 2016.

writing this report are likely to have a long-term impact on the Brazilian civil service.<sup>32</sup>

In Turkey, the pace and the number of reforms declined parallel to the loss of steam in the country’s accession process to the European Union from mid-2000s onwards. Even with the reforms that were passed, implementation remained problematic. After the AKP’s third general election victory in 2011, the once-reformist government took a sharp turn towards illiberal rule. A fierce split between the AKP and its former Islamist ally, the Gülen movement in early 2014 led to a high level corruption scandal involving top government officials and senior bureaucrats<sup>33</sup>. The government suppressed the subsequent investigation, and went on to purge hundreds of police officers and members of the judiciary believed to be linked with the Gülen movement. At the same time, reports surfaced of systematic cheating in the 2009 Police Academy entrance exams and the 2010 Public Personnel Selection Exam by the Gülenists, allegedly putting the movement’s members illegally above other candidates.<sup>34</sup>

The picture deteriorated even more rapidly following the failed military coup attempt of 15 July 2016, which the government blamed on Gülenist soldiers in the armed forces. A state of emergency was declared on 20 July, partially suspending rule of law and opening the path to rule by executive decree. This was followed by a purge of unprecedented proportions of government opponents from the armed forces, the judiciary, the police and all levels, categories and ministries of the public administration. At the time of writing, over 150,000 state employees had been suspended or dismissed, with over 50,000 people (including journalists, businesspeople, NGO workers, politicians alongside public servants) in prison.<sup>35</sup>

<sup>32</sup> “Brazil’s Temer unveils pension reform, sets retirement age at 65”, *Reuters*, 5 December 2016.

<sup>33</sup> Gülen (also known as *Hizmet*, i.e. service) Movement is led by Turkish Islamic preacher Fethullah Gülen who has been residing in the USA since 1999. Gülen publicly advocates a modernist view of Islam and urges his followers to focus on education and business initiatives. There are hundreds of Gülen-affiliated schools and cultural centres around the world, including in four cities in Brazil. The movement also has highest number of charter schools in the US. In Turkey, the movement claims to be apolitical, i.e. not openly endorsing any political party, but has been cultivating followers in the state bureaucracy, the judiciary and the police for over two decades. These were instrumental in assisting the AKP in its fight against the Kemalist military in the 2000s. But as soon as their common opponent was defeated, the inter-Islamist alliance broke down and a power struggle emerged between the AKP and the Gülenists. See İřtar GÖzaydın (2009) “The Fethullah Gülen movement and politics in Turkey: a chance for democratization or a Trojan horse?”, *Journal of Democratization*, Vol. 16, No. 6, pp. 1214-1236.

<sup>34</sup> A court nullified the results of the 2010 exam in 2016, two weeks after an attempted coup in Turkey. 150,000 people had taken the exam. “2010 KPSS iptal oldu! 150 bin memura ne olacak?” *Milliyet*, 3 August 2016.

<sup>35</sup> John Dalhuisen, “In Turkey, defending human rights is a crime”, *Politico*, 19 July 2017. <https://www.politico.eu/article/amnesty-international-in-turkey-defending-human-rights-is-a-crime/>

## IV. Structure of the Civil Service in Brazil and Turkey

Twelve percent of the general workforce in Brazil, and 13% in Turkey, are employed in the public sector. This is lower than the OECD average of 19%. Beyond this, however, the two countries largely exhibit differences when it comes to Human Resource Management practices. Some of these are summarised in Table 11 (below). Building on this framework, this section will compare the HRM practices in the Brazilian and Turkish public administration today, on the basis of their institutional structure, legal framework, recruitment and promotion practices, senior management procedures, gender balance, wage calculations, industrial relations and retirement and pensions systems.

	Brazil	Turkey
Civil Servants in Fed Exec/Central Govt	633,003* (PEP, Feb 2018)	2,449,538** (SPP, Sept 2017)
Public sector emp. % of workforce (2013)	12 [OECD average: 19%]	13
Central HRM Body	Secretariat of Personnel Management (Ministry of Planning, Development and Management)	State Personnel Presidency (Ministry of Labour and Social Security)
Recruitment system	Mainly career based	Mainly career based
Legal framework	Single Juridical Regime (Federal Law 8112) & the Consolidation of Labour Laws. Fixed term contracts governed by Law 8745/93.	Law 657 divides employees in 3 categories: Public Servants, Contract Employees, Workers
Recruitment process	Formal competitions in each category. (quota system for disabled and black persons)	Centralised written exam (+oral interview) (quota system for disabled persons)
Promotion / Advancement	Advancement is automatic based on years in service. Performance evaluation used for promotion in most careers.	Advancement is automatic based on years in service. Promotion based on performance assessment (high importance), years in service, educational qualifications.
Wage calculation	<i>Compartmentalized</i> collective bargaining	<i>Centralized</i> collective bargaining
Staff can Unionise / Strike	Yes / Yes	Yes / No
Work conditions (2010/2012)	Average yearly working hours: 1766 Annual leave: 30 Public holidays: 10	Average yearly working hours: 1798 Annual leave: 25 Public holidays: 11
Retirement	After 35(m)/30(w) years of insurance contribution (or after 65 yrs w/ 15 yrs min. contribution) Average: 56 years (m); 53 years (w)	Pre-2008 entry: 60 (m); 58 (w) Post-2008 entry: 60-65 (m); 58-65 (w) (25 years of min. insurance contribution)
Pension benefits	Civil servants receive at least the minimum wage. Most receive full salary in retirement.	Pensions indexed to CPI, means-tested. Civil servants receive approx. 50-70% of salary in retirement

