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**UNIONS AS CULTURAL POLICY ACTORS IN CREATIVE
INDUSTRIES IN TURKEY AND THE CASE OF "ACTORS' UNION"**

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TÜRKİYE'DE YARATICI ENDÜSTRİLERDE KÜLTÜR POLİTİKASI AKTÖRLERİ
OLARAK SENDİKALAR VE "OYUNCULAR SENDİKASI" ÖRNEĞİ

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LIST OF ABBREVIATIONS

UNCTAD - United Nations Conference on Trade and Development

ILO - International Labour Organization

COSATU - Congress of South African Trade Unions

UNESCO - The United Nations Educational, Scientific and Cultural Organization

D SK - Confederation of Progressive Trade Unions of Turkey/ Devrimci i Sendikaları Konfederasyonu

TÜRK- - Confederation of Turkish Trade Unions/ Türkiye i Sendikaları Konfederasyonu

WIPO - World Intellectual Property Organization

FIA - International Federation of Actors

MPTF - Motion Picture & Television Fund

NUJ - National Union of Journalists

BECTU - Broadcasting, Entertainment, Communications and Theatre Union

MÜZ K-SEN - Music and Performing Arts Union/ Müzik ve Sahne Sanatçıları Sendikası

YEKON - Creative Industries of Turkey/ Yaratıcı Endüstriler Konseyi Derne i

TRT - Turkish Radio and Television Corporation/ Türkiye Radyo Televizyon Kurumu

KSV- Istanbul Foundation for Culture and Arts/ İstanbul Kültür Sanat Vakfı

TÜ K - Turkish Statistical Institute/ Türkiye statistik Kurumu

UNDP - United Nations Development Programme

PIACT - Programme for the Improvement of Working Conditions and Environment

ÇASGEM - Labor and Social Security Training and Research Center/ Çalışma ve Sosyal Güvenlik Eğitim ve Araştırma Merkezi

ISAG - Occupational Health and Safety Development Project

VQA - Vocational Qualifications Authority



ABSTRACT

The purpose of this study is designed to determine the relationship with the union of the creative industries in Turkey and to reveal the impact on cultural politics. With the start of the development of creative industries in developing countries such as Turkey, there is a process in which government policies are not to be involved. Principally, a general definition of union in Turkey and the World which is explained about what the union means, how it works and its process.

Moreover, the concept of creative exertion and creative economy was discussed and the process of industrial production in the world was analysed. With the concept of creative exertion, within the affective and emotional labour has revived a debate in order to comprehend the rising service sector and in recognition of the transition between the daily lives of creative workers and their working lives.

The Actors Union, who has been trying to gather performing arts labourers under the same roof in Turkey has been taken in hand. As a result of the negotiations with the Actors Union and interviews with creative labourers, it has tried to reach a conclusion by being evaluated within the activities of the union. In addition to this, the contentious structure of state policies that try to exist in cultural policies have been taken into consideration and have been exemplified through the campaigns carried out by the relevant ministries. Finally, policy development of unions and the impact of policy advocacy has been handled.

ÖZET

Bu çalı ma, Türkiye'deki yaratıcı endüstrilerin sendikalarla olan ili kisini tespit etmek ve kültür politikalarına olan etkisini ortaya koymak amacıyla hazırlanmı tır. Özellikle Türkiye gibi geli mekte olan ülkelerde yaratıcı endüstrilerin kalkınmaya ba lamasıyla birlikte, devlet politikalarının da müdahil oldu u bir süreç olu mu tur. Öncelikle sendikanın genel bir tanımı yapılarak, Türkiye'de ve dünyada ne anlama geldi i ve nasıl i leyen bir süreç oldu u ifade edilmeye çalı ılmı tır.

Ardından yaratıcı emek ve yaratıcı ekonomi kavramları tartı ılarak, endüstriyel üretimin dünyada geçirmi oldu u süreç analiz edilmeye çalı ılmı tır. Yaratıcı emek kavramı ile birlikte, yükselen hizmet sektörü ve kreatif i çilerin çalı ma hayatları ve gündelik ya amları arasındaki geçi i anlamak adına duygulanımsal ve duygusal emek kavramları çerçevesinde bir tartı ma yaratılmı tır.

Türkiye'deki sahne sanatları emekçilerini tek bir çatı altında toplamaya çalı an ve alanda mücadele eden Oyuncular Sendikası ele alınmı tır. Oyuncular sendikası ile yapılan görü meler ve yaratıcı emek sahibi ki ilerle gerçekleştirilen mülakatlar sonucunda ortaya çıkan sonuçlar, sendikanın yapmı oldu u faaliyetler çerçevesinde de erlendirilip bir sonuca ula ılmaya çalı ılmı tır. Buna ek olarak devlet politikalarının kültür politikalarında da kendini var etmeye çalı an müdahaleci yapısı ele alınmı ve ilgili bakanlıklarla yürütülen kampanyalar üzerinden örneklendirilmeye çalı ılmı tır. Son olarak sendikaların politika geli tirme ve politika savunuculu u üzerindeki etkisi ele alınmı tır.

INTRODUCTION

Technological developments, globalization and the dominance of the new capitalist system all over the world, and the scope of the services sector, which was not included in the economic regime until of late, has led to innovations in working life, as well as in many other areas. Hence, homogeneous and cheap labour power, increasing precarious working conditions, and flexible working hours now defines working life. This overall change has also caused the blurring of the line between working life and everyday life, and the fact that working life is not limited to working hours. As Michael Hardt and Antonio Negri have said, "Life being employed in the service of work."¹ Capitalism has reduced collective awareness and weakened union organization, as these new elements have brought individualization to the forefront. This individualization and flexible working hours has caused the absence of private life as well which in turn has caused employees to be alienated from their jobs.

This alienation is twice as difficult for creative industry workers whose working life is already precarious and flexible. In today's world where everything is material and constructed on tangible values, the fact that the creative work-end result is not tangible and "consumable" takes away the value and perception of creative effort. In Turkey, the creative industries employees are deprived of social rights and social security, and they have struggled with uncertain working conditions. These employees, who are called atypical, are deprived of the legal regulations of the Ministry of Labour which are prepared for typical employees only, and their working lives must adapt according to these legislations. At the same time, the Ministry of Labour's supervision mechanism is also not suitable for atypical employees and therefore they also lack job security. At this point, the protection for atypical workers falls into the hands of unions. However, because

¹Selma Tokta , "Medya Emekçilerinin Sendikal Örgütlenme Sürecine Yönelik Kavrayı ları: Sorunlar ve Çözüm Önerileri." *Mülkiye Dergisi*, 2013, 37(3), 65.

trade unions and their organization in Turkey is perceived as a threat, union organization has many major problems. The organization of unions are confronted with laws that are not amenable to union organization. Fundamental rights such as collective bargaining agreements can not be used due to business line related organization and barrage implementations. The organizing of workers in creative industries is thus much more difficult. Many are working without insurance, and according to the new trade union law, those who do not work within 4a (who are employed as contract workers at any workplace)² are taken from their right to become members of the trade union, making it very difficult for them to organize.³

Since the contribution of creative industries to development has been understood, the cultural policy of the state has begun to slip into this field. However, while cultural politics should shape the working conditions and careers of cultural content producers, it focuses only on production and distribution of cultural goods and services. In particular, the cultural policy in Turkey is only just being implemented by the state and advancing economic and development oriented policies. Participation of civil society with academicians, and unions in cultural policies is very limited.⁴ However, the inclusion of trade unions in cultural policies will regulate the working conditions of creative industry workers and thus strengthen the sector.

In this study, the roles of trade unions as cultural policy actors will be examined, their importance in terms of policy development and policy advocacy will be investigated. In the first part, the answer to the question of unionization in general is searched and the role of unionization perception and cultural policies in the world literature will be investigated. Unions, which create a collective action on behalf of the creation of consciousness, and to defend rights in every area where

²"4A 4B 4C Nedir, Farkı | SGK, E-Devlet, SGK Sorgulama, Hizmet Dökümü, Prim Sorgulama", *Sgk.Gen.Tr*, 2018, <http://www.sgk.gen.tr/genel/4a-4b-4c-nedir.html>. (accessed February 1, 2018)

³*Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf. (accessed February 4, 2018)

⁴Serhan Ada and H. Ayça nce, *Türkiye'de Kültür Politikalarına Giri* (stanbul: stanbul Bilgi Üniversitesi, 2009).

there is labour, will be looked at. How unionization is perceived in Turkey, and the importance of unions in creative industries will also be examined, as well as how they are affected by Turkey's agenda and the point they have reached today. The general scope of the second chapter will be related to the cultural policies and the concept of "creative labour". The creative economy concept will be studied by investigating what they mean in Turkey. In Turkey consequences of being a "cultural worker" are - social insecurity, uncertain employment status and job insecurity - these will be discussed after the precarity concept. Then the effects of theories such as "affective labour", "immaterial labour", "character erosion", which have started in creative industries, will be investigated. After all these concepts and discussions, how the unions have established themselves as actors of cultural politics and how they should be established, will be discussed. Organizational problems experienced in the creative industries in Turkey, working legislations that does not include atypical employees, the functioning of the Ministry of Labour and Social Security and the inequalities in the establishment of trade unions on a business line basis will be discussed and the example of the Actors' Union, their organization form, their campaigns, and the achievements they have gained will be examined. Finally, what the unions can do as cultural policy actors will be discussed through examples from the Actors' Union and the World. Lastly, the positive contributions of the unions to the cultural policy in Turkey will try to be ascertained.

Methodology

“Qualitative research is concerned with the subjective world and offers insight into social, emotional, and experiential phenomena. The aim is to draw out understandings and perceptions, to explore the features of settings and culture and to understand the linkages between process and outcomes.”⁵

In this research, unions in creative industries as cultural policy actors in Turkey tried to be understood with using the example of Actors' Union. This is a qualitative research with this aspect, and document review and interview techniques

⁵ "6.2 What Is Qualitative Research?", York.Ac.Uk, 2018, https://www.york.ac.uk/crd/SysRev/!SSL!/WebHelp/6_2_WHAT_IS_QUALITATIVE_RESEAR.CH.htm. (accessed February 9, 2018)

are used as data collection techniques. “Document analysis is a form of qualitative research in which documents are interpreted by the researcher to give voice and meaning around an assessment topic.”⁶ To accompany and measure the findings of the field research, the reports of the Ministry of Labour, government reports, International Labour Organization (ILO) and The United Nations Conference on Trade and Development (UNCTAD) data were used. An Academic literature review mostly based on cultural policy studies and the relationship between the state, capital and labour was used. Publications of Bilgi University, Cultural Policy and Management Research Centre publications and Istanbul Foundation for Culture and Arts’s Cultural Initiative publications can be mentioned as the main ones. To realize the field study, the most active union in creative industries in Turkey, the Actors’ Union was examined. During the examination, the Actors Union’s annual reports were used and the events and activities by the union were analysed to understand the contributions and effects of their activities for the cultural policies of Turkey.

“In-depth interviewing is a qualitative research technique that involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation.”⁷

In-depth interviews with the Actors’ Union were held twice, to discuss union problems in relationship to Turkey, as well as how the union was established. Also, meetings were held with union member actors, and to be able to make a comparison interviews were held with non-union member actors by email. In addition, to understand the problems in other creative industry areas, two in depth interviews were held with musicians face to face in Istanbul. During one of these interviews the creative industry working conditions in the past were discussed, while the other musician gave information about today’s working conditions in the industry. The interview questionnaire consisted of open ended questions about,

⁶ "An Introduction To Document Analysis – Research Methodology In Education", Lled500.Trubox.Ca, 2018, <https://lled500.trubox.ca/2016/244>. (accessed August 8, 2018)

⁷ Carolyn Boyce and Palena Neale, "Conducting In-Depth Interviews: A Guide For Designing And Conducting In-Depth Interviews For Evaluation Input", (Presentation, 2006).

working conditions, social security, job and health safety and precarity. This work will examine the role of trade unions in policy advocacy and policy development, including cultural policies, as previous work in this area has concentrated on labour issues and organizational issues in creative industries.



I.CHAPTER

1. UNIONIZATION MOVEMENTS IN TURKEY AND IN THE WORLD

1.1 THE CONCEPT OF UNIONISM

Unions are organizations that because of things like collective bargaining agreements and strike- lockouts, have a strong effect on the economic, social and political order of a community by the participation in public administration and by implementing public functions. The demands as well as needs of workers to live and work humanly and in healthy conditions have brought labourers together under the roofs of unions. Unions not only defend the economic and social rights of workers, they also struggle in the political arena for their human rights. While the conditions of living and working are getting harder in this capitalist and globalized era, fighting against this conditions and organizing the workers is the core of the union movement.

Unions constitute the most prominent feature of a social state. While collective bargaining agreements they sign affects the socio-economic life, they also have an effect on the state life with the contributions they make to the socio-economic decisions of some state owned institutions and the preparation of labour legislation. From the rights derived from unions we can recognize and get information of the political and economic regime in the country. Workers' unions, can be defined as elements of balance and harmony within the economic, social and political order of society. Especially in western countries with the principle "participation of workers in governance" their duties can range from ministerial representation of workers to imposing political activity on the legislative body.⁸

The concept of trade union rights, which embodies the collective rights of all employees are matters to be ensured both by domestic law and international law. Therefore, employees' rights to organize to protect their benefits have been included in many international conventions such as; The European Social Charter and The

⁸Fevzi Demir, "Sendikaların Kurulu u Ve leyi i", *Çalı ma Ve Toplum* 4 (2013): 19-20.

European Convention on Human Rights. However, the most important international legal document on working life is “International Labour Organization (ILO)”’s main contract.⁹ In the official site of the ILO, their task is defined as “setting labour standards, developing policies and devising programmes promoting decent work for all women and men.”¹⁰

Unions, which create a collective movement to develop consciousness to defend rights in every field that involve labour are affected negatively by the reasons like; employees being connected to different lines of business, different employment shapes (permanent, contracted, temporary) and hierarchy between them. However, when the labourers organise for their common interests despite the differences between each other they can achieve gains against the state policies against them.

1.1.1 Overview of the Trade Union Movements in the World

With the industrial revolution, existing world order was changed and the emergence of the factory life created conditions that caused the emergence of small-scale unions to fight against the inhumane working conditions found there.¹¹ The first trade unions which are similar to today's, appeared in United Kingdom in the beginning of 18th century. Most of them were craft unions and in the first years of their establishment they were not permitted. The first legal unions were established in 1820, 100 years after their organization, again in the United Kingdom.¹² The turn from World War II to the 1970's was called the “golden age” and in this period trade unions played an important role in the formation of state policies and in the determination of working conditions. When we consider important developments

⁹Hamza Güne , "Sendikal Haklar Ve Ülkemizde Kamu Görevlileri Sendikacılığının Gelişimi", *ÇSGB Çalışma Dünyası Dergisi* 1, no. 1 (2013): 65.

¹⁰"How The ILO Works", *Ilo.Org*, accessed 2 January 2018, <http://www.ilo.org/global/about-the-ilo/how-the-ilo-works/lang--en/index.htm>. (accessed April 7, 2018)

¹¹Tuba Karahisar, "Türkiye’de Gazetecilerin Sendikalaşma Sorunları", *İletişim Fakültesi Dergisi*, 85.

¹²"Türkiye Ve Dünyada Sendikaların Kısa Tarihçesi", *Batissendika.Org*, 2018, <http://www.batissendika.org/makaleler/turkiye-ve-dunyada-sendikalarin-kisa-tarihcesi/>. (accessed January 20, 2018)

in this age, we can see, in the UK, trade union rights began to develop after the Second World War, when the Labour Party came into power. In France, when collective bargaining laws were enforced in 1919, there were changes in working life. In Germany, after the Nazis came into power, the union rights were put to an end, but once the Nazism had been destroyed, the unions have begun to rebuild. In the Roosevelt period in US, when the National Labour Act came into effect the important step taken in terms of trade union freedoms, however it turned around drastically during the Reagan period as he implemented "deunionization" policies and in Thatcher¹³ period in United Kingdom, the government weakened the powers of the unions in the by making it more difficult to strike legally.¹⁴ This results show us, how the state policies and trade union movements are affecting each other.

In the same years, when we look at the countries of South America and South Africa we can see that there are significant changes in terms of class movement. Especially in South Africa, a new trade union movement started under the name of "non-racial unionism" and formations such as the Federation of Unions of South Africa, Council of Unions of South Africa and South Africa Allied Workers' Union united to form the South African Trade Union Congress (COSATU). Basic principles of COSATU was determined as; anti-racism, a trade union in every line of business, international labour solidarity. In addition, COSATU, played a role in the democratization of the country and contributed to the creation of a new constitution. In a period when trade union members lost membership all over the world, their number of members increased by 130%, and the unionization rate in non-agricultural sectors in the country reached 51% from 18% within 3 years.¹⁵

After 1970s, economic growth in the industrialized western countries slowed down, unemployment increased, and trade unions faced unexpected

¹³ Adam Taylor, "Margaret Thatcher Fought One Huge Battle That Changed The UK Forever", *Business Insider*, 2018, <http://www.businessinsider.com/thacher-versus-the-unions-2013-4>. (accessed January 18, 2018)

¹⁴Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 86.

¹⁵Erkan Aydo ano lu, *Sendikalar Ve yeri Örgütlenmesi*, 2nd ed. (Kültür Sanat Sen, 2010).

conditions. After 1980, "deunionization" emerged in many countries of the world. Especially in the US, the sector without the trade unions has become dominant.¹⁶ Also, the dominant role of the state and the political system in developing countries was hampering the development of organizing.¹⁷ The last 50 years have gone through the same negative changes in terms of trade union movement. Whilst these changes make some of the unions a part of the capitalist order, others have continued to struggle while not yielding to capitalist demands.¹⁸

With globalization, a new process has begun, in which jobs are made flexible, wages are reduced, unions and organization is weakened, state protection is reduced, and employment is made uncertain and precarious. In order to be able to discuss what can be done against the negativities created by these conditions, organizations such as the International Labour Organization are working on this issue, organizing conferences, and bringing people together to raise awareness. One specific example was an ILO organized online conference called "Organized Labour in the 21st Century."¹⁹ The Project was organized under three headings; the changing environment of labour and unions; trade union responses to these changes; and future perspectives for labour in society and in the global economy. The project's aim was to encourage unions to make contributions to the formulation of effective policies and strategies.²⁰

Problems in the unionization movements are similar in all countries throughout the world however countries can find alternative solutions by taking advantage of each other's experiences. A very good example of this is the legislative work proposed by the Actor's Union to the Ministry of Labour in Turkey when they adopted the regulation for child actors already in practice in France.²¹ Through such

¹⁶Ensar Yılmaz, "Türkiye'De Sendikaların Önündeki Sosyal, Siyasal Ve Ekonomik Engeller", *New World Sciences Academy* 5, no. 3 (2010): 178.

¹⁷Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 86.

¹⁸Erkan Aydo ano lu, *Sendikalar Ve yeri Örgütlenmesi*, 2nd ed. (Kültür Sanat Sen, 2010).

¹⁹Tan Ern-Ser, "Sendikalar Ve Örgütlenme Stratejileri", in *21. Yüzyılda Örgütlü Emek* (ILO).

²⁰A. V Jose, *Organized Labour In The 21St Century* (Geneva: International Institute for Labour Studies, 2002).

²¹Ye im Girgin, interview by author, February 20, 2017.

collaboration, countries can move forward their unionization policy by assessing their own deficiencies and looking to other solutions. Worker rights and trade union rights are universal therefore countries should never consider themselves considered independent from each other.

1.1.2 Unionization Activities and Perceptions in Turkey

The beginning of the economic relations between the Ottoman Empire and the West in the first half of the 19th century led to developments in industrialization which further led to trade and the birth of the working class in the Ottoman Empire. But until the early 1900s, organizing activities had not taken place and this issue was not included in the law. With the 1924 constitution, the freedom of workers to gather and establish associations was guaranteed, however the associations were closed down with the Sheikh Sait rebellion in 1925, but in 1926, the Law on Obligations which gave workers again the right to form associations and to make collective bargaining agreements with employers was established.²²

The year 1937 was an important year for the enactment of the first labor law, but the unions were not included in the law which abolished the right to strike and lockout were forbidden. The first law to include unions was recognized in 1947, and according to the law, those with the "worker" title were granted trade union membership and this title was tied to the definition of "worker" in the labor law of 1937. With this law, the government has gained control over trade unions with authority to say who is a worker and who is not.²³ In the early 1950s, the first essential unions started to be established and in 1952 the first trade union confederation, Türk-İş, was formed.²⁴ In 1957, political power had taken a new step

²²Tuba Karahisar, "Türkiye’de Gazetecilerin Sendikala ma Sorunları", *İletişim Fakültesi Dergisi*, 87.

²³I.b.i.d.: 87.

