



Employment Situation of Trans People in the Context of the Southern European Welfare Regime: The Case of Turkey

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Accepted: 5 December 2023 / Published online: 28 February 2024

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Abstract

This study aims to investigate the employment situation of trans people in the context of the Southern European welfare regime in Turkey. We observe that the welfare state has emerged as a product of the Industrial Revolution towards the end of eighteenth century. The Industrial Revolution led to a diversification of products in manufacturing along with technological change and reforms in this era brought many variations in social, economic, political, and cultural fields. Within this context, the Southern European welfare regime plays a critical role in establishing a patriarchal system, a gender-based division of labor, and sexual orientation and gender identity categories that are rejected in culture and the system. By looking at the previous studies that collected limited data, we aim to present the yearly changes in the employment rate and the situation of trans people in Turkey. Due to the hostile work environment, inadequate policies and actions, and the discrimination against trans people, the employment rate of both trans women and trans men working in the public sector is very low. Not surprisingly, the situation is not different for the trans individuals working in the private sector.

Keywords Southern European welfare regime · Employment rate · Trans individuals · Labor market · Social policies

Introduction

The welfare state has emerged as a product of the Industrial Revolution towards the end of the eighteenth century. The Industrial Revolution led to diversification of products in manufacturing along with technological change while reforms in this era brought many variations in social, economic, political, and cultural fields. Acceptance of the importance

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of personal and political rights of individuals, importance of absolute freedom, insufficient economic and social rights and problems caused by poverty have led to the establishment of the material and intellectual foundations of the social welfare state. Education, health, and welfare services, minimum income and a certain level of social welfare, and housing assistance are the primarily targeted areas for the social welfare states.

In the transformation that started with the Enlightenment and continued with the Industrial Revolution, the necessity of the consumption phenomenon has entered all areas of life dominated by capitalism. In this framework, modernism has manifested itself as a new practice. Modernism can be expressed as the process of routinization of daily life, the weakening of belief in religious values, the differentiation and individualization of lifestyles, the rise of urbanization, the introduction of science and technique in all areas of life, and the continuation of capitalism's effect on economic life (Kırılmaz & Ayparçası, 2016). While modernist society requires specialization instead of organization and kinship relations; it is the society type that is based on economic, political, religious, and educational unions, anonymous, mobile, specialization in roles and statuses, increased division of labor, weakened traditions, individualistic understanding in family structure and relationships (Dönmezer, 1999). Modernism, that contains important processes in the way of creating a new world, aims to be a social arrangement that characterizes today's societies by creating a society that is not dependent on traditions, customs, habits, expectations, and beliefs (Köker, 2004). At this point, it is possible to say that the countries categorized by the Southern European welfare regime are not involved in the processes of modernism and are behind in achieving the goals within the scope of the social welfare state.

However, new objectives have emerged, such as economic growth, elimination of poverty and income inequality, promoting social integration, and generalization of social participation. Different social welfare state formations have arisen and developed based on varying criteria in practice compared to historical traditions, economic and cultural structures of nation states. We consider the Southern European welfare regime, being one of these formations, as a model in which underdevelopment of welfare programs and traditional family still plays an important role. It affects social policy areas such as commitment to traditionalism and religious institutions and structures, education, health, housing, and employment. These features of the Southern European welfare regime play a critical role in establishing a patriarchal system, a gender-based division of labor, and sexual orientation and gender identity categories that are rejected by the dominant culture and the social, political, and economic systems in a country. In the construction of such a culture and system, trans people may be excluded from, for example, education, health, justice, and employment in the country. Additionally, because of this discrimination, trans individuals have suffered from adverse mental health conditions. And since access to the health care system is problematic, this leads to even worse conditions (Granberg et al., 2020; Paul & Moser, 2009). In a theoretical context, our aim is to show the effects of the Southern European Welfare Regime model on the access of trans people to employment.