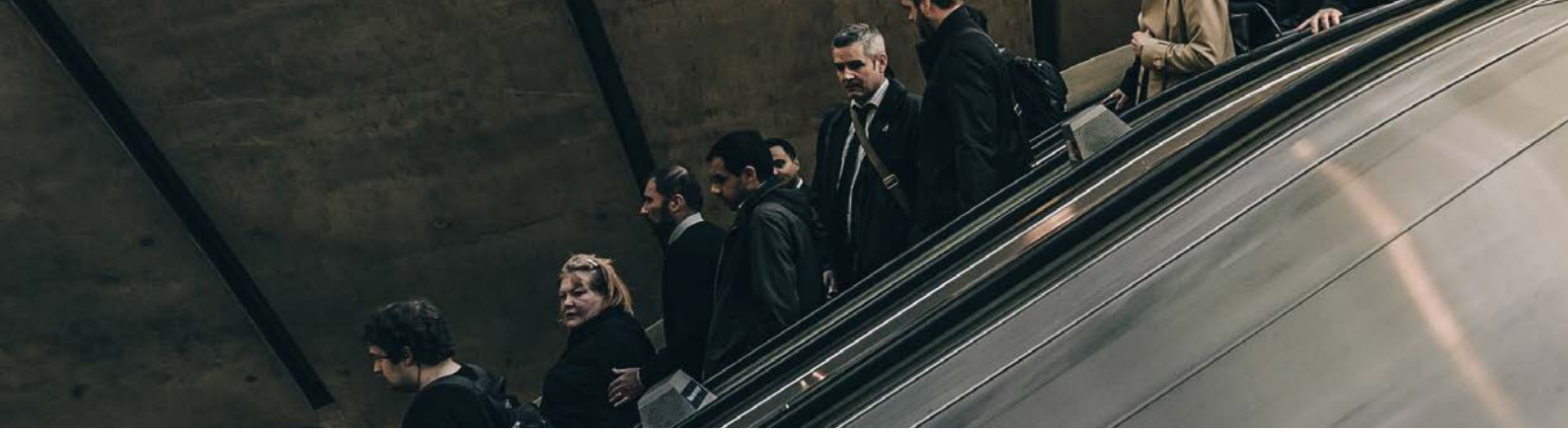
Table 11 – HRM Practices

\* The total number of civil servants in Brazil is approximately 8.6 million, with 4.9 million employed at the municipal and 2.6 million at the state levels (Reudiger et al. 2016). The executive branch accounts for around 81% of all civil servants in the federal government, followed by the judiciary (15.2%) and the legislative (3.6%).

\*\* Other centrally recruited public employees in Turkey are judges and prosecutors (17,400), teaching staff (128,277), contract employees (163,800), workers (320, 591), temporary personnel (20,363), and military personnel (241,389). Total number of public employees as of September 2017 is 3,341,358. It was not clear whether this number included employees suspended after the 2016 coup attempt.

### a. Central HRM Body

In Brazil, the Secretariat of Personnel Management (SPM), based within the Ministry of Planning, Development and Management, is the body responsible for defining HRM practices. The agency was formerly known as the Human Resources



Secretariat until it received a new denomination in 2017.<sup>36</sup>

The duties of the SPM include:

- Managing HRM at central/national level
- Providing leadership and guidance
- Coordinating and supervise HR policy/strategy
- Providing advice on legal framework
- Designing the pay system
- Defining and control the payroll
- Defining salary levels and benefits
- Managing retirement and pension plans

The SPM sets and oversees pay systems, budget allocation (which is presented by ministries and approved by the Congress) and post distributions. It manages recruitment and dismissal of public officials. Finally, the SPM coordinates working conditions, performance appraisal, the code of conduct and equal opportunity issues. Despite this highly centralised structure, there are still significant differences between employment contracts across ministries.<sup>37</sup>

In Turkey, the State Personnel Presidency (SPP) has the central coordination responsibility for HRM practices in Turkey. The SPP was established with Law no. 160 in 1960 under the Prime Minister's office. It was relocated to the Ministry of Labour and Social Security in 2011. Among its official duties are:<sup>38</sup>

- Determining the principles of legal and financial status of civil servants and their implementation.
- Preparing and reviewing legislation drafts about the public personnel system.
- Determining principles to meet the personnel needs of public institutions.
- Monitoring and evaluating administrative methods and principles regarding public personnel.
- Conducting reviews related to job analyses and titles.
- Collecting statistical information about civil servants, keeping records of the staff centrally.
- Organising, supervising and evaluating personnel training programmes.

<sup>36</sup> See Law 13,341 of 29 September 2016 and Decree No. 9,035 of 20 April 2017.

<sup>37</sup> OECD, Human Resources Management Country Profiles, Brazil, December 2012.

<sup>38</sup> Republic of Turkey, State Personnel Presidency: <http://www.dpb.gov.tr/tr-tr>.

ning programmes.

- Determining the principles of the Central Placement Examination.
- Conducting studies to improve the distribution of services, organisational methods and legislations, and to correct institutional failures and defects.
- Organising the transfer of staff who are in employment surplus or subject to transfer in organisations that are under the scope of privatisation programme or restructuring period to other institutions and organisations.