²⁴*Birlikte Çalışmak: Avrupa Birliği ve Türkiye’de Sendikalar*, ebook (Brüksel: European Trade Union Confederation, 2010), 14.

to keep unions under pressure by allowing them to establish trade unions only for workers in the same business line or in related business lines.²⁵

In 1960, a new constitution was formed with the coup d'état. The union law, which entered into force in 1963, recognized strikes and collective bargaining as essential human rights that ushered in a new era in which these rights could be freely used began. Although the law had brought some limitations in terms of trade union freedoms, it was relatively less authoritarian. Because of these new freedoms, the number of members of the trade unions had increased which exceeded 1 million after 1971. In this period, the different ideas between Turk-Is members led to the division and the second trade union confederation Disk was established. However, after 1980 coup, Disk had been closed for eleven years.²⁶ Moreover, this was not the only closed union, all trade unions except Turk-Is had been closed down.²⁷

The economic political reaction of the coup was called; "the economic stabilization measures". These measures had caused great declension in terms of the labor movement which resulted in increased underpayment of the workforce along with privatizations, which had hampered the development of trade unions. Moreover, trade union legislation had been rewritten, many unions were closed, and an informal economy had grown while member counts of unions had decreased.²⁸ In addition, according to the new law in the constitution, 28 business lines had been identified and only those working in the same line of business were allowed to organize in the same trade union. As a result, organizing and worker solidarity were weakened by the blocking and silencing of workers in collective bargaining agreements.²⁹

²⁵Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 87.

²⁶*Birlikte Çalı mak: Avrupa Birli i Ve Türkiye'De Sendikalar*, ebook (Brüksel: European Trade Union Confederation, 2010), 14.

²⁷Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 84.

²⁸*Birlikte Çalı mak: Avrupa Birli i Ve Türkiye'De Sendikalar*, ebook (Brüksel: European Trade Union Confederation, 2010), 15.

²⁹Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 87.

As the abovementioned explains, trade unions in Turkey began to lose power after 1980. Economic developments, informal economy, labor force - employment structure, inadequacy of legislation, ineffective social security structure, globalization all can be cited as the main reasons for this. Unions failed to reach the same numbers achieved in other countries because the democratic order was not fully developed.³⁰ The perception and attitudes towards unions by Turkish workers have resulted in declining memberships. According to Citizenship Report in the World and Turkey 2015, the rate of union membership in Turkey is only 6%. Turkey ranks second to last with this ratio.³¹ According to the research "New Developments in Working Life, and the Changing Role of Unions in Turkey" that was supported by Bozüyük University Social Policy Forum Research Projects Fund, the most important cause of workers' avoidance of union membership is fear of losing their job and unemployment. The result of the research published in *Petrol-Is Magazine* is expressed in the following words;

“The fear of unemployment and loss of work leaves workers away from the trade union movement, the legal framework and the attitudes of the employers seem to confirm the fears of workers that they will lose their jobs if they become members of the union, the unions are stalemated because of the problems arising from both the legal legislations and the quality of the dominant ideology and they cannot develop meaningful policies and strategies for the whole of the workers in their care to protect their own assets.”³²

As it seems, trade union activities are also negatively affected by the local conditions as well as global conditions in Turkey. Trade unions need to take an active role in creating the cultural policies in order to make union movement and organization strengthened again and they must have a say in working laws, legislations, social security, job security, etc. While performing this, the political, social, and psychological obstacles that will emerge can be solved by unity and

³⁰Sayım Yorgun, Türkiye’de Sendikal Örgütlenmenin Güncel Sorunları Ve Alternatif Öneriler, “*Güç*” *The Journal of Industrial Relations and Human Resources*, Vol:9 No:2 April 2007, 70

³¹Ayça Nöce, *Kültür Sanatta Katılımcı Yaklaşımlar* (İstanbul: İstanbul Kültür Sanat Vakfı, 2017).10

³²Petrol-Is, *Bozüyük Üniversitesi’nin Yaptırıldığı 1242 Çiyi Kapsayan Araştırma* (İstanbul, 2006).

solidarity. When we look at some of the examples from history, it is seen that the big labor movements come together with social consciousness and social organization. In order to achieve this, the prejudice and ambivalence against the trade unions must be broken and the biggest role to play is the union's.

1.2 DIFFERENT COUNTRIES' EXPERIENCES IN CREATIVE INDUSTRY POLICIES

According to the definition made by UNESCO: "Cultural industry; is the industry that gathers the creation, production and commercialization of abstract and cultural content." Contents are protected by copyrights and may take the form of "goods and services". According to UNESCO, one of the most important features of the cultural industry is; being a key point while maintaining cultural diversity, sustaining and achieving cultural and democratic access.³³ This versatility, which combines culture and economics, gives cultural industries a different profile. "Cultural industries" are as old as human society. Because there always have been and always will be people with the imagination and talent to make and do these things, there always will be people who are ready to spend money for products produced by cultural industries. Cultural economy is formed and exist in this way.³⁴

Economic and cultural exchanges; are the most important forces that bring people and geographies closer. The foundation of today's global economy has been laid by people, societies and countries entering into economic and cultural relations with each other. The fact that the cultural economy is date back to ancient times but still not seen as an economy throughout history distinguishes it from other sectors. For economists and social scientists, it is still unknown how to measure cultural economy. Many of the workers in the industry avoid themselves being identified as industrial workers. Instead, they define themselves in terms of "creator, entrepreneur,

³³"Convention On The Protection And Promotion Of The Diversity Of Cultural Expressions", *Portal.Unesco.Org*, 2005, http://portal.unesco.org/en/ev.php-URL_ID=31038&URL_DO=DO_TOPIC&URL_SECTION=201.html. (accessed December 26, 2017)

³⁴John Newbiggin, *The Creative Economy: An Introductory Guide*, Creative And Cultural Economy Series (British Council, 2018).15

artist, social activist".³⁵ Since, the producers of art and culture and the institutions are working with economy, it is important for them to realize it is impossible to escape from constraints of the material world.

Globalism and technological changes such as the internet and digitalism, have made it much easier and cheaper to move goods and services from one place to another. Thus, it is becoming increasingly difficult, in creative industries, to protect the creative worker even though the the creative work and their cultural products are a common heritage of mankind. For this reason, there is a great need for non-profit organisations, professional associations and unions to protect the rights of employees. World Intellectual Property Organization, (WIPO) was created in 1967 "to encourage creative activity, to promote the protection of intellectual property throughout the world". Intellectual Property Law transforms creative activity into a creative industry. It provides an environment in which individuals can work safely and creatively with confidence.³⁶ And this is the core element of cultural economy.

Creative workers, generally have a secondary job, which provides social security and more income, as they must since they usually earn less money in comparison to similarly educated people in other sectors. Creative workers constitute a homogeneous group. They differ from orchestra musicians to plastic artists to street musicians to Hollywood actors. While some of them must retire early due to the work they do, some have to continue work because of their inadequate savings. Creative workers usually don't have a traditional full – time job, they are more likely self- employed, employed part time or in a combination of employment and self employment. Their employment status called "portfolio careers".³⁷

In the most of developed economies, the creative economy seen as the most important sector contributing to economic growth, employment and trade. In

³⁵ .b.i.d: 16

³⁶ .b.i.d: 33

³⁷ Gijsbert van Liemt, *Employment Relationships In Arts And Culture* (Geneva: ILO, 2018).

Europe, the creative economy generated a turnover of 636 billion euros in 2003, up by 12% over other types of economies. In 2007, creative industries created 6.4% of the US economy while contributing \$ 125.6 billion in exports. Total exports of all creative industrial products in the world reached \$ 727 billion in 2008 with an average annual growth rate of 14% since 2002. Governments worldwide now view cultural industries as one of the major source of growth and income.³⁸

For the last twenty years it has been a period of change and growth for creative industries. Industrial developments, new forms of work organisation and the use of new technologies affected the labour market, which in turn caused the traditional employment relationships to mutate. With this new era, new terms emerged such as; atypical working-time arrangements (part-time, on-call, zero-hours); short-term/fixed-term contracts (fixed-term, project or task-based work.); and atypical work relationships (contracted or subcontracted work, self-employment or agency work).³⁹ However, state-based laws remain the same cleared the way for decrease of workers' rights.

Organizational problems, copyright issues, lack of employment laws that do not cover atypical employees, lack of social security, undefined working statuses which creates job insecurity all help compound the issues in cultural industries. In an industry where freelance and project based work is the common practice, the lack of permanent employers, and the continuously changing work environment makes it easy for the employers to exploit workers. Also, since the Ministry of Labour's control mechanism is only for typical employees, and not for atypical employees, there are no controls which makes it easier for their rights to be ignored. The unionization movements in creative industries are also affected negatively by other conditions. Problems such as the lack of proper working laws, the artist's indefinite status, and unregistered employment make it difficult to organize the trade unions. Moreover, the hierarchy of artists and trust issues are also making this

³⁸UNCTAD, *Creative Economy Report* (United Nations, 2010).

³⁹Pascale Charhon and Dearbhal Murphy, *The Future Of Work In The Media, Arts & Entertainment Sector Meeting The Challenge Of Atypical Working* (European Commission, 2016).

situation worse. What the unions should do in this case according to ILO is, to ensure that international labour standards -especially equality and non-discrimination principles- are applied to all workers, to include atypical workers' rights in collective bargaining agreements, to inform the public, to do training activities and making cross-sectoral business alliances.⁴⁰

1.2.1 The Effect of Unionization Movements in Creative Industries on Cultural Policies in World Literature

During the 21st century, the creative economy had already been well and thus understood politically and economically by the state, civil and private actors both locally and internationally. The value of the creative human capital, the building block of the creative economy, is also understood in this way. Here the value of creativity lies in the recognition of the contribution of the creative economy. As Garnham (2005) argues "...the creative industries are the key new growth sector of the economy, both nationally and globally, and thus, against a background of manufacturing sector decline, they are the key source of future employment growth and export earnings." The creative economy is also well adopted by cultural workers, as it opens up political space to advance their interests and protect their rights at the policy level.⁴¹

According to Chirstopherson⁴², creative economy is a political structure. Reasons like economic development strategies, exploring new justifications for state support for arts are connecting creative economy to policy issues. The steps taken by the unions as policy actors have an important influence on the understanding of creative labour problems as problems of cultural policies. Cultural policy should not only shape the production and distribution of cultural goods and

⁴⁰"Workers Symposium On Policies And Regulations Workers Symposium On Policies And Regulations To Combat Precarious Employment" (Geneva: ILO, 2018).

⁴¹Nicholas Garnham, "From Cultural To Creative Industries", *International Journal Of Cultural Policy* 11, no. 1 (2005): 15-29.

⁴²Amanda Coles, "Creative Class Politics: Unions And The Creative Economy", *International Journal Of Cultural Policy* 22, no. 3 (2015): 456-472.

services but also the professional careers, working conditions and everyday experiences of workers who constitute cultural content.

Unions are the collective voice of the cultural workers. Policy advocacy is critical to their voices as it requires significant time, expertise, and resources to access and influence policy networks. Policy advocacy is shaped by power relations among stakeholders within policy networks. The unions have several characteristics that distinguish them from other non-governmental organizations that participate in advocacy of cultural policy. As distinct from many arts advocacy groups, trade unions' financing is not provided by the state, they are financed by their members. This not only gives trade unions a degree of political and financial autonomy but also ensures that they have a steady financial base. Independence from the state, and their long organized past, provide intangible resources that help enable unionized policy advocacy. While the unions are fighting against the unequal conditions created by the capitalism they are the end result of it at the same time. Unions and capitalism are feeding each other and also they are trying to change each other. The important question is which side has more profit? The unions have an uneasy relationship with employers and the state in a capitalist economy and the main function of the unions is to encourage redistribution of resources under capitalism. As a result, trade unions are faced with both structural advantages and obstacles as policy actors shaping their ability to defend class interests as social movements.⁴³ The perception of culture and the arts as an industry varies in America and Europe. In Europe, the influence of state support on the cultural and artistic environment is provided by cultural policies. As the regional and the roles of countries vary in the world; it is necessary to consider the historical developments of as we examine the classification examples which are closely related to the topics such as democratization, the social state and civil society education.

⁴³ .b.i.d: 456-472.

International Federation of Actors, is an international organization with 90 member organizations from 60 countries all over the world. It was founded in 1952 by the association of British Actors' Equity and Syndicate and Français de Artises. It represents performer trade unions from all over the world. FIA is one of the most important cultural policy actors in this area, involved in the working conditions, economic and social rights, cultural diversity, artistic freedom of performance artists from all over the world.

1.2.1.1 Trade Unions and Cultural Policies in Creative Industries in United States

The biggest part of the US creative economy is film production which takes places in Hollywood. Entertainment Industry is the most crucial part for California's economy. Just Los Angeles county generates more than a quarter of the all entertainment industry in the country. The Film industry in Los Angeles provides employment almost for 300.000 people and contributes more than 25billion US\$ for the economy. %85 of the film production cost is labour cost. These costs consists of %40 talent, %33 crew and %12 post production. With technological changes the film production cost doubled whereby the distribution and marketing costs tripled.⁴⁴

In the US entertainment industry, unemployment, freelance and project by project basis is common. According to the research; there is more than one person available for each job in the industry. It also shows that over half of the entertainment workers have to work in different industries. The industry is thus dominated by an uncertain and competitive environment. To find a job, networking is very important and an ever growing part of professional communication and as a result of this, new networking strategies have emerged. For instance; workers started to keep their resumes always beside them or they were making calls when

⁴⁴Alan McKinlay and Chris Smith, *Creative Labour* (Basingstoke: Palgrave Macmillan, 2009).

they were on the set so that they would not look like they were only calling when they need a job. For them, “finding the work is the job”.⁴⁵

In the beginning of their careers, creative workers in United States are working for free or for a little money. For example they don't have a job and the production will provide them network. For the same reasons internship is common in the industry. Most of them have a second job but because the hours are uncertain finding a second job is very hard too. So they usually work in a restaurant or cafe. Sometimes workers, work free or for less money to work in a senior job and to gain experience in this new position. When workers work for free or for a very little money is called “starvation period”.⁴⁶

Actors' Equity

In the late 19th century, incorporated companies was started to organize theater and musical tours outside the US. However, the contract between managers and actors didn't include the salaries and costs. Performers had to pay his/hers own costume costs, travel costs etc. In addition there were an article called “satisfaction clause” which authorize manager to decide if the actor is adequate or not. The actors were not paid for the rehearsals neither. If the play was canceled after a few weeks of rehearsal, the player's whole effort was wasted, and investment was going down.

In 1913, Actor's Equity was formed to solve this problems. They published a standard contract which contains articles such as; costume and travel costs should be paid by producer, extra fee for more than eight week shows and in two weeks from the starting of rehearsals salaries should be paid. However, the producers had not put in practice this demands. Then in 1919, Actors' Equity Association went on strike. Hundreds of actors walked out of theatres especially in New York City and Chicago with other labourers in the industry who were willing to help them. It took almost a month and the managers gave the actors all of their demands. Strike changed the definition of “labour”. Before the strike, actors thought that they are

⁴⁵ .b.i.d

⁴⁶ .b.i.d

not in the same class with industrial workers and so they never tried to go on a strike. The strike revealed what it means to be a worker and the importance of unity.⁴⁷

American Federation of Musicians (AFM)

Musicians' organization history is older than others in the industry. In 1896 musicians in Indianapolis organized the American Federation of Musicians. In the early 20th century, musicians were working in theatres, restaurants, clubs, weddings, bar-mitzvahs, carnivals and operas. Most of them were working in theatres to vocalize silent films. However, these new technological advancements had begun to show its negative effects. Almost 20,000 musicians lost their jobs due to the occurrence of the first "talkie" film. These similar hardships occurred when incomes were lost as phonorecords replaced radio orchestras.⁴⁸

Against these developments, the union, constitute minimum wage scales for vitaphone, movietone & phonograph record work and in 1938 they signed their first contract with film companies. In 1942, AFM began their biggest campaign. Musicians went on strike and they shutted down the U.S. recording market. They wanted royalty from recording sales from live performances. And then the Music Performance Trust Fund (MPTF) was established. Workers' movements in the following years also contributed to improving the working conditions of musicians. New agreements that covered TV programs, cable TV, independent films and video games signed.⁴⁹

According to this freelance, project base, unemployment situations the employee – employer relationships changed and decreased. Unions had taken the role that former employers have played. They even did more and enabled concepts like health insurance, seniority, retirement plan, royalty to be useful for creative industry workers. They created union contracts between the employee and

⁴⁷Richard E Caves, *Creative Industries* (Cambridge: Harvard University, 2002).

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⁴⁹"History - American Federation Of Musicians", *American Federation Of Musicians*, 2018, <http://www.afm.org/en/about/history-2/>.(accessed January 18, 2018)

employers. These developments strengthened the unions. In addition, as union membership increased, workers started to know each other and collaborations between them appeared.⁵⁰

In United States, the unionization in creative industries is quite strong. Even though they are very unionized, there are still some incomplete issues that prevent them from being organized. Since every business in the industry is quite different from one another, it is impossible to give definite information in contracts. Further, humdrum workers and creative workers are organising in very different ways. According to Caves, workers with unions do not get more money, but they are getting paid according to their effort and theoretically are getting rid of risks - opportunistic management decisions.⁵¹

1.2.1.2. Trade Unions and Cultural Policies in Creative Industries of European Union Countries

In European Union countries, a wide range of workers are self-employed and the number is increasing day by day. The exact legal status of self-employed and freelancers is a complex situation and it varies from country to country. The Irish Secretary of the National Union of Journalists (NUJ), Seamus Dooley explained this in the following words; “The term freelance has no legal status and does not adequately describe an individual class of workers. In effect, term is loosely used to describe those who don’t have contracts of service and are engaged in a contract for service.”⁵²

In EU countries, most of the self-employed workers are in audiovisual sector. According to 2013 data; it rose from %16 to %19 and still going up. The International Federation of Actors (FIA)⁵³'s 2011 research shows us, many dance workers are working under long-term or short-term contracts as employees but, use

⁵⁰Alan McKinlay and Chris Smith, *Creative Labour* (Basingstoke: Palgrave Macmillan, 2009).

⁵¹Richard E Caves, *Creative Industries* (Cambridge: Harvard University, 2002).

⁵²Pascale Charhon and Dearbhal Murphy, *The Future Of Work In The Media, Arts & Entertainment Sector Meeting The Challenge Of Atypical Working* (European Commission, 2016).

⁵³The International Federation of Actors (FIA) is a global federation of performers’ trade unions, guilds and professional associations.

of short term contracts is becoming common in many countries and with it the increased number of self employed. In Belgium, most of the creative workers' employment status is fixed term or short term. In most countries, most of the short-term employed are woman. This situations created concerns among unions and policy makers that the current work arrangements and contracts are not efficient for atypic workers. (freelancers, self-employeds, part-times...) This results in precarious work.⁵⁴

In recent years, trade unions have begun to look for ways to adapt to these changes in business life. Thus, they are beginning to produce new alternative ways to represent atypical workers. In the EU, there are various unions to provide collective bargaining and individual support to atypical workers. They composed legal services which includes support for; breach of contract, discrimination, unfair dismissal, equal pay, working time etc. Also, they created customized insurance service for problems like personal accidents, business interruption, sickness etc. These have been the initial steps to promote atypical workers.⁵⁵

Broadcasting, Entertainment, Communications and Theatre Union (BECTU) in United Kingdom, has 25.000 members and according to 2015 data %57 of them is atypical workers. In UK there are three types of employment regimes; employee, worker and self-employed/ freelance. For self-employed/freelancers, there is no protection from unfair dismissal, no right to statutory maternity pay or sick pay and no right to statutory redundancy pay. BECTU, provides collective bargaining and one-to-one support for them that provides a 24 hour legal help line, an access to small claims court and union funded legal action in the high court. Also, union have a customised insurance service and training services targeting self employed. Another union that provides training is Netherlands Union of Journalists (NVJ), which created social media assistance like writing for the web and website development courses for the journalists who have

⁵⁴Pascale Charhon and Dearbhal Murphy, *The Future Of Work In The Media, Arts & Entertainment Sector Meeting The Challenge Of Atypical Working* (European Commission, 2016).