There are many studies that explain the workplace situation of the LGBTQIA+ people. Gates and Mitchell (2013) find that lesbian, gay, and bisexual individuals face discrimination and confront stigma in the workplace. Irwin (2002) investigates whether lesbian, gay, and transgender (LGT) individuals face any work discrimination in the education sector. The author states that LGT educators in the US face discrimination from students, parents, and co-workers due to their sexual orientation and gender identity. It is no doubt that discrimination against trans individuals exists in Turkey. However, according to the authors' knowledge there is no study that investigates the employment situation of trans people within the context of the Southern European welfare regime.

Due to the negative environment at work, inadequate policies and actions, and discrimination against trans people, the employment rate is very low for both trans women and trans men working in public sector. Not surprisingly, the situation is no different for the trans individuals working in the private sector.

The remainder of the paper is as follows. In Section "[The Southern European Welfare Regime](#)", we discuss the Southern European welfare regime. In Section "[A Glimpse of the Turkish Labor Market](#)", we present a glimpse of the Turkish labor market. Section "[Employment Situation of Trans People](#)" shows employment situation of the trans people. Section "[Policy Implications and Concluding Remarks](#)" provides policy implications and conclusions.

The Southern European Welfare Regime

Historic investigations of welfare regimes (or welfare states) show that the first attempts occurred after World War II (Esping-Andersen, 2002; Özdemir, 2007). Arguments over classification of welfare regimes have varied from 1950 and 1960s up until the present. A classification of three welfare regimes has been presented by Esping-Andersen in the 1990s (Şenkal & Saripek, 2007; Tiyeek & Yertüm, 2015) which include the social-democratic welfare regime, the liberal welfare regime, and the conservative welfare regime. In the social-democratic welfare regime; social rights are institutionalized in the widest sense. Free public service is very common while income inequality is very low. In this regime, it is crucial to have a high level of equality and wider public sector existence. Universality is the most important distinction of the regime (or model). In this model, every citizen is eligible to have access to services and assistance regardless of their employment and family situation. In the liberal welfare regime, unlike the social-democratic welfare regime, the level of free public services is low while income inequality is high. The role of the State is not one of being a traditional service provider but passes this role over to the private sector and non-governmental institutions. Assistance is provided in case of need; furthermore, low-income transfer and the lack of social security protection is very common in the liberal welfare regime. Public sector employment is low while it is much higher in the private sector. The conservative welfare regime is a combination of the social-democratic and the liberal welfare regimes. It is based on the Bismarck model with premiums paid to social security participants playing an important role. The State is replaced with the market in the provision of welfare services. Unlike the social-democratic welfare regime, which is universal, the conservative model provides services to ones who are employed.

The Southern European welfare regime, discussed by Liebfried and Ferrara, is examined within the scope of this study (Güler, 2015; Tiyeek, 2018). The main characteristics that distinguish the Southern European welfare regime from other regimes are the inadequacy of welfare programs and the traditional family in these countries, which still plays a significant role. The family institution at the informal level deals with social problems such as unemployment, poverty, social exclusion, and the protection of children and disabled people (Ferrera, 2006). The labor force participation and the employment rates are low, especially for women. Italy, Greece, Spain, Portugal, and Turkey are representative of this welfare regime type. Even though the constitution contains powerful canons in modern welfare state direction, legal, institutional, and social implementations are very inadequate in these countries (Gough, 2006; Marangoz, 2001). On the other hand, when examining the constitution and laws, it is observed that all the institutional advances of the

modern welfare state are only promised. Therefore, these countries have been considered as either “state of promises” or “state of institutionalized promises” rather than constituting a real welfare state (Koray, 2002; Toprak, 2015). Thus, the Southern European welfare state countries’ characteristics demonstrates that they are not as developed as other welfare states and many problems regarding education, health, and work environment are resolved by individuals’ efforts. Turkey’s socio-economic structure is like that of Portugal, Spain, and Greece. Turkey’s modernization process, like these countries, took place later than those of other Western European countries (Günel, 2009). We see that Turkey has a set of unsystematized social security regulations which are very dispersed, multipartite, family centered, and which only covers individuals who work in the formal economy since they are registered in the social security system.

