

İKTİSADİ DÜŞÜNCE ÇALIŞMALARI

Editör: Dr.Öğr.Üyesi Harun KAYA

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"Bu kitapta yer alan bölümlerde kullanılan kaynakların, görüşlerin, bulguların, sonuçların, tablo, şekil, resim ve her türlü içeriğin sorumluluğu yazar veya yazarlarına ait olup ulusal ve uluslararası telif haklarına konu olabilecek mali ve hukuki sorumluluk da yazarlara aittir."

THE PHILOSOPHY OF ECONOMICS: BARUCH SPINOZA AS A PRECURSOR OF THE FREE MARKET ECONOMIC

A. Savaş DEMİRCAN¹

1. INTRODUCTION

Baruch Spinoza, a prominent figure of the 16th century, made significant contributions to the domains of politics, ethics, and metaphysics within European civilization, therefore revolutionizing prevailing thought in these areas. While it is not possible to attribute Spinoza's views to a singular academic discipline, it can be argued that their impact is extensive. One of the domains of impact pertains to the free market economy. The objective of this study is to discern the intersections between Spinoza's theories and the principles of a free market economy, despite their original focus lying outside the realm of economics, and to ascertain the extent to which they have influenced the development of capitalism. Therefore, engaging in debates that incorporate the philosophical perspective on the existence of a free market economy will enhance our comprehension of the aforementioned system. The significance of the study becomes apparent at two junctures. One objective is to elucidate the intricate frameworks of philosophers' cognitive realms, while the other is to explore the profound interconnectedness between the humanities and social sciences. The initial stage of philosophical thought is characterized by its individual emergence, however its impact extends to the broader

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societal structure with a multiplier effect. One constituent of this framework pertains to the economy. Hence, a comprehensive comprehension of philosophical thought is necessary for the well-being and stability of the social framework. Moreover, it appears plausible to discover novel resolutions to preexisting issues through the application of philosophical contemplation. The focus of this study has been restricted to the ideas of Spinoza, while Adam Smith has been incorporated into the studies on several occasions in order to achieve a broader viewpoint. Within this particular framework, the dynamics that are of direct relevance to economic occurrences and acts, such as self-interest, natural order, the function of the state, justice and freedom, and autonomy, which have captured the attention of Adam Smith, are the focal point of Spinoza's reactions and reflections. The methodology employed for selecting the approach of the study involves the use of comparative analysis. The establishment of fundamental concepts underlying both columns has facilitated the conduct of comparative analysis, which has been grounded on a robust foundation. In order to achieve this objective, a comprehensive examination of Spinoza's ideas has been conducted through a thorough analysis of relevant literature. Subsequently, an attempt has been made to identify similar elements by engaging in a process of brainstorming. These common elements are specifically related to Spinoza's philosophy as it pertains to the free market economy. The study's proposed methodology is outlined as follows: To begin with, this study aims to identify the fundamental elements of a free market economy and explore the ideas of Spinoza that are relevant to these parameters. The objective is to uncover any shared aspects between Spinoza's theories and the parameters of a free market economy. Therefore, an attempt was made to integrate social sciences and humanities under a shared framework.

2. RATIONAL SELF-INTEREST

The concept of conatus gives Spinoza's ethical theory its meaning. Conatus is founded on the belief that people should protect themselves, avoid pain, and pursue pleasure. Conatus and the concept of self-interest are compatible. Self-interest can be defined succinctly as individuals' efforts to maximize their own benefits and interests. Conatus and self-interest appear compatible in this way. In essence, Adam Smith's concept of homo-economicus and Spinoza's philosophy of rational self-interest are parallel.

Adam Smith, as a moral philosopher, was interested in why people work and why they offer goods for sale. He argued that some aspect of human nature compels him to be interested in the prosperity of others. He was also realistic enough to recognize that, despite his genuine belief that a degree of altruism played a role, this was not the whole truth. On the contrary, the majority of people are excessively lazy and self-centered. Therefore, it is pointless for them to voluntarily produce the products the economy requires. There must be a substantial economic incentive for each individual to perform the action. Even more so when production is organized according to the division of labor principle. This is because those who produce only to fulfil their own needs will generally expect to be compensated in some manner. Therefore, according to Smith, the greatest incentive for people to produce products is the income they can earn from doing so. "We do not expect our supper from the generosity of the butcher, brewer, or baker, but from their self-interest," Smith wrote in his 1776 work. Self-interest is therefore the most essential factor in promoting the welfare of a nation and all of its citizens (Van Suntum, 2005, p. 4-5).

Spinoza asserts that people innately and consciously desire what is advantageous for them. According to Spinoza, these desires are part of the natural order and derive from past events and factors in accordance with the natural laws (Cook, 1980, p. 43). Spinoza continues by attempting to clarify the situation with an illustration. He contends that we have the right to deceive criminals for our own benefit. Spinoza argues that if a person is promised to starve for twenty days and then realizes how irrational the promise was, "the promise can be broken... by natural law and right." The same natural right, however, plainly extends to any class or group, whether minority or majority, which feels oppressed even in the presence of a free state. Because every individual has the right to terminate a contract that irreparably harms his own interests (Kennington, 1980, p. 147). Spinoza went a step further and emphasized the significance of self-interest by emphasizing that people tend to do everything that will make them happy and serve their interests, and they avoid everything that destroys their pleasure and happiness (Spinoza, 2011, p. 181).

Spinoza placed such an emphasis on self-interest that he asserted that only self-interest and justice, even in the absence of charity, could lead to a remarkable degree of social prosperity. "Society can exist on a sense of utility without any mutual love or affection between different men, as between different merchants, and despite the fact that no one in it feels any obligation or gratitude to another, it can be sustained by a genuine exchange based on an agreed-upon value. Even in the economic order where self-interest is at issue, there are no significant flaws in the harmonious functioning of natural forces. This impulse, which is ordinarily a virtue but can become a vice if not regulated by justice, is the strongest of the action impulses (Viner, 1927, p. 203).

Reason, which is the root cause of self-interest, dictates nothing, moral or otherwise, that does not contribute to one's continued existence over time. Individuals are rationally obligated to perform only those actions that maximize their chances of survival. This strategy may appear to have substantial textual support. "No one can desire to be blessed, to behave well, and to live well unless he also desires to be, behaving, and live," states Spinoza. To genuinely exist, to live well, necessitates a desire to live. A person cannot live a happy existence unless he or she protects his or her own interests first and foremost. He continues, "The first and only foundation of virtue is the effort to safeguard one's own interests. The requirements of virtue derive whatever rational authority they have from the fact that they are necessary for earthly survival. It seems that self-interest is the path to virtue and pleasure (Koistinen, 2010, p. 244).

However, self-interest as defined by Adam Smith is not synonymous with selfish avarice. Smith acknowledged that these concepts are distinct and that the concept of self-interest encompasses a concern for justice, reverence for others, and a sense of one's existence and participation in a larger social community Malloy & Evensky, 1995, p. 116).

Given the historical context, it is not surprising that Spinoza was influenced by certain belief codes that would later serve as the foundation for the free market economy. This code's essence can be expressed as follows: The belief that all men and women are potentially eligible for salvation and, more importantly, that human agency is part of what makes this salvation possible, in contrast to the predestinarian belief that only some will be saved and that human agency has no effect on this, demonstrates that individuals acting in their own self-interest can improve not only their own lives but also the lives of their fellow humans. Similarly, it is much more consistent

with the same concept regarding the positive effects on themselves and others of the 'improvement in living conditions' brought about by human agency and individuals acting in their own economic interest (Smith, 2005, p. 41).

3. NATURAL LAW AND ORDER

The natural order is another Spinoza tenet. Natural order is rational law-governed. This philosophy resembles Adam Smith's "The Invisible Hand". The Invisible Hand holds that self-interest can benefit society. The free market economy can be spontaneously arranged, it says. Prosperity comes from invisible-hand-ruled people. Modern economies depend on individual behavior analysis, the smallest economic unit.

Individuals and their actions are subject to the same causal laws that regulate all natural phenomena, according to Spinoza. He explicitly ridicules the Cartesian perspective, stating that it transforms every individual into a "kingdom within a kingdom." According to Spinoza, there is only one 'kingdom' (nature), and all events in this kingdom occur in accordance with its laws (Cook, 1980, p. 12). This theory also includes economic laws. Indeed, it is possible to argue that Spinoza's kingdom and Adam Smith's kingdom are identical. The kingdom of the invisible Hand.

Spinoza attempts to surmount the traditional dichotomy between universal and private providence in his development of the concept of the invisible hand. This distinction was developed by many previous philosophers, including Spinoza's contemporaries such as Calvin, who is regarded as a free-market economics theorist. Typically, universal providence refers to the invisible hand that governs the entire universe, whereas special providence is the invisible hand's concern for the well-being of specific individuals (Jacobs, 2012, p. 219).

Spinoza's conception of natural law is more rationalist and metaphysically solid. This comprehension leads Spinoza to radically different ethical perspectives, particularly regarding the value of the good. Because a priori inquiry reveals that our nature benefits from harmony with the nature of others, it is always beneficial to promote the rationality of others and act for their benefit. Since acting rationally is inherently valuable, it implies that it is desirable to act charitably regardless of the consequences (Kisner, 2011, p. 243). In a free market economy in which everyone acts rationally as an individual, Smith's thesis regarding the general interest of society and the enhancement of welfare appears to be consistent with Spinoza's philosophy.

Since Spinoza was a determinist, he readily accepted the idea that everything exists and acts according to universal natural laws. How can law depend on human discretion? Spinoza replies twice. Being part of nature makes man part of nature's strength. Something derives necessarily from human power if it follows from human nature (nature is considered to work through humans). Thus, Spinoza believed that human discretion determines social arrangement. The second step is to identify and explain immediate causes. Having a broad viewpoint and perceiving things as fixed doesn't help us organize and build ideas about specific objects. We also lack organizational and interconnection understanding. We must consider objects as contingent for practical purposes. Spinoza believes that the determinism principle governs a nation's laws, but we must treat them as if it doesn't (Cairns, 1948, p. 1037). The relationship between economic actions is therefore nearly predetermined when we contemplate the laws of the free market economy along this axis. To illustrate, if we reduce interest rates during periods of high inflation, it would be reasonable to anticipate a decline in inflation. In actuality, the invisible hand

has mandated that interest rates be raised to ensure that demand decreases in accordance with predetermined laws. In other terms, there is a deterministic relationship between interest rates and inflation.