⁵⁵ .b.i.d

lost their jobs due to new digital media. Further advantages provided by unions are; free public transportation, membership fees that cover special insurance services, discounts for relevant services and holiday homes. For instance; Finnish Musicians Union, provides lower costs for rental of sound equipment, access to rehearsal spaces, and support for artist residences.⁵⁶

According to ILO, “Non-standard forms of employment exhibit a higher incidence of decent work deficits”. Trade unions are working to change this negative situation however, for trade unions it is a big problem that their members’ employment status are very different from each other. The union staff have to be well-informed to manage the diversity of profiles and to organize them under the same roof. In order to do that, Swedish Musicians Union, created AMA. An “employer umbrella company” for musicians who are self-employed to make them access to the advantages of employee status. AMA has a collective agreement that ensures the salaries are fair with agreed salary standards.⁵⁷

There are two important instruments in European Union Law about atypical workers; Community Charter of the Fundamental Social Rights of Workers of 1989 and EU Charter of Fundamental Rights of 2000. They have reproduced the framework agreements signed by the European Social Partners in order to guarantee the rights of workers working in non-standard jobs, the principle of non-discrimination and the equal treatment of workers. EU created a special term; “flexicurity” which combines, flexible work conditions and the security of work environment in order to increase productivity and quality of work. It takes part in EU’s Europe 2020 strategy. Also in 2015, Eurofund, carried out a research to find emerging trends in forms of workplace organisations. They found nine new employment forms and this results in acceptance of this new work forms.⁵⁸

Collective bargaining is one of the most important things for a worker. It is long established in Media and Entertainment industries in European Union. In

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newer members it is less. Slovenia is one of the major countries in this subject by having % 100 rate in collective bargaining. They did a multi-employer agreement in 2013. Creative workers' unionisation history is old in EU but often lack coverage by collective agreements as they are increasingly not considered to be employees. Trade unions are searching for better solutions to solve this problem. In the United Kingdom, BECTU and Director's Guild of Great Britain, there is multi-employer bargaining agreements for freelancers. In Germany and Austria collective agreements contain some self-employeds and freelancers.⁵⁹

In Poland, according to Polish Labour Code, to form an union or to join a union is restricted by laws and only who have employee status can achieve this. So, it is very important for unions and for all type workers to have this right and have a say in collective bargaining agreements. In 2016, the Polish Government make recommendations to change the union law that intends expand the freedom of association. The government's proposal was that the right to form associations would be applied to all workers who were paid and engaged on a contractual basis for at least six months. Polish trade unions still do not see this offer as a full association for workers who are not employees. It is not always so easy to determine the boundaries between employees and the independent self-employeds. Sometimes there is a blur of boundaries which is called "grey area". In Italy, when new employment forms occurred, main trade unions created their own structures for representing non-standard workers and they signed agreements according to non-standard workers.⁶⁰

According to ILO research, "Across EU member states, unions are increasingly faced with the need to halt the decline in membership of traditional standard employees by reaching out to a more diverse membership, a key priority". However, while achieving this an important question is; "How do unions reach out and engage and respond to the needs of a wide range of membership?" ILO's answer to this question is; "Civil society organisations or social movements may

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help to strengthen unions' claims to represent a broad public interest. New approaches have included the establishment of special organisations, committees or bodies which have a representative role with respect to particular groups of workers.”⁶¹

1.2.2 Unionization Movements in Creative Industries in Turkey

There are many problems with the artists' social rights in Turkey. Artists cannot benefit from protective social policies especially social security. Therefore, they are obliged to continue their lives in financial difficulty although they were famous in their own period. The oldest theatre artist performed on stage was from Turkey, Necdet Mahfi Ayrar. He had to work until the age of 96 because he could not benefit from any social security, so he had to work until death. There were two very important laws created under the name of 'protect the arts and artists in Turkey'. Under the Constitution of 1982, under the heading of social and economic rights and duties, the protection, appreciation and support of art and artists was put under constitutional security. With the law of ideas and works of art, arrangements were made to regulate and protect the material and moral rights of the artists.⁶²

In 1978, first arrangements were made to ensure the social security of the artists. The most important arrangement for artists in this period was the inclusion of all artists within the scope of Social Insurance Institution (SSK) and to give the artists four times temporary lending rights. Another important problems for artists is that it is unclear to what extent their work is included and the fact that their social security depends on the business arrangement, it is not obvious who will pay for their insurance. Self-employeds often cannot pay their premiums regularly because they often earn low wages and have irregular income. It is very difficult to fill in the number of days for the right to retirement, since those who are in the worker

⁶¹Pascale Charhon and Dearbhal Murphy, *The Future Of Work In The Media, Arts & Entertainment Sector Meeting The Challenge Of Atypical Working* (European Commission, 2016).

⁶²Selcan Peksan and Fatma Tosun, "Sanatçuların Sosyal Haklara Ulaşımındaki Güçlükler", *Çalışma Ve Toplum* 3 (2014).

status mostly have temporary job status and they are part-time workers, and because their social security premiums are also invested over the days they have worked.⁶³

Artists working in the public have the right to form, join and leave the Union in accordance with the "Culture and Art Services" business line within the service line defined by law no. 4688. Since 2010, artists working in public are entitled to a collective bargaining agreement like civil servants and other public officials, but the right to strike does not apply to artists like other public employees. According to the employment contract, artists working in the workers' status have trade union rights within the framework of the Trade Union Collective Bargaining Act No. 6356. The artists who do not work according to the employment contract but who work according to the proxy, publishing or common company contract are also included in the same scope, but this arrangement is not included in the collective bargaining part.⁶⁴

Although the majority of artists are thought to have trade union rights, there are many obstacles to artists' use of union and collective bargaining rights. The most important obstacle is that they have to organize according to their business lines. For legal reasons, most of them are organized on a business basis but operate as craft unions. The most important unions working in this way are; Union of Music and Stage Artists, Cinema Workers' Union, Actors' Union and Writers Unions of Turkey. One of the main reasons for the low unionization is the continuity of the business line organization model rather than the organization by profession, which is more appropriate for the artists. Of course, the fact that already organized trade unions are only in paper and not active is another important situation. According to Intellectual Property Law, as mentioned above, one of the two most important laws for artists in Turkey's history; is the arrangement that the financial rights of the works of art created for the employer belong to the employer from the beginning.

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⁶⁴ .b.i.d

This reveals the loss of rights that artists have experienced even with a law made under the name of protecting them.⁶⁵

1.2.2.1 Historical Development of Unionization Movements in Creative Industries in Turkey

“The masses, forced to work more and faster in pursuit of labour, are oppressed under the shadow of the giants, who are seeking more and faster wars for profit.”⁶⁶

The first unionization movements of musical artists was the attempt by the musicians working in pavilions, bars and casinos in Istanbul in 1950 but it was rejected because musicians were not in the worker status. But later the Department of Labour acknowledged that the musicians were workers, and in 1951 the first musician union, the "Light Western Music Union" was established. Six of the seven founding members of the union were composed of minorities. However, with the subsequent amendment to the statute, minorities were taken from the constituent members and a new committee was formed. Since 1951, when the first unionization started, the unions were established in the music sector in Istanbul, Ankara, Adana and Izmir. Some of these tried to spread unionisation organizations by opening branches in other cities. In Turkey's history of unionism, a strike of Fine Arts Business line was performed only once that lasted three days. As a result of the strike the collective bargaining agreement was signed.⁶⁷

Except of some exceptions, musicians unions were mostly deprived of collective bargaining, and they tried to improve their members' rights through team contracts. However, since the institutionalization was not achieved in the unionization process, the gains achieved were not permanent. These trade unions in the music sector, which were an organization model between association and union

⁶⁵ .b.i.d

⁶⁶Fatma Ülkü Selçuk, *Örgütsüzlerin Örgütlenmesi* (Ankara: Atölye, 2002).

⁶⁷Mehmet ÇIRIKA, "Müzik Sektöründe Örgütlenme Sürecinde Karşılaşılan Sorunlar 1. Bölüm - POPSAV", *POPSAV*. <http://popsav.org/yazilar/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-1-bolum/>.(accessed January 4, 2018)

had not been permanent and their operation had been limited to a few months to a few years. Today, the only trade union organization in the music sector is Union of Music and Stage Artists (Müzik-Sen) which was founded in 1989 in Ankara. However, union's impact area is not very much and they don't have big campaigns. The "partial work" brought by the labour law No. 4857 and the "partial insurance" introduced by the Law No. 6111 destroyed all the rights gained in terms of labour and social security relations in the music sector.⁶⁸

When we look at the history of trade union organization in the film industry, we see that the organization of Turkish cinema employees is relatively late compared to the US and European countries. According to Derya Çetin, the film production activities in Turkey were first launched by the government, then family companies started film productions. In other words, a large working segment began in the 1950s, when the domestic market expanded and production was dominated by the sector, and in 1954 the first organized union to cover workers during the construction phase; Cinema and Film Workers' Union was established. "Local Filmmakers Association" established in 1956 contained laws related to cinema but the most important emphasis was on the regulation of working life. The Association of Turkish Filmmakers and Local Filmmakers Association has struggled to create state policies to improve the production profession, while the local production workers, who are rapidly increasing in number, have faced growing problems. Despite the creation of a broad and guaranteed market for the film industry, the business continuity of workers had not been ensured. For instance; Lütfi Akad, was paid 1500 Turkish liras after directed the film "Vurun Kahpeye". However, after the film he couldn't find a job for a while and he had to work in a film for 10 liras a day as a cameraman.⁶⁹

In 1959, with the directors' initiative, an association was established to cover all employees. "Turkish Cinema Artists Association", for the first time, defined

⁶⁸Mehmet Çırka, *Yeniğün*, 2012, [http://www.gazeteyenigun.com.tr/koseyazilari/23190/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-\(4\)](http://www.gazeteyenigun.com.tr/koseyazilari/23190/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-(4)). (accessed January 6, 2018)

⁶⁹Derya Çetin, "Türk Sineması Çalışanlarının Örgütlenme Sorunları" (Ph.D, Ankara Üniversitesi, 2010).

their professions and defined themselves as the sole spokesman against Turkish film producers. They created a prototype agreement so that all employees can make a monotype deal with the producers. The association's copyright commission also tried to introduce copyright laws from foreign countries. With the 1961 constitution, the right to organize, collective bargaining and strike is recognized at the constitutional level. Thus, union activities that accelerated in the country were reflected Turkish cinema and a lot of trade unions were established. Yet, the Turkey Film Workers Union is important but not very effective. Nazif Ta tepe, the president of the trade union, explained this situation as follows; "We had 1500 members, but we only could make 35 of them insured."⁷⁰

In this period when the technical workforce was not insured working on even worse conditions, excessive increases in star player wages and the improved working conditions of the directors had caused tension in the sector. On top of this, a union was established that excluded the directors, star actors and screenwriters; "Turkey Film Workers Union" which had been created to insure employees in the sets but it only lasted three years. By the end of the 1970s, it seemed that there was still no stable organization. Disputes between the creative workforce and the technical workforce was going on. To find a solution to this issue, a meeting was held in 1976 to try to find a middle way for a model that will include all employees. However, it was decided that each business line should establish its own association.⁷¹

In 1976, Ümit Utku founded the "Foundation for Strengthening the Film Industry and All Actors" and implemented a government-sponsored film and music festival. In addition, he made a call for not participating in the 13th Antalya Film Festival and he caused the tensions in the sector to increase. The Turkish Films Association protested the festival and participation in the festival has begun to be perceived as a political stance. These actions have led to a long delay in the

⁷⁰ .b.i.d

⁷¹ .b.i.d

establishment of a common union in the sector. On September 23, 1977, the amendment of the regulation on the supervision of films and film scripts and the introduction of very severe censorship provisions led to a solidarity between the workers and the organizations. Thus, on 5 November 1977, protesters marched in Ankara with the participation of a large number of employees from all branches of the profession that led to the creation of the Turkey Cinema Workers Union. But as a result of some disputes in the union, the union's 400 members moved to Turkey Film Workers Union. These two unions were united in 1980 and the organization efforts accelerated. But because of the coup, it was closed until 1991.⁷²

In the reopening period of the union, the union was financed by the managers. Due to the lack of dialogue between the union and its members, it was difficult for the union to enter the 21st century. With the election of a new president in 2006, work has been done to limit excessive work schedules. The Turkish government has wanted to increase the number of members, but because the new generation is unconcerned and largely unaware, it has been very difficult for unionization. Nevertheless, cultural employees have reached 1900 members, but only 500 were active and 99% did not pay dues. Only the producers who were friends with them were signing the team contracts they had prepared. Even though it was the only trade union for cinema during this time, they have not even been able to achieve the 1970s gains. The fact that the management between 2006 and 2009 was always from Ye ilçam and the inability to reach the new generation caused the workers to be disconnected has resulted in the number of members to decrease.⁷³

When it comes to journalism and the media industry, the first law defining the working conditions of journalists that defines journalism as a profession in Turkey is Press Business law known as 5953; "Law on the arrangement of relations between employees and employees in the press work". The first regulation on

⁷²Derya Çetin, "TÜRK SINEMASI ÇALISANLARININ ÖRGÜTLENME SORUNLARI" (Ph.D, Ankara Üniversitesi, 2010).

⁷³ .b.i.d

journalists' affiliation to unions is also in this law. Thus, the first journalists' union was established; "Istanbul Journalists' Union" in 1957. They became members of Türk- and with trade unions in other cities, they then became the Turkey Journalists' Trade Union Federation. Then in 1963, largely due to the 1960 Constitution, journalists were also becoming more liberated which led to the joining of the unions in all cities to join together as the only union under the name of Turkish Journalists' Union.⁷⁴

Founded in 1964, the Fikir-Is trade union operated only in the directorates of the Anadolu Agency⁷⁵ and signed collective bargaining agreements as they held the majority in their hands. Turkey Journalists' Union members also benefited from the collective bargaining agreements by paying solidarity dues. After 1969, Fikir-Is, joined the Turkey Journalists' Union. As the number of members increased to 3 thousand in the 1970s, after the constitutional changes of 1982, freedoms declined and there was a steady reversal of growth. With the new trade union law no. 2821, the press could be organized in business line 10 and journalism line 27. Because of this new law, 1300 members who were working in printing, were forced to leave the Turkey Journalists Union naturally causing organization movements to become weaker. In 1996 Media, Radio, Television, Newspaper workers' union was established. (Medya-Sen) The Union was very passive and was a member of D SK. Between 1990 and 2000, with the introduction of capital groups into the media despite the increased numbers of media employees, new memberships were almost at a standstill. Media-Sen was active only on paper. Turkey Journalists' Union was the only actual union in the sector in this period. But even their number of collective bargaining agreements signed by the union has been limited to the Anadolu Agency.⁷⁶

⁷⁴Derya Çetin, "TÜRK SINEMASI ÇALISANLARININ ÖRGÜTLENME SORUNLARI" (Ph.D, Ankara Üniversitesi, 2010).

⁷⁵Anadolu Agency is a state-run international news agency of the Turkish government.

⁷⁶Derya Çetin, "TÜRK SINEMASI ÇALISANLARININ ÖRGÜTLENME SORUNLARI" (Ph.D, Ankara Üniversitesi, 2010).

An important example of the creative industry's organizations in Turkey is the Association Council of Creative Industries (YEKON). Founded with the cooperation of 18 professional organizations, YEKON was aiming to bring concrete proposals and solutions to the development of the industry and its problems. Established under the name of a "government-supported development program", YEKON has carried out studies such as creative economy studies, intellectual property workshops, a design map project with universities and other cultural policy actors.⁷⁷ The organization, which was very active in its first years and was very important for Turkey's creative industries, have failed to become a sustainable organization.

As the business line unionism applied in Turkey cannot answer the professional needs of creative industries, there are few examples of unionization in these areas. Differences arising from working conditions in all creative industries cause differences in terms of management structure and organizational functioning, and so trade union organizations in creative industries needs alternative ways to become organised under the same roof. In 1974 the Turkish Cultural Workers' Union, which had encompassed the cinema, painting, sculpture, music and literature sectors, was very short-lived, but such models should be re-considered and re-established.⁷⁸

1.2.2.2 Creative Industries and Trade Union Relations in Turkey

The relationships between the creative industries operating in Turkey and trade unions need to be examined well. Because in countries like Turkey, who are in the "developing country" status, the situation differs significantly from Europe and United States. It is necessary to develop an interpretation based on the general political and socio-economic life of the countries in the geographical region of the Middle East as well. Because the main issue here is how this relationship should be

⁷⁷ "YEKON : Yaratıcı Endüstriler Konseyi", *Yekon.Org*, <http://www.yekon.org/tarihce.htm>. (accessed April 10, 2018)

⁷⁸Derya Çetin, "Türk Sineması Çalışanlarının Örgütlenme Sorunları" (Ph.D, Ankara Üniversitesi, 2010).

rather than the content of the relationship between them. In Turkey worker rights violations are not only happening in creative industries. The way in which creative industries are related to trade unions should be more clear and precise, as there are a number of rights concessions in areas such as law and education. In other words, in a collective and organized manner, it is essential to cooperate with the unions that create themselves in each area. Even within the countries that define themselves more socialist, problems are observed, in countries like Turkey this situation where it is harder, different approaches need to be sometimes with more finesse. For instance, Turkey Journalists' Union went on a strike because of a collective agreement they wanted to sign off with Cumhuriyet Newspaper in September 6, 2005. The strike is still in progress, for 13 years no results have been obtained. It is called; 'the longest and ineffective strike ever seen'.⁷⁹ Even a newspaper that call themselves 'left' has a relationship like that with unions and this reveals the difficult and hardened union situation in Turkey.

Creative industry workers have a tough relationship with their unions as well as with their working life and their employers. It is very important to organize them and to establish a good trade union communication with them because they have had to search for their rights on their own for many years or have to accept to suffer injustice for many years. Most employees in the creative industries while not yet even aware of their rights - even they do not even notice the injustices they have been going through in Turkey, raising awareness and educating them should be the highest priority of the unions. The easiest but most important force that the state can apply to a society - soft power- emerges in most cultural fields. The injustice of the working lives of the cultural workers is in fact part of the cultural policies of the state. Retention of culture and art is most likely to be achieved through the withdrawal of the rights of those operating in this area. Therefore, the unions in creative industries are the greatest advocates of the workers in the cultural policy arena.

⁷⁹Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikalaşma Sorunları", *İletişim Fakültesi Dergisi*, 85.

II. CHAPTER

2. CULTURAL POLICIES AND CREATIVE LABOUR IN TURKEY

2.1 CREATIVE ECONOMY AND CULTURAL POLICIES IN TURKEY

There is no concept of creative industries in the official macroeconomic reports in Turkey. However, in recent years development agencies, academics and the Ministry of Culture have started some inventory work. The reports are mostly focused on the impact of creative industries on development.⁸⁰ The efforts of academia, public and private sector efforts in this regard, is an indication that the concept of creative industries in Turkey is beginning to develop. Particularly the private sector's ownership of intellectual property and the contribution of creativity to development are important for shaping the state's cultural policies. Since this approach is only happening in certain regions in Turkey, there is no formal policy or a general support system based on the concept of the creative industries like EU countries.⁸¹ In the Creative Industries Initiative Workshop in Turkey "the lack of strategy for the creative industry" was emphasized and policy makers were invited to take measures.⁸²

YEKON (Creative Industries of Turkey), established in 2012, is a professional organization initiative in the creative industry. The purpose of the association is; 1) to bring together creative industries that are subject to ideological and industrial property, to promote and develop interdisciplinary cooperation, 2) in order for creativity to become a socially and economically desirable, it is necessary to increase competitiveness in global markets, 3) to support the education system to provide a more inquisitive, innovative and creative workforce.⁸³ In Turkey's creative industry, especially foreign trade data are important. According to 2008

⁸⁰Erman Demir, "Creative Industries", *Ilef Journal* 1, no. 2 (2014): 87-107.

⁸¹ .b.i.d 94.

⁸² .b.i.d 94.

⁸³"YEKON : Yaratıcı Endüstriler Konseyi", *Yekon.Org*, 2018, <http://www.yekon.org/tuzuk.htm>. (accessed April 11, 2018)

data, Turkey ranks 4th among developing countries in creative industries exportation.⁸⁴ Turkey's cultural ties play an important role in the cultural exports, and as a result, most exports are to United Arab Emirates, Germany and Saudi Arabia.

According to UNCTAD, the products produced in the creative industries in Turkey in 2003 was \$ 2.3 billion but rose to \$ 8.6 billion in 2015.⁸⁵ Creative economy in Turkey, despite this growth in recent years, is still comparatively small compared to other countries. The 10th development plan of the Ministry of Development included "policy implementations for the creative industries" for 2014-18 was focused on copyright law.⁸⁶ In this plan cinema and film sector is also included. It was focused on the recognition of Turkish cinema in the world and the promotion of film exports. Based on the 10th development plan, the Istanbul Development Agency prepared a 2014-20 regional plan. Development of creative sectors and development of the human resources was included to increase employment and production.⁸⁷

2.1.1 Creative Economy and Working Life in Turkey

According to Istanbul Chamber of Commerce, creative economy is; "Products, works and events, which main inputs are creative and cultural labour, and outputs are protected within the framework of intellectual property rights and in particular on the basis of copyrights, and is the sum of the industries that enable these works and products to meet the consumer."⁸⁸ The creative economy in Turkey is relatively small compared to most western countries. The creative economy is having a total volume of 2 billion 250 million dollars in the world, and in Turkey; together with its domestic spendings and exports, constitutes approximately %1 of

⁸⁴Erman Demir, "Creative Industries", *Ilef Journal* 1, no. 2 (2014):94.

⁸⁵Oguz Demir, "Looking Forward For Istanbul's Creative Economy Ecosystem", *Creative Industries Journal* 11, no. 1 (2018): 91.

⁸⁶ .b.i.d 93.

⁸⁷ .b.i.d 93.