A Glimpse of the Turkish Labor Market

The labor market in Turkey has followed different paths. It was mostly dependent on agricultural employment back in the 1970s through the 2000s. Internal migration from the Northern and Southeastern part of the country was quite visible. Especially the Black Sea, the Eastern and Southern-Eastern regions sent most of the labor force to other regions in the country. In the 1980s, transformation from agriculture to manufacturing forced the labor market to demand high productivity from the high-skilled and the highly educated labor force. This led to a dramatic fall in agricultural employment while there was an increase in industry and service employment (Cilasun et al, 2015). The labor force participation due to migration increased in the Western and Southwestern regions, even though the jobs that those laborers did were blue-collar with low wage levels. This shift from rural to urban also started to affect the position of women in the labor market, by participating instead of staying home.

By the end of the 1990s, several reforms were in Turkey that shifted the labor force participation. Particularly, the educational reform that was ratified in 1997 increased compulsory education from five to eight years. In the post-1980 era, especially during the 1990s, the Turkish labor market faced neo-liberal policies. One of the consequences of this was prioritization of state-owned enterprises, which caused individuals to lose their jobs. Coalition governments tried to implement policies providing employment protection (Tunalı, 2003). Although agricultural employment was high, the number of paid employees was very low. Moreover, the employment rate of women in the labor force was low. They experienced income problems because of their low education levels and employment rates (Figs 1, 2 and 3).

In the 2000s, low educated older individuals left the labor market due to early retirement. In addition, the economic crisis in the 2000s resulted in a fall in employment and labor force participation levels. On the other hand, both the educational reform in 1997 and the low educated older employees’ exit from the labor market have increased the education level of the Turkish labor market. Women’s participation in the labor market has increased as well. Most of the 2000s passed with active labor force policies implemented to overhaul labor market difficulties experienced in the past.

After 2005 we see a high level of labor force participation. According to Uysal et al. (2020), this was due to more young people entering the labor market, an increase in female labor force participation as well as an uptick in Syrians’ labor force participation, combined with higher educational levels resulting in a strong increase in labor market participants. However,

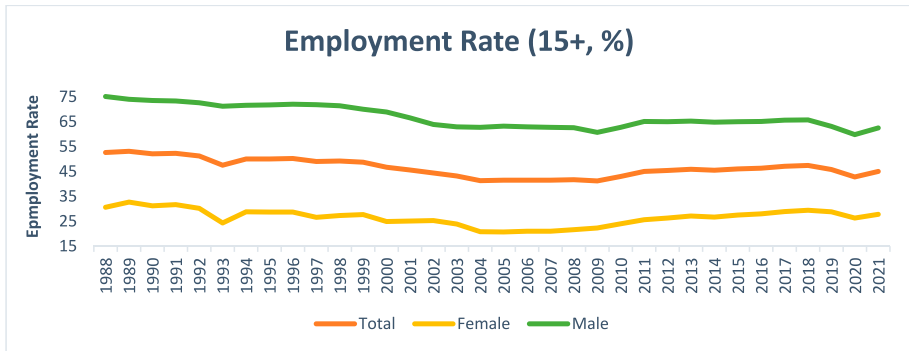


Fig. 1 Employment Rate (15+, %). Besides total, Fig. 1 consists of female and male while Figs. 2 and 3 consist of women and men. The distinction of the female/women and male/men is very visible and important according to the authors. Female/male is the indicator of biological sex while women/men is gender. Authors' calculation is done according to gender since in the reports individuals express themselves in terms of gender identity. That is why authors' calculation is different than TurkStat. It collects its data by asking the participants their gender, but it is probably the biological sex. Source: TurkStat. Note: Calculations for the year 2021 is until October 2021 due to data availability