The SPP plays a dominant role in HRM practices in Turkey, particularly regarding personnel, pay and performance. Ministries have less input on HRM practices in Turkey than the average OECD country. Although the SPP uses systematic forward planning over a broad range of issues (within a short horizon of one year), HRM targets are not considered in performance assessments, and ministries' HRM capacities are not regularly assessed.<sup>39</sup> In its 2016 Progress Report on Turkey, the European Commission stated that the SPP lacked the necessary coordination and monitoring capacities to ensure the implementation of modern HRM policy and standards. The report also emphasised the absence of a "modern HRM information system, which would provide real-time data for the entire public service" as another obstacle to an efficient HRM system.<sup>40</sup>

## b. Legal Framework

In Brazil, the employment of the permanent staff in the state and federal government is organised by the Single Juridical Regime (RJu), the principles of which were laid down during the era of re-democratisation, and legalised with Federal Law 8112 of 1990 and the Consolidated Labour Laws. The RJu law applies to federal civil servants in ministries, autarchies and foundations. The Consolidated Labour Laws apply to employees of public enterprises. Contract employment is allowed and organised under Federal Law 8745 of 1993. Finally, civil servants within individual states and municipalities are subject to laws and regulations adopted by local legislatures themselves. As of February 2018, according to Painel Estatístico de Pessoal (PEP), 94% of the civil servants in the federal executive were employed under the RJu, 1.85% on temporary contracts and 0,75% under Consolidated Labour Laws.

<sup>39</sup> OECD, Human Resources Management Country Profiles, Turkey, December 2012.

<sup>40</sup> European Commission, Turkey 2016 Progress Report, Brussels, 9 November 2016, p.16.



In Turkey, the **Law no. 657**, adopted in 1965, continues to form the legal basis of the public sector personnel system, despite numerous amendments (17 changes to the text between 2004 and 2015) and attempts to replace it (in 1996, 1999 and 2005). While the law establishes a closed, statute-based personnel regime based on the principles of merit, class and career, most of the reform attempts and amendments in the past decades have been aimed at rendering the public service more open, efficient, flexible and inclusive of private sector practices. As a result, rather than providing a coherent framework for the civil service, the law is often criticised for being a patchwork, reflecting instances of contradictory administrative philosophies. Law 657 divides employees into three categories: civil servants, who carry out “essential and permanent public services”; contract employees, who are employed on a temporary basis for special tasks and assignments; and workers, who fall outside other categories and are employed for an indefinite term (Article 4).<sup>41</sup>

Article 36 of the law categorises civil servants under 12 classes:

1.	General Administration Services
2.	Technical Services (such as engineers, architects, geologists, physicists, chemical experts, economists, mathematicians, urban planners)
3.	Medical Services and Contributory Medical Services
4.	Public Education Services (teachers and university professors)
5.	Legal Services (state lawyers)
6.	Religious Services
7.	National Security Services (covering members of the police force)
8.	Gendarmerie Services
9.	Coast Guard Services *
10.	Auxiliary Services
11.	Civil Administration Chief Services (governors and district governors)
12.	National Intelligence Services

*Table 12 – Classes of Civil Servants in Turkey*

\* Previously under the General Command of the Armed Forces, the Gendarmerie and the Coast Guard were fully transferred to the Interior Ministry with the Executive Decree no. 668, following the failed coup attempt of 15 July 2016.

The law stipulates that civil servants swear an oath of allegiance to serve the constitution and the laws of the Turkish Republic (Article 6). They are barred from joining political parties or becoming involved in political or ideological activities (Article 7). Unless tasked to do so by ministers, they cannot publicise information or opinions regarding administrative af-

<sup>41</sup> “Workers” are subjected to a different legislation. A fourth category (“temporary employees”, who are contracted for less than one year) was removed with the Executive Decree No. 696 on 20 November 2017.



fairs via any media channel (Article 14). Civil servants are barred from organising, joining, supporting or carrying out industrial strike actions (Article 27). They cannot engage in any private sector activity or seek private profit while in the civil service (Article 28).

This system stands in sharp contrast with the career system in Brazil, where there are over 250 established careers within the public administration. Turkey's broad classification system has been an issue of contention for many years. A government-sponsored "Public Administration Research Report" (Kamu Yönetimi Araştırması Raporu, KAYA) in 1991 stated that the "broad coverage classification system lumps together different careers and areas of expertise without regard for their particular characteristics and the need for different personnel procedures".<sup>42</sup> This view has been echoed in numerous OECD and EU reports on HRM practices in the Turkish public administration as well.<sup>43</sup>

The introduction of 'experts' in 2011 as a sub-category of civil servants was ostensibly an attempt to overcome this arbitrary broadness. However, the SPP also defined 'experts' in a broad manner, as those professions involving duties of "producing strategies, researching, planning, programming, administration and inspection and who exercise power". Provisions were made for the recruitment of experts in government ministries and central state agencies. Critics have argued that creating specialised employment categories with decentralised recruitment procedures would violate the career and merit principles of the Civil Service Law.<sup>44</sup>

### c. Recruitment Process

Recruitment to the civil service in Brazil is predominantly based on competitive examinations for each category or career, organised separately by the relevant ministry. These are open to all candidates who fulfil basic requirements. Senior management positions are open to some external appointment. According to Article 41 of the Constitution, entrants to the civil service gain tenure after three years in the service. During the probation period, the entrants are evaluated twice a year by their immediate superiors.