⁸⁸Ahmet ncekara and Elif Hobiko lu, *Kültür Ekonomisi Kapsamında Kültür Sektörlerinin Türkiye'de Geli im Ve Yansımaları*.

it with 22 billion dollars. While the number of people working in the creative economy in the world is 29.5 million, only 575 thousand are in Turkey.⁸⁹ Cinema and television represent the highest turnover in creative industries in Turkey. The music industry as a whole is decreasing because since the beginning of the new century people are listening the music over the internet. Moreover, artists are losing revenue from illegal downloading as a result of a lack of legal sites that can create revenue for artists. The performing arts is another industry with low turnover, but due to high taxes, it has an informal economy too. In other words, there are activities which are not reflected in the data.⁹⁰

Although the creative economy in Turkey is not big enough, economy's value added is large compared to other economies. According to TÜİK 2014 data, the share of the value added of the performing arts in the turnover is 56% while the construction sector is 14%. Moreover, the labour productivity of the cinema sector is 67.000 TL per year while the construction sector is 23.000 TL. However, since the volume of the creative economy is still very small, the total share of the creative economy in the country's economy is 0.5%, while the construction is 7%.⁹¹ When we look at the salary situation in the creative economy, according to TÜİK 2013 data, the average salary per capita in the field of industry and service is 20.000 TL per year and 29.931 TL in cinema sector. In the books and publishing sector, the average annual salary is 25.152 TL. Movie and publishing sector is located above the average in Turkey with these figures. But this is not the case in the rest of the industry. The annual average salary in the performing arts is 11.835 TL, in the music sector is 18.112 TL and in the artistic creativity sector is 11.981 TL. So,

⁸⁹Huzeyfe Torun, "III. Millî Kültür Ürasi Kültür Ekonomisi Komisyon Raporu" (T.C. Kültür Ve Turizm Bakanlı ı, 2017), 15.

⁹⁰Huzeyfe Torun, "Iii. Millî Kültür Ürasi Kültür Ekonomisi Komisyon Raporu" (T.C. Kültür Ve Turizm Bakanli ı, 2017), 19.

⁹¹"KREKSA Kültür Sanat | stanbul | Ara tırma, Planlama, Danı manlık", *KREKSA Kültür Sanat | stanbul | Ara tırma, Planlama, Danı manlık*, accessed 29 May 2018, <https://www.kreksa.com/single-post/2016/09/05/G%C3%B6steri-sanatlar%C4%B1-ekonomik-verimlilik-bak%C4%B1m%C4%B1ndan-in%C5%9Faat-sekt%C3%B6r%C3%BCn%C3%BC-4e-katlar>. (accessed January 18, 2018)

salaries in the creative economy usually remains below the overall average for Turkey.⁹²

Within the creative industries, the film industry is at a different level. With the increasing number of universities and courses about the film industry, the industry is growing day by day. Most of the film companies operating in the film industry are located in Istanbul. Istanbul is also on the front-line for technical and creative work force. The film industry is at the forefront of other industries in terms of employment and creating added value. In addition, it is closely related to other industries such as music, internet, visual arts and indirectly contributes to these economies.⁹³ Even as largest sector of the industry, the workers are living difficult situations. For instance; production companies in the film industry are paying a fee per episode to minimize their risks, even a TV episode is shooted in 4-5 weeks, employees can get a only one episode's fee.⁹⁴

As mentioned earlier, when we consider the legal status of the artists in Turkey, some of them are self-employed, some of them are workers and the others are officers or contracted personnel in the public sector.⁹⁵ Artists carry out their activities under contracts such as, labour contracts under the labour law, service contracts under the law of obligations or work contracts, acts of attorney, publishing contracts. The distinction between work-service contracts from other contracts is to make the work dependent to the employer. Other contracts also have dependency status, but not so strict.⁹⁶ Because the activities of the artists are out of the ordinary in terms of control and dependence, the artists become liable to abuse. In most cases, artists have economic dependencies on producers, managers, and publishers,

⁹²Funda Lena, *Türkiye'de Kültürel Sektörlerin Ülke Ekonomisine Katkısı* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2016).

⁹³Ahmet Nettekara and Elif Hobiko lu, *Kültür Ekonomisi Kapsamında Kültür Sektörlerinin Türkiye'de Gelişimi Ve Yansımaları*.

⁹⁴Ergin Bulut, "Dramın Ardındaki Emek: Dizi Sektöründe Reyting Sistemi, Çalışma Koşulları Ve Sendikalaşma Faaliyetleri", *İletişim* 24 (2016): 88.

⁹⁵Selcan Peksan and Fatma Tosun, "Sanatçıların Sosyal Haklara Ulaşımındaki Güçlükler", *Çalışma Ve Toplum* 3 (2014).220-221.

⁹⁶ .b.i.d 220-221.

but they do not benefit from legal protections because they are often seen in the self-employment status.

Another dimension of artists' lack of rights is the transfer of the financial rights on their work to the employer when they are attached to the service contract.⁹⁷ In terms of the right to social security, artists in Turkey are undergoing a grievance although they appear in social insurance coverage. Those in self-employment are having difficulties filling up their retirement days as they have low and irregular incomes and must pay for themselves. The artists who are working in worker status are mostly working part-time or project to project basis and since their insurances are deposited over the days they have worked they have difficulties reaching the right to pension.⁹⁸

2.1.1.1 Creative Industries and Copyrights

In the global era that we are living in, every country has legal regulations protecting its rights in the field of intellectual property. These laws are undergoing constant changes due to the social, technological changes that are taking place. States, regulate their own legislations in accordance with international agreements. Although people have been producing works since the early ages, they were unprotected to claim their rights on their work. The enactment of copyright law in national legislation of states is based on recent times. The first copyright protection was in 1709 Queen Anne Code and then the French Copyright Act of 1791 (*droit d'auteur*) issued by the French Revolution. It had been understood from this that until the 18th century, there was no effort on royalty of the artists.⁹⁹ The first international development in relation to the necessity of copyright law is the Universal Declaration of Human Rights adopted at the United Nations General

⁹⁷ .b.i.d 221.

⁹⁸ .b.i.d 223.

⁹⁹Metin Turan, "Ça lar Boyu Dü ünçe Özgürlü ü:Türkiye'De Ve Dünyada Telif Haklarının Tarihsel Geli iminin De erlendirilmesi", *Türk Kütüphanecili i* 30, no. 2 (2016): 207.

Assembly. For the first time at international level, copyright is recognized in such a large declaration.¹⁰⁰

With the rapid development of technology, copyright issues also arise in the context of digital works. Sharing of digital work is another dimension of copyright problems. Western countries are trying to solve these problems with strong legal regulations and professional associations. But in all countries, including the western countries, problems continue to emerge as the Internet is becoming more and more ubiquitous, especially with regard to the sharing of musical compositions on digital platforms. No matter how advanced the legal regulations, technological changes and developments continue to present new problems.

The first law on copyright in the Ottoman period was the Copyright Act of 1910. But the law was not applied too much. Because there were no institutions to protect the rights of people like trade unions and professional associations.¹⁰¹ Until 1952 there was no new law in this regard. In 1952, the Law on Intellectual and Artistic Works, prepared by Prof. Dr. E. E. Hirsch, entered into force. The law is changing day by day with efforts to comply with global developments and EU directives.¹⁰² The most important international convention prepared for copyrights which Turkey is also a party is the World Intellectual Property Organization's (WIPO) contract. WIPO's purpose is; "to lead the development of a balanced and effective international intellectual property (IP) system that enables innovation and creativity for the benefit of all."¹⁰³ Germany and Spain signed the agreement in 1996, while England signed in 1997, Turkey has signed the WIPO copyright agreement almost ten years later, in 2008.¹⁰⁴

There were further studies in this regard in Turkey. The main ones are; the "Law on Supporting, Evaluating and Classification of Cinema Films" prepared for

¹⁰⁰ .b.i.d 210.

¹⁰¹ .b.i.d 224.

¹⁰² .b.i.d 224.

¹⁰³"About WIPO", *Wipo.Int*, accessed 29 May 2018, <http://www.wipo.int/about-wipo/en/>.

¹⁰⁴Turan, Metin. "Ça lar Boyu Dü ünce Özgürlü ü:Türkiye'De Ve Dünyada Telif Haklarının Tarihsel Geli iminin De erlendirilmesi". *Türk Kütüphanecili i* 30, no. 2 (2016): 226.

the strengthening and support of the cinema sector, and the "Regulations on Professional Associations and Federations of Rights Associated with Intellectual and Artistic Workers" for regulating the principles of professional associations.¹⁰⁵ In 2007, "the Law on the Arrangement of Publications Made on the Internet and the Struggle Against the Crimes Processed through These Publications", which is referred also as the internet law, entered into force. According to the law, a person whose rights are violated because of the content can request removal of the content from the content or location provider.¹⁰⁶

When we look at the music industry, we can see that it is the most organized creative sector in Turkey. Thanks to the professional associations in the area, awareness of the necessity of paying royalties for live and recorded music has been established. At the same time, professional associations are also fighting with pirating music CDs and downloading unauthorized music via internet.¹⁰⁷ Another important issue affecting the owners of the works is the "personal reproduction exception". This is where it is possible for individuals to copy their works for their own use without permission from the author. In order for the owners of the works to not suffer from this situation, a price is collected under the name of "personal use". While this share is directly delivered to the owners of the work, since 2001 the amount collected is given to the Ministry of Culture so that they can work on the copyright issues.¹⁰⁸

In the publishing sector, two major problems are encountered. One of the problems is the production of pirated books. In the Law on Intellectual and Artistic Works, a banderol liability has been imposed on this issue. The contradiction to banderol liability was accepted as a crime. The person who bought the pirated book and the person who sold it are also punished. Other important issues in the publishing sector are digital publishing and e-books. The economic, technological

¹⁰⁵Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).56.

¹⁰⁶ .b.i.d 57.

¹⁰⁷ .b.i.d 58.

¹⁰⁸ .b.i.d 61.

and legal dimension of the issue is on publishing houses, but no law has yet come about it.¹⁰⁹

Especially in the cinema and television industry, the copyright issue has become a matter of much debate. The actors do not have rights after their first showing of their series, their films. They cannot claim any rights on the films that have taken place, even if the series have been shown over and over again for years. To prevent from these injustice situations, the “Professional Union of Movie Actors” was established in 2009. They define their purpose as; “to ensure that the actors come together and cooperate for the purpose specified in the law and the by-law, to cooperate with public legal entities, private legal entities and real persons in order to monitor the rights of the artists who are members to the Union, to make efforts to provide that the copyright law develops.”¹¹⁰ They still are negotiating with the Ministry of Culture about copyright issues. When they were told that the latest copyright law was to be renewed, they held meetings and they received the "first 3 years no copyright" in response. Despite their objections, they saw that in the draft of the ministry this time was up to 5-6 years. Their work on this issue, their resistance still continues.¹¹¹ As can be seen, the copyright right subject in Turkey have not yet been fully settled, its importance has not been fully understood. Copyright law in Turkey should be reformed, and while the problems are being fought, the rights of workers, not producers or companies, should be observed.

2.1.1.2 Cultural Workers and Precarity

“Precarity”, is something which keeps us constantly anxious about depriving from it. You can be deprived of job security, safety of life or job itself.”¹¹²

¹⁰⁹Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).60.

¹¹⁰“Biroy - Sinema Oyuncuları Meslek Birli i”, *Biroy.Org*, accessed 29 May 2018, <http://www.biroy.org/english.asp>.

¹¹¹“Telif Yasasında Telif Yok!”, *Birgun.Net*, accessed 29 May 2018, <https://www.birgun.net/haber-detay/telif-yasasinda-telif-yok-215188.html>.

¹¹²[BIAMAG] : Elif Demirkaya Yazdı: Nedir Bu Prekarite?", *Bianet - Bagimsiz Iletisim Agi*, <http://bianet.org/biamag/toplum/155726-nedir-bu-prekarite>. (accessed May 21, 2018)

Job insecurity is also defined as ‘a threat to unemployment’. Precarious work is increasing day by day. This anxiety is not only in underdeveloped countries but is seen in all countries. It has also spread out all over the economy, not just as a part of the informal economy. Employers are looking for new ways to overcome regulations that protect workers and searching for gaps in laws to increase their profits and lower employee costs. Significant features of precarious work are; indefinite working time, indefinite working relationships, lack of social protection for workers, lack of basic workers’ rights such as trade unions and collective bargaining.¹¹³ The future of workers in precarious jobs is uncertain since they are working for much cheaper rates than their counterparts, and on temporary contracts for which the duration is uncertain.

In the creative industries in Turkey, this case emerges for mostly self-employed artists. The central government employs artists as public servants in demonstration communities, orchestras. But the state cadre is very limited. In fact, sometimes there are not even enough staff to create an arts community. The state staff is the best option for artists to guarantee retirement and social benefits. But since the conditions are not sufficient here, artists are forced to continue to work even when they get older and cannot work. As such, there is no room in state institutions for newly graduated and young artists. Many artists also have to work in as guest artists. Even the state artist’s,-who are seen as the most secure artists in Turkey- situation is in this way.¹¹⁴ This reflects negatively on the creativity needed for Turkey to grow more artist, create better artists, and thus ultimately a decline in artistic works.

The artists who cannot find a position in the state institution continue their activities independently. As mentioned in the previous section, the biggest problem for independent artists is that they are deprived from social security. In addition, independent artists are deprived of state support because they are not accepted as

¹¹³Sevgi I IK EROL, "Almanya’Da Güvencesiz Çalışmaya Karşı Sendikaların Tutumu", *Batman Üniversitesi Yaşam Bilimleri Dergisi* 7, no. 1 (2017),47.

¹¹⁴Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).68.

artists. In the book, "Turkish Cultural Policy Report a Civil Perspective", this situation defined as;

“Artists who are different from classical art disciplines, who produce outside of state institutions, or who have not received education in schools or formal educational institutions that the state accepts are outside the concept of "general artist". These artists are faced with inequality by the state.”

These artists are experiencing more economic and social injustice and the production processes are interrupted.¹¹⁵

One of the most important dimensions of precarious work is worker health and work safety. Especially in the cinema and television sector, accidents happen every day in sets and nobody takes responsibility for it. The set is a complex and variable structure that covers a wide range of risks related to worker health and work safety. In this respect, lack of awareness of set working conditions and lack of work organization pose risks to worker health and work safety.¹¹⁶ Even now, when the thesis is written, new news about the set accidents is coming out. Recently, a very large accident took place in the set of TRT, a state channel, which resulted in the burning of two people. While the vital risks of the employees were continuing, TRT tried to get out of the business by making a statement that there is no life risk.¹¹⁷ The fact that such a large set accident happened even on a state-owned channel, reveals how serious the situation is.

A musician interviewed about precarity told a situation he has lived “In the year 1983, they were supposedly insured us. When I went to insurance institution years later I saw my insurance entry but I was taken out one day later. They cut your money on a monthly weekly basis and they say ‘we are making your

¹¹⁵ .b.i.d 69.

¹¹⁶ "çi Sa lı ı Ve Güvenli i Kampanyası | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, <http://www.oyuncularsendikasi.org/i%C5%9F%C3%A7i-sa%C4%9Flı%C4%9Fi-ve-i%C5%9F-g%C3%BCvenli%C4%9Fi-kampanyasi/>. (accessed May 12, 2018)

¹¹⁷ "Oyuncular Sendikası Başkanı Demet Akba : Sette Yanan Çocuk A ır Yaralı", *Cumhuriyet.Com.Tr*, http://www.cumhuriyet.com.tr/haber/kultur-sanat/968500/Oyuncular_Sendikasi_Baskani_Demet_Akbag_Sette_yanan_cocuk_agir_yarali.html. (accessed May 29, 2018)

insurance'. So they are ripping you off. We thought i had been insured for 10 years, but then we see that we have been insured for only one month. It is never shown in reality, nor is the money that you receive, nor the money that they give, everything is a lie. Nobody brings this matter to the agenda, nobody cares, even the state".¹¹⁸

Another precarious situation they have experienced is expressed with the following words: "You are always between their two lips. For example, the artist I work with has called me one day to say that the orchestra will all change. Everyone is gone, 17-18 year employees gone without getting five cents. In one word, if he says, 'I do not want to' it is over. No compensation is possible."¹¹⁹ Another musician who has been interviewed in this regard deals with a different dimension of the situation; "You went to the work, if there are no customers, they say 'there is no work today' and send you back. We even go to Izmir and return, the company only kept a bus but what we ate on the road came out of our pockets."¹²⁰

As we have seen, precarious work in the creative industry in Turkey has been quite common. Ministry of Labour's laws are not enough, not for atypical workers. And current laws are not enforced and are not audited. Artists are lack of social security, social rights. And this situation became so widespread so that they have accepted it. An artist who has been deprived of social security since 1983, thinks that this is the nature of the profession. They're afraid to give their names because they still continue to work with the same employers with the same conditions. They are very hopeless. However, what an artist says who works in the sector for 40 years is remarkable; "So in this case the recovery is not possible in Turkey. Especially for musicians. But if there will be unions we will be saved. Because we will be insured, everything will be as we want it to be."¹²¹ However, even an artist who belongs to the best-organized creative sector in Turkey -music-,

¹¹⁸A. , interview by author, April 10, 2018.

¹¹⁹A. , interview by author, April 10, 2018.

¹²⁰ B. , interview by author, April 12, 2018.

¹²¹ A. , interview by author, April 10, 2018.

set their hopes on a new union. This sentiment is the best way to summarize the state of organization in Turkey.

2.1.2 Historical Development of the Cultural Policies in Turkey

The concept of cultural policy first appeared in the 1960s at the Unesco meetings. The term emerged when it is recognized that the importance of development is achieved not only by the economy, but also by improving the living conditions of the people and ensuring the social order equally and the contribution of health, education and working conditions.¹²² In 1970, at the Venice Conference, cultural policy became the subject of an interstate conference for the first time, and in 1972 the Helsinki Conference included the issue of Cultural Politics and Trade Unions.¹²³ The Cultural Policy debates in Turkey, had emerged with Turkey's entrance process to the EU and with the private sector's needs of regulations, to invest in culture. The involvement of cultural politics in civil society had begun when EU membership became a serious choice and discussion in government programs.¹²⁴ The definition of cultural policy confuses minds in Turkey and minds in all over the world. Serhan Ada explains this situation as follows; "Cultural Policy consists of the principles, priorities and programs that a society presents in social, economic, cultural and artistic fields, and it does not directly convey the same meaning as the policy word we use in terms of politics although its policy is not completely unrelated."¹²⁵ Also, Füsun Üstel explained the concept of politics to solve this definition complexity as follows:

"As a concept referring primarily to the state, political institutions, structures, processes and relations, the concept of politics, the art of administration, the way in which public works are carried out, and how a state, institution, organization, political party... In this respect, politics is a political, national, international, transnational, regional, local process that encompasses a wide range of actors

¹²²Serhan Ada and H. Ayça nce, *Türkiye'de Kültür Politikalarına Giri* (stanbul: stanbul Bilgi Üniversitesi, 2009),9.

¹²³ .b.i.d 10/11.

¹²⁴ .b.i.d 30/31.

¹²⁵Serhan Ada and H. Ayça nce, *Türkiye'de Kültür Politikalarına Giri* (stanbul: stanbul Bilgi Üniversitesi, 2009).

ranging from elected to unionized with actions and interventions at all levels."¹²⁶

Cultural politics differ other countries according to the historical development of the countries, their processes of building their states, and their political regimes. Even in European Union countries it varies from each other. Today in Turkey, since cultural policies mentioned indifferent areas of industry associations, foundations and initiatives it is still not visible enough. Weight in cultural policy in Turkey is focused on tourism, the economy and history and heritage and protection of traditional forms.¹²⁷ Cultural policy differences among countries also come under the name of "Ministry of Culture". Turkey in comparison to EU countries, the Ministry of Culture's budget is lagging behind by around 690 to 700 million euros.(France has the highest budget, their Ministry of Culture budget is 7.65 billion euros.)¹²⁸ Moreover, In Turkey, the share of Culture and Tourism Ministry's overall budget is 0.5%.¹²⁹

While considering the historical development of cultural policy in Turkey, Turkey's cultural policy in the early years of the Republic can be defined as "the Construction of a National Culture by the State". In this period, the Turkish Historical Society and the Turkish Language Association were established and Village Institutes and Community Centres were opened to spread the national culture. The aim in this period was to build a monolingual, monotype culture. Assimilation and pressure were applied to other cultures were at a high level.¹³⁰ In the following period, the coups became determinant. Polarizations had emerged with the transition to multi-party life. With the migration from country to town throughout the country, inequalities began to emerge in each area. Because the most of the migration was to Istanbul, Istanbul becomes a centre of attraction. For the first time, a private foundation was began to bring many cultural products to Turkish

¹²⁶ .b.i.d 7.

¹²⁷Serhan Ada and H. Ayça nce, *Türkiye'de Kültür Politikalarına Giri* (stanbul: stanbul Bilgi Üniversitesi, 2009).

¹²⁸Faruk en, *Türkiye'De Kültür Ekonomisinin Boyutları* (Kaynak Yayınları, 2017),49.

¹²⁹Funda Lena, *Grafiklerle Türkiye'nin Kültür Ekonomisi Raporu 2016* (KREKSA, 2016).

¹³⁰Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).46.

audiences. (Istanbul Foundation for Culture and Arts) Moreover, as the Arabesque began to be a form of cultural expression, the music industry and with the Ye ilçam Films the cinema industry began to evolve.¹³¹

In 1971, the Ministry of Culture was established for the first time but having its name has changed many times from Ministry of Culture to the Under secretariat of Culture to the Ministry of Culture and Tourism.¹³² Later, when globalization increasingly came to the forefront, privatization started in the cultural sector. Beside Banks, other major financial and industrial groups from different sectors started to establish themselves in the cultural sector with museums and cultural centres that they open on their behalf and also for the demonstration of the communities they sponsor.¹³³ The state was gradually becoming a regulator rather than an investor in this period. However, in 2004, the Ministry of Culture issued two laws to promote cultural investments. State-private sector relations were strengthened as the state supported private initiatives both sides profited.