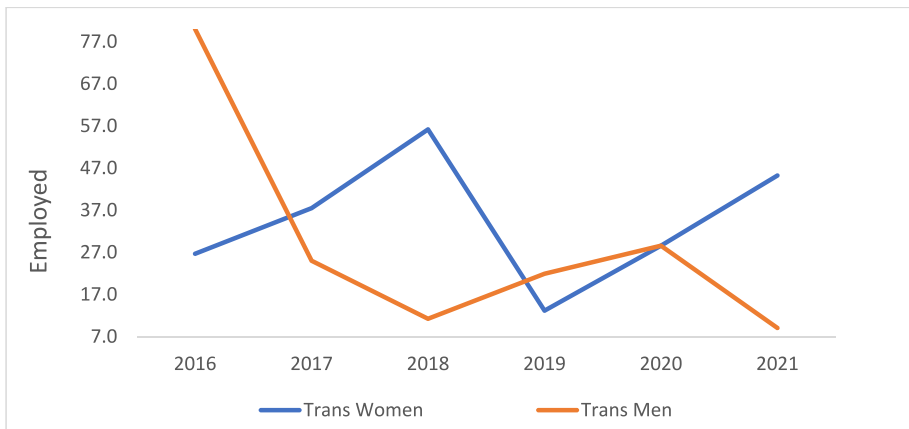


Fig. 2 Employment Rate of Trans Employees in Public Sector. Source: O'Neil et al., 2016a, b; 2017a, b; 2018a, b; 2019a, b; 2020a, b; 2021a, b. Authors own calculation

structural problems in the Turkish labor market remained due to wages and hours, a high level of informal employment, employment mismatches, a high unemployment rate, and inadequate labor market flexibility (Gökten, 2021; Uysal et al., 2020). Gökten (2021) also stated the Justice and Development Party impacted the Turkish labor market. Finally, we should not neglect the COVID-19 pandemic with unpaid leaves and layoffs resulting in labor market uncertainty (Akyıldız, 2020).

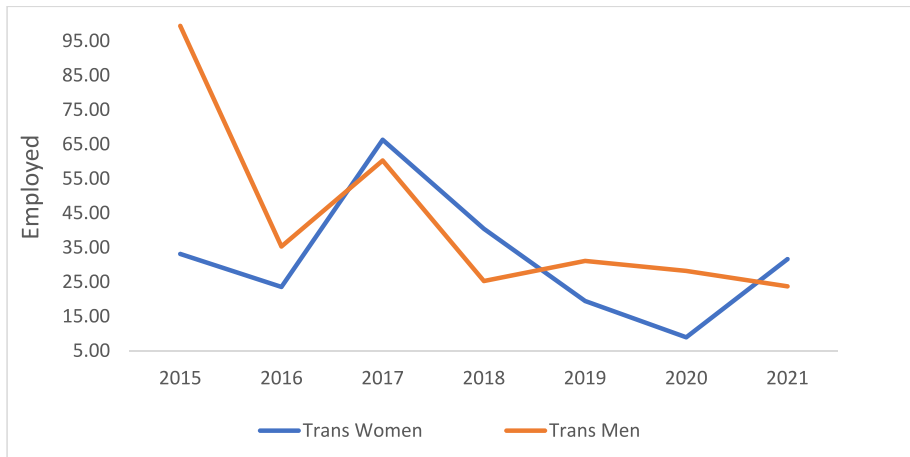


Fig. 3 Employment Rate of Trans Employees in Private Sector. O’Neil et al., 2016a, b; 2017a, b; 2018a, b; 2019a, b; 2020a, b; 2021a, b. Authors own calculation

Employment Situation of Trans People

Discrimination against the sexual orientation and gender identity of individuals at work is an ever-increasing problem all over the world (Altunpolat, 2017; Kara, 2022; Schilt & Connell, 2007). The vast majority of LGBTQIA+ people – especially trans people – face discrimination at work or face many obstacles when entering the workforce (Doğan, 2012; Flores et al., 2020; Sears et al., 2021). Additionally, trans people experience discrimination and different forms of violence and rights violations in their families, in the media, in work life and in mental health services (IAHCR, 2020). Furthermore, trans people may experience high rates of HIV and sexually transmitted infections, exposure to violence and suicide, and their access to health care systems may be very limited (Bachmann and Gooch, 2018; Feldman et al., 2021; Herman & O’Neill, 2021). Along with that, other problems facing trans people include law enforcement as a perpetrator of systematic torture and ill-treatment of especially trans women, obstacles in education, work, health, justice, housing, and social service access remain (Doğan, 2015; Kara et al., 2022; O’Neil et al., 2020a, b).