Again, it is evident that Spinoza has a strong sense of submission to natural forces. Spinoza acknowledges the truth of the forces and manifestations of nature. For instance, fish are naturally conditioned to swim and the larger ones to consume the smaller ones; consequently, fish appreciate the water and the larger ones consume the smaller ones by natural right. What is meant by the rights and laws of nature is that each individual is constrained by nature to live and act in a particular manner (Feuer, 2017, p. 111). The same metaphor could be applied to the free market economy. This is because economic units exist as long as they continue to be profitable, and larger economic units with stronger economies of scale will exist on the market for an extended period of time.

It appears feasible to comprehend the fixed and unchanging order of nature or the relationship between natural things with the aid of an invisible hand. For the universal laws of nature, by which all things are realized and determined, are nothing more than the eternal decrees of the Unseen Hand, which contain eternal truth and necessity. Therefore, whether we say that everything happens according to the laws of nature or whether we say that it is organised according to the command and guidance of the Invisible hand, we are saying the same thing. Therefore, the action of the invisible hand in the world must be understood as the operation of the laws of nature. Consequently, the only possible outcome is the one anticipated. What appears to be a violation of natural law must, in principle, be explicable by natural law (Melamed , 2015, p. 20). As an example of Spinoza's philosophy, supply and demand depend on many factors. Price is one. Demand for a product raises its price.

When all other conditions stay constant, a rise in demand should raise the price of the commodity. This growth was due to the invisible hand. Ceteris paribus, part of the rules of nature, can explain a scenario that appears to contravene the law defining demand and supply.

Smith employs the term "invisible hand" to refer to an imperceptible mechanism (hand) that produces favorable results. In all instances, unintended consequences result in socially advantageous outcomes. The invisible hand mechanism is the mechanism that generates benevolent spontaneous patterns by coordinating the unanticipated consequences of human actions. Seeing the invisible hand as a metaphor for a specific mechanism that reconciles the unintended consequences of actions with various motivations enables us to use it as a technical term for systems that produce spontaneous orders that are socially beneficial (Smith C. , 2005, p. 13).

If the world were divided by an invisible hand into equal shares for all of its inhabitants, the affluent would be directed to make a nearly identical distribution of life's necessities, thus unwittingly and accidentally promoting the common good. In other words, when the invisible hand divided the world among a handful of masters, it did not neglect or abandon those who appeared to be excluded. These parties receive a proportional share of all of his production. In terms of the components of genuine human happiness, they are in no way inferior to those who appear to be immensely superior. In terms of physical and mental well-being, all levels of society are comparable, and a vagrant sunbathing on the side of a highway enjoys the same level of safety that monarchs fought for (Viner, 1927, p. 204).

4. LIMITED STATE INTERVENTION

Spinoza espoused a governmental framework that prioritizes the facilitation of people's maximal freedom and liberty. The individual's perspectives regarding the division between religious institutions and governmental entities, as well as the reduction of religious influence in governance have been linked to the notion of limited government involvement in economic matters. Economic liberalism is characterized by a preference for little state intervention in the market, hence enabling individuals to engage in economic activity with freedom.

Spinoza posits that the efficacy of a political entity is contingent upon its adherence to a restricted and constitutional framework. Spinoza posed a critical examination of the reliability and durability of centralized governance. According to Spinoza, the fundamental flaw of this particular governmental structure resides in the insufficiency of a solitary administrative authority to effectively manage such a weighty responsibility. Centralized government, by its very nature, relies on external entities for support and guidance. This frequently entails the presence of a hierarchical structure, wherein a group of advisors, who themselves are guided by their own advisors, play a crucial role in leading the government. In the pursuit of satisfying his desires, while simultaneously seeking to maintain his authority, he experiences apprehension and subjugates his own populace. Spinoza contends that the implementation of repressive measures by a political entity will ultimately result in its decline in power, as is frequently observed. At this juncture, Spinoza also alludes to democracy as a conducive environment for the prosperous development of a free market economy. Democracy, according to Spinoza, is founded upon the principle that it is imperative to establish a governing body wherein both the governing authorities and the governed individuals possess the

ability to undertake any actions deemed essential for the collective well-being, irrespective of personal inclinations. In Spinoza's perspective, it was imperative to build a societal framework wherein individuals would be obligated to adhere to rational principles, whether through voluntary compliance, coercion, or due to prevailing circumstances (Allison, 2022, p. 223). It appears that Spinoza's hostility to the central power was motivated by his Jewish ethics. It is well documented that Spinoza, as a young man, was profoundly impacted by the writings of Maimonides and Gersonides, two major giants in medieval Jewish philosophy (Allison, 2022, p. 22) .

Perhaps the most obvious biblical echo in Spinoza's political theory lies in his constitutionalism, with strong echoes of ancient tensions concerning kingship. The Jewish Bible summarises the justification of the state in the demand for a monarch who will defend the cause of the people against anarchy and oppression. But both the prophet Samuel¹ and the book of Deuteronomy² warn of the dangers of centralised rule (Ravven & Goodman, 2002, p. 48). Spinoza, who was raised in an environment characterized by Jewish understanding and thought, appears to exhibit a proclivity towards advocating for intellectual freedom. Consequently, he does not appear to endorse the accumulation of riches in the hands of a centralized authority (Sauer ve Sauer, 2007, p. 5).

The naturalistic principles underlying Spinoza's arguments are in conflict with his eloquent defense of freedom of thinking. Spinoza posits a compelling argument that the state's punishment of its most enlightened members represents a significant misfortune, as it perpetuates oppression towards those who embody principles of tolerance and virtue.

¹ 1.Samuel 8: 11-18

² Deuteronomy 17:16-17.

Subsequently, the author posits that the presence of such autonomy is unequivocally vital for advancements in scientific endeavors and the humanities. The author posits that promoting individuals of high moral character to engage in acts of conspiracy against the state is contrary to the state's own self-interest. Spinoza offers a critique of central power, contending that it is inherently unfeasible to curtail individuals' freedom of expression. The utilitarian justification for the preservation of freedom of mind is a straightforward sociological argument that draws upon the empirical example of the "city of Amsterdam." As articulated by Spinoza, this argument highlights how Amsterdam has experienced significant wealth and garnered widespread appreciation as a direct result of its commitment to freedom (Kennington, 1980, p. 136).

Spinoza, in light of his robust libertarian inclinations, refutes the legitimacy of state intervention in curtailing the autonomy of people. Nevertheless, his identification of "right" with "power" constrains him in relation to his own emotions. Spinoza's proposition advocating for the adherence of all governments to the desires of the majority encounters a comparable challenge. According to Spinoza, it is recommended to do so. If left unaddressed, the potential discontentment of the majority could lead to collective resentment, resulting in concerted efforts to undermine the authority and entitlements of the community (Kennington, 1980, p. 137). Despite Spinoza's inclination towards individualism, he maintained that the attainment of the utmost good for the individual is contingent upon their integration within the framework of the state. In the hypothetical scenario of the state of nature, individuals possess the autonomy to determine their own moral judgments regarding what is considered favorable or unfavorable. They actively pursue their personal interests based on their subjective assessments, seek retribution for perceived wrongs, and exert

efforts to safeguard their affections while seeking to eliminate their animosities. The tolerability of this situation would be contingent upon individuals adhering to the principles of rationality, as it would enable everyone to experience the advantages of the natural condition while refraining from causing harm to others. However, it is worth noting that individuals of the male gender are susceptible to experiencing intense emotions that surpass the limits of human strength or virtue. Consequently, their personal interests often exert conflicting influences on their actions and decisions. It is an inevitable realization that individuals may achieve their objectives more effectively through collaborative efforts, recognizing that their collective strength is crucial in mitigating the pervasive risks they face (Cairns, 1948, p. 1043). The concepts put forward by Spinoza align with the classical liberal notion of the state as a necessary evil. The state plays a crucial role in upholding societal continuity by providing essential services such as justice and defense. These services are indispensable and cannot be denied to anybody. Furthermore, their funding is reliant on the principle of mutual help.

Hence, it is imperative for individuals to reach a consensus in order to coexist together and provide mutual assistance. In this manner, individuals will have the opportunity to fully experience and exercise the rights that inherently pertain to them. Through mutual agreement, individuals voluntarily relinquish their inherent rights and establish a sense of trust, assuring one another that they will refrain from engaging in any actions that may cause harm. Nevertheless, individuals are unlikely to fulfill their commitments unless they are motivated by the anticipation of a more significant benefit or the apprehension of a more severe consequence. Consequently, it is imperative for society to assert its entitlement to the same rights that individuals possess in the state of nature. Additionally,

society must possess the authority to institute a universally applicable code of conduct, enact legislation, and enforce it by punitive measures, as rational persuasion alone is insufficient to effectively constrain human behavior (Cairns, 1948, p. 1043).

5. ETHICAL CONSIDERATIONS

Spinoza's theory of justice has provided valuable insights into the moral dimensions of the business practices of capitalist societies. Despite the fact that traditionally, capitalist theory has placed an emphasis on self-interest and the efficiency of markets, academics have acknowledged the significance of justice considerations in the process of economic decision-making. It is not surprising that Spinoza's conception of justice was shaped by the Jewish society in which he was brought up because this was the environment in which he was born. Therefore, examining Spinoza's conception of justice within the context of Jewish culture will lend further nuance to his point of view.