State Planning Organization's development plans which take place every five years since its inception, are important to understand the cultural policies in Turkey. The two most important being, the 9th development plan covering the years 2007-2013 and the 10th development plan covering the years 2013-2018. The Culture Specialization Commission Report made the 9th development plan important. Within the report there are cultural politics, cultural economy, cultural promotion, cultural change, and cultural identity topics. On the cultural policy topic, the weight was again on cultural heritage. In the subject of cultural economy, there are suggestions such as the use of sector's share in national product for development, tax not taken from cultural activities which are for common wealth and effective use of sponsorship regulation.¹³⁴ 10th Development Plan again focused on preserving Turkish culture and language. These show us that the Ak

¹³¹ .b.i.d 47.

¹³²"Tarihçe", *Kulturvarliklari.Gov.Tr*, <http://www.kulturvarliklari.gov.tr/TR,43034/tarihce.html>. (accessed May 10, 2018)

¹³³Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).48.

¹³⁴ .b.i.d 97/98.

Party government's priorities in cultural politics are protecting traditional arts and creating an identity. Serhan Ada expressed the government's view of cultural policies with the following words: "Turkey is mainly promoted abroad through traditional artwork and handicraft. This repetition of the so called 'traditional only' represents a vicious circle resulting in an inadequate involvement of contemporary art production".¹³⁵

The first efforts of civil society for the development of cultural policies was the meetings held by KSV and a group of intellectuals and former politicians. It was called "Cultural Initiative" and their most important symposium was "Symposium on Approach to the EU in the Cultural Area" which was held in 1998.¹³⁶ The final declaration of the symposium had great importance in terms of cultural policies. With the understanding that cultural policies were for the protection and development of cultural assets, cultural heritage and cultural diversity. After paying attention to equal and free participation in cultural life, "the support of cultural and artistic activities by an autonomous structure" comes out as the main principle.¹³⁷ Another important principle in terms of cultural policy was the effort to adapt to the European system. The first of the arrangements made for Turkey's integration with the European system is the preparation of the Compendium in 2007, to be submitted to the European Council. In the draft document, it argued that Turkey would contribute to the development of cultural diversity and intercultural dialogue in Europe. To support this idea it gave the opinion that since the Ottoman Empire there has been an atmosphere of respect and tolerance for different cultures in the country.¹³⁸ In the section on international cooperation in the field of culture the priority was given to the cooperation of Turkey and the Turkish Islamic world cooperation. Only heritage was mentioned in

¹³⁵Gökçe Sanul, *Questioning The Governance Of Culture In Turkey A Review Of Literature*, ebook (Brussel), accessed 29 May 2018.

¹³⁶Serhan Ada, *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective* (Istanbul: IBU, 2011).49.

¹³⁷ .b.i.d 94.

¹³⁸ .b.i.d 92.

terms of UNESCO membership. Moreover, the Council of Europe and other European institutions were not mentioned at all.¹³⁹

" Istanbul Metropolitan Planning and Urban Design Centre" was established upon the nomination of Istanbul as the 2010 European Capital of Culture. Cultural Industries - Culture and Tourism Group had been established in the centre. They were working on the development of Cultural Industries. Their evaluations of Istanbul was, as all culture professionals say is that the cultural policies of Istanbul should be taken separately.¹⁴⁰ Istanbul is the centre of cultural production, consumption, labour and employment. However, centralization in Istanbul is pointing to major inequalities in Istanbul in comparison with other cities. Highlighted by the fact that there are only a few culture-focused districts in Istanbul. The rest are excluded and cultural participation is not ensured.

The priorities of governments throughout history have influenced Cultural Policies. While it was aimed to create a uniform culture originating from Ziya Gökalp in Atatürk Period, and as it turned towards to the west during the nönü period.¹⁴¹ Turkey has always aimed to strengthen the nationalism through its cultural policies. In the AK Party period, cultural politics are part of their outreaching politics. They have adopted a "culture for development, culture for promotion" idea. In addition, the state ceases to produce content in the field of culture, and cultural privatization is supported.¹⁴² The recent political climate has helped to create an unstable environment for cultural workers in Turkey. The changing face of Turkey since the 2000s, the political climate has deeply influenced the culture and arts life. The most important regulation that affects the artists is the design of TÜSAK law, which has come to the agenda in few years ago. According to the draft law, the establishment of the Arts Council of Turkey to regulate relations between the state and various arts have been foreseen. The important thing with this

¹³⁹ .b.i.d 93.

¹⁴⁰ .b.i.d 101/102.

¹⁴¹ .b.i.d 117.

¹⁴² Serhan Ada and H. Ayça nce, Türkiye'de Kültür Politikalarına Giri (Istanbul: Istanbul Bilgi Üniversitesi, 2009).118.

arrangement was the decision to close of the State Theatre and the State Opera and Ballet. Moreover, it was unclear who would be responsible for this board, and who would manage the resources. For this reason, artists, NGOs and trade unions moved into action and the draft law was withdrawn.¹⁴³

While the state, local governments, private sector and civil society should work jointly in terms of cultural policy, it always have been state focused in Turkey. NGOs, citizens and organizations should participate in the decision-making process, and the differences must come together and the imbalance should be redressed.

2.2 THEORETICAL APPROACHES TO CREATIVE INDUSTRIES AND CREATIVE LABOR

With the transformation that capitalism has experienced over time the concepts of labour and capital have also changed. This change has also caused a change in the production process. Therefore, while evaluating the changes in the working process, it is necessary to address the processes that capitalism has undergone. While evaluating creative industries and creative labour, It is necessary to talk about material labour and immaterial labour; emotional labour and affective labour concepts.

Along with the new capitalism, the effects of labour practices and work processes on workers-labourers are quite strong. In the industrial era, labour practices and labour perception were different. Within a newer capitalism, employees have developed and experienced different forms of work. As a result of this change, the shape of the use of the labour has changed. The concept of "intangible labour" has had its biggest impact on employees in that work processes have blurred the boundaries between employees' daily lives and working

¹⁴³Selcan Peksan and Fatma Tosun, "Sanatçıların Sosyal Haklara Ulaşımındaki Güçlükler", *Çalışma Ve Toplum* 3 (2014),225.

life.¹⁴⁴ This uncertainty, which is seen in the everyday lives and working lives of the working individuals, has also caused a social transformation in today's capitalist world. So it would not be wrong to say that social relations have been reinvented with new capitalism.

In today's world where everything is material and constructed on tangible values, the fact that the creative work-end result is not tangible and "consumable" takes away the value and perception of creative effort. All the essential necessities of individuals within the capitalist world order are easily produced and met by mechanical systems. The altered new capitalism has also affected the daily lives and working patterns of creative labourers. In the capitalist world, and especially on the geography we live on, activities that require creative labour has become dispensable. In economic sense, the creative industry activities that are considered "luxury" are actually caused by misinterpretation of the economy. When life goals are where there is always a search for a latest model of a car or for an higher model, cultural, artistic and scientific activities have become something not very important. Material acquisition has replaced cultural acquisition. For this reason, those who labour in creative industries have become alienated and emotionless in their work over time. In this context, the distance between creative labour and industrial production is growing day by day.

2.2.1 Immaterial Labour and The Corrosion of Character

Different perspectives on immaterial labour processes and affective labour processes have been developed. Michael Hardt, Antonio Negri, and Richard Sennet are some of the most important thinkers who examine the connection of labour with the new capitalism. Hardt and Negri have discussed how the production structure changes under the name of economic post modernization or informatization. In the process of moving from the industrial sector to the service sector, there has been a change in the nature and quality of labour. Hardt and Negri explain the change

¹⁴⁴Burak Faik Emirgil, "Yeni Kapitalizmde Eme i Sorunsallla tırmak: Eme in Maddi- Olmayan Görünümleri", Çalışma ve Toplum, 2010/1, sf:221.

process as an immaterial labour. Richard Sennett examines the immaterial labour and affective labour through the changes that the individual has undergone during the labour process. He focuses on how the individual's emotions and identity has been affected with labour's changing process.¹⁴⁵

Richard Sennett focuses largely on white-collar workers in his "Character Erosion" book and he talks about new capitalism's expectations from these workers. These expectations are; flexibility, being ready to change at any moment, moving in a row, taking less time in routine work, being less dependent on regulations and formal procedures, taking risks, transferring responsibility to others and coping with uncertainty.¹⁴⁶ But if we think about "creative labour" workers in creative industries other than Sennett's point of view, the concepts like flexibility, readiness to change at any moment cannot be said to have emerged for the first time under the new capitalism process. In creative industries, creative workers are and have been working under conditions of flexibility, uncertainty and precarity. These working forms of creative labourers have not just appeared in the new capitalist system, they have been around for a long time. Gill and Prat list the characteristics of the intangible "creative labour" by referring to the fact that flexibility and autonomy dominate in the cultural industries; often temporary, uneven work, exposure to long working hours, uncertainty in the line between daily life and working life, high job switching and low wages. Based on these criteria, the new understanding of capitalism's labour, especially the extreme dilapidation of creative labour in cultural industries, has made the working patterns of individuals entirely impossible in an emotional sense.¹⁴⁷ In this context, it would be wrong to keep the point of origin of the problems the same as with the creative industry workers and the white collar workers.

One of Marxism's most fundamental concept is that material labour is created by the classical working class, creates measurable and sustainable material

¹⁴⁵Burak Faik Emirgil, "Yeni Kapitalizmde Eme i Sorunsallla tirmek: Eme in Maddi- Olmayan Görünümleri", Çalışma ve Toplum, 2010/1, sf:224.

¹⁴⁶ .b.i.d:231.

¹⁴⁷Richard Sennett, *The Corrosion Of Character* (New York: W.W. Norton, 2015),70.

consequences. Therefore, the concept of surplus value is a concept of labour that can be determined and calculated. With the post-fordist mode of production, there has been a shift towards service. This form of labour has also created an area where time is not certain, not measurable, where more emotions take place. Despite the same speed and effect of labour, nothing concrete emerges in the process of non-material labour, which reduces its visibility. But when it is considered, there is an effort to contain all the characteristics that define the concept of labour. It is possible to encounter this frequently in creative industries. To give an example, there are big differences between independent filmmakers and box-office filmmakers. In this context, cultural policies of the state included in the subject. Films in which the Ministry of Culture has provided material support are generally projects that will not shake the government's power and political interests and do well at box office. However, if the government does not provide any support it is because it contradicts its political authority and it must ignore those creative workers. Therefore, the importance of state policies to cultural industries makes them visible in a social sense. Independent labourers who do not see any support stay in the 2nd plan in the sector. For this reason, the labourers who want to realize their projects in different ways, have great difficulties both in terms of social sense and working style. The cultural policy of the state is characteristic of being "selective" for all projects. However, as mentioned above, there are very different interests on the basis of this "selection".

As a result, the intangible labour perception has led to the argument that labour varies qualitatively. As Sennett expressed, the effects on the labour of neo-liberal policies, which are "an extremely difficult regime to read"¹⁴⁸. The commodification of labour is a common feature of the workers whose working conditions are; uncertain of working hours, low wages, working under stress, labourers who don't have weekend- week day distinction, "creative" employees who don't see the day in an air-conditioned environment. Increasing concentration

¹⁴⁸Burak Faik Emirgil, "Yeni Kapitalizmde Eme i Sorunsallla tırmak: Eme in Maddi- Olmayan Görünümleri", Çalı ma ve Toplum, 2010/1, sf:233.

in the service sector with post-fordist modes of production has led to "emotional" and "cultural" outcomes. However, this does not mean that their labour is not becoming a commodity because it contains feelings. Lazzarato summarizes the following: "Intangible labour does not only produce goods... it produces social relations, first and foremost."¹⁴⁹

2.2.2 Emotional and Affective Labour

Affect is a difficult concept to explain and understand. It is a concept that is something more than visible, significant and tenable. It has been described as; "Thinking about something the tongue cannot catch exactly"¹⁵⁰ The concept of affect is essentially a concept in psychology, along with the new capitalist world, it started to become a subject of political theories. Therefore, while explaining the concept of affect, we evaluate the integrated relationship of both psychology and political theories together. Affect is equivalent to the point where a person's joys are satisfied. Like a feeling of hunger, accompanied by a sense of excitement, or closed appetite with a sense of disgust.¹⁵¹ In this example, there is a sense of meaning on the body. Spinoza expresses the general name given to emotions, motivations and impulses, as affect.¹⁵² After Spinoza, Deleuze and Guattari interpret the affect differently from their emotions and evaluate it as a means of creating a meaning between bodies. Ay e Akal, explains that the reason affect is not a concept that can be easily explained is because of Deleuze and Guattari's definition of affect as a state of transformation between bodies rather than something concrete, countable and visible.¹⁵³

¹⁴⁹ .b.i.d:234.

¹⁵⁰ Ay e Akalın, "Duygulanım ve Duygulanımsal Emek Üzerine Notlar", Birikim 217 (2007) <http://www.birikimdergisi.com/birikim-yazi/4913/duygulanim-ve-duygulanimsal-emek-uzerine-notlar#.WH-TJraLRE4> (Access date March 10, 2017)

¹⁵¹ .b.i.d

¹⁵² Baruch Spinoza, *The Ethics. The Collected Works of Spinoza*. Vol. I Ed. Ve Çev: Edwin Curley. (Princeton: Princeton University Press, 1985) aktaran Ay e Akalın.

¹⁵³ Ay e Akalın, "Duygulanım ve Duygulanımsal Emek Üzerine Notlar", Birikim 217 (2007) <http://www.birikimdergisi.com/birikim-yazi/4913/duygulanim-ve-duygulanimsal-emek-uzerine-notlar#.WH-TJraLRE4> (Access date: 10 March, 2018)

According to Brian Massumi, the affect refers to the intensity of the transition from one experience to another, and regards it as the limits of increase or decrease of the body that occur during the transition.¹⁵⁴ Massumi's view of emotion is about the intensity of the flow between situations and bodies and is why affect is an irrepressible incapturable concept. "Affect has an autonomy"¹⁵⁵ According to Massumi, the emergence of the concept comes with conscious states. From affect to the affective labour, we have to look at Lazzarato's concept of immaterial labour. Lazzarato argues that any kind of material relationship and communication has become part of the new capitalist system.¹⁵⁶ This is different from the material production mode that comes to mind, as it has been called production until now. Material production is an "elemental" need for the individual to survive. Of course, it is a matter of debate about how vital these necessities are actually necessary. Material production is an activity aimed at the necessities of life and fulfilling them.

However, after the 1970s, as the informatics and information sectors began to rise, production began to differentiate from the classical sense. Many things that could not be called "work" before, have begun to form a part of capitalist change. In short, production has begun to appeal to the emotional components that emerge from the result of labour, which is material, measurable and countable. Emotional labour shows itself more in face-to-face relationships. In particular, labourers working in the service sector need to convey their feelings towards the people they serve, as well as the work they are doing physically. For example, labourers working in the service areas of multinational corporations while selling products to their customers, the emotions attached to their face and body language are now part of his/her labour. This is a legitimate occurrence, where the supervisors of these attitudes and behaviours of the labourers are inspected. Therefore, this transfer of feelings has also become a part of the work they have done and commodified. Between the "smiling faces" and the life behind it, sharp lines have blurred. If we

¹⁵⁴ .b.i.d

¹⁵⁵ .b.i.d

¹⁵⁶ Maurizio Lazzarato, "Immaterial Labour"

<http://strickdistro.org/wp-content/uploads/2011/09/Week-1 Immaterial-Labour Lazzarato.pdf>

(Access date 7 April, 2018)

take the music bands that are performing for a crowd of fans, they will put a smile on their faces for the duration of the stage and try to "please" the audience who are sitting and watching them. However, it is never known that what lies behind life of the labourer who carries out this action. In many cases, the emotions cause drug, alcohol and other negative manifestations. The application of these stereotyped forms also leads to the alienation of the work that individuals do.

Creative workers, who have desire to create artistic and cultural production, when compared to the capitalist world's labourers, the common denominator they meet is the main starting point of this discussion. As mentioned above, concepts such as emotional labour, affective labour, intangible labour, and creative labour are introduced to denote the change of labour practices of today's capitalist system. Together with these concepts, the ways of organizing have been sought and subjective demands have begun to multiply. The complexity that has arisen with increasing demands has been stuck between trade unions, employers and the state.¹⁵⁷ Especially in creative industries, trade unions, which are areas where organizing can take place and where rights to state policies can be claimed, are sometimes inadequate. On the basis of this discrepancy, is the reality that the unions, who defend the rights of creative labour activities, cannot keep up with the current system. From a Marxist point of view, trade unions are the greatest and strength foundations for workers. However, the existence of trade unions that support the backs of workers who produce immaterial labour is very limited. One of the reasons for this failure is the interventionist state policies. Thus, while the white-collar in the classical sense is the victim of the capitalist system, the labourers of the creative industries are also trying to maintain their activities as victims twice, both at work and while not working.

¹⁵⁷Red Bilisim, "/ Sanat Ve Emek / Güvensiz Özgürlük: Emek, Yaratıcılık ve Yaşamın Kırılganlığı | E-Dergi, Sanat Tarihi", *E-Skop.Com*, 2018, <http://www.e-skop.com/skopbulten/sanat-ve-emek-guvenli-ozgurluk-emegin-yaraticiligini-ve-yasamin-kirilganligi/1992>. (Access date 4 May, 2018)

III. CHAPTER

3. UNIONS AS ACTORS OF CULTURAL POLICY IN TURKEY AND THE CASE OF “ACTORS’ UNION”

3.1 ORGANIZATION PROBLEMS IN CREATIVE INDUSTRIES IN TURKEY

The strength, function, effectiveness of unions and attitudes of workers towards unionism are shaped by the social, economic and historical characteristics of the countries. In recent years, while poverty, unemployment, deteriorating working conditions increases the need of trade unions the number of members has been decreasing day by day. In Turkey, distrust towards institutions of the society is further reflected in the distrust towards trade unions. According to the research, both organized and unorganized workers say that they don't trust unions and that they do not fight adequately in defending their rights.¹⁵⁸ When we look at the environmental factors affecting the unions, macroeconomic problems, unregistered economy, changing labour force and employment structure, unemployment, privatizations, lack of legal legislation can all be considered.¹⁵⁹ Sayım Yorgun, expressed his thoughts about the organization problems in Turkey in the following way; “Economic structure in Turkey has a feature that makes it difficult for union organizing, but also improves the organization necessity.”¹⁶⁰

Another fundamental problem in this regard is that the organization is perceived as a threat by the state. While the state regulates laws and practices, they are suspicious of the concept of organization and arrange laws accordingly.¹⁶¹ In addition, negative connotations have been given by the public to the concepts of

¹⁵⁸Betül Urhan, "Türkiye’de Sendikal Örgütlenmede Yaşanan Güven Ve Dayanışma Sorunları", *Çalışma Ve Toplum* 1 (2005),84.

¹⁵⁹Sayım Yorgun, Türkiye’de Sendikal Örgütlenmenin Güncel Sorunları Ve Alternatif Öneriler, *“İş, Güç” The Journal of Industrial Relations and Human Resources*, Vol:9 No:2 April 2007, 53.

¹⁶⁰ibid 53.

¹⁶¹ .b.i.d 66.

organization. So, unionization is not only under the influence of economic factors. Political, social and cultural factors also have an important influence on trade union organization. Sayım Yorgun's opinion on this subject is also remarkable; "The feeling of protection of the state is in front of the right to organize of the citizens."¹⁶²

The amendments made in the laws after the September 12, 1980, coup d'état imposed restrictions on workers' rights. Especially with the introduction of the law of organizing according to the line of business, the right to organize the workers organized together in the connected business line was taken from their hands.¹⁶³ In addition, with new capitalism, the employment structure shifted from high rate unionized sectors, to low rate of unionized sectors. In this regard, the need for high skilled workers in these sectors weakens trade unionism because highly-educated people do not see unions as a tool in their rights claims, they prefer to act individually.¹⁶⁴ This diminishes collective solidarity awareness and undermines qualitative trade union organization. Another important point is the way employees view unions. Employees in every sector believe that if they are union members, they will not be able find a job or they will be fired. Although trade union organization is a right given to workers by the constitution and laws, the use of this right is one of the main reasons for dismissal.¹⁶⁵ Labour legislation in Turkey are not effective against union-induced layoffs. The current legislations are repressive laws that have banned unions to do politics and restricted strike rights.¹⁶⁶

The situation is even worse in the creative industry unions due to the competitive nature of the professions in the creative industries, the income injustices among the workers, and a hierarchical structure weakens consciousness of solidarity and making it difficult to take a common attitude. Ministry of Labour's

¹⁶² .b.i.d 66.

¹⁶³Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 98.

¹⁶⁴Ensar Yılmaz, "Türkiye'De Sendikaların Önündeki Sosyal, Siyasal Ve Ekonomik Engeller", *New World Sciences Academy* 5, no. 3 (2010): 181.