There is a quota system in place for the recruitment of blacks and disabled persons in the federal administration. The former is organised by Law No. 12,990 of 9 June 2014, which reserves for black citizens 20% of the vacancies offered in public tenders and public jobs in the federal public administration, municipalities, public foundations, public companies and mixed economy companies controlled by the Federal government. The latter is organised under the National Policy for the Integration of Persons (based on De-

cree 3298, dated 20 December 1999) and overseen by the National Council for the Rights of Persons with Disabilities (CONADE), established within the Ministry of Justice. The law requires institutions and companies with over hundred employees to fill 2 to 5% of their positions with "rehabilitated Social Security beneficiaries or disabled persons".

Recruitment in Turkey is carried out through a centrally organised examination system. There are two types of exams: Examination A for 'experts'; Examination B for other civil servants. Successful participants of Examination B are recruited without further examination as 'candidates' on the basis of available vacancies. Candidates first go through a basic education programme, organised by the SPP, covering common qualifications of civil servants, followed by a preparatory training programme in their own area, and finally an internship programme. Those who successfully complete all three stages of the training are appointed as civil servants. Candidacy period cannot be less than 1 and more than 2 years.

Successful participants of Examination A (for 'experts') take additional exams (typically oral interviews) organised by relevant ministry or agency following the central examination. Those who qualify in this second round of examinations become 'assistant experts'. Assistant experts are subjected to an occupational training of three years; after which they prepare a dissertation. When they pass the proficiency test and successfully defend their dissertation, they are appointed 'expert' titles.<sup>45</sup>

Since 2011, all public institutions are required to have a 3% quota for disabled employees. Examination, training and recruitment processes for disabled employees are organised separately by the SPP. Although progress was reported in recent years in the recruitment of disabled staff (with an increase from 40,655 in 2015 to 43,151 in 2016), the net number was still short of the 3% quota.<sup>46</sup>

Serious concerns have been raised in recent years in Turkey regarding the poorly regulated, non-transparent conduct of oral interviews as an increasingly widespread means for political patronage in the recruitment and promotion of civil servants.<sup>47</sup> Numerous cases have been raised (in the Ministry of Education, the Ministry of Finance, the Prime Ministry, the State Radio and Television, and the Postal Service) about successful candidates being eliminated in the oral stage apparently due to their political or religious backgrounds. On two occasions in 2017, the Council of State ruled that promotions in the Ministries of Education and Finance had violated the merit principle.

Another violation of the merit principle in the recruitment process is the mass conversion of temporary contracts into permanent civil service positions. This is particularly used as a political pre-election strategy. Shortly before the 2011 general election, the AKP government converted the

<sup>42</sup> Türkiye ve Orta Doğu Amme İdaresi Enstitüsü (1991) Kamu Yönetimi Araştırması Genel Rapor [General Report of the Public Administration Research], TODAİE Yayınları, No. 28.

<sup>43</sup> "The Law on Civil Servants defines public service in a way that is extremely broad", says the European Commission in its Turkey Progress Report, 2016, p. 15.

<sup>44</sup> Birgül Ayman Güler (2010), "657'yi Değiştirmek: 9 Haziran 2010 Tasarısı Üzerine", Ankara University, Faculty of Political Science, 3 July.

<sup>45</sup> Republic of Turkey, State Personnel Presidency: <http://www.dpb.gov.tr/tr-tr>.

<sup>46</sup> Ibid., p.16.

<sup>47</sup> European Commission, Turkey 2016 Progress Report, Brussels, 9 November 2016, p.15.

status of around 200,000 (out of the existing 260,000) contract workers into permanent positions. A further 100,000 contract employees became civil servants in 2013, ahead of the presidential election the following year.<sup>48</sup> Instead of taking the centrally organised entrance exam, these employees only had to pass oral interviews conducted within their institutions.

Finally, a large number of ministries and departments were reportedly allowed to by-pass the central examination requirement to hire thousands of civil servants in the aftermath of the post-2016 coup attempt, when more than 150,000 public employees were suspended or dismissed. Applicants were expected to meet certain educational criteria, pass the background check and an oral interview. The legal basis that the government relied on for this process was Article 59 of Law 657, which regulates external appointments to “exceptional positions”.<sup>49</sup>

### d. Promotion and Advancement

In Brazil, applicants that wish to change between hierarchical grades or categories within the public service must undertake a new competition with competitive examination. The automatic progression by length of service is not adopted in most federal administration careers. In most careers, promotion depends on performance evaluation combined with the length of service and other criteria.

In Turkey, there is a distinction between promotion and advancement: **Advancement** is automatic and based on the years in service. Law 657 sets a grade system for advancement, consisting of 15 grades with 1 being the highest. Each grade has three degrees. A civil servant moves up one degree every year, and one grade every three years, depending on successful performance assessment and educational qualifications. **Promotion** is moving up hierarchically to a higher job title. Requisites include performance assessments and educational qualifications, as well as in-service training and successful performance in examination. The OECD has praised the transparent listing of position and the meritocratic use of assessment centres and examinations. However, as noted above, the increasing use of poorly regulated oral interviews since 2011, particularly following the failed coup attempt of 2016, is seen as undermining both the transparency and merit principles of the promotion process.

**Performance assessments** are of high importance both for the career advancement of civil servants. They are written annually by immediate superiors, covering categories such as “activities undertaken, timeliness and quality of outputs, values, interpersonal skills, improvement of competencies”.<sup>50</sup>

<sup>48</sup> “Torpilliler Bir Gün Sözleşmeli Çalışıp Devlet Memuru Olmuş” [Privileged employees made civil servants after a single day under contract], Haberler.com, 9 December 2014.