In the realm of thinking that Spinoza inhabits, there is the idea of a state religion. Philanthropy, or what we might also refer to as "loving one's neighbours," is an important part of this notion, which also incorporates this concept. In accordance with this theory, which can be interpreted in the same way as a law, the irrational will serves the common good by performing actions that are congruent with the rational side of man. A society can achieve justice when it treats the demands of its members, such as their property and their rights, in an equitable manner. The fundamental viewpoint of this matter can be summed up as follows: to not make a distinction between the wealthy and the less well off members of society by treating everyone with respect and defending their rights in the same manner. To be just requires a reduction in class hate, which

should not be understood in terms of socioeconomic disparities but rather in terms of equal social rights. Charity is the state's most effective weapon against inequality, hence it should be encouraged whenever possible. Charity, in Spinoza's view, refers to the struggle against economic inequality as a means of protecting people from the crippling effects of poverty. The illustrations that he provides make this concept very easy to grasp. Charity, in Spinoza's view, entails the equitable division of the land that comprises the Jewish state as well as the rules that ensure individual liberty. According to Jewish law, if a Jew is compelled to sell his land due to financial hardship, the land must be returned to him in the jubilee year after the sale. Because of this, the burden of the debt is not transferred to subsequent generations. On the other hand, according to sabbatical law, the seventh year is the time when any and all other debts must be totally forgiven. In Hebrew, the concepts of justice and charity are synonymous with one another. The Hebrew word of tzedakah (צדקה) can be interpreted in two different ways. To begin, it is a reference to both the practice of what is commonly recognized as charity and the fulfillment of legal requirements, both of which are public knowledge and must be met. Through the practice of tzedakah (צדקה), Jews are able to both maintain equality in land ownership and love their neighbors through the cancellation of debts. In doing so, they are able to both fulfill justice and practice charity. In point of fact, Spinoza modeled a road map for the success of a free market economy, and he argued that the success of the Jewish state can be traced back to a time when its people were economically just and egalitarian. Spinoza's model of a road map for the success of a free market economy can be found here (Melamed, 2015, p. 301). In a sense, Spinoza blessed justice by emphasising that the religion of the state is justice and drew attention to the guiding role of justice in economic actions.

Within the parameters of this discussion, it seems plausible to link Spinoza's notions regarding debt and the allocation of land to concepts of financial power and equity. Forgiving people's debts and ensuring that land is distributed fairly will, as a matter of fact, make individuals more financially powerful. This will be the case. According to the theory of the free market economy, one of the most important parameters for determining economic welfare is the beneficial effect that an individual with higher fiscal power has on aggregate demand and supply. Adam Smith, on the other hand, established a different viewpoint on the same purpose by approaching the problem of fiscal authority from the standpoint of taxes. He believed that taxation was the best way to achieve the goal. Smith, much like Spinoza, believed that land possessed a unique significance and explored the consequences that taxation had on land.

In point of fact, Smith contends that land taxes is the form of taxation that is most conducive to the general socioeconomic well-being of a society. Because it is paid in proportion to the rent and not in proportion to the produce and animals, the benefit of land tax is that it does not have a tendency to drive up the price of goods. Instead, it is paid in proportion to the rent. If the tenant is responsible for paying taxes, then his rent will be reduced. The imposition of an excise tax results in an increase in the cost of products as well as a decrease in the number of individuals who are able to engage in commercial activity. A man who purchases one thousand units' worth of tobacco is required to pay one hundred units' worth of tax, and as a result, he is unable to engage in commerce to the amount that he would be able to otherwise. Therefore, due to the fact that more stock is required to carry on commerce, there must be fewer sellers. As a result, the wealthy will have a monopoly over the less fortunate (Smith A. , 2010, p. 313).

6. INDIVIDUAL FREEDOM AND AUTONOMY

Spinoza's focus on individual liberty and autonomy as necessary components of human flourishing struck a chord with capitalist philosophers. Economic liberalism, a dominant viewpoint within capitalism, places a high value on human freedom to pursue economic interests, engage in voluntary transactions, and make reasonable decisions without undue state intervention. Spinoza's ideas on individual liberty have been linked to the liberal concept of personal liberty in economic decision-making.

Spinoza associates freedom with good behavior. Being virtuous is being effective in strengthening one's autonomy, or at least striving, being powerful, acting, and being the adequate cause of one's own existence. One is only the necessary cause of one's own existence. One can claim to be guided by reason if these states originate only from one's sufficient reason and sufficient conceptions. Thus, the virtuous person leads a life of rising strength and efficacy, with reason as the primary motivator. A good person is also one who has attained a greater degree of independence. This action is to be understood as a degree of autonomy and causal independence with respect to external things, rather than a lack of determination or freedom of will, both of which are fictions for Spinoza. All of the virtuous person's choices stem from his or her own nature. The good person is one who has developed his reason and lives by its dictates. As a result, he is referred to as a "free man" by Spinoza(Nadler, 2006, p. 230).

Nobody believes that the body, according to nature's deterministic principles, has any control over what happens to it. Those who do not understand that mind and body are one and the same entity represented in different qualities, however, believe that the mind is not subject to such laws in all it does,

and that it has ultimate freedom, at least in respect to its will. People believe they are free in their choices, affirmations, and other voluntary activities because they adhere to what philosophers refer to as the "libertarian" notion of freedom. This viewpoint holds that a person is free when his will is undecided. It is possible to change one's mind after making a decision, even if everything else remains the same (Nadler, 2006, p. 186).

As a result, only God will be entirely unrestrained. Humans can never totally insulate themselves from outside influences. However, even in this deterministic environment, they have some degree of freedom. This freedom will not include any freedom of thought or will in the human mind. Instead, it is more proper to speak about the free human being. This freedom entails activity, not the absence of determinism. One is active and free to the extent that one raises the proportion of one's acts that originate within oneself, from the information one possesses (Nadler, 2006, p. 189).

So, what does freedom mean to Spinoza? Spinoza defines freedom in terms of knowledge, particularly knowledge of the causes that govern our ideas and acts. In this view, freedom occurs when we have a sufficient number of ideas and the desire to act on these ideas. Spinoza's thesis is that when a person acts according to his own will and wishes, he acts inevitably in the sense that his conscious desires have causes or sufficient circumstances for doing what he does (Frankel, 2011, p. 57).

The belief in free will is long-lasting because it emerges naturally, or as Spinoza puts it, "after the common order of nature": "Whenever the human mind perceives anything after the common order of nature, it has no adequate knowledge of itself, nor of its body, nor of external objects; it has only a fragmentary and confused knowledge." To progress from these

illusions and delusions to reason, we must first recognize the images and thoughts that accompany our efforts to defend ourselves as tremendous illusions (Frankel, 2011,p. 67).

Spinoza provides a thorough reading of the Jewish Bible to back up his assertion that freedom is inherent in the core lessons of scripture. In this story, Moses sets the Israelites free from slavery but then deftly ties this uncivilized, illiterate people to the all-encompassing, heavenly law. Under Christ, the law of Moses is fulfilled. He sets the Hebrews free from the law they created and replaces it with the actual divine law, which is characterized by its free acceptance. According to Paul, God sent Christ to all nations to redeem them equally from the servitude of the law so that they would no longer be bound by the unwavering commandment of the law because God, in his fairness, is equally benevolent to all and because all men live equally under the law and under sin (Frankel, 2011, p. 70).

Spinoza contends that freedom is the most advantageous to society. But, if Spinoza's political goal is peace and stability, why presume that a liberal society is the best way to attain it? If most people are superstitious and political freedom is a mirage, why not support a system that encourages more elaborate superstitions that favor state obedience? Spinoza's example of the Turks demonstrates how rulers can create an atmosphere by encouraging devotion to the state by introducing more superstition. If belief in free will is only a prejudice, Spinoza cannot justify the Dutch selection of a more liberal system on the grounds that they enjoy actual freedom and rationality while the Turks are steeped in superstition. Yet Spinoza appears to do precisely that, judging regimes based on the level of freedom afforded to their citizens. The Turks' emphasis on a public religion forces them to "occupy or control the free judgment of each individual with prejudices; this is completely at odds with common liberty." In Amsterdam, on the other hand, "nothing is

considered more valuable or useful than freedom (Frankel, 2011, p. 72).

Spinoza provides us with a model of the ideal life that we may use to assess human perfection; living well entails organizing our lives as accurately as possible on the basis of an accurate comprehension of people's skills and shortcomings, as well as an accurate understanding of the world in which they exist. A person who achieves this state of being becomes a free person who lives "according to the dictates of reason alone," in Spinoza's words. While this ideal includes the possession of reason or understanding, it is also distinguished by the absence of what Spinoza regards as a flaw, namely the dominance of the affections or passions, whether they have negative counterparts like jealousy and hatred or positive counterparts like love and joy. As a result, the passions are viewed as barriers to freedom, and we are chained as long as we cannot control and overcome them (Koistinen, 2010, p. 223).

As a result, passions are viewed as barriers to freedom, and we are chained as long as we cannot control and overcome them. A state of bondage is the inability to regulate and suppress one's passions. For the man who is influenced is under the authority of fortune, whose power he holds to such an extent that, while seeing better for himself, he yet follows worse. Can it be argued, in contrast, that only we, our passions, are free? (Koistinen, 2010, p. 223). In this particular context, it would be reasonable to assert that the free market economy acknowledges the impact of the passions highlighted by Spinoza on individuals and endeavors to enhance consumption through laws aligned with this objective.

The obedient horse, representing the passions, follows the coachman's instructions, while the unruly horse, representing the passions, goes its own way. The coachman attempts to

control the horse, but when he fails, the horse obtains control and determines the fate of the coach and its driver. In the same way that the coachman cannot control the steed, we cannot control our passions and the actions they inspire. In Spinoza's terms, they enslave us by preventing us from acting virtuously and rationally (Koistinen, 2010, p. 223).

7. CONCLUSION

Spinoza argues that, grounded on the notion of desire, the inherent inclination of human beings is to seek optimal outcomes for their own well-being. In this particular context, there is an intersection between the concept being discussed and the notion of a free market economy. The free market asserts that economic entities engage in rational decision-making to select options that are optimal and advantageous for their own interests. Indeed, proponents of this perspective contend that the validation of this circumstance hinges on the notion that the pursuit of individual interests would have favorable consequences for the overall well-being of society. They assert that such outcomes are orchestrated by an imperceptible force. Spinoza further posits that individuals, when confronted with the ethical quandary of prioritizing either morality or self-interest, will invariably opt for self-interest. According to Spinoza, the concept of self-interest, which he elucidates through reason, constitutes a fundamental aspect of human survival.