¹⁶⁵Tuba Karahisar, "Türkiye'De Gazetecilerin Sendikala ma Sorunları", *leti im Fakültesi Dergisi*, 92.

¹⁶⁶Yakup Akkaya, "Türkiye'de Çalış ma Ya amının Sorunları Ve Sendikal Hak halleri", in *VI. Sosyal nsan Hakları Ulusal Sempozyumu*, 418.

laws and the control mechanism do not meet flexible employment conditions in creative industries. In addition, a new regulation has been introduced that employees who are not included in 4A cannot be unionized. With this arrangement, the Ministry of Labour registers the artists as self-employed and taking away their right to organize.

3.1.1 The Ministry of Labour and Social Security in Turkey and Having “Atypical” Employee Status

The missions of the Ministry of Labour and Social Security, which was established in 1945, were to organize and supervise the working life, to solve the structural problems of the labour market, to increase the participation rate in employment and labour force, to promote social security, to develop the health and safety culture and to create a healthy and safe work environment for "all employees".¹⁶⁷ Since the establishment of the Ministry, there is also the "General Directorate of Workers' Health" within it.¹⁶⁸ In 1968, with ILO representatives, the United Nations Development Program (UNDP) and the Program for the Improvement of Working Conditions and Environment (PIACT) the "Preliminary Implementation Agreement for the Occupational Health and Safety Special Fund Project" was signed.¹⁶⁹ In addition, the Labour and Social Security Training Centre (ÇASGEM) was established within the ministry to give occupational safety trainings at the centre. Trainings include issues such as resolving working life problems, protecting employees' health and safety, ensuring job security and ensuring job peace.¹⁷⁰

¹⁶⁷ İnternet Hizmetleri übesi Müdürlü ü T.C. Çalı ma ve Sosyal Güvenlik Bakanlı ı | Bilgi lem Daire Ba kanlı ı, "Misyonziyonilkellerimiz", accessed 29 May 2018, <https://www.csgb.gov.tr/home/contents/bakanlik/misyonziyonilkellerimiz/>.

¹⁶⁸ .b.i.d

¹⁶⁹ Nazmiye Yahnio lu, " Sa li i Ve Güvenli i Bilinci", n.d.

¹⁷⁰ "Www.Casgem.Gov.Tr", *Casgem.Gov.Tr*, 2018,

<http://www.casgem.gov.tr/sayfalar/sayfa/params/tip-sayfa/id-1/misyon-vizyon.html>. (Access date 11 March, 2018)

As in all institutions in Turkey, arrangements and improvements in the institution are made for alignment with the EU. In 2004, ISAG (Occupational Health and Safety Development Project) started to be implemented in order to adapt to the EU. The project aims to bring the standards of occupational health and safety to the EU level.¹⁷¹ But the arrangements for alignment with the EU fall when it comes to workers' rights. To the new version of the Trade Union and Collective Bargaining Agreement, new principles were added which are contrary to the international conventions to that Turkey had signed. The most important of these is the necessity of belonging 4A in terms of social insurance in order to become a member of a union. This situation limits the right to organize, which is the most natural right of workers. This right, which is also recognized by international contracts, is hampered by the Ministry of Labour.¹⁷²

The biggest problem with the Ministry of Labour is that all legislations are tailored for typical employees. There are no regulations for atypical workers but they are trying to adapt atypical workers to typical employees. Therefore, serious disconnections and complications are occurring. Regarding job security, the supervision is very inadequate, and all legislation is again based on typical employees and stable workplaces, and all the job security experts are trained accordingly to typical employees, thus atypical employees are ignored. It is not possible for supervisory experts, who are already few in number, to inspect non-stable jobs.¹⁷³ Unless there is an inspection mechanism, employers are escaping from their responsibilities, and causing the number of workers lacking social security and work accidents to increase day by day.

It is interesting that a musician lacking social security is talking about it; "For example, when the police come to the bar they are pulling us out of the back

¹⁷¹Gökçe Kalyoncu, "Avrupa Birliği Sürecinde Türkiye'de İşçi Sağlığı Ve İş Güvenliği" (Ankara Üniversitesi, 2007).

¹⁷²*Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_ey_lul_dusuk.pdf. (Access date 13 March, 2018)

¹⁷³Ye im Girgin, interview by author, February 20, 2017.

door because police will look at our identity, to see whether or not there is insurance. They are secretly taking us out because the employers have not done our insurance.”¹⁷⁴Employers will continue to drive this attitude as much as it is easy to escape the control mechanism. The Ministry of Labour should develop a new control mechanism in this regard and educate its employees accordingly.

3.1.2 Hierarchy Between Workers

The fact that globalization make the social relations upside down, the working class also affected by it. Individual, moral, social, traditional values are changing. Individuality is at the forefront of these changes and occur in the working class. New class relations are formed; core workforce and environmental work force.¹⁷⁵ The fact that these two forms of employment are working in completely different conditions, even if they work in the same sectors, increase inequalities. These growing inequalities make the hierarchical situations even more evident. Discrimination is also added to these hierarchical situations in society. Women, children, migrants, minorities are more affected by these hierarchical situations. In Turkey discrimination occurs in all sections of society. These discriminations inhibits the consciousness of organization.

When we look at the hierarchical situation among creative workers, it is seen that there is a big difference between creative work force and technical work force. Most obvious is that working conditions and salaries are very different from each other. The creative workforce sees itself as very different from technical workforce so much so that most of the artists do not see themselves in the working class. They see themselves not beside the working class but by the ruling class. In the words of Gramsci, they see themselves as "symbolic elites".¹⁷⁶ They have abstracted themselves from the general struggle of the working class which they belong. As

¹⁷⁴B. , interview by author, April 12, 2018.

¹⁷⁵"21. Yüzyılda Sendikal Örgütlenme Sorunu Ve Yeni Sendikal Stratejiler – Fatih Ayd", Sendika.Org, 2018, <http://sendika62.org/2003/10/21-yuzyilda-sendikal-orgutlenme-sorunu-ve-yeni-sendikal-stratejiler-fatih-ayd-1263/>. (Access date 3 June, 2018)

¹⁷⁶Selma Tokta , “Medya Emekçilerinin Sendikal Örgütlenme Sürecine Yönelik Kavrayı ları: Sorunlar ve Çözüm Önerileri.”*Mülkiye Dergisi*, 2013, 37(3), 92.

Tokta mentions; “The workers whose consciousness is distorted are seen staying away from trade unions, as a demonstration of having a higher status in social life”¹⁷⁷ Wayne explains the ambiguous position of the class of creative and cultural workers with the concept of "contradictory class position."¹⁷⁸ Also, in creative industries, individuality is the forefront, and having more than one eligible employee for an open position increases the competition even more. The fact that competition is inherent in art and it contributes to the development of art this competition reduces the awareness of organization.¹⁷⁹

Among the artists there is a self-educated, schooled distinction. The level of education varies from literacy to several college degrees. This difference in education levels can also cause differences in the cultural structure. For example, in the music industry, cultural differences can occur, depending on the type of music being performed. This creates social distinction among musicians according to musical genres, and a caste system.¹⁸⁰ Public recognition, non-recognition is also a reason for separation. The fact that the fees received in the sector are not same and the inequalities dominate, divide the artists from each other. In this regard, the memory of a musician explains; “I flew in business class 2 years ago, things got crazy. One was surprised to see me, then other was surprised. They are saying; ‘Who do you think you are?’ They got nervous, I understood. They wondered ‘how a violinist could sit in business class?’ Because in their world no one but they can sit. I was the last to go on the plane so one can see me... I was sick of this glances so i said to my agent this year i won’t be in business, get me normal plane tickets.”¹⁸¹

3.1.3 Organization by Business Line Basis

According to the Law on Trade Unions and Collective Labour Agreements No. 6356, only those who work under the employment contract have the right to be

¹⁷⁷Selma Tokta , “Medya Emekçilerinin Sendikal Örgütlenme Sürecine Yönelik Kavrayı ları: Sorunlar ve Çözüm Önerileri.”*Mülkiye Dergisi*, 2013, 37(3), 81.

¹⁷⁸ .b.i.d 81.

¹⁷⁹Mehmet Çırık, *Müzik Sektöründe Örgütlenme Sürecinde Kar ıla ılan Sorunlar*, ebook, 2012.

¹⁸⁰ .b.i.d.

¹⁸¹ A. , interview by author, April 10, 2018.

unionized and organized. For those artists who are not considered as workers and whose insurance status is not reported to the Social Security Institution this is a huge problem. Even if workers' unions take the risks and make the employees their members who are not reported to the institution, the unions will be deprived of collective bargaining rights because these persons do not appear to be legal members.¹⁸² With this new law, two types of barrages have been mentioned for the union to be able to make a collective contract. Business line and workplace barrages. In the business line that includes the union of workers, at least one percent of the total workers in the business line have to be the members of the union. And, more than half of the workers who work in the workplace to be covered by the collective bargaining agreement must be members of the union.¹⁸³

According to July 2017 data, there are more workers than all other business lines in the "Trade, Office, Education and Fine Arts" business line, which many of the creative industries belong to.¹⁸⁴ Therefore, it is almost impossible for a union involved in this business to reach the number of members required for collective bargaining. In addition, while most of the creative industry sectors are included in the "Business, Office, Education and Fine Arts" business line, the music industry is usually included in "Accommodation and Entertainment Locations" business line.¹⁸⁵ The organization of creative industries in different business lines also removes the possibility of doing something common. Foreseeing the establishment of the trade union system in line with the business line principle and the prohibition of establishment of the trade union based on the occupational principle weakens the union organization.

Organization and collective bargaining rights which are stipulated in international conventions that Turkey has signed, with this new law, has lost its

¹⁸² *Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf. (Access date 25 May, 2018)

¹⁸³ Mehmet Çırık, *MÜZİK SEKTÖRÜNDE ÖRGÜTLENME SÜRECİNDE KARŞILAŞILAN SORUNLAR*, ebook, 2012.

¹⁸⁴ .b.i.d.

¹⁸⁵ .b.i.d.

validity. By using the principle of "supremacy of international law" guaranteed by the Constitution, the solution of this situation is very important for the rights of the workers. In addition, creative industries must be grouped under a single line of business and this business line must be unique to them. And for all workers, the barrage should be abolished in trade union organization.

3.2 ACTORS' UNION

The Actors' Union was established in 29 March 2011 to collect under the same roof all workers who perform in the field of stage, screen and microphone to help them reach the standards which they deserve. They are apart from serving any political purpose, and they carry out their work in line with four basic principles. These four basic principles are: "sustainability", "transparency", "participation" and "accountability".¹⁸⁶

To summarize the general goals of the Actors' Union, are the following;

- Collect all the actors under one roof (microphone, stage, screen and curtain)
- Defend, protect and develop the personal, legal, cultural, political and professional rights of labourers who are members of the union.
- Link all members to a single social security system
- Provide the "deserved" visibility of the members - in national and international platforms - by making legal definitions of the activities they engage in.¹⁸⁷

All of these goals by the actors' union, who are working as an independent organization in line with the principles of reconciliation and equalization. It is a union that strives to maintain constant communication with other organizations for all types of actors and to encourage more actors to have a say in today's society.

¹⁸⁶"HAKKIMIZDA | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 30 May 2018, <http://www.oyuncularsendikasi.org/hakkimizda/>. (Access date: 5 May, 2018)

¹⁸⁷.b.i.d.

The existence of this type of organization, which is highly needed in today's society, is a promising and exemplary structure for employees and their rights in all other creative industries. At this point, the cooperation with the unions is the most effective way to protect the basic rights and find solutions to the problems. However, in today's society, politics and state politics are integrated into different spheres, and unions are different from each other. This is why the Actors' Union is struggling to emphasize that the union is "independent". At the same time, the union follows developments in international platforms to be able to take part in them. The international unit of the Actors' Union continues its activities in this area. It is a trade union that takes part in meetings at international platforms, with membership of the International Actors Federation (FIA).¹⁸⁸ Therefore, the problems of sexual discrimination, occupational diseases, rights and law in the sector can always be discussed openly in their agendas.

If you look at why workers are needed for unions, the social security rights and well-paying and secure jobs are threatened in a period when employers are racing capital in the sector. The system is in some way capable of forcing the individual to work in and in be indifferent to bad conditions. As for the actors, the labourers whose social security methods are determined as Ba -Kur (insuranced self-employed institution), have to insure themselves. When this happens, the employer does not feel or take any responsibility. Therefore, they are exposed to inhumane working conditions and have no security. The actors' union focuses on the necessity of moving the sector to international standards. For this purpose, they emphasized the necessity of organizing all the actors under the same roof. This organization is supported by the following statement in the Law No. 6356 on Trade Unions and Collective Labour Agreements: "... that at least seven workers or employers come together to work in a business to protect and develop common economic and social rights and interests in working relationships ..."¹⁸⁹ Hence, in

¹⁸⁸"RESMEN FIA ÜYESİ Y Z | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 30 May 2018, <http://www.oyuncularsendikasi.org/ana-haber/resmen-fia-uyesiyiz/>.

¹⁸⁹"Neden Sendika? | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, 2018, <http://www.oyuncularsendikasi.org/neden-sendika/>. (Access date: 5 May, 2018)

the broadest sense, trade unions serve as intermediaries for workers to hear their voices - in democratic countries - and to express their problems. Especially like Turkey, developing countries in sense of many things, the need for trade unions is finalized.

The need for organizations such as trade unions, associations and foundations are based on the many primitive conditions of the human race. Even in primitive societies, people have the instinct of being together and organizing against situations they perceive as danger. When we look at societies that have not integrated into the global system, we can see by their example of the types of communication they maintain and the type of means they use. They have managed to survive against great odds and thus much can be learned from them. Throughout the world there are unions, foundations, associations and when we look at the forms of organization that keep communities together, such organizations have been strengthened on a broad scale based on legal, moral and non-violent struggle. Only after success is there a transferring of this power from their constituents to organized individuals. This transfer is also a form of sharing. Hence, the sharing of such organizational structures may be material or may be spiritual, or rights-based.¹⁹⁰

3.2.1 Campaigns Implemented by Actors' Union

The Actors' Union has officially carried out four main campaigns since the day it was established. These campaigns are; "4A Campaign", "Child Player Campaign", "Occupational Health and Safety Campaign" and "Occupational Definition Study". When evaluated for Turkey, the union has made important headway in all campaigns. The 4A campaign, which is one of the reasons for the establishment of the Actors' union, is mainly aims for actors to be affiliated employees. In fact, not just for creative industries, but also for all stipulates all

¹⁹⁰"Örgütlü Olma Ve Kollektif Bilinç", *TGDD / Tüm Grafikerler Dayanışma Derneği*, 2018, <http://www.tgdd.org.tr/makaleler/orgutlu-olma-ve-kollektif-bilinc.html>. (Access date: 4 May, 2018)

workers' rights and social security have to be provided. Labour is not a concept based on volunteerism in working life. Workers sell their labour in return to have the right to get wages, social life and security. But with the rapid development of capitalist processes, the value attributed to the concept of labour has also changed. The 4A campaign is a response to the debate of workers' rights in every sector in a period when labour exploitation is increasing day by day, and results on behalf of workers have increased.

The foundations of the 4A campaign were started before the union was established. The meeting of the campaign with the union dates back to 2011. The union initiated the first steps in Ankara by starting negotiations with the Ministry of Labour and Social Security and the General Directorate of Labour and General Directorate of Legal Advisory and Social Security Institution. A letter was sent to all producers including all the actors in the sector informing them they must be insured according to article 4 / A of the Social Insurance and General Health Insurance Law No. 5510. In the ongoing process, was suggested that the definition of "auxiliary player" (extras) in the list needs to be redefined, and the actors outside the extras should not be insured by the agencies. After all the actions that were realized, a circular was published by the Social Security Institution on 22 February 2013. With this circular, it was accepted that the actors had to be insured by the producers within 4A. The circular refers to the fact that the actors should be insured, in this way: The necessity of the actors and the extras to be insured within 4A, extras can be insured by agencies and that the lead actors working outside the working team can work with the free receipt system.¹⁹¹ But the Actors' Union has objected to this last article. Work with self-employment receipts presents was seen as a clear danger to the actors. It was also stated by the union administration that for a statement that does not have a clear meaning, a legal intervention will be required if it continues to be a contradictory statement.¹⁹²

¹⁹¹"4a Kampanyasi | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/kampanyalar/4a-kampanyasi/>.

¹⁹²"4A KAMPANYASI | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/kampanyalar/4a-kampanyasi/>.

The activities carried out by the union concerning the insured status of the actors are in fact the common problem of all labourers of the capitalist system. However, as mentioned often above, the transformation of the concept of labour and the sense of intangible labour have made the situation of labourers in creative industries even more difficult. However, when the origin of the situation is considered, with the increase in the cheap labour market, and because individuals think they have many alternatives, they waive their personal rights and the provisions of their labour, and reproduce this problem repeatedly. At this point, organizations that are independent from political parties and politics come into force and work for the common interests of employees. The actors' union aims to at least guarantee the social security, which is the most basic right of the employees.

Workers in creative industries, and especially those covered by the Actors' Union, are not only adults. There are also child actors who are exposed to all these mentioned problems. Therefore, unions and experts have great responsibilities to overcome the problems they have experienced. It is a sensitive point to focus on, especially when families are dragging their children into sets with the mistake of "becoming famous in the future" and "earning a lot of money". Of course, it would be wrong to hold only families responsible for this situation. Along with the rapidly changing and developing television industry, the need in the sector has also increased. As a result, child actors are also highly influenced by this. The Actors' Union comes into effect at this point, and becomes the voice of child actors. The union has drawn attention to the working conditions of children's actors mainly by organizing a campaign titled "Child Players Campaign ". At this point, the Actors' Union, in particular, has drawn attention to the length of working hours. Not to forget however other issues like unhealthy conditions, missed education, make-up applications, as well as sexual abuse and exploitation, make children potentially more affected from this process. In this regard, considering the age and development of the child actors, they new laws and safeguards for the health of the child actors must be implemented. When the legal unit of the trade union is worked on this issue, it first began by examining all international conventions that contain

provisions on children. Then, all the rights and standards that child actors were determined. Later, the situation in Turkish legislation was assessed and the standards of child actors of other countries were examined. During all these studies, a parallel study was carried out with expert pedagogues and psychologists in the field. After all the preliminary preparations made, the Actors' Union started negotiations with the ILO on the child actor campaign on 22 July 2011. In line with the work of the legal unit of the trade union, the number of child actors in the sector has been determined and an additional legislation has been prepared.¹⁹³ With these legal arrangements, the working conditions of the children actors in cultural and artistic organizations have been kept under control. The actors' union also created a website that they can share with the public under the name "There is a Child in this Set". All legal rights and interests of the child actors in whose workplace are sets are to be observed and improved. In order to survive any ill-treatment or abuse situations in the set environment, all necessary precautions have been tried to be taken and it is intended to leave the concept of "child" in a status appropriate to its definition.

Actors' other "vital" problems other than being insured, are the health and safety issues on sets. Since the location of the sets is not always known precisely, safety measures do not work steadily. For the actors in the series, advertising and film sector, the main goal is to achieve a certain standard in terms of worker health and work safety in order to improve working conditions. However, the variable structure of the sets makes it difficult for employees to avoid risk or work accidents. This campaign, conducted by the actors' union, the absence of any legal norms and standards on the actors' place of business is revealed shortcomings regarding working conditions in Turkey. In order to correct these deficiencies and take necessary measures, it was the first step of the study to determine the account for the risks that may arise in terms of health and safety, as well as to define a workplace

¹⁹³"Çocuk Oyuncular Kampanyası | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/kampanyalar/%C3%A7ocuk-oyuncular-kampanyasi/>.

suitable for work safety and health.¹⁹⁴ The campaign consists of 4 stages in general. The first is to get the sets into the "dangerous" category, the second is technical work, the third, to have the meetings, and the fourth is the creation of a guide to occupational health and safety in sets.

After the main objectives of the campaign have been determined, legal texts have been researched and examined, as in the other campaign processes, and it has been concluded that the arrangements had not been made before. As a result of the investigations, it was determined that the sets were included in the "less dangerous" class, and focus group work and collection of accident stories were carried out in order to pass the sets to the "dangerous" class. On 2 January 2015 the hazard commission made a transition from the "less dangerous" class to the "dangerous" class. The Law was published on February 19, 2015 with the Official Gazette numbered 29272.¹⁹⁵ They have prepared the guide "Workers Health and Work Safety in Sets" guide, together with Cinema Labourers Union and Cinema Television Union. Then, by comparing the set examples and working conditions in Turkey with the international arena they have presented it to a team consisting of experts in the field such as authorized inspectors, business security specialists, workplace physicians. In this sense, finally, the purpose of ensuring the control of the risks that may occur in the sets is determined. In addition to all these activities carried out by the actors' union, training on occupational safety and occupational health in sets should continue. Although it is known that workplace accidents and deaths occur frequently, no analysis, registration and reporting processes are performed. For this reason, the actors' union has tried to create awareness and create public opinion by sharing "accident and danger notification forms" on their internet site.