Among many of the Western countries, laws protecting the individuals exist; however, most of these laws are limited, inadequate or offer no protection at all to protect LGBTQIA+ people. At work in Turkey, heteronormative and LGBTQIA+phobic views are prevalent. Because of this attitude, LGBTQIA+ people face discrimination at work. Even though the amount and severity of discrimination varies across business sectors, LGBTQIA+ people experience much discrimination (Biçmen & Bekiroğulları, 2014; Chung, 2001; Gates & Mitchell, 2013; Güler, 2017; Öner, 2015a, b). LGBTQIA+ people are exposed to prejudice, discrimination, and hate crimes because their behavior goes against traditional (Turkish) family structure and public morality. Additionally, they also are deprived of basic human rights such as education, health, right to live, employment and access to justice. Different institutions continue to define various sexual orientations and gender identities as “psychosexual disorders.” On the other hand, workers such as military men, police officers, and teachers may be removed from employment immediately when their sexual orientation and/or gender identity is exposed (Irwin, 2002).

Even though work-life is one of the major areas where homosexual, bisexual, and trans people are exposed to discrimination, it remains largely invisible (Dietert & Dentice, 2009; Schilt & Wiswall, 2008). Individuals do not express their sexual orientation and gender identity and remain closeted because of the fear of facing sexual orientation and gender identity discrimination at work. They are not able to claim their rights because of the fear of being outed when they face discrimination due to their sexual orientation. For example, in the public sector trans people who are in the transition process mostly leave the labor force since they are exposed to transphobic discourse and behavior.

Discrimination is a phenomenon that creates political, societal, and economic consequences. The state is expected to assay and remove it via necessary legislation. International regulations, which Turkey is also obliged to follow as a co-signatory, such as the Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, Discrimination (Employment and Occupation) Convention, 1958 (No. 111) have aimed to eliminate discrimination. At the national level, the law no. 10 of the Constitution of the Republic of Turkey states that “all citizens are equal before the law regardless of language, race, color, sex, political opinion, philosophical belief, religion, and sect, or any such grounds.” As with the constitution, law no. 4857 of the Labour Act of Turkey forbids discrimination against language, race, color, sex, disability, political opinion, philosophical belief, religion, and sect, or any such grounds at work. It is worth criticizing the national legislative acts mentioned since sexual orientation and gender identity notions are not clearly stated. In addition, this creates a vague environment for protecting individuals against direct or indirect discrimination. The right to work is a part of the European Social Charter and contains the right to access safe and healthy working conditions. Trans people face difficulties regarding accessing and maintaining this right (Barclay & Scott, 2006; Dietert, 2007). They most frequently encounter practical problems like pressure, insult, bullying (especially from colleagues), forced implementations about using the restroom, a very long and cumbersome mandatory process of acquiring legal recognition of their gender identity, and informing the employer about gender orientation period (Schilt, 2006; Taranowski, 2008).

Employment and financial wellbeing play a vital role for trans people in accessing health services. Having a job means having health insurance, which helps trans people in receiving health services for their medical expenses. However, since health insurance plans usually do not cover hormone treatments or surgeries for trans people, being employed, receiving payment is the only way to pay for specific health services.