The natural order proposed by Spinoza exhibits similarities to the concept of the invisible hand that underlies the functioning of a free market economy. According to Spinoza, the individual and their activities are inherently interconnected with the natural world. Nature can be considered as to a monarchy. The economic laws within this kingdom are also bound by its rules. Hence, the concept of the "invisible hand"

serves as a governing force that oversees and guides economic phenomena. The administration of this kingdom does not engage in any form of exclusion towards any individual. Nevertheless, it is imperative to acknowledge that this realm is regulated by a comprehensive set of rational laws. Hence, even in instances where an individual appears to be marginalized, there exists a discernible advantage. Furthermore, within this realm, which is ruled by rationality, individuals will definitely acquire an advantage.

It appears that Spinoza's philosophical ideas were shaped by his engagement with the Jewish intellectual tradition. The clear congruence between the limited state principle of the free market and Spinoza's beliefs, influenced by the Jewish holy book, is a subject of interest. Spinoza substantiates his advocacy for a small state by invoking the Jewish Bible as a source of support. However, it is important to acknowledge that Spinoza lived during a period characterized by the occurrence of Reformation movements and the subsequent impact they had on society. Hence, it is inherent for Spinoza, akin to numerous intellectuals of his era, to adopt a critical stance towards the dominant influence exerted by the Catholic Church and to incorporate this perspective into his philosophical framework. Conversely, it can be anticipated that Spinoza will lay the foundation for a conducive atmosphere that fosters the flourishing of a free market economy by advocating for the presence of a restrained state in the context of individual liberties.

Spinoza derived his notions pertaining to economic fairness from the Jewish Bible. Indeed, it is plausible to establish a correlation between the notion of justice and the principle of economic influence. Spinoza endeavored to establish the conceptual framework for equitable income distribution by addressing the allocation of financial power

(debt) and productive resources (land). To achieve this objective, he proposed the implementation of Sabbatical and Jubilee laws. Indeed, it is noteworthy that Adam Smith himself placed significant emphasis on the equitable nature of the land tax, and to some extent, incorporated the ideas of Spinoza within the framework of the free market economy.

Spinoza's philosophical framework encompassed an examination of freedom in conjunction with virtue, wherein he sought to elucidate the concept of virtue through the pursuit of autonomy. The existence of all the aforementioned dynamics can be attributed to the presence of individual liberties. In reality, it is anticipated that an individual who is free from state intrusion and is afforded justice will actively contribute to the well-being of both himself and society. In conclusion, it can be argued that Spinoza's views serve as a precursor to the philosophy of a free market economy. While Spinoza did not explicitly intend to establish the underpinnings of the present-day market economy inside his philosophical framework, it is evident that his concepts bear relevance in the context of the current world.

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A GENERAL REVIEW OF THEORIES OF OCCUPATIONAL SEGREGATION BY GENDER

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1. INTRODUCTION

Gender-based occupational segregation is a phenomenon that is observed across a multitude of economic, political, social, and cultural contexts. It is evident at all levels of economic development, in a diverse array of political regimes, and across a spectrum of religious, social, and cultural environments, regardless of geographical location. This phenomenon represents one of the most significant and enduring features of global labour markets (Goldin, 1986). There are several reasons to address the issue of occupation segregation. It represents a significant source of labour market inflexibility and economic inefficiencies. Excluding a certain proportion of workers from occupations leads to a waste of human resources, a rigidification of the labour market, and a reduction in the ability of the economy to adapt to change. These factors have become more important with the globalisation of production and increased international competition. In addition, gender discrimination in employment has a negative impact on women. The effects of this phenomenon have been found to have a significant negative impact on both how men perceive women and how women perceive themselves. Furthermore, it has been demonstrated that this can result in a negative impact on women's status and income, which in turn affects a range of social variables, including mortality and

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morbidity rates, as well as poverty and income inequality (Busch & Holst, 2011).

The persistence of gender stereotypes has been shown to have a negative impact on education and training, with evidence indicating that gender inequalities are perpetuated from one generation to the next (Floranza & Suresh, 2022). Gender segregation in occupations is therefore an important labour market phenomenon that deserves greater attention from policymakers and the public concerned with equity, productivity, and social justice. This provides valuable information for international comparisons and experiences.

The aim of this chapter is to review the main explanations for the existence and persistence of gender-based occupational segregation, drawing on the work of Anker (2001). This is a necessary first step in understanding and then dealing with the phenomenon. The chapter concludes with some remarks on the relative value of various theories in explaining occupational segregation.

2. CONCEPTUAL FRAMEWORK

Theoretical approaches to women's work refer to a body of literature developed to understand the causes and analyse the consequences of inequalities, social injustices, and discrimination between women and men in the labour market. Although researchers and theorists in this field have addressed the same problems, they have reached different conclusions because they have been influenced by different ideologies. The labour element, which is indispensable in production, receives an income in return for its contribution, and this income is measured by the performance shown at work. However, despite formal equality with men, women today still experience several inequalities in the labour market. In addition to the pay gap and the concentration of

part-time work, occupational discrimination is another of the main inequalities that women experience in the labour market (Giddens, 2009). Despite the potential of individuals to contribute equally to production, the emergence of occupational discrimination based not on their performance but on other factors negatively affects the female labour force participation rate. This situation necessitated the economic analysis of discrimination at the theoretical level (Ölmezoğulları et al., 1999).

Gender-based occupational segregation is defined as the phenomenon whereby certain occupations are largely performed by individuals of a single sex, which in turn leads to a reduction in gender diversity in occupations. Historical data indicates that this problem is characterised by marked inequalities in the distribution of women and men in work roles (Goldin, 1986). In the 1970s, a notable shift in labour segregation was observed, with women entering more prestigious and highly paid male-dominated occupations (Gatta & Roos, 2005). Nevertheless, despite these advances, gender-based occupational segregation remains a significant concern in many countries, with varying levels of discrimination observed in different nations (Nermo, 2000).

Block asserts that occupational segregation by gender constrains opportunities for interaction, informal relationships, and information exchange between men and women, which in turn results in the devaluation of women's work in terms of income and prestige (Block, 2021). This devaluation of female-dominated occupations contributes to the perpetuation of gender inequalities in the workforce. Institutions also play an important role in maintaining occupational segregation by protecting men's "space" through deliberate gender segregation within the workforce (Reskin & McBrier, 2000; McLaughlin et al., 2012). This practice serves to reinforce gender segregation in a variety of occupational settings.

Research indicates that occupational segregation by gender is not limited to formal employment but also occurs in voluntary organisations, suggesting a broader trend of gender-based social homophily in different fields (Rotolo & Wharton, 2003). The persistence of gender segregation in both occupations and voluntary groups highlights the systemic nature of this problem, which affects individuals' opportunities for social interaction and advancement. Moreover, the continued influx of women into certain fields has the potential to undo the progress made in reducing occupational segregation in previous decades (Blau et al., 1998).

The dynamics of occupational segregation by gender are influenced by a number of factors, including cultural norms, economic structures, and organisational practices. Cultural norms that favour gender equality are associated with lower levels of vertical segregation in non-manual occupations. In contrast, post-industrial economic structures correspond to higher levels of horizontal segregation, particularly in non-manual occupations (Charles, 2003). These findings indicate that social values and economic conditions are significant factors influencing the extent of gender inequalities in different occupational categories.

The phenomenon of occupational segregation by gender is not a contemporary issue; rather, it has historical roots that have shaped the current structure of the labour force. Historical data and analyses have revealed patterns of occupational segregation by gender across sectors and job roles. These patterns indicate that men are generally concentrated in certain types of jobs compared to women (Goldin, 1986). These historical trends have served to entrench gender segregation in the labour market, thereby underscoring the necessity for targeted interventions to effectively address occupational segregation.

In addition to social and cultural factors that influence occupational segregation by sex, legal measures and policy decisions also play an important role in maintaining or reducing gender inequalities in the labour force. Studies have shown that government policies and legal frameworks can influence the level of gender segregation in developing countries, with important benefits and regulations affecting the distribution of men and women in different occupations (Chang, 2004). Consequently, policy initiatives designed to advance gender equality and diversity in the workplace can prove effective in addressing occupational segregation by gender. Furthermore, the intersection of gender with other forms of social stratification, such as social class, introduces additional complexities to the dynamics of occupational segregation. Gender, occupational segregation, and social class interact in complex ways, leading to multifaceted patterns of stratification in the labour market (Birkelund, 1992). It is therefore of the utmost importance to gain an understanding of the intersecting dimensions of inequality to develop comprehensive strategies to combat occupational segregation and promote inclusion in various occupations.

The issue of occupational discrimination based on gender is complex and multifaceted, influenced by a number of factors, including historical legacies, cultural norms, organisational practices, economic structures, and legal frameworks. In order to effectively address this form of discrimination, it is essential to adopt a holistic approach that takes into account the intersection of gender with other axes of inequality. In this context, approaches to women's labour force participation will be examined in three main groups: the neo-classical approach, the institutionalist approach, and the feminist economic approach. Although these approaches may have some degree of overlap, this categorisation provides a solid basis for discussion (Anker, 2001).

3. NEO-CLASSICAL HUMAN CAPITAL MODEL

The neo-classical model, which is based on the foundations of classical economic theory, includes the following assumptions: that resources are allocated efficiently based on the rational behaviour of individuals and firms; that markets are characterised by perfect competition; and that supply and demand are in dynamic equilibrium. This model predicts that individuals seek to maximise utility and firms seek to maximise profit. It also predicts that equilibrium is achieved in markets through price adjustments (Shotter, 2001).

The human capital model, which is an extension of the neo-classical framework, assumes that individuals invest in education, training, and skills to increase their productivity and earning potential (Sweetland, 1996). The human capital model argues that individuals' knowledge and skills make valuable contributions to economic growth and development (Lucas, 1988). This model posits that the accumulation of human capital leads to higher wages, better job opportunities, and overall economic prosperity (Becker, 1962). In the model, population and technological level are designed as exogenous variables. Factors such as knowledge, experience, education, skills, and motivation are considered human capital in the model. Each of these elements affects the level of production by increasing the productivity of labour. Similarly, human capital encompasses investments in education, training, and work experience, made by individuals with the anticipation of enhanced future productivity and earnings. Consequently, the human capital model recognizes the labour force as an input that augments productivity in production and expands the scope of the model by emphasizing not only the physical dimensions of production factors but also their human dimensions (Şimşek & Kadılar, 2010).