<sup>49</sup> “Devlet KPSS'siz memur alacak” [State to hire civil servants without central exam], Yeni Çağ, 15 August 2016.

<sup>50</sup> OECD, Human Resources Management Country Profiles, Turkey, December 2012.

Educational qualifications also impact the entry level and highest achievable degree of a civil servant. For instance, those with only primary education qualifications (8-years) enter at level 15 and can rise up to level 7. University graduates enter the civil service at grade 9.

### e. Senior Management

Senior public service roles in the Brazilian federal government are organised under the DAS (High Level Management and Advisory) system, which is a product of the 1967 reforms. These positions are hierarchically organised, with DAS-6 being the highest (reserved for secretaries, directors and presidential undersecretaries). These positions are more open to external appointment than normal civil service positions. Ministries manage their own recruitment process. “The president and minister have influence over the appointment/dismissal of the highest level of management, with the ministry head and others in ministry having influence over that of lower management levels”.<sup>51</sup>

The appointment criteria for DAS positions have recently undergone changes. According to Decree 9021 of 2017, 50% of total positions DAS levels 1 to 4, and 60% of total positions at DAS levels 5 and 6 should be occupied exclusively by career civil servants. (Previously, this was 75% for DAS-1 to 3 and 50% for DAS-4 to 6, based on Decree 5497 of 2005). This change was accompanied by the elimination of approximately 10,000 DAS posts. These were replaced by Commissioned Functions of the Executive Branch (FCPE), which are exclusively for career civil servants (Law 13,346 of 10 October 2016). As a result, the number of DAS positions were considerably reduced, from some 23,000 before the changes to 11,372 in February 2018.<sup>52</sup>

Turkey also uses separate HRM practices for senior management level public officials. Senior management refers to the top four grades of the 15-grade advancement ladder. These include undersecretaries, deputy undersecretaries, departmental presidents and vice-presidents, centrally-appointed governors and deputy governors, among others. Appointments from outside the civil service to these positions have been possible since 1984. Changes to the Civil Service Law in 2011 facilitated this further by allowing applicants’ private sector background to be considered in fulfilling the experience criteria. These positions are particularly susceptible to politicisation and patronage. The European Commission in its 2016 Progress Report on Turkey stated that “access to top civil service positions is not always merit-based, and appointments are not subject to competition.”<sup>53</sup>

<sup>51</sup> OECD, Human Resources Management Country Profiles, Brazil, December 2012.

<sup>52</sup> Ministério do Planejamento, Desenvolvimento e Gestão, Séries Estatísticas, <http://www.planejamento.gov.br/servicos/series-estatisticas/series-estatisticas>.

<sup>53</sup> European Commission, Turkey 2016 Progress Report, Brussels, 9 November 2016, p.15.



## f. Gender Balance

Underrepresentation of women in the civil service remains an enduring problem in Turkey, where women make up slightly more than a third of all public servants. The numbers drop further at the level of senior management, where just below 8% of the senior positions are occupied by women. In contrast, women hold a majority of public offices in Brazil, in line with the OECD average. Although they are also under-represented in senior management, particularly at the highest level (DAS-6), the percentage of women in senior management in Brazil is considerably higher when compared to Turkey and (considering DAS-5 & 6) also above the OECD average.

Women in Public Service (OECD 2015)	Brazil	Turkey	OECD Average
% in public service	59.29	33.8	58.35
% in senior management	21.8 (DAS-6) 41.1 (DAS-5 & 6)	7.98	32.37

Table 13 – Women in Public Service

## g. Wage Calculation

The wage bargaining process is conducted by the Secretariat for Personnel Management in Brazil. However, the political weight of each career and ministerial power play an important role in determining the outcome of these processes. This can lead to inconsistencies between the salaries of public officials at comparable levels in different careers due to imbalances in the bargaining powers of different ministries and unions. Wage determinants tend to include complexity of duties, required skills, inherent responsibilities and performance.<sup>54</sup> As noted in the previous section, a 230% net increase in public official wages was observed between 2003 and 2009, followed by a net decrease despite nominal rise due to inflationary pressures.

Wage rises in Brazil were an outcome of the growing economy as well as the PT government's close ties with labour unions, and were justified on the basis of the necessity to compete with the private sector.<sup>55</sup> In 2017, a World Bank study found that federal civil servants earned 67% more than private sector employees in a similar role, training and experience; the highest difference in a sample of 53 countries surveyed.<sup>56</sup> According to the Bank, this contributed to the inequality in the country, with 54% of Brazil's civil servants being placed among the richest 20%, and 77% are among the richest 40%.<sup>57</sup>

In 2015, the total public sector wage spending (comprising federal, state and municipal governments) amounted to 13.1% of the GDP, compared to 9% in the United States, 6.4% in Chile and around 8% in Turkey.<sup>58</sup> Despite making up a small minority of civil servants in all three levels, federal government wages were responsible for a disproportionate amount of this spending, accounting for about 4 to 5% of the GDP between 2001 and 2014 alone (Table 14).

Civil servants in the federal executive make up more than 80% of all public officials in the three branches of power, but earn considerably less on average than their counterparts in the judiciary and the legislature. Finally, within the federal executive, a significant gap exists between the average wages in the strategic core careers and the general civil service, with the average wage of the latter being 29% of the former (despite some reduction since 2009).<sup>59</sup>

<sup>54</sup> Marconi, Nelson (2010) "A gestão de recursos humanos no governo federal: diagnóstica e proposta", *Digesto Econômico*, v. 457, p. 80-89.