Due to the Southern European welfare model of family loyalty and the domination of religious values, the sexist and LGBTQIA+phobic culture in Turkey leads to exclusion of these individuals from employment. It should be noted that with the LGBTQIA+ movement, studies have made discrimination and social claims in the workplace more visible (Kutlu, 2009; Öztürk, 2011; Demirdizen et al., 2012; Doğan, 2012; Kara, 2022; Öner, 2015a; b; Yıldız, 2012; Doğan, 2015). These studies indicate that LGBTQIA+ people are not hired on the grounds of their sexual orientation and gender identity. Additionally, they are dismissed or forced to resign, their promotions are prevented, and they are employed for low wages. Since LGBTQIA+ people think that they can potentially be exposed to discrimination at work, they prefer not to come out to their colleagues or managers at work. In addition, LGBTQIA+ people who do not hide their sexual orientation or gender identity, may face actual discrimination. However, LGBTQIA+ people who hide their sexual orientation or gender identity prefer not to come out in the workplace due to discrimination experienced by others.

In our study, we have compiled reports of the situation among public sector employees of LGBTQIA + people in Turkey (O'Neil et al., 2016a, b; 2017a, b; 2018a, b; 2019a, b). However, since the data is collected via surveys, the number of participants are different in every year. That is why, we have calculated the rate per 1000 population in Turkey.

The studies of these public sector employees (LGBTQIA + people) in Turkey (O'Neil et al., 2016a, b; 2017a, b; 2018a, b; 2019a, b; 2020a, b; 2021a, b) indicate that the number of trans women working in the public sector increased in 2016 and 2017. However, we have observed a dramatic decrease after 2018 until 2019. Since discrimination against trans people is very visible this result is no surprise. Most of the time trans women are not allowed to be employed in the public sector. On the other hand, discrimination against trans women is at its peak in the public sector so they are forced to leave the labor force (and change sectors). In this context, we should point to the COVID-19 pandemic effect. Due to the pandemic, people started working from home. This situation improved the working environment of some trans people and kept them away from transphobic discourses. This may have led to an increase in employment after 2020 for trans women.

The situation is no different for trans men. Through time, employment in the public sector has decreased gradually. The employment rate was relatively high in 2016 but then decreased. However, unlike trans women, we see an uptick after 2018 in the employment of trans men. In the public sector, some trans people must resign to officially start their treatment. Because of fear of losing their jobs, they may stay in employment (O'Neil et al., 2021a, b) which might explain the increase after 2018. However, the global effect of COVID-19 has impacted employment of trans men beginning in 2020. It also is possible to say that trans men are exposed to more discrimination in the public sector and are not employed based on their "pink identities" (Özlen, 2020a, b; Tahaoğlu, 2014). In addition, trans men are more often in "*limbo*" and although they are men, they remain outside the acceptance of the patriarchal system. That said, it is possible to say that there are many trans men who do not start their hormones and appear as "incomplete men" simply because they do not have beards. This marginalization by the patriarchal system deeply affects the recruitment processes in the public sector. Trans men, who have started the gender adjustment process and are currently working in public sector, may be forced to leave their jobs, exposed to mobbing and prevents them from being employed in the public sector (Alpar, 2019).

Laws and policies for trans people are very scarce. Not only is there no protection at work, but also the development of other policies can cause significant damage to these individuals.

Overall, the employment rate of trans individuals (men and women) is low. According to O'Neil et al., (2021a, b) this can be attributed to the obstacles trans individuals face, especially during their education and when accessing employment due to discriminatory practices stemming from gender norms.

Reports of the situation among these private sector employees (LGBTQIA + people) in Turkey (O'Neil et al., 2016a, b; 2017a, b; 2018a, b; 2019a, b; 2020a, b; 2021a, b) does not differ from the public sector. For both trans women and men, there was a decrease in their employment in 2015. Moreover, 2016 shows a similar pattern for trans women and men with a significant increase. It is worth mentioning that the employment rate of trans men increased in 2016 in the private sector. On the other hand, the situation is the opposite in the public sector. This may be explained by the fact that because trans individuals are forced out of employment in the public sector, they could only find employment in the private sector in 2016–2017.