The human capital model postulates that education and training represent the primary components of human capital formation, with investments in these areas yielding returns in the form of enhanced productivity and earnings. It further assumes that individuals make decisions regarding human capital investments within a rational choice framework, guided by expected returns and future benefits (Osiope, 2019). Model also suggests that there is a positive relationship between human capital accumulation and economic growth. Furthermore, it posits those investments in education and skills development increase innovation, productivity, and competitiveness in the labour market (Blau and Kahn, 2003). This assertion emphasises the importance of human capital in promoting sustainable economic development and increasing overall well-being in society (Islam, 2012).

The human capital model posits that occupational stratification and income disparities between the sexes are contingent upon the accumulation of human capital. According to this model, the observed phenomenon of women tending to occupy lower-paying roles and pursuing careers with lower returns is attributed to their relative lack of human capital compared to men. Consequently, it is argued that female labour cannot fully substitute for male labour. The lower level of human capital accumulation among women is attributed to their tendency to exit the labour market following marriage and the birth of children. This situation has the dual effect of concentrating women in low-income occupations and negatively affecting the labour force participation rate. Furthermore, it results in a lag in women's work experience compared to men. However, the human capital model is unable to account for the phenomenon of women and men with the same level of productivity receiving disparate wages or returns (Palaz, 2003).

In consideration of the sustained prevalence of gender segregation in occupations, despite the divergent characteristics of men and women, neo-classical economists have devised supplementary theories to elucidate the persistence of occupational segregation by gender while upholding their fundamental assumptions concerning rationality and efficient labour markets. The *compensating differences model* is a neo-classical-based economic theory that endeavours to elucidate women's predilection for certain occupations and the low wage levels in these occupations. The compensating differences model posits that women tend to avoid unfavourable and hazardous working conditions or prefer occupations offering superior benefits, such as health insurance and childcare facilities. This preference for occupations with favourable working conditions is particularly pronounced when men are the primary breadwinners and women are secondary. In such a context, it is argued that the relatively low monetary rewards in typical female occupations are compensated for to some extent by non-wage forms of remuneration. While there is some validity to this argument in countries where cultural values restrict the types of work available to women, it is more challenging to accept in countries where a considerable proportion of women are in the labour force or are the primary income earners in their households. In any case, the reason for low pay in many typically female occupations cannot be fully explained by the prevalence of pleasant working conditions (Anker, 2001).

The *taste-based discrimination model* represents another neo-classical economic theory that serves a complementary function in explaining occupational segregation. The model of employer behaviour developed by Becker (1971) posits that employers may exhibit prejudice against certain groups of workers. Such prejudice frequently, although not invariably, manifests in discriminatory attitudes towards individuals with

visible characteristics, such as race, disability, age, or gender. As a result of these prejudices, employers are said to experience a kind of discomfort (disutility) when hiring an individual from a group subject to discrimination. This is because they see it as a cost. To quantify the impact of discrimination on economic segments, Becker developed the discrimination coefficient. Becker postulated that factors that cannot be quantified in monetary terms are also effective in determining the net cost. Consequently, he emphasised the necessity of calculating non-monetary costs for each economic segment. If an employer harbours discriminatory sentiments towards women, employing women and employing men will result in disparate costs for him. While the cost of a male worker is solely his wage, the cost of a female worker will be her wage plus the employer's discrimination coefficient. In this case, the discrimination coefficient represents the additional cost incurred by the employer when employing women.

Becker's model presents two significant challenges. Primarily, it is unclear how this system can be sustained in a competitive economy. In the presence of less prejudiced employers, the hiring of individuals from the discriminated group is expected to reduce costs and increase profits. Consequently, the practices of non-prejudiced employers are likely to become dominant over time due to the competitive dynamics of the capitalist system. Secondly, even if it is assumed that some employers tend to discriminate, one would expect both genders to be widely represented in all occupations, given that the skills and preferences of men and women are broadly similar. However, this is not the case (Oostendrop, 2009).

4. INSTITUTIONALIST AND SEGMENTED LABOUR MARKET THEORIES

The institutionalist approach occupies a significant position among heterodox schools with its critique of neo-classical economic paradigms. In its critique of the capitalist system, this school emphasised that the political economy of modern society is based on social stratification rather than the economic and social benefits of individuals. The institutionalist approach, in contrast to the neo-classical approach, argued that economic actors are not rational individuals but rather institutional structures that produce macroeconomic policies and develop legal regulations. In this view, the limited rationality and habits of thought of institutional actors exert a significant influence on the decision-making processes of individuals (Hodgson, 2007). According to this approach, stratification in the labour market occurs through monopolistic firm initiatives and institutional arrangements. This situation results in the failure of traditional rational preferences to provide optimal outcomes. Furthermore, institutional theories posit that labour markets are segmented in specific ways. Although each labour market segment may be considered to function according to neoclassical theory, it is challenging for workers to transition from one segment to another (Anker, 2001). For instance, institutions such as trade unions, large-scale enterprises, and the state influence the autonomous and rational decisions of individuals and establish norms that constrain competition in the labour market. Such norms can result in the ossification of the labour market, with individuals facing constrained options in their economic activities.

The *dual labour market theory*, developed by Doeringer & Piore in 1971, divides the labour market into primary and secondary markets. According to this theory, the principle of marginal productivity, which is valid in the human capital model,

is not valid for the whole labour market (Stoikov, 1972). This theory treats the labour market with various distinctions, such as the good job-bad job market, the internal-external labour market, and the primary-secondary sector. These distinctions emphasise the existence of different segments in the labour market and the difficulty for workers to move between these segments. This theory, which initially focused on the structural features of the labour market, now also contributes to current debates on career opportunities and training in the workplace. The primary market is defined as a labour market that requires stable work, has a high wage level, equal opportunities for job promotion, more humane working conditions, social rights are taken into account, and discrimination is rare. In contrast to the primary market, the secondary market represents a labour market with low wages, poor working conditions, high labour turnover, and frequent discrimination (Reich et al., 1973).

The dual labour market theory has traditionally emphasised the existence of discrimination, particularly in the secondary market. However, it has not adequately explained the discrimination faced by women in the primary market. This has led to criticism of the theory, which has been argued to lack a sufficiently robust and consistent theoretical foundation when compared to the neo-classical approach. Furthermore, it was argued that the empirical studies employed to verify the theory were of insufficient quality (Cain, 1975).

Another economic theory that is related to labour market segmentation is *statistical discrimination theory*. The theory is a significant theoretical framework for elucidating the underlying causes of gender discrimination in the labour market. Although this theory is based on the logic of the institutionalist approach, it employs the neo-classical method in its analytical techniques. The theory posits that employers may discriminate between genders in conditions of imperfect competition, particularly given the

necessity to make decisions under imperfect information and uncertainty. This may result in the introduction of gender as a biased factor in the recruitment and promotion processes of employers (Phelps, 1972).

In the context of a lack of information and uncertainty about the future, employers may be inclined to engage in statistical discrimination against women in the hiring process. This is because they may perceive that testing candidates is costly and may not provide accurate results. It is possible that employers may perceive women as riskier candidates due to factors that may create instability and insecurity in the labour market, such as marriage or having children. This may result in employers being more reluctant to hire or promote women, influenced by social prejudices. Phelps suggests that such discrimination is the result of a rational approach rather than emotional preferences. He maintains that employers may make such decisions with reference to general perceptions in society in order to increase the profitability of the firm (Phelps, 1972).

The institutionalist approach makes a significant contribution to the statistical discrimination model by emphasising the role of discrimination in recruitment processes, whereby individuals are evaluated based on the general characteristics of social groups rather than on their individual abilities. This approach posits that employers act rationally by making inferences based on generalisations rather than undertaking comprehensive and costly individual assessments. In contrast, the statistical discrimination theory is predicated on the assumption of complete information in the long run. It posits that employers' ill-informed decisions will be corrected over time, leading to the disappearance of discrimination. However, in practice, it has been observed that discrimination is not fully compensated in the long run and that the theory cannot adequately explain discrimination in the labour market. This situation was

also highlighted by critics such as Darity & Mason, prompting discussions on the limitations of the theory (Darity & Mason, 1998).

5. FEMINIST OR GENDER THEORIES

Feminist economics is a discipline that focuses on gender inequality, critiques existing economic theories, and develops new discourses for the liberation of women from their subordinate position in society. Its objective is to provide an order based on social justice and equality in social, cultural, political, and economic relations between women and men. This approach examines gender discrimination in a multitude of social contexts, including the economic sphere. Feminist economists contend that existing economic theories should be re-evaluated, particularly in light of the discrimination women face or are exposed to in their participation in the labour market (Syed, 2021).

Feminist or gender theories offer critical perspectives that challenge traditional approaches and aim to address the diversity and complexity of women's lives. Feminist theories have been instrumental in advocating for the recognition of women's experiences, underscoring the exclusion of women from existing theoretical frameworks (Namaste, 2008). These theories not only focus on privileged women but also advocate for the rights of marginalised and materially disadvantaged women (Dai, 2024). The objective of these theories is to address the structural inequalities faced by historically disadvantaged groups by foregrounding gender issues (Jm et al., 2007).

Feminist theories have been employed to offer novel insights and perspectives in a multitude of fields, including business ethics, stakeholder theory, and international political economy (Burton & Dunn, 1996). Furthermore, feminist theories have been integrated into disciplines such as psychology,

sociology, and anthropology to address issues such as power dynamics, gender roles, and intersectionality (Jarnkvist, 2023). Feminist theories have also been employed to analyse trauma, identity development, and gender-based violence, underscoring the significance of integrating feminist frameworks into the discourse surrounding these issues (Ruck, 2015). Over time, feminist theories have evolved from feminist theory to gender studies, offering a broader perspective that includes different perspectives and challenges traditional narratives (Gymnich, 2013). The intersection of feminist theories with critical theories such as decolonization and queer theory has enriched research by providing a more inclusive and comprehensive understanding of social issues (Allard et al., 2022). Moreover, feminist theories have been instrumental in promoting feminist activism and consciousness-raising practices by connecting personal experiences with broader goals of social and political emancipation (Ruck, 2015).