Another issue that the Actors' union has worked on is the definition of occupation. The study has been a collaborative work of the Actors' union with the

¹⁹⁴ "çi Sa lı ı Ve Güvenli i Kampanyası | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/i%C5%9F%C3%A7i-sa%C4%9Flı%C4%9Fi-ve-i%C5%9F-g%C3%BCvenli%C4%9Fi-kampanyasi/>.

¹⁹⁵ .b.i.d.

Vocational Qualifications Authority (VQA) for the establishment of standards for the acting profession. At the first stage, five professional standards were identified and they are listed as "actors", "extras", "voice actors", "dance artists" and "opera artists". However, only the "actor", "voice actor" and "extras" are considered official. But, the actors' union is still engaged in activities for other definitions. Vocational identification studies are a necessary and appropriate work for the search of the rights of all labourers working in the sector, to have a voice and better organize.

3.2.2 Actors' Union and Social Dialog

Social dialogue; is defined as “all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy. It can exist as a tripartite process, with the government as an official party to the dialogue or it may consist of bipartite relations only between labour and management (or trade unions and employers' organizations), with or without indirect government involvement” according to ILO.¹⁹⁶The practices of the social dialogue mechanism vary according to the structure of the union, the level of socio-economic development, the power balance between the classes in the countries. The situation of democracy in the country where social dialogue will be implemented is important. In countries where democracy is established, social dialogue is an effective, problem-solving mechanism. Social dialogue has adopted social consensus instead of conflict in social case, democratic and free behaviour instead of, dogmatic thought and bigotry in cultural case and rationality instead of irrationality in economic cases.¹⁹⁷

The history of the concept of social dialogue dates back to the end of the 19th century, but the original root was based on the establishment of the ILO in 1919. In this period, unions which were in the field in the capitalist countries was

¹⁹⁶"Social Dialogue (GOVERNANCE)", Ilo.Org, 2018, <http://www.ilo.org/ifpdial/areas-of-work/social-dialogue/lang--en/index.htm>. (Access date: 10 May, 2018)

¹⁹⁷Mustafa Öztürk, *Türkiye'de Ve Dünyada Yeni Sendikal Perspektifler*, ebook, accessed 30 May 2018,497.

tried to pull into tables and negotiations.¹⁹⁸ Over time, the concept developed and included the state. It now encompasses all forms of cooperation and reconciliation, including consultation and negotiation processes, for the determination of economic and social policies between the government, employers, workers and trade unions. However, this trade union tendency, which aims at dialogue and compromise between the parties, is causing debates. For example; Erkan Aydo ano lu expressed his thoughts on this subject with the following words; “‘Social dialogue’; is a very dangerous "reconciliation mechanism" that is created to take the forces that are potentially capable of struggling against capitalism, to break their potential power and influence.”¹⁹⁹

Social dialogue in Turkey, consists of monologues aimed at endorsing and supporting the government’s own economic and social policies with its social partners. Moreover, because there are too much power imbalances between the social partners in Turkey, there are deficiencies in social dialogue. For the increase and institutionalization of social dialogue, elimination of structural deficiencies, increased unionization rates, increased financial and technical strength of trade unions and abolition of provisions that prevent the right to collective bargaining are required. Actors’ Union, represents a good example in this regard in Turkey. When implementing their campaigns, they are running campaigns with both ministries, employees and employers to get better results and to be involved in all aspects of implementation. Thus, they are involved with all stakeholders in their areas of problems and are able to produce alternative solutions. The union is not only working to educate employees but also to educate employers about their rights and the employees’ rights.

In this context, the most important campaign carried out by the union is the dubbing campaign. The basic purpose is to launch a ‘constructive dialogue’ with subcontractors and producers who are employers in the audio sector, with

¹⁹⁸“ILO Ve "Sosyal Diyalog"”, *Ozgurlukdunyasi.Org*, accessed 29 May 2018, <https://ozgurlukdunyasi.org/arsiv/36-sayi-214/299-ilo-ve-qsosyal-diyalogq>.

¹⁹⁹ .b.i.d.

awareness of existing but not implemented legal and social rights of the performers. All studios were called on to negotiate on the 'social dialogue' method to provide sustainable development and equitable sharing in the dubbing industry and to set professional standards. At meetings with studios responding positively decisions have been taken on these matters; to create a structure that includes the Actors' Union and dubbing studios, to improve the physical and hygienic conditions in the studios, how payment dossiers should be, and how to strengthen the social dialogue process. Most importantly, they are working on the base fee, the biggest problem of the dubbing industry. This work which was conducted in the application of the base fee, which has become a major problem between studios and which has caused competition between them and make the sector unworkable, has resulted in positive results both in terms of sector employees and studio owners.²⁰⁰

3.2.3 Achievements of the Actors' Union and Its Effects on Cultural Policies

The "4a Campaign", which is the main campaign of the Actors' Union, is the slowest progressing campaign due to the underdeveloped legislation of the Ministry of Labour and Social Security and the lack of supervision mechanism. Nevertheless, the Actors' Union follows the process, giving training and legal support to employees and thus achieving the benefits. Thanks to their work within the campaign, the number of creative workers working within 4A is increasing. To give a few examples; DOT stage actors started working within 4A, at Digiturk Seshane Studio, some of the voice actors started to be insured within 4A, TOY Istanbul insured all the actors in "BLU" play, over 4A.²⁰¹ In addition, with the visibility of this issue, large companies have realized that they need to be sensitive to this situation. For example, Murat Abbas, Director of Zorlu Performing Arts

²⁰⁰ *Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

²⁰¹ .b.i.d.

Centre, has announced that the necessary precautions for groups hiring scenes will be taken to prevent illegal working.²⁰²

In the Child Actors field, the studies carried out within the campaign caused some changes in the legislation. Here are two conditions added to the new law for child actors; 1) "Children under the age of fourteen may be employed in art, culture and advertising activities in such a way that they do not interfere with their schooling and with providing that they will have agreements and separate permits for each activity." 2) "Working hours for children who have completed compulsory primary school education and who are not continuing formal education, cannot work more than seven hours a day and thirty-five hours a week; while those working in arts, culture and advertising cannot work more than five hours a day and more than thirty hours a week."²⁰³ Although there are many issues within campaigns they want to target, the laws governing the working hours of child labour is a big step for Turkey.

One of the biggest and most real achievements the Actors' Union has been in the area of Worker Health and Work Safety. In Turkey there are 3 types of hazard classes and the sets were at least dangerous class, where the job security audit is least. The sets where new job accidents and even deaths come to fruition at any moment, now in dangerous class thanks to Actors' Union. The union prepared an animated film and a testimony film to present it to the commission so that it could be achieved. Another important article was the obligation of the employer, to ensure the health and safety of employees, to assess their risk. In addition, the Actors' Union has prepared a guide to make actors and set employees aware of the possible accidents that may occur.²⁰⁴ The answer "why did not you apply for a very dangerous class" after their application shows how inadequate this commission is.

²⁰² .b.i.d.

²⁰³"Çocuk Oyuncuların Çalışma Koşullarını Belirleyecek Yasa Resmi Gazetede Yayınlandı | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/ana-haber/cocuk-oyuncularin-calisma-kosullarini-belirleyecek-yasa-resmi-gazetede-yayinlandi/>.

²⁰⁴"Setler Artık Tehlikeli Sınıfta | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/ana-haber/setler-artik-tehlikeli-sinifta/>.

Before the application, the sector was belong to the least dangerous class, but they convinced to take it to the very dangerous class with one meeting.

In the voice-over campaign, conducted through the social dialogue method, there are important consequences such as; the physical and hygienic conditions in the workplace and the coordination between the studio-voice actor and the payment of the artist's fees. So now smoking areas in studios have been separated, it has been decided that announcements of the session notifications for voice actors should be informed at least 16 hours before and the payment slips are decided to be given automatically without demand.²⁰⁵ Thus, the sector in which no standard exists has achieved certain standards. Apart from these achievements, the most important achievement has come to the fore in the application of the fee. For Netflix, a foreign digital broadcasting platform, the series, film, documentary etc. which is performed in Turkish and which's duration of broadcasting is 20 minutes or more the 'minimum' fees to be paid are now set from the union in accordance with the weight of the roles. This tariff was signed by all the studios participating in the social dialogue process, as the result of negotiations carried out Actors' Union and the studios. An application made which can be considered the first in Turkey and specific collective wage negotiations for a specific area are determined by the 'social dialogue' method.²⁰⁶

One of the studies that the union has been carrying out since the day it was established is the definition of occupation. The lack of a definition of acting profession led to legal problems in legislations. The studies carried out for sub-sectors, employment characteristics, and priorities to be determined and formalized and in 2013, professional definitions of actors, figurants and voice actors were published in the official newspaper.²⁰⁷ The union is also doing organizing activities so that the activities carried out by the union can be put into practice. That's why

²⁰⁵ *Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

²⁰⁶ .b.i.d.

²⁰⁷ "Meslek Tanımı Çalışması | Oyuncular Sendikası", *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/meslek-tanimi-%C3%A7ali%C5%9Fmasi/>.

they have created a lot of working groups. One of them is "Opera Working Group". An achievement that this group had is; while in Turkey normally rehearsal fees not paid to the performing arts artists, and while there is no insurance for them, Nazım Hikmet choir insure all choir members and rehearsal fees was paid.

Another most important action of the union has been the legal support mechanism. For example; the union opened a case for reinstatement for a member who was unfairly dismissed, and the case was resolved in favour of the union and the return to the job was ordered.²⁰⁸ Another important case they have won was their struggle against compensation claim filed by a production company because of a actors contract of termination due to intense and bad working conditions. The union has argued that the unilateral contract that the producer is try to be adopt is not legal. The union's offer to the court was accepted as "the contract was invalid from the beginning". This was a win for all actors who had to sign unilateral contracts.²⁰⁹ In addition, 60 artists who were working in the Istanbul Metropolitan Municipality City Theatre applied to the legal unit of the union for the purpose of combating the uncertainty and inequality experienced in wages due to the absence of job security. As a result of the work done by the union; the monthly wage and raise requests were accepted and the daily wage method was terminated as a new condition. As a result, all the artists who work in the institution have been improved in their wages improved.²¹⁰

The campaigns conducted by the Actors' Union and their results have corrected workers working condition in the sector and have helped to guarantee their rights. The legal arrangements that provide for the workers, their negotiations with the ministries, and making their profession and problems visible, have been very important developments in the field of cultural policy in Turkey. While culture politics is progressing in a state-oriented way, while the participation of civil society

²⁰⁸ *Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

²⁰⁹ *Oyuncularsendikasi.Org*, accessed 29 May 2018, <http://www.oyuncularsendikasi.org/wp-content/uploads/2014/03/faliyetraporu-revize-2.pdf>.

²¹⁰ .b.i.d.

is small, and while the culture-art life is drifting into worse conditions on purpose, the union is having to deal with b employers, the state and the consciousness of the workers. In this regard, the union has been an important actor and catalyst in the field of cultural politics, with their contributions to the policy development, as a rights advocate and as a collective conscious creator.

3.3 UNIONS AS CULTURAL POLICY ACTORS

As the actors of cultural policy, the most important task of the unions is to organize cultural policies that the state implements in the interests of their own interests, based on workers' rights. Cultural policies are the most appropriate tool the state uses to spread its ideology. In this manner, the state can achieve its purpose by playing on the cultural industry at will. It can support the areas it wants, it can arrange the legal regulations against the workers in areas that it does not want, and worse, it can ensure that the area is not active by taking the rights of the workers from their hands and playing with the forms of employment. This is where the greatest role of the union is. Unions in creative industries should be included in cultural policies to prevent decisions from being made on a state basis. From the decision-making process to the implementation, it is necessary that trade unions exist at all stages and that workers' rights are guarded.

There are a few important features that distinguish the unions from other rights advocacy groups. Like other rights advocacy groups, they are not dependent on government support .Because they are providing the financial structures with the dues that their members pay and they don't wait for donations they have partly more stable financial structures. This constant financial structure and independence from the state provide them with political and financial autonomy.²¹¹ Businesses in the field of culture and art generally have little or no profits and the presence of few employees undermines their role in policy advocacy. For this reason, trade unions in the creative sectors can play a leading role in this issue. They both have a certain

²¹¹Amanda Coles, "Creative Class Politics: Unions And The Creative Economy", *International Journal Of Cultural Policy* 22, no. 3 (2015): 460.

financial power, as well as human resources since they collect a lot of people working in the same sector under one roof.²¹² Trade unions are better in terms of analysing the policies that need to be implemented since they are much closer to workers and business life than other institutions and even the state. As policy actors, they act as a bridge between the state and the workers. But it is very important where the unions, whose original aim is protecting the rights of the workers, stand in this regard. There are many trade unions that keep pace with the state in order to contribute to cultural policies. As policy actors, it is necessary for unions to identify and rectify situations that impede workers' rights in the law, every area where workers' rights are violated union should be with them and defend their rights and apply for legal remedies when necessary. Foremost, they need to raise awareness of their rights and thereby be vigilant in the pursuit of human and working rights.

3.3.1 Advocacy of Basic Social Rights and Worker Rights

Considering the past of social and economic rights, it can be evaluated as second generation human rights.²¹³ Given the historical process of these rights, it is possible to say that unions play an undeniable role for class struggles and economic rights. It is not the case that unions only take care of the economic interests of workers. There is also a need for unions to ensure that individuals who have problems in the class sense can continue their lives on equal terms. Unions are organizations that still exist in society to find solutions to problems such as gender inequality and ethnic inequality. In this sense, the question should be asked why in societies such as Turkey, refugees and trans individuals have difficulty in finding a job. Of course, the problem is not solved by finding jobs for these individuals. They are exposed to a number of discriminatory policies originating from their sexual orientations and minority. Applications such as disapproval, low wages and illegal workers are pushing these individuals out of society even more economically and

²¹² .b.i.d: 460-461.

²¹³"Yoksulluk Ve Sendikalar", *Bianet - Bagimsiz Iletisim Agi*, accessed 30 May 2018, <https://bianet.org/bianet/insan-haklari/20963-yoksulluk-ve-sendikalar>.

socially. In this sense, trade unions operate as mechanisms that defend individual rights in every sense.

While unions can defend workers' rights and rights to social life, they can impose strikes and collective bargaining rights, which reveals the organized nature of trade unions. Where the area that the unions struggle, not only union members but also people who work in the same qualities and sectors and who are not members of trade unions benefit from trade unions. The end of poverty in the 18th and 19th centuries can be portrayed as an example of trade unionism. Thus, while the existence of trade unions benefits society's disadvantages, the absence of them can also lose economic and social cohesion.²¹⁴

3.3.2 The Role of Unions in Policy Development

Trade unions have an important place in policy development and implementation. They being an independent entity from politics and their own creation of their economies have influenced this situation. At the same time, the concurrent meetings and contacts with the related ministries and other institutional bodies stage campaigns carried out by trade unions or the design of a law to be changed, makes the trade unions, a policy maker. If we look at the activities carried out by the Actors' Union, the interviews they have repeatedly conducted with the ministries are the most active implementations in the process of setting up the "social dialogue" mentioned above.

The confusion over "what cultural politics in creative industries means and how they will benefit" ended when it started to economically benefit the state. Cultural policies do not only concern the production and distribution of cultural products. This is similar to the process, of which the concept of labour had undergone. Along with the awareness of the concept of intangible labour, unions have had to structure themselves differently. In this context, the "product" in which cultural policies are revealed and the processes of distribution and marketing of this

²¹⁴ .b.i.d.

product are not the exclusive subject of cultural policies. The working styles, the processes and backgrounds of realizing their labour, and the everyday life forms of the people working in this area constitute and also should materialize in the field of cultural politics. Cultural policies have gained value and become visible to the point when they become the material of political and economic interests of the states. However, the meaning of this value depends on who is determining the meaning, and this needs to be parsed out. The state's understanding of the economic contribution of cultural policies has led them to start using it in their favour. Therefore, the lives of the individuals who labour in this area have continued to be ignored and to be crushed under the wheels of the capitalist system. It is for this reason, there are great tasks for unions. Because of their independent structures, they constitute the "most reliable" area for organizing. Until this time, cultural policies and modes of operation have always advanced around the state and its organs. It has contributed to certain cultural and political boundaries in order to carry its own political, traditional and "national" presence on international platforms. Cultural politics have come to a certain extent in the state politics, as the aim is to spread and develop their own ideologies to a great extent.

The ideological apparatus of the state,²¹⁵ which is the reinforcement of capitalist relations of production and state power, legitimate any kind of (physical / psychological) violence that it has shown against individuals who want to be unionized to secure themselves and their rights. Most people have backed the ideology of a state that allows it and even indirectly supports it. At this point, the union's relations with the institutions and ministries within the state are of great importance in terms of policy-making and policy advocacy. Keeping relationships alive and keeping in touch is the first step of accepting them. As seen in the example of the legislative design of TUSAK, the legislature has begun to withdraw from the state's possession territories behind the process of social dialogue with the necessary organization and union unification. It is possible to say how far the unions can intervene and improve politics, considering the laws designed to prevent the change

²¹⁵Louis Althusser, *On The Reproduction Of Capitalism* (London: Verso, 2014).

necessary to improve people's lives, vis a vis the laws created by the actors' union's campaigns.

3.3.3 Unions as Collective Conscious Creators

Before establishing the link between collective consciousness and union, it is necessary to look at what collective consciousness means. Emile Durkheim is the first to come to mind when it comes to collective consciousness. According to Durkheim, collective consciousness: "A common consciousness that transcends vital events as individuals and represents the common thoughts and excitement of the class".²¹⁶ In order for collective consciousness to occur, it may suffice for individuals or communities to have dynamics that motivate the feeling of unity, such as "common" past, pain, or anxiety. Therefore, the collective consciousness varies according to the direction of the subject. While it may be necessary to provide collective consciousness in order to create awareness, the existence of a collective consciousness may be needed under the struggle of any problem.

Organizing individuals with collective consciousness can be easier since the individuals who act in the direction of a common consciousness have already developed common feelings and thoughts among themselves. Hence, the problems and disasters experienced in society begin to be resolved and visible more quickly. In this context, organizationalism does not mean to say to business owners and capital authorities that there are individuals who have collective consciousness. In order to assess unions as collective consciousness creators, it is useful to discuss the concept of collective consciousness and the concept of organization, one of the most fundamental dynamics of the unions. As stated earlier, since the earliest times of humanity, workers have had to be in a struggle to survive. However, no collective benefit can be expected in the absence of collective awareness in situations where individual interests are heavier than the interests of the group / society / colony. When we think of living beings outside human beings, the same instinct lies at the

²¹⁶Kenneth Smith, *Émile Durkheim And The Collective Consciousness Of Society* (London [u.a.]: Anthem Press, 2014).

base of the existence of animals in flocks. It would not be wrong to say that it is a kind of defence mechanism for this collective structuring.

Unions are the institutions which provide collective consciousness. The existence of a common feeling and ability to move in the direction of interest is directly proportional to any political ideology and the party's independent activities. Therefore, as individuals organize around these unions, they do not have any concerns. In today's developed societies, unions, associations, foundations and cooperatives constitute an important area in order to provide collective consciousness. To illustrate through the activities of the Actors' Union, we carry examples of people suffering from the same problems in all the campaigns carried out. If we go even further, reporting of occupational accidents, listening and compilation of stories is an important influence in the occupational health and safety campaign. Most foundations and unions are also the main purpose of existence. Sharing experience is one of the most important issues in environments where you are a resident. Unions may have the aim of providing a material or spiritual result from the area they are fighting for in raising consciousness-raising activities.

Creative industries are a field that contains people from all walks of life. It is more important than other unionization movements because it needs to organize people from different sub-structures such as age, culture, and sex under the same roof. As a result, they do not exhibit a union structure in which people who do the same type of work and do the same work together. Therefore, a wide range of people make a profit from consciousness in the direction of common interest. The creation of collective consciousness in order to keep together the broad definition of the vocational definition of creative industry actors must be the main goal of the unions.

CONCLUSION

In Turkey, while cultural policies about creative industries are analysed, we see that, the focus is on economics, or the the production and distribution of the cultural goods and services. This is not a situation that actually exists in only creative industries. In Turkey, cultural policy is being implemented in economic and development oriented areas. Since the establishment of the Republic, the state has been applying cultural policies to spread its ideology, which has been called “Soft Power”. Creative industries are also confronted as an area that has had to deal with Soft Power. The state wants to support art, only when it is traditional. The state is doing everything in order to be able to have the domination of its own kind of art. One of these examples is the TÜSAK draft law.²¹⁷ There are many other laws created to prevent the organization of creative industry workers. These laws, while making the presence of trade unions difficult, makes the right of collective bargaining absolutely impossible. Creative industry workers have to struggle on their own with their vague working lives which lack social security and job security.

“It is the fate of an actor to become unemployed suddenly, and as far as I know no one gets compensation if he is unemployed.” An actress, who spoke about these precarious conditions in creative industries, continues, “In a private theatre it is usually like this. If you have that evening play, you divide what you earn, by the number of employees, according to how many audience came. Sometimes it 20, sometimes it is 50, sometimes 0...”²¹⁸ These sentences are sufficient to summarize the situation in which cultural workers are involved. Besides, indefinite wages, indefinite hours, the fear of being unemployed at any moment, they are also employed with no social security. It is impossible for an artist who does not self-insure to retire, or to take advantage of health rights as is the case of other workers.