<sup>55</sup> Cavalcante and Carvalho (2017), p. 10

<sup>56</sup> World Bank (2017), "Um Ajuste Justo: Análise da eficiência e equidade do gasto público no Brasil", *Brasil: Revisão das Despesas Públicas*, November. On wage differentials, also see Emilio, Daulins, Vladimir Ponczek and Fernando Botelho (2012) "Evaluating the wage differential between public and private sectors in Brazil", *Rev. Econ. Polit.* vol.32 no.1 São Paulo Jan./Mar.

<sup>57</sup> "Servidor público ganha 67% a mais que o privado no Brasil, diz Banco Mundial", *Estado do São Paulo*, 21 November 2017.

<sup>58</sup> World Bank (2017), "Um Ajuste Justo: Análise da eficiência e equidade do gasto público no Brasil", *Brasil: Revisão das Despesas Públicas*, November

<sup>59</sup> Cavalcante and Carvalho (2017), p. 10.

In Turkey, base salary calculations are negotiated through comprehensive collective bargaining, often encompassing both the public and the private sectors simultaneously (organised by Law no. 6356 of 2012). Collective bargaining involves meetings, usually every two years, between officials from the Ministry of Labour and Social Security, and representatives from employer unions (for private sector negotiations) and the largest labour confederations. Wage calculations in the civil service include educational qualifications, job content, specific ministry, seniority and relative experience, as well as marital status and the number of children. Performance-related pay has been introduced only recently and in a limited scope (involving some experts) but has been criticised for being poorly regulated and therefore open to political patronage.

Public sector wages made up on average about 7-8% of Turkey's GDP between 2008 and 2013. Given Turkey's unitary state structure, where the central state employs more than 2.4 million civil servants (over 3 million public sector employees in total), this figure should be compared to the total proportion of public sector wage spending in Brazil (13,1%) as opposed to just the federal government.

	Brazil (PEP, 2017)	Turkey (SPP, 2017)
Highest Salary [in Feb 18 USD]	R\$ 29,133.55 (Nível Superior) [USD 9,006.35]	TL 10,852.40 [USD 2,874]
Lowest Salary [in Feb 18 USD]	R\$ 1.467,49 (Nível Auxiliar) [USD 453.65]	TL 2,829.84 [USD 749]
Wages % of GDP (World Bank Dataset 2015)	4-5 (federal gov) 13.1% (total)	7-8

Table 14 – Civil Service Wages

A striking contrast between Brazil and Turkey is in wage brackets. While the maximum salary of a civil servant in Brazil is nearly three times the maximum salary of a Turkish civil servant, employees in the lowest end of the salary scale in Turkey earn more than their Brazilian counterparts, revealing a significant salary gap between high and low earners in the Brazilian public sector. The difference between public official salaries in Brazil and Turkey would be even wider if additional benefits were factored in, which tend to be very generous in Brazil, particularly in elite careers.<sup>60</sup>

Both countries publicise details of public service employee salaries. In Turkey, these are announced at the end of the comprehensive collective bargaining sessions. In Brazil, the publication of salaries is a relatively new practice that started in 2012 following the enforcement of the Freedom of Information Act and the appearance of the Transparency Portal.

## h. Industrial Relations

Comparing industrial relations in Brazil and Turkey reveals another stark contrast between the two countries (Table 16). In Brazil, trade union density in the general workforce is around 19% and unions have a collective bargaining cover of 60%.<sup>61</sup> Around 55% of the public officials in the federal executive are unionised.<sup>62</sup> The right of Brazilian public service employees to join unions and to strike is enshrined in the 1988 Constitution (civil servants working directly in the area of public security are not entitled to strike right).

Unions have played an important role in negotiating public employees' salaries and rights since re-democratisation, especially under the PT government. An important step in the protection of workers' rights and workplace standards was taken in 2010 when the Brazilian Congress ratified ILO's Convention 151 and Recommendation 159.

Strikes are common in the Brazilian civil service, with one study showing that civil servant strikes (across federal, state and municipal levels) amounting to 45.3% of all recorded strikes in the country between 2002 and 2012. The same study found that at the level of the federal government, public officials in the executive branch had the most amount of strikes, being responsible for 52.9% of the total working-hours lost as a result of strike action.<sup>63</sup>

In Turkey, on the other hand, trade unions have been heavily suppressed and weakened since the 1980 military coup. As noted earlier, public servants in Turkey can join unions but they are barred from organising or supporting any industrial strike action. Public officials taking part in strikes can face disciplinary measures.

However, in a number of instances these measures have been repealed by the Court of State, creating an ambiguous legal environment where striking is both prohibited and often practically tolerated.

The greatest decline in unionisation took place under the AKP governments, due to the "gradual legalization of various forms of precarious and temporary work, especially under the subcontracting schemes".<sup>64</sup> While 29% of the

<sup>60</sup> Simon Romero, "Brazil, Where a Judge Made \$361,500 in a Month, Fumes Over Pay", New York Times, 10 February 2013.

<sup>61</sup> "Cai o número de centrais sindicais reconhecidas pelo governo", CNM/CUT, 2012.

<sup>62</sup> OECD, Human Resources Management Country Profiles, Brazil, December 2012.

<sup>63</sup> Walter A. Pichler and Giovana Menegotto (2015) "Union Membership and Industrial Action In Brazilian Public Sector in the 2000s", Paper presented at GT-17 'Reestructuración Productiva, Trabajo y Dominación Social', Congreso ALAS 2015, Costa Rica.