Neo-classical economists have developed models that seek to explain the discrimination faced by women in the labour market. These models posit that the behaviour of employers and the market are responsible for this discrimination. However, feminist scholars have criticised these models on the grounds that their methodologies are constrained by mathematical limitations and fail to account for social, cultural, and historical factors (Bakas, 2017). Some empirical studies conducted by the neo-classical approach on the discrimination of the female labour force have yielded anomalous results, which have been put forward by feminists to demonstrate the limitations of the theory. In response to these criticisms, neo-classical economics developed new models. However, it also criticised the unsystematic and inconsistent theoretical foundations of feminist economics. The feminist approach has attributed the neo-classical approach's claim to universality to the masculinist bias of

scientific language, which it argued was reflected in the exclusive use of mathematical methods. Feminist ideas, which exhibited parallel characteristics with Marxist thought until the 1960s, subsequently diverged, and the notion that the Marxist approach was gender-blind in a manner analogous to the capitalist system gained traction (Peterson, 2021).

Feminist economics has developed a hybrid narrative, attributing the wage differences between men and women in models based on perfect competition in the neo-classical approach not only to economic reasons but also to non-economic reasons (Syed, 2021). In addition to market supply and demand conditions, which influence wage determination, biological differences and the shaping effect of socialisation were also considered reasons for gender-based wage discrimination and the low female labour force participation rate (Kaufmann, 2021). In imperfect market models, wage discrimination is explained in terms of monopolistic forces in the market and the behaviour of employers towards women in employment. Both models employed by the neo-classical approach to elucidate wage and occupational discrimination and low female labour force participation rates posit that discrimination impairs the functionality of the market and that external forces intervene in the functioning of the market (Nelson and Bridge, 2003: 69). In light of the persistence of gender discrimination and conditions that negatively affect women's labour force participation under market conditions, the feminist economics approach proposes the implementation of almost entirely anti-market regulations against gender-based discrimination. Such regulations include anti-discrimination legislation, equal pay for equal work, and policies such as the provision of childcare by the state (Conway, 2000).

6. CONCLUDING REMARKS

A thorough and multifaceted examination of gender-based occupational stratification necessitates the incorporation of diverse theoretical perspectives. In this context, a more holistic understanding can be reached when the neo-classical human capital model, institutionalist approaches, and feminist theories are considered together. The neo-classical human capital model posits that individuals' human capital investments, such as education, experience, and skills, are the primary determinants of their success in the labour market. It further attributes wage differentials and occupational stratification to the differences in these individual investments. However, the limitations of this model can be attributed to the fact that it does not sufficiently take into account social and institutional dynamics. In contrast, institutionalist approaches posit that labour markets are not homogeneous structures; rather, they are divided into distinct segments, with limited transitions between these segments. These theories posit that structural divisions and institutional arrangements in labour markets are among the primary causes of gender-based occupational stratification. In particular, the concentration of women in low-paid and low-status jobs is considered to be a situation that is reinforced by market forces and institutional arrangements. In contrast, feminist theories examine the impact of gender on economic outcomes in depth, identifying the structural roots of gender-based discrimination and inequality. These theories highlight the influence of gender roles and social expectations on women's career development. Moreover, feminist economists address gender discrimination in the labour market not only at the individual level but also at the social and structural level. They assess the barriers women face to labour market participation through factors such as gender norms, family responsibilities, and care obligations.

The integration of these three theoretical frameworks can facilitate a more comprehensive and holistic understanding of gender-based occupational stratification. The neo-classical model's emphasis on the importance of individual human capital investments, institutionalist approaches' focus on the structural divergence of labour markets and institutional arrangements, and feminist theories' in-depth examination of the role of gender and the structural roots of discrimination illuminate different dimensions of this complex phenomenon. While this theoretical integration contributes to a more holistic understanding of gender-based occupational stratification, it also paves the way for the development of policy recommendations. In order for women to participate in the labour market on equal terms, it is of great importance to remove social and institutional barriers and to implement policies that promote gender equality. These policies include the strengthening of anti-discrimination legislation, the expansion of equal pay for equal work, and the provision of childcare services by the state. Such structural changes will assist women in overcoming the obstacles they encounter in the labour market and facilitate their progress towards achieving gender equality.

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OSMANLI SOSYAL GÜVENLİK SİSTEMİNE ŞİRKET-İ HAYRİYE ÜZERİNDEN BİR BAKIŞ

Büşra KARATAŞER¹

1. GİRİŞ

En eski dönemlerden beri toplumun her kesiminde dar gelirli, kazancı zorunlu tüketim ihtiyaçlarını karşılayamayacak durumda olmayan yaşlı, kimsesiz, kaza sonucu iş kabiliyetini yitirmiş ya da doğal afetler, savaş gibi etkenler sebebiyle muhtaç duruma düşmüş kişiler hep var olmuştur

Eski çağlarda kabile ve daha sonra aile içi dayanışma ve yardımlaşma sosyal güvenliğin temellerini oluşturmaktadır. Aile içi dayanışma özellikle sanayi devrimine kadar olan dönemde sosyal güvenlik büyük bir öneme sahiptir (Dilik,1988:42).

Türk toplumlarında hayatın gerek İslamiyet'in kabulü öncesi ve sonrasında sosyal yardım ve güvenlik önemli bir yer teşkil etmektedir. Türklerdeki sosyal güvenlik uygulamaları, Orta Asya Dönemi ve Anadolu Selçuklular Dönemi, Osmanlılar ve Cumhuriyet dönemlerine doğru kronolojik olarak bakıldığında sosyal güvenliğin gelişerek devam ettiği görülmektedir (Duman,1996:33).

Göktürk İmparatorluğuna ait Orhun Abidelerindeki ifadelerde Türk Hakanlarının toplumsal düzeyde ihtiyacı olanlara yapılan yardımın önemi açıkça göstermektedir (Duman,1996:2)

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2. SOSYAL GÜVENLİK KAVRAMI

Sosyal güvenlik; vatandaşların yaşamını garanti altına amaçlayan refah ve güvende yaşamasını sağlayan ve toplumun beraberlik ve uyum içerisinde yaşamasını amaçlayan kurumlar bütünü olarak ifade edilir (Talas,1997:397).

Sosyal güvenliğe ihtiyaç insanlıkla birlikte doğmuştur. İnsanoğlu belirli dönemlerde ekonomik ve sosyal şartlar çoğu zaman da dini inançlar gereği ihtiyacı olan insan yardım etmenin bir yolunu bulmuştur (Dilik,1988:41).

Sosyal güvenlik kavramları içerisinde ele alınan sosyal politika kavramı 19. yüzyıl başlarında kavramsal olarak ilk defa söz edilebilir. Sosyal politika en geniş tanımıyla devlete ait olan toplumu refah seviyesini iyileştirerek toplumu yükseltmeyi amaçlamaktadır (Yardımcıoğlu,2019:4659).

Sosyal güvenlik sistemini ancak yaşanan kıtlıklar, kuraklıklar ve afetler sıkıntıya düşürebiliyordu. Aile, verimli yıllarda ambarlarını doldurabildiği takdirde yaşanan bu sıkıntılar büyük ölçüde giderilebiliyordu (Dilik,1988:42).

Endüstri öncesi toplumlarda ile, karşılıklı yardım sandıkları ve dini hayır kurumları yoksul ve hasta insanlara destek oluyordu. Özellikle Ortaçağ'da kilisenin oluşturduğu hayırsever kurumlar yoksullara yardım etmiştir (Güvercin,2004:89).

Sanayi devriminden önce Batı toplumlarında sosyal güvenliğe yönelik olarak bireylerin temel düzeyde ihtiyaç sahiplerine yapılan yardımlar çok azdır. Batılı toplumlarda dini yardımlar kilise tarafından yapılıyordu. Dini yardımlar ve desteği sanayi devrimi öncesinde batı toplumlarında mesleki örgütlerle yapılıyordu (Dilik,1988:42-48).

Sanayileşmeyle meydana gelen değişikliklerden biri de dünyada sermayeden ve hammaddeden bireylerin eşit oranda alması gerektiği görüşüdür. Aydınlanmanın bir sonucu olarak modern bir bakış açısıyla toplumu oluşturan bireylerin refah içerisinde huzurlu bir hayat geçirmelerine yönelik yaşamayı amaçlamaları sebebiyle sosyal politika gelişmiştir (Şenkal,2007:25). Sanayileşmenin bir sonucu olarak insanlar arasında ortaya çıkan gelir eşitsizliği ve sınıf farklılıklarını bir sonucu olarak gelir elde etme kaygısı ortaya çıkmıştır. Gelirde yaşanan eşitsizlikler zenginle fakir arasında beslenme, barınma, sağlık ihtiyaçlarını karşılama gibi zorunlu ihtiyaçları karşılama konusunda çeşitli farklılıklar ortaya çıkmıştır. Yaşanan bu farklılıklar devleti sosyal politikalar aracılığıyla desteklemeye mecbur bırakmıştır (Şenkal,2007:32).

18.yüzyılın ortalarına kadar devam eden bu dönem Osmanlı Devleti'nde devam etmiş olup Osmanlı'da sosyal güvenliğe yönelik uygulamalar ihtiyaç dahilinde devam etmiştir. Batıdaki uygulamaların benzeri olarak Osmanlı Devleti'nde mesleki örgütlerle sosyal güvenlik uygulamaları ile ihtiyaçlar giderilmiştir (Yardımcıoğlu,2019:4659). Osmanlı Devleti'nde sanayi devrimine kadar toplumda yardıma muhtaç insanlara sağlık, eğitim ve sosyal yardımlar alanında vakıflar açılarak sosyal yardımlar finanse edilmiştir (Çizakça,2017:60). Vakıfların sosyal yaşama yönelik faaliyetler içerdiği için hukuki dayanaklarla kurumsallaşmış ve devamlılık arz etmiştir (Öztürk,1983:137-145). Yoksullara, yetimlere yardım etmeye, evlenecek genç kızların çeyizlerini hazırlamaktan, öğrencilere burs vermeye kadar birçok alanda vakıf kurulmuştur (Taşkesen,2017:63). Vakıf kurumu ülkenin temel alanları olan eğitim, sağlık sosyal yardım, diyanet ve bayındırlık gibi yatırımları tahsis eden kurumlar olarak mali sistemin önemli bir alt ögesi olarak tanımlanır. Osmanlı Devletinde taşınır mal (para vakıfları) da kullanılarak toplumun kredi ve finansman kurumu

olarak görevini yerine getirdiğini söyleyebiliriz (Tabakoğlu&Karataşer,2019:431).