It is precisely for this reason that the Actors’ Union is established, to ensure that for the employees of the sector regulate working conditions and help workers

²¹⁷Selcan Peksan and Fatma Tosun, "Sanatçıların Sosyal Haklara Ulaşımındaki Güçlükler", *Çalışma Ve Toplum* 3 (2014).

²¹⁸I. U, e-mail interview by author, May 17, 2018.

achieve human conditions. It is possible to draw a hopeful picture when you look at the union's campaigns and the gains they have made. As a cultural policy actor, the union presents legislation prepared by them to Ministry of Labour and Social Security. They also work to improve the existing legislations, and negotiates with employers and ministries through social dialogue. Thanks to 4A campaign, the main campaign of the union, it is now law that the actors must be insured within 4A. However, due to shortcomings in the Ministry of Labour's oversight mechanism, most producers are still fleeing from this situation. In the Child Actor Campaign, the working hours of the children's actors are determined and published in the official gazette, thanks to the work they do and the legislation they provide to the Ministry of Labour. With the work they have done within the scope of the job security, they have ensured that the sets are passed from "less dangerous" class to "dangerous" class. One of their greatest achievements was the introduction of the base fee application in the field of vocalization, with the meetings they held with social dialogue. Moreover, with the legal counsel they provide, many actors have won lawsuits against employers. ²¹⁹As it has been seen in Turkey, the union is working very hard to regulate the working conditions of the actors. However, they are affected negatively by Turkey's agenda such as ; the day before the meeting the change of Minister of Labour, Soma incident, social events such as Gezi events which have changed the Ministries' agenda and the meetings have been postponed 6-8 months. ²²⁰

Another important work area of the trade union is the workshops and seminars that are carried out in order to create collective consciousness. In creative industries where individuality is the forerunner, collective consciousness has great importance. Creative industries include a wide variety of people from all ages, genders, and cultures. This leads to a hierarchical situation, which leads to discrimination. In order to create collective consciousness, the Actors' Union has

²¹⁹*Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

²²⁰ E. E. D, e-mail interview by author, May 20, 2018.

organized panels such as "Theatre in Difficult Situations", "Gender Workshop", "Actor as a Worker", these panels have brought together people who are in the same trouble and make them aware they are not alone.²²¹ In an interview with an actor who is not a member of the trade union, what they have said is important; "I am not a member of the actors' trade union but as I said, they are encouraging me to become a member... because it is a cheerful idea to be part of an organization that I think I will be able to seek solutions and to be in solidarity with people that have experienced the same problems." As can be seen, in a sector that is experiencing such problems, it brings together people who have the feelings of being together and struggling with these problems.

However, another actor has found a critique in this regard: "I wanted to be a member, I got a slip but I was not "noble" because I could not pay. I think it was thoughtless this membership fee issue, as if players were regularly working on a monthly basis like regular workers or civil servants, and they could pay regular union aids. I do not know what the latest situation is in this regard because I have now left behind and gave up on the union. But they probably target at least 3-5 thousand earners a week, so nobody asks where you are or what happened to your membership." When the union wants to create collective consciousness, it is important what the union creates is an organization from all walks of life. It is imperative that they work to break any prejudices. In a time when the government is trying to break the collective consciousness, the work of the unions in this respect is becoming more critical.

Another important criticism about the union comes from the backstage team, organizers and managers. In fact, the team behind the scenes, who are exposed to the longest hours and the most insecure conditions, should be adopted by the union and they should struggle together with backstage team by adopting common interests. The Actors' Union, which was established by using an union model from

²²¹*Oyuncularsendikasi.Org*, accessed 29 May 2018, http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

abroad, is a very important example for Turkey. Although they have created a new union perception in Turkey, it has failed to create an answer to the above mentioned "inclusiveness" problems. In terms of this new trade union understanding it may be better to form a new model which is more original and which considers the conditions in Turkey.

Trade unions are not just structures that advocate workers' rights and improve working conditions for workers. At the same time, within the political struggle, they have a collective struggle against employers, multinational corporations and the state, as well as features with policy advocacy and policy development that will influence this struggle. If they were only mechanisms that defended workers' rights and their social rights, they could not go beyond being a bumper tool that reinforces political power. This realization will begin with the merging of both the labourers and the trade unions' economic struggle, to then determine to what extent they can disconnect to political authority. Perhaps the most important roles of the unions are to support the development of policies that affect workers both in the field and at the desk as policy actors. As unions are independent from the state and provide their financial structures with the dues they receive from their members, they have different characteristics from other human right advocacy organizations. This is their most important difference, their financial and political autonomy.²²² Their resources and the organizational consciousness from the past increase their power in policy advocacy and policy development.

In creative industries, one of the areas most influenced by new capitalism is capitalism's changing concept of labour, as thus unionism role in these new concepts is increasing. The efforts of the state's cultural policies to target this field more and more and to keep dominion day by day has started to affect the lives of the cultural workers, not only their working conditions. The trade union movement must be part of these cultural policies by engaging this point and must strive for the same rights for all employees in the decision-making process of cultural policies. If

²²²Amanda Coles, "Creative Class Politics: Unions And The Creative Economy", *International Journal Of Cultural Policy* 22, no. 3 (2015): 460.

the state does not include them, this area must exist by making themselves visible by their own efforts, their struggles, as the Actors' Union does.



BIBLIOGRAPHY

- "4A 4B 4C Nedir, Farkı | SGK, E-Devlet, SGK Sorgulama, Hizmet Dökümü, Prim Sorgulama". *Sgk.Gen.Tr*, 2018. <http://www.sgk.gen.tr/genel/4a-4b-4c-nedir.html>.
- "4a Kampanyasi | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018. <http://www.oyuncularsendikasi.org/kampanyalar/4a-kampanyasi/>.
- "6.2 What Is Qualitative Research?". York.Ac.Uk, 2018. https://www.york.ac.uk/crd/SysRev/!SSL!/WebHelp/6_2_WHAT_IS_QUALITATIVE_RESEARCH.htm.
- "About WIPO". *Wipo.Int*. Accessed 29 May 2018. <http://www.wipo.int/about-wipo/en/>.
- Ada, Serhan, and H. Ayça nce. *Türkiye'de Kültür Politikalarına Giri* . stanbul: stanbul Bilgi Üniversitesi, 2009.
- Ada, Serhan. *Sivil Toplum Gözüyle Türkiye Kültür Politikası Raporu / Turkish Cultural Policy Report, A Civil Perspective*. Istanbul: IBU, 2011.
- Akkaya, Yakup. "Türkiye'de Çali ma Ya aminin Sorunlari Ve Sendikal Hak hlalleri". In *VI. Sosyal nsan Hakları Ulusal Sempozyumu*. Accessed 29 May 2018.
- Althusser, Louis. *On The Reproduction Of Capitalism*. London: Verso, 2014.
- "An Introduction To Document Analysis – Research Methodology In Education". *Lled500.Trubox.Ca*, 2018. <https://lled500.trubox.ca/2016/244>.
- Aydo ano lu, E. (2010). *Sendikalar ve yeri Örgütlenmesi*. 2nd ed. Kültür Sanat Sen, p.3.
- Ay e Akalın, "Duygulanım ve Duygulanımsal Emek Üzerine Notlar", *Birikim* 217 (2007)<http://www.birikimdergisi.com/birikim-yazi/4913/duygulanim-ve-duygulanimsal-emek-uzerine-notlar#.WH-TJraLRE4>
- Batissendika.org. (2016). *Türkiye ve Dünyada Sendikaların Kısa Tarihçesi*. [online] Available at: <http://www.batissendika.org/makaleler/turkiye-ve-dunyada-sendikalarin-kisa-tarihcesi>
- BaruchSpinoza, *TheEthichs. TheCollected Works of Spinoza*. Vol. I Ed. Ve Çev: EdwinCurley. (Princeton: Princeton UniversityPress, 1985) aktaran Ay e Akalın.

"[BIAMAG] : Elif Demirkaya Yazdi: Nedir Bu Prekarite?". *Bianet - Bagimsiz Iletisim Agi*. Accessed 29 May 2018. <http://bianet.org/biamag/toplum/155726-nedir-bu-prekarite>.

Bilisim, Red. "Duygulanım Ve Duygulanımsal Emek Üzerine Notlar | Birikim Dergisi". *Birikimdergisi.Com*,2018.<http://www.birikimdergisi.com/birikim-yazi/4913/duygulanim-ve-duygulanimsal-emek-uzerine-notlar#.WH-TJraLRE4>.

Bilisim, Red. "/ Sanat Ve Emek / Güvenliksiz Özgürlük: Eme in, Yaratıcılı m Ve Ya amın Kırılmalı ı | E-Dergi, Sanat Tarihi". *E-Skop.Com*, 2018. <http://www.e-skop.com/skopbulten/sanat-ve-emek-guvenliksiz-ozgurluk-emegin-yaraticiligine-ve-yasamin-kirilganligi/1992>.

Boyce, Carolyn, and Palena Neale. "Conducting In-Depth Interviews: A Guide For Designing And Conducting In-Depth Interviews For Evaluation Input". Presentation, 2006.

Bulut, Ergin. "Dramın Ardındaki Emek: Dizi Sektöründe Reyting Sistemi, Çalışma Ko ulları Ve Sendikala ma Faaliyetleri". *leti- -Im* 24 (2016): 88.

Burak Faik Emirgil, "Yeni Kapitalizmde Eme i Sorunsallla tırmak: Eme in Maddi- Olmayan Görünümleri", Çalışma ve Toplum, 2010/1, sf:233.

Caves, Richard E. *Creative Industries*. Cambridge: Harvard University, 2002.

Çetin, Derya. "Türk Sinemasi Çalışanlarının Örgütlenme Sorunları". Ph.D, Ankara Üniversitesi, 2010.

Charhon, Pascale, and Dearbhal Murphy. *The Future Of Work In The Media, Arts & Entertainment Sector Meeting The Challenge Of Atypical Working*. European Commission, 2016.

Coles, Amanda. "Creative Class Politics: Unions And The Creative Economy". *International Journal Of Cultural Policy* 22, no. 3 (2015): 456-472.

"Convention On The Protection And Promotion Of The Diversity Of Cultural Expressions". *Portal.Unesco.Org*, 2005. http://portal.unesco.org/en/ev.php-URL_ID=31038&URL_DO=DO_TOPIC&URL_SECTION=201.html

ÇIRIKA, Mehmet. "Müzik Sektöründe Örgütlenme Sürecinde Kar ıla ılan Sorunlar 1. Bölüm - POPSAV". *POPSAV*. Accessed 29 May 2018. <http://popsav.org/yazilar/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-1-bolum/>.

Çırık, Mehmet. *Müzik Sektöründe Örgütlenme Sürecinde Karşılaşılan Sorunlar*. Ebook, 2012.

Çırık, Mehmet. *Yeni Gün*, 2012.

[http://www.gazeteyenigun.com.tr/koseyazilari/23190/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-\(4\)](http://www.gazeteyenigun.com.tr/koseyazilari/23190/muzik-sektorunde-orgutlenme-surecinde-karsilasilan-sorunlar-(4)).

"Çocuk Oyuncular Kampanyası | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018.

<http://www.oyuncularsendikasi.org/kampanyalar/%C3%A7ocuk-oyuncular-kampanyasi/>.

"Çocuk Oyuncuların Çalışma Koşullarını Belirleyecek Yasa Resmi Gazetede Yayınlandı | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018. <http://www.oyuncularsendikasi.org/ana-haber/cocuk-oyuncularin-calisma-kosullarini-belirleyecek-yasa-resmi-gazetede-yayinlandi/>.

Demir, Erman. "Creative Industries". *Ilef Journal* 1, no. 2 (2014): 87-107.

Demir, F. (2013). Sendikaların Kuruluşu ve Etkinliği. *Çalışma ve Toplum*, 4, pp.19-20.

Demir, Oguz. "Looking Forward For Istanbul's Creative Economy Ecosystem". *Creative Industries Journal* 11, no. 1 (2018): 87-101.

E, E. D. E-mail interview by author. May 20, 2018.

Emirgil, Burak Faik. "Yeni Kapitalizmde Emek Sorunsallarıyla Mücadele: Emekçilerin Maddi- Olmayan Görünümleri", *Çalışma ve Toplum*, 2010/1.

Fatma Ülkü Selçuk, *Örgütsüzlerin Örgütlenmesi* (Ankara: Atölye, 2002).

"FIA: FAQ". Fia-Actors.Com, 2018. <http://fia-actors.com/about-fia/faq/#c446>.

Garnham, Nicholas. "From Cultural To Creative Industries". *International Journal Of Cultural Policy* 11, no. 1 (2005): 15-29.

Girgin, Yeşim. Interview by author. February 20, 2017.

Güneş, H. (2013). Right To Unionization And Development Of Public Servants Trade Unionism In Turkey. *Çalışma Dünyası Dergisi*, 1(1), pp.62-79.

"HAKKIMIZDA | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 30 May 2018. <http://www.oyuncularsendikasi.org/hakkimizda/>

"History - American Federation Of Musicians". *American Federation Of Musicians*, 2018. <http://www.afm.org/en/about/history-2/>.

"ILO Ve "Sosyal Diyalog"". *Ozgurlukdunyasi.Org*. Accessed 29 May 2018. <https://ozgurlukdunyasi.org/arsiv/36-sayi-214/299-ilo-ve-qsosyal-diyalogq>.

nce, Ayça. *Kültür Sanatta Katılımcı Yaklaşımlar*. İstanbul: İstanbul Kültür Sanat Vakfı, 2017.

ncekara, Ahmet, and Elif Hobiko lu. *Kültür Ekonomisi Kapsamında Kültür Sektörlerinin Türkiye’de Gelişim Ve Yansımaları*.

"Çi Sa li i Ve Güvenli i Kampanyası | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018. <http://www.oyuncularsendikasi.org/i%C5%9F%C3%A7i-sa%C4%9Flu%C4%9Fi-ve-i%C5%9F-g%C3%BCvenli%C4%9Fi-kampanyasi/>.

Jose, A. ed., (2002). *Organized Labour In The 21st Century*. Geneva: International Institute for Labour Studies.

Kalyoncu, Gökçe. "Avrupa Birli i Sürecinde Türkiye’de Çi Sa li i Ve Güvenli i". Ankara Üniversitesi, 2007. en, Faruk. *Türkiye’de Kültür Ekonomisinin Boyutları*. Kaynak Yayınları, 2017.

Karahisar, T. (2018) Türkiye’de Gazetecilerin Sendikala ma Sorunları. İletişim Fakültesi Dergisi.

"KREKSA Kültür Sanat | İstanbul | Araştırma, Planlama, Danışmanlık". *KREKSA Kültür Sanat | İstanbul | Araştırma, Planlama, Danışmanlık*. Accessed 29 May 2018. <https://www.kreksa.com/single-post/2016/09/05/G%C3%B6steri-sanatlar%C4%B1-ekonomik-verimlilik-bak%C4%B1m%C4%B1ndan-in%C5%9Faat-sekt%C3%B6r%C3%BCn%C3%BC-4e-katlar>.

Lena, Funda. *Grafiklerle Türkiye’nin Kültür Ekonomisi Raporu 2016*. KREKSA, 2016.

Lena, Funda. *Türkiye’de Kültürel Sektörlerin Ülke Ekonomisine Katkısı*. İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2016.

McKinlay, Alan, and Chris Smith. *Creative Labour*. Basingstoke: Palgrave Macmillan, 2009.

Meslek Tanımı Çalışması | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018. <http://www.oyuncularsendikasi.org/meslek-tanimi-%C3%A7ali%C5%9Fmasi/>.

"Neden Sendika? | Oyuncular Sendikası". *Oyuncularsendikasi.Org*, 2018.
<http://www.oyuncularsendikasi.org/neden-sendika/>.

Newbiggin, John. *The Creative Economy: An Introductory Guide*. Creative And Cultural Economy Series. British Council, 2018.

Oyuncularsendikasi.Org. Accessed 29 May 2018.
http://www.oyuncularsendikasi.org/wp-content/uploads/2017/10/ucuncu_olagan_genel_kurul_faaliyet_raporu_ve_mali_rapor_2017_eylul_dusuk.pdf.

Oyuncularsendikasi.Org. Accessed 29 May 2018.
<http://www.oyuncularsendikasi.org/wp-content/uploads/2014/03/faliyetraporu-revize-2.pdf>.

"Örgütlü Olma Ve Kollektif Bilinç". *TGDD / Tüm Grafikerler Dayanışma Derneği*, 2018. <http://www.tgdd.org.tr/makaleler/orgutlu-olma-ve-kollektif-bilinc.html>.

Öztürk, Mustafa. *Türkiye’de Ve Dünyada Yeni Sendikal Perspektifler*. Ebook. Accessed 30 May 2018.

Peksan, Selcan, and Fatma Tosun. "Sanatçıların Sosyal Haklara Ulaşımındaki Güçlükler". *Çalışma Ve Toplum* 3 (2014).

Petrol- , Bozaziçi Üniversitesi'nin Yaptığı 1242 Çiyi Kapsayan Araştırma (İstanbul, 2006).

"Resmen Fia Üyesiyiz | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 30 May 2018. <http://www.oyuncularsendikasi.org/ana-haber/resmen-fia-uyesiyiz/>.

Sanul, Gökçe. *Questioning The Governance Of Culture In Turkey A Review Of Literature*. Ebook. Brussel. Accessed 29 May 2018.

Sennett, Richard. *The Corrosion Of Character*. New York: W.W. Norton, 2015.

"Setler Artık Tehlikeli Sınıfta | Oyuncular Sendikası". *Oyuncularsendikasi.Org*. Accessed 29 May 2018. <http://www.oyuncularsendikasi.org/ana-haber/setler-artik-tehlikeli-sinifta/>

Smith, Kenneth. *Émile Durkheim And The Collective Consciousness Of Society*. London [u.a.]: Anthem Press, 2014.

"Social Dialogue (GOVERNANCE)". *Ilo.Org*, 2018.
<http://www.ilo.org/ifpdial/areas-of-work/social-dialogue/lang--en/index.htm>.

Spinoza, Baruch. *TheEthichs. TheCollected Works of Spinoza*. Vol. I Ed. Ve Çev: EdwinCurley. (Princeton: Princeton UniversityPress, 1985) aktaran Ay e Akalın.

Strickdistro.Org, 2018. <http://strickdistro.org/wp-content/uploads/2011/09/Week-1-Immaterial-Labour-Lazzarato.pdf>.

, A. Interview by author. April 10, 2018.

, B. Interview by author. April 12, 2018.

"Tarihçe". *Kulturvarliklari.Gov.Tr*. Accessed 29 May 2018.
<http://www.kulturvarliklari.gov.tr/TR,43034/tarihce.html>.

Taylor, Adam. "Margaret Thatcher Fought One Huge Battle That Changed The UK Forever". *Business Insider*, 2018. <http://www.businessinsider.com/thacher-versus-the-unions-2013-4>.

T.C. Çalışma ve Sosyal Güvenlik Bakanlığı | Bilgi İletim Daire Başkanlığı, İnternet Hizmetleri Şubesi Müdürlüğü. "Misyonziyonilkelermiz". Accessed 29 May 2018.
<https://www.csqb.gov.tr/home/contents/bakanlik/misyonziyonilkelermiz/>.

T.C. Çalışma ve Sosyal Güvenlik Bakanlığı | Bilgi İletim Daire Başkanlığı, İnternet Hizmetleri Şubesi Müdürlüğü. "Tarihçe". Accessed 29 May 2018.
<https://www.csqb.gov.tr/isqum/contents/baskanlik/tarihce/>.

"Telif Yasasında Telif Yok!". *Birgun.Net*. Accessed 29 May 2018.
<https://www.birgun.net/haber-detay/telif-yasasinda-telif-yok-215188.html>.

Torun, Huzeyfe. "III. Millî Kültür Şurası Kültür Ekonomisi Komisyon Raporu". 15. T.C. Kültür Ve Turizm Bakanlığı, 2017.

Turan, Metin. "Çalışmalar Boyu Düğünce Özgürlüğü: Türkiye’de Ve Dünyada Telif Haklarının Tarihsel Gelişiminin Değerlendirilmesi". *Türk Kütüphaneciliği* 30, no. 2 (2016): 207.

UNCTAD. *Creative Economy Report*. United Nations, 2010.

U, I. E-mail interview by author. May 17, 2018.

Urhan, Betül. "Türkiye’de Sendikal Örgütlenmede Yaşanan Güven Ve Dayanılmaz Sorunları". *Çalışma Ve Toplum* 1 (2005).

"Www.Casgem.Gov.Tr". *Casgem.Gov.Tr*, 2018.

<http://www.casgem.gov.tr/sayfalar/sayfa/params/tip-sayfa/id-1/misyon-vizyon.html>.

"Workers Symposium On Policies And Regulations Workers Symposium On Policies And Regulations To Combat Precarious Employment". Geneva: ILO, 2018.

Yahnio lu, Nazmiye. " Sa li i Ve