<sup>64</sup> Bilge Yabancı (2016) "Populism as the problem child of democracy: the AKP's enduring appeal and the use of meso-level actors", Journal of Southeast European and Black Sea Studies, Vol. 6, No. 4, p. 600.

general workforce was unionised in 2001, this number had fallen to 8% by 2015; significantly below the 17% OECD average. Furthermore, only 7% of unionised workers were entitled to collective bargaining in 2016.<sup>65</sup> It might seem curious, given this background, that more than two thirds of public servants in Turkey are unionised. More striking is the fact that public sector unionisation increased by 149% between 2002 and 2016.

	Brazil (2012)	Turkey (2016)	OECD Average (2016)
Union Density (general labour force)	19	6.3 (2015)	17
Collective Bargaining Cover (general labour force)	60	7	32
% of Unionisation in Civil Service	55	68	n/a

Table 15 – Union density and coverage

This increase is almost exclusively due to a spectacular rise in the membership of a single union: Memur-Sen, which was a relatively young and small civil service confederation before the emergence of the AKP in 2002. Between 2002 and 2016, Memur-Sen’s membership increased from 42,000 to 936,000 (a 2129% increase). In contrast, during the same period, membership in Turkey’s most established confederation, KESK, fell by 16%. Unlike the left-leaning KESK, which is fully independent from the government, conservative Memur-Sen has close informal ties with the AKP both in terms of cadres (several of its leaders have resigned to run on the AKP ballot to become MPs) and political discourse.

Yabancı explains that “the astonishing increase in the membership of Memur-Sen [...] is mostly related to co-optation and intimidation strategies [of the AKP government] that oblige workers and civil servants to quit their previous trade unions or recruit non-associated workers as members of preferred trade unions.”<sup>66</sup> In turn, the government has designated Memur-Sen as its main interlocutor at the collective bargaining stage and favoured it through relevant legislation, including the 2012 Law (no. 6356), which, while reducing the threshold for union participation in collective bargaining from 10% to 3%, also legalised the selective implementation of thresholds favouring unions with the largest number of members.<sup>67</sup>

## i. Retirement & Pension Systems

Brazil has a more generous retirement and pension programme compared to Turkey and the OECD average. There is no fixed minimum age for retirement; men can retire after 35 years and women after 30 years of contribution to the system. Those who have contributed for 15 years can retire at the age of 65 (men) and 60 (women). The OECD average for minimum contribution is 26 years. Average retirement age in Brazil is 56 for men and 53 for women. A government proposal to set the minimum age as 65-years and minimum contribution to 25 years is currently in the Congress.

According to the OECD, pension and social assistance system in Brazil cost over 10% of the GDP in 2016. Under the current scheme, this would be expected to rise to 20% of the GDP by 2060 due to aging population and increased lifespan. The pension system for civil servants currently makes up 2.2% of the GDP.

Pensions of retired civil servants from the Single Juridical System (RJU) are adjusted by the same indexes that are applied to the wages of active civil servants. The pensions of public employees hired under the Consolidated Labour Laws are readjusted by the indexes of the social security system. All pension recipients receive at least the minimum wage and most civil servants continue to receive their full salary after retirement.<sup>68</sup>

	Brazil (2016)	Turkey (2016)	OECD Average (2016)
Retirement Age	Average: 56 (m), 53 (w)	Minimum: 60-65 (m) 58-65 (w)	Average: 64 (m), 63 (w)
Minimum Contribution	15 years	25 years	26 years
Pension System % of GDP	10	8.1	8.2
Pensions indexed to	Based on employment framework	CPI	n/a

Table 16 – Retirement and Pension

<sup>65</sup> OECD.Stats:<http://stats.oecd.org/Index.aspx?QueryId=80973#>

<sup>66</sup> Ibid, p. 601.

<sup>67</sup> Ibid.; Işıl Erdiñç (2014) “AKP Döneminde Sendikal Alanın Yeniden Yapılanması ve Kutuplaşma: Hak-İş ve Ötekiler” [Restructuring the field of trade unions and polarisation: Hak-İs and others]. *Çalışma ve Toplum*, Vol. 2, pp. 155–174.

<sup>68</sup> OECD Policy Memo, “Pension Reform in Brazil”, April 2017.

In Turkey, for those who entered the social security system before October 2008, the minimum retirement age is 60 for men and 58 for women. For those who enter the system after October 2008, retirement age gradually increases to 65 for men and 65 for women. The minimum contribution period is 25 years. In 2016, the public pension spending was 8.1% of GDP, in line with the OECD average. Pensions are indexed to CPI, updated twice a year in January and July. Pensions are means-tested and payable only to those who receive no other social security benefits, are disabled or over 65 years old. A rough calculation of average public salaries to pensions suggests that civil servants in Turkey receive about 50 to 70% of their working salary as pension in retirement.

## V. Evaluation and Conclusion

A legacy of their imperial past, civil service was long seen as an elite preoccupation in both Brazil and Turkey. In the 19th and early 20th centuries, Brazilian and Ottoman-Turkish reformers maintained this imperial view but supplemented it with a modernist perspective, inspired by the ideas of positivism and rationalism, which treated civil service as the embodiment of a modern, well-functioning and rational nation-state. During the course of the 20th century, Brazilian and Turkish governments initiated periodic reform attempts aimed at institutionalising a centralised and professional public administration in pursuit of this elusive goal.