Osmanlı İmparatorluğu sanayi devrimini yaşamamış ancak 18. yüzyıl itibarıyla batıda başlayan sanayileşmenin ortaya çıkardığı etkiler sebebiyle hızlı bir değişime dahil olmak zorunda kalmıştır. Sanayileşmekle birlikte artan işgücü kullanımı yeni kurumlar yeni sosyal sigorta kavramları oluşmak zorunda kalmıştı (Orhan,2015:194).

Bir kavram olarak sosyal güvenlik kavramı yeni bir kavram olsa da sosyal güvenlik sosyal sigorta kavramları ismi olmasa toplumda farklı şekillerde vücut bulmuştu. Osmanlılarda çağdaş güvenlik sisteminin görevlerini klasik dönem boyunca vakıflar tarafından yürütülmekteydi.

Klasik dönem Osmanlı Devleti'nde sosyal güvenlik sistemi askeri zümreye halk kesimi ayrımı yapılabilir. Tanzimat'tan sonra ise genel merkezileştirmeye bağlı olarak devletin sosyal güvenliğe hakim olduğu görülür (Tabakoğlu,2008:309).00

Tanzimat öncesinde vakıf gelirlerinin bir bölümü yoksullara harcanıyordu. 16. yüzyıl muhasebe defterlerinde imaretlerin gider kalemlerinde imaretlerde pişen yemeğin o imaretin bağlı bulunduğu külliyelerdeki görevli ve talebelere gönderildiği, kalan az bir miktarın ise yoksullara gönderildiğinden bahsedilmektedir. Yaşanan bu süreç Osmanlı toplumunda yoksulluğun süreklilik arz etmediğini ve önemli olmadığını göstermektedir (Tabakoğlu,2008:309).

Osmanlı Devleti'nde 19. yüzyıl boyunca ahalinin refahı, sağlığını ve mutluluğunu teminat altına almak merkezi devletin gündemine oturmuş bir konuydu. Ahali kavramından burada anlaşılması gereken nüfustur. Ahali kavramı ile modern devlet ve siyasetin oluştuğu, nüfusun üretken kapasitesinin

geliştirilmesi ve sosyal kontrol gibi kavramların oluştuğu görülmektedir (Özbek,2002:48).

Sosyal devlet kapsamının genişliği ülkenin mali imkanlarına ve teşkilat yapısına bağlı olarak değişmektedir. Osmanlı Devleti'nin yenileşme dönemiyle birlikte modern bir sosyal devlet niteliği kazanmaya başlamıştır (Özbek,2002:56).

3. OSMANLI İMPARATORLUĞUNDA SOSYAL DEVLETİN OLUŞUMU

Osmanlı İmparatorluğu, 19. yüzyılın başlarından itibaren modern bir sosyal devlet olma yolunda önemli değişimler geçirmiştir. Daha önceki dönemlerde devletin faaliyet alanı içinde bulunmayan pek çok alan zaman içinde merkezi devletin yeni öğeleri olarak bir temel kazanmış ve giderek genişleyen bir sosyal alan oluşmuştur (Özbek,2006:29). Dönem içerisinde arşiv belgelerinde tehvin-i ihtiyacat, temin-i refah kelimeleri belgelerde daha çok geçer. Bu durum ahalinin refahının, sağlığının ve mutluluğunun güvence altına alınması yönünde bir gündem ve devletin sosyal bir nitelik kazanmaya başladığını göstermektedir (Özbek,2002,36).

Osmanlı İmparatorluğu 19.yüzyılın başlarından itibaren mali imkanlar çerçevesinde halk sağlığı alanında önemli faaliyetlerde bulunulmuştur. Salgın hastalıklara karşı mücadele gerçekleştirilmiş, aşı üretimi alanında ilerlemeler olmuştur. Başkent İstanbul başta olmak üzere birçok vilayette hastaneler kurulmuştur. Osmanlı Devleti'nde ilk çocuk hastanesi olarak bilinen Hamidiye Etfal Hastanesi Berlin'deki bir çocuk hastanesi örnek alınarak 1899 yılında kurulmuştur (Karataşer,2019:63). Modern bir bürokrasinin oluşumu etrafında önce askeri ve devlet memurları daha sonra imalatçı çalışan işçiler için emeklilik sisteminden bahsedilmeye başlanmıştır. Aslında 19. yüzyıl boyunca toplumun farklı kesimlerine farklı

ihtiyaç sebepleri ile yardımlar yapılmış ve sosyal yardım ağı oluşmuştur (Özbek,2006:29). Osmanlı toplumunda çocuk korumaya geleneksel izler taşımakla birlikte Tanzimat sonrasında çocukların korunmasına yönelik okullar açılmıştır. Yaşanan bu süreçler kamu hizmeti ve vatandaşlık hakkı çerçevesinde anlam kazanmıştır ve Osmanlı Devleti'nin modern bir sosyal devlet niteliği kazandığını göstermektedir. Osmanlı İmparatorluğunun bir sosyal devlet niteliği kazanmasının kendine has özellikleri bulunmaktadır. 19. yüzyıl Avrupa'sında sosyal politika ve sosyal güvenlik uygulamaları işgücü piyasasının kontrolü ve işçi hareketlerinin oluşturduğu politik sorunlara çözüm bulmak üzere şekillenmişti. Oysa aynı dönemde Osmanlı İmparatorluğu'nda geniş bir sanayi sektörünün varlığından bahsetmek mümkün olmayabilir. Ancak Osmanlı Devleti'nin ekonomik ve toplumsal dönüşümlerin oluşturduğu sorunların ortadan kaldırılması halkın refah ve mutluluğunun sağlanması konusunda faaliyetler göstermeye başladığı görülmektedir. 19. Yüzyıl boyunca sosyal yardım alanında yaşanan en önemli gelişme vakıflar ve imaret etrafında gelişen refah sistemin önemli ölçüde işlevini kaybetmesidir. Vakıf gelirleri maliye hazinesi içerisinde eritilmiş ve bu kurumların mali kaynakları azalmıştır. Evkaf Nezareti bünyesindeki merkezileşmeyle beraber vakıfların kontrolleri altında bulunan sosyal yapılar özerk konumlarını zaman içinde kaybetmişlerdir. Bu dönemde yoksulların korunması merkezi devletin faaliyet alanına girmeye başlamıştır. Bu aşamada merkezi hükümet tarafından yoksullara bir maaş bağlanmasına karar verilmiş oldu. Muhtacin maaşı uygulamasının 19. yüzyılın ortalarına kadar muhtacin maaşı uygulaması devam etmiştir (Özbek,2006:401-413).Bu dönemde tev'em (ikiz çocuğu olanlar yardım),Dul, yetim ve kimsesizlere yapılan yardımlar, yaralı askerler ve şehit ailelerine yapılan yardımlar, kıtlıklara ilişkin yapılan yardımlar, doğal afetler salgın hastalıklarda yapılan

yardımlar, yangın , sel ve hastalıklarda yapılan yardımlar olmak üzere çeşitli yardımlar bulunmaktadır (Temuren, 2020:53-66).

19. yüzyılın ikinci yarısından itibaren belediye teşkilatının ve yerel yönetimlerin değişmeye başlaması Osmanlı İmparatorluğunda yoksulların korunması konusuna yeni bir bakış açısı getirmiştir. 1868 tarihli Dersaadet İdare-i Belediye Nizamnamesi belediye dahilindeki yoksulların korunmasını şehremanetine bırakmıştır. 19. Yüzyılın sonuna gelindiğinde sosyal yardım kurumlarına bakıldığında dağınık olmakla birlikte yoksullara yardım, emeklilik ve halk sağlığı alanında Osmanlı Devleti'nin hukuki düzenlemeler ve kurumsal düzenlemeler geliştiği görülmektedir. II. Abdülhamid dönemine gelindiğinde modern sosyal yardım kurumları ve faaliyetleriyle taçlandırmıştır. Açılan bu kurumlar sayesinde yoksul vatandaşlar bilhassa İstanbul'da ikamet edenler modern yardım kurumlarından istifade etmişlerdir (Özbek,2002:36).

Bu kurumlardan ilki Darülaceze'dir. 18 bina ile hizmete giren kurumda aceze, zükur, inas, çocuklar şubesi olmak üzere dört şube olarak açıldı (Karataşer,2020:797). Bu kurumlardan bir diğeri ise 1902 yılında açılan Darülhayr'dır. 300 yetim çocuğa barınma ve eğitim imkanı sağlayarak kimsesiz çocuklar himaye edilmiştir (Kesgin,2016:137). Açılan kurumlardan bir diğeri de Hamidiye Etfal Hastanesi'dir. II. Abdülhamid Han'ın kızı Ayşe Sultan 'ın difteri hastalığı yüzünden kaybetmesinin ardından özel doktorlarından İbrahim Paşa'nın teşvikiyle bir çocuk hastanesi yaptırmaya karar vermiştir. Hastane emraz-ı cildiye, efrenciye, cerrahi, bulaşıcı hastalıklar, verem koğuşu olmak üzere dört bölümden oluşuyordu (Yıldırım,2010:42).