After 2017, the employment rate of trans women has fallen dramatically. These numbers indicate that it is very difficult for trans women in either the private or public sectors to be employed.¹ As in the public sector, we see an increase after 2018 in employment for trans men although there is a sharp decrease after 2020. This may be explained as follows. First is the patriarchal system. The fact that they are not employed is that they are made “invisible.” The patriarchal system often does not accept trans men because they do not fit the definition of “masculinity.” And this can make it impossible for a trans man who is not “acceptable” to enter the public sector (Alpar, 2019). Second is the COVID-19 pandemic effect like that found in the public sector.

Policy Implications and Concluding Remarks

This study investigates the employment situation of trans people in the context of the Southern European welfare regime in Turkey. Within this context, the Southern European welfare regime plays a critical role in establishing a patriarchal system, a gender-based division of labor, and a sexual orientation and gender identity categories that are rejected by the culture.

This paper aims to present some policy implications to policy makers. Firstly, trans people are exposed to sexual orientation and gender identity-based discrimination in the labor market. Coping strategies developed for protection against discrimination mostly conceal and are individualistic. Therefore, solutions for the problems must be taken at the societal level. When sexual orientation and gender identity-based discrimination in the labor market occurs, individual struggles are necessary but not sufficient for solution of the social problems. An organized struggle should be present to increase the social awareness and eliminate the discrimination; it will also exert pressure for mobilizing the state, which is the executor of the social policies, towards achieving equality. O’Neil et al., (2021a, b) also mentioned that social awareness campaigns should take place in Turkey.

The second issue that needs to be mentioned is unions. Employees who are exposed to discrimination based on their sexual orientation and gender identity need unions. However, this has been avoided since organized struggle in Turkey means exposing their identities. Unfortunately, many unions avoid taking sides in debates over discrimination. Additionally, these unions normalize the pressure and exclusion towards trans people and fail to defend their rights by displaying patriarchal forms of organization.

Third, the policies that countries pursue socially and economically are closely related to the services they provide to their citizens. The employment structure in Turkey, which is especially based on gender, displays very similar characteristics with other Southern European welfare countries. Additionally, policies do not cover all citizens. Southern European welfare regime characteristics like commitment to the family, conservatism, domination of religious values are also valid for Turkey and as a result of that labor force participation is precluded for trans people. Moreover, sexual orientation and gender identity-based discrimination is very frequently observed in every stage of life. In both the public and private sectors, legal actions should be taken to discourage discrimination against trans people. It is crucial to establish a quota specifically for trans people in every organization, and to prepare anti-discrimination regulations within the framework of gender identity. The

¹ Even though total sample and rate is different in public and private sector, the pattern is similar.

government also should take responsibility and carry out social awareness campaigns. In-company training, institutional regulations that prohibit discrimination, organized struggle and solidarity network, and positive statements made by managers in the institutions should be included.

In addition, education, information, and awareness raising processes about sexual orientation, gender identity, and intersexuality are worth mentioning. These awareness raising activities must aim to achieve social transformation in general. Prohibition of discrimination in national legislation will bring unequivocal, extensive, and legal reassurance. It is worth mentioning that changes in constitution and legislation are inadequate in preventing discrimination in the work environment. Also, there is a need for change in individuals' mindset. In the end, laws and regulations are implemented by people and without social transformation it is not possible to completely change the working conditions of trans employees.

Our study observed that there are no macroeconomic and social policies and strategies in the labor force and employment participation for trans individuals. Failure to create employment for minority groups does not help people; it leads to an increase in unemployment and excludes trans people from the labor market by preserving patriarchal and heteronormative structures. Turkey's development and welfare regime policies require fundamental changes regarding gender, gender identity and sexual orientation in combating unemployment.

Collaborative work of academia, unions, non-governmental organizations, central and local administrations is needed to provide social awareness for trans people so that they are able to participate in the labor market in a "dignified manner". Policies should be planned and implemented to tackle discrimination and exclusion that trans individuals face in the labor market, education, and the health care system. One should also ensure their participation in the development and implementation of policies and laws concerning trans individuals.

Data Availability The data that support the findings of this study are available from the author(s), upon reasonable request.

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