Turkey and Brazil arrived at a crossroads in the 1980s – a time when the traditional Weberian view of bureaucracy came to be challenged by market forces and new liberal economic ideas – and chose different paths. Turkey, under the tutelage of its military and led by successive centre-right governments, was transformed almost overnight into a free-market economy. With this transformation came attempts to open up the civil service to private sector ideas and practices. The institutional result has been a hybrid bureaucracy, which maintains its original Weberian legal framework, but with sizeable and growing patches mirroring NPM thinking.

In contrast to Turkey, the architects of Brazil's re-democratisation saw civil service in the traditional lens, as a building block of a rational and democratic state. In 1988, they went on to strengthen – not weaken – its centralised, meritocratic, career-based structure. Although Brazil also has a mixed system of career and contract employment in the public service, the career structure has been more successfully preserved than in Turkey.

As a result, as elaborated in the previous section, the two civil services today face considerably different sets of problems and challenges. The Brazilian civil service is widely considered one of the more competent, professional and meritocratic bureaucracies around the world, and perhaps the most so in its region. Competitive salaries (especially at the senior level), labour laws favouring employees, a generous pension system and a well-established career

structure manage to attract qualified Brazilian men and women, who would otherwise seek private employment. In a country where trust for political actors and elected officials is extremely low, career civil servants appear to have maintained a more respectable popular image. In some cases, they are even seen as protectors of the citizens' best interests against corrupt politicians, as the surge in popular support for judges and prosecutors of the *Lava Jato* investigation reveals. Future reformers of the Brazilian state would do well to maintain the core structures that enable these successful outcomes.

The downside of this picture is that in a country with such drastic socio-economic inequality and rampant corruption on every level of government, civil servants in elite positions, who receive life-long benefits on par with their counterparts in the most developed countries, form a privileged class of their own. Seen from this perspective, one could argue that the civil service in Brazil has not quite shed its imperial era self-image.

The motivation to maintain this privileged status, and resisting transparency and political interference in the process, can be at odds with the public interest. This, in turn, contributes to entrenched inequalities both in the wider society, but also within the civil service itself, as evidenced by the wide pay gap between high and low earners in the public service. It also poses a problem for democratic accountability when civil servants start seeing themselves (or are seen by parts of the public) as a separate branch of power or a tutelary force. Addressing the issue of undue privileges, without hampering the meritocratic and professional structure of the civil service, is a challenge for Brazil's reformers.

At the federal level, part of the problem appears to stem from politics itself, particularly in the way the coalition structure enfeebles political authority and effectively produces corruption. An enfeebled and corrupt political apparatus can neither reform nor maintain the moral high ground vis-à-vis a well-disciplined bureaucratic apparatus. Therefore, political reform should go hand in hand with reform of the civil service.

Turkey, on the other hand, demonstrates how things can go wrong when the political authority does have its way. From the 1980s onwards, the country's relentless economic liberalisation efforts transformed what was in the late 1970s a bankrupt national economy into one that generated impressive growth, albeit interrupted by periodic crises and instability. But with the exception of a brief era from the late 1990s to the mid-2000s, this wasn't coupled with a comparable political liberalisation programme. When the chance for democratisation arrived at the turn of the millennium, the AKP government's widely supported reforms to dismantle the military's decades-long institutional tutelage gradually turned into an ideological vendetta against the bureaucracy and a pursuit to capture the state.

Together with weak labour laws, three decades of gradual diffusion of private sector practices has arguably made the public sector more efficient and enabled Turkey to rise in 'ease of doing business' rankings and attract fo-

reign praise and investment. At the same time, however, continued efforts by political actors to circumvent the centralised career system have undermined the merit principle and led to a surge in political patronage within the civil service. Patronage and corruption were notorious features of Turkey's state bureaucracy in the 1990s as well; although under weak coalition governments, established careers in the public service were able fend off political interference to preserve their integrity and remain as pockets of excellence. Under the AKP's gradual dominance of politics and eventually the state, no public institution has remained untouched.

Whether it is allegations of systematic cheating by a government-allied religious organisation in the 2010 Public Service Selection Exam, the widespread use of oral interviews as a means to distribute posts to clients, or by-passing the formal recruitment procedures to replace thousands of purged civil servants with external appointees, it is safe to suggest that Turkey's civil service is far from upholding its founding principles of merit and integrity today.

This loss of integrity is deeply connected with Turkey's dramatic democratic decline in recent years. Even more alarming is the fact that this has come after an optimistic era of EU-led liberalisation and NPM-inspired reforms in the public service. Ironically, undermining civil service meritocracy has been frequently justified in the name of efficiency or fighting bureaucratic tutelage. As Rizvi put it:<sup>69</sup>

A large part of the impetus for the reinvention of government has come from developed countries with mature democracies, and hence the existence of strong and established democratic institutions and processes has been taken for granted. [...] Because the debate mainly focuses on efficiency, on the reduction of the cost of governance, and more generally on whittling down the all-embracing role of the government, not enough attention has been paid to strengthening democracy – in fact the debate might have contributed to the weakening of democratic processes and especially democratic accountability.

<sup>69</sup> Gowher Rizvi (2007), p. 78

Reforming the civil service is treading a very fine line: excess privileges and powers wielded by civil servants can lead to a tutelary arrangement, while undue political interference in public administration undermines state capacity and rule of law. In both cases, the casualty is democratic process and accountability. Despite social, institutional and geopolitical differences between the two countries, Turkey's experience has international relevance and should serve as a cautionary tale for Brazil.





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