19. yüzyıl Osmanlı İmparatorluğunda modern emeklilik olarak değerlendirilmese devlet görevlilerine çalışma sürelerinin sonunda gelir elde etmeye yönelik uygulamalar bulunuyordu. 16. Yüzyıldan itibaren

Devlet hizmetlerinden yaşlılık, sakatlık, gibi nedenlerle ayrılanlara tekaüdiye, arpalık, oturak ulufesi gibi isimlerle bir çeşit işsizlik sigortası görevini gören ödemeler yapılmaktaydı (Şahin,2020:187).1838 yılında II. Mahmut'un merkeziyetçi reformlarının bir parçası olarak gelir ve giderleri merkezileştirmek maksadıyla bütün memurlara maaş verilmesine karar verilmişti. Böylece düzenli maaş sistemine geçilmiş olacaktı. Osmanlı Devleti'nde erken tarihlerden itibaren emeklilikle ilgili çeşitli uygulamalar bulunmaktadır. Bu konuda en önemli örnekler biri maliye defterlerindeki kayıtlardır. Bu defterler devletin gelir giderlerini ve emekli maaşlarına ilişkin bilgiler yer almaktadır. 1831-1847 yıllarına ait mütekaiddin maaş defterlerine bakıldığında emekliye sevk edilen personel ve maaş miktarları yer almaktadır (Martal,2000:1694). 1845-1846 yıllarını kapsayan eytam ve eramil defteri bulunmaktadır. Devlette hizmet yapan memurların geride kalan dul ve yetimlere bağlanan maaşları göstermektedir. 1838-1887 yıllarına ait maliyenin maaşat kayıt defteri Maliye Nezareti'nin çeşitli bölümlerinde çalışan kadrolu personelin ve kadrolu personelden emekliye ayrılanların maaşların %5inin hazineye aktarılmıştır (Martal,2000:1698).

3.2.Şirket-i Hayriyeve Emeklilik Düzenlemeleri

Şirket-i Hayriye çalışanlarına ait ilk sosyal güvenlik önlemleri şirketin 29 Ekimli şartnamesinde yer almaktadır. Bu şartnameye göre, maaşlardan yapılacak olan %4'lük bir kesinti karşılığında çalışanlara emekli maaşı verilecekti (Koraltürk,2007:61).

1893 yılında düzenlenen Şirket-i Hayriye çalışanlarına Ait Tekaid Kararnamesi'ne göre layiha İki fasıldan oluşmaktadır. Birinci Fasılda çalışanların emeklilik şekline dair açıklamalar bulunmaktadır.

3.2.1. Çalışanlara Ait Tekaüd Şekline Dair Düzenleme

Buna göre, Şirket-i Hayriye’de çalışan bütün görevliler ve kaptan, makinist, ateşçi ve tayfalarla aylık alarak çalışan amelenin tekaüd hakkından yararlanmaları için maaşlarından her ay şartnamenin beşinci maddesine göre, yüzde dördü tekaüt aidatı olarak kesilecektir.

Tekaüd maaşı iki çeşit olacaktır. Buna göre, birinci tekaüd maaşı belirli bir süre hizmet karşılığında çalışanların elde edeceği maaştır. Diğeri ise maluliyet karşılığı tahsis edilir. Hizmet karşılığı tekaüde hak kazanan çalışanların şirkette yirmi beş sene hizmet etmiş olmaları şarttır. Layihanın bu maddesine göre çalışanların emeklilik şartları hastalık ve çalışma süresine bağlanarak bir düzen oluşturulmuştur. Çalışanların isteği olmadığı takdirde veya çalışamayacak derecede rahatsız veya hasta oldukları sabit olmadıkça tekaüdları yapılmayacaktır. Bu maddeye göre çalışanların istekleri gözönünde bulundurulmuş ve hasta olduklarının tespiti yapılarak emekli olmaları önemle belirtilmiştir.

Kararnamenin dördüncü maddesine göre, çalışanlardan belirli süreyi tamamlayanlar istedikleri zamanki maaşlarının üçte biri ile emekli olabileceklerdi. Kanuna göre emeklilik maaşı yüz kuruştan az olanların maaşı yüz kuruşa tamamlanarak bu miktardan aşağı tekaüd maaşı tahsisi olunamaz (BOA, İ.Kan, 1-17/1). Çalışma süresi 25 yıldan fazla hizmet edenlerin her senesi için yirmi beş senede hak edecekleri maaşın yirmi beşte biri zam yapılacak ancak tahsis olunacak maaşın miktarı hizmetlerine tahsis edilen maaşın yarısını geçemeyecektir. Çalışanlardan çalışma süresinde malul olanların maluliyeti şirketin en hafif, işinde çalışmaya engel olacak derecede olsa bile yirmi beş sene hizmet etmiş gibi emekliliği yapılır (BOA, İ.Kan, 1-17/1).

3.2.2. Yetim ve Dul Kadınlara Tahsis Olunacak Maaşlar Hakkında

Çalışanların emekliliğine bağlı olarak düzenlenen layihada yetim ve dul kadınlara tahsis olunacak maaşlara dar düzenleme de şu şekildedir;

Hizmet karşılığı emeklilik için şart olan süreyi tamamlayıp da emekli olmadan veya emeklilikten sonra vefat edenlerin ve beşinci maddede (Çalışanlardan çalışma süresinde malul olanların maluliyeti şirketin en hafif ,işinde çalışmaya engel olacak derecede olsa bile yirmi beş sene hizmet etmiş gibi emekliliği yapılır.) geçen durumdan dolayı emeklilik maaşı almaya başladıktan sonra veya henüz maaş almadan vefat edenlerin yetim çocukları ve dul eşleri bir kişiden ibaret ise vefat eden kişinin hal ettiği maaşın üçte birini ve iki kişi ise yarısını daha fazla ise üçte ikisini yetimler ve dul eşler arasında eşit olarak paylaşmak üzere tahsis olunur. Bu paylaşırma durumunda her birine tahsis olunacak maaş otuz kuruştan aşağı olursa noksanı otuz kuruşa tamamlanacaktır. Bunların vefat edenlerinden ve yirmi yaşını tamamlayan erkek ile evlenen kızlardan kalacak maaşların otuz kuruşa tamamlanması için şirket sandığından ayrılmış olan miktarı sandığa ait tutularak geriye kalan aralarında eşit olarak paylaşılır.

Çalışanlardan hizmet süresi on seneyi tamamlayarak vefat edenlerin ailelerine yirmi beş sene müddeti hizmeti tamamlayanların ailesinin hak ettikleri maaşın üçte biri ve hizmet süresi on seneyi geçerek vefat edenlerin ailelerine fazla olan her bir sene için bu maaşın üçte bir maaşa onda bir zam ile tahsis edilecektir.

Çalışanlardan on seneyi tamamlamadan vefat edenlerin ailelerine bir defaya mahsus olmak üzere şirket sandığından, vefat eden kişi bir seneden beş seneye kadar çalışmış ise son

görevindeki maaşın iki katı ve altı seneden on seneye kadar çalışmış ise dört katı miktarı ikramiye verilecektir.

Sandıktan hizmet karşılığı tekaüd maaşı tahsisi hizmet süresince maaşından sandığa yüzde dört verilmesi şartına bağlıydı. Bir çalışan emekli olma süresini tamamlayıp da istediği halde hizmet süresine göre maaş tahsis edileceğinden çalışma süresince maaşından kesilmiş olan yüzde iki ve dörtten başka daha kaç senelik geri süre maaşlarından yüzde dörde ulaşmak için yüz de iki alınması icab eder ve bunun toplamı her kaç kuruşa ulaşırsa istifa süresine kadar kendi tekaüd maaşından ve vefatından sonra ilesine intikal eden maaş miktarından yüzde on kesilir. Emekli olmadan önce vefat edenlerin ailelerine tahsis olunan maaşlarda bu kurala göre kesilir.

Şirketin imtiyaz süresi bitiminde imtiyaz süresi yenilenip uzatılmazsa sermayesi hissedarlara bölündüğü takdirde tekaüd sandığında birikmiş olan para da maaş ve kıdemleri oranında tüm çalışanlar ile bu sandıktan maaş alan emekli ve dul kadınlarla yetimlere paylaştırılacaktır. Uzun süre şirket hizmetinde çalıştırıldıktan sonra çalışmayı bırakan ve bir süre sonra şirkette çalışmaya başlayanların hizmette bulunmadıkları süreler emeklilik süresine dahil edilmeyecektir. Şirketin maddeten zararını gerektiren bir iş sebebiyle mahkeme kararına dayanmadan işten çıkartılanların çalıştıkları sürede maaşlarından kesilmiş olan tekaüd aidatları hesaplanarak tamamen kendilerine iade olunacaktır.

Şirketin tüm çalışanları maaşlarından tekaüd aidatı olarak kesilen yüzde dörtten biriken paralar işbu kararname gereğince emekliliğe ayrılacak çalışanlar ile bunların ailelerine tahsis ve verilecek maaşlarına yetmediği takdirde üst tarafı şirket sandığından karşılanacaktır. Tekaüd sandığında fazla sermaye biriktiği takdirde sandık hesabına olarak faize yatırılacaktır.

4. SONUÇ

Sosyal güvenlik tarihin en eski çağlarından itibaren insanlığın ihtiyaçları doğrultusunda zaman içerisinde şekillenmiştir. Yaşlı, kimsesiz, kaza sonucu muhtaç duruma düşmüş insanlar toplum tarafından desteklenmiştir.

Türk toplumlarında İslamiyet' sosyal yardım önemli bir rol oynamıştır. İslamiyet'in kabulü öncesi ve sonrasında da sosyal güvenlik önemli bir yer teşkil etmiştir.

Sanayi Devrimiyle birlikte dünyada düşünce ve yaşam biçiminin değişmesiyle birlikte sosyal güvenliğin uygulanma biçimi değişmiştir. Yaşanan gelir eşitsizliğinin artmasıyla birlikte toplumsal olan sosyal güvenlik yerini devletin sosyal güvenlik hizmetlerine yoğun bir biçimde sahip çıkmasına neden olmuştur.

Osmanlı devlet kültüründe sosyal güvenlik bir devlet kültürü halinde benimsenmiştir. İmparatorluğun kuruluşundan itibaren devlet erkânı tarafından öncelikli olarak muhtaç, kimsesiz insanlara yardım temel görev olmuştur.

Osmanlı Devleti'nde sosyal güvenlik alanında çalışanların emeklilikleri ile ilgili düzenleme Şirket-i Hayriye bünyesinde 1893 yılında bir nizamnameyle kabul edilmiştir. Bu nizamname çalışan haklarını çalışma sürelerini bakmakla yükümlü oldukları ailelerine bırakılacak düzenlemelere kadar ayrıntılı bir biçimde düzenlenmiştir.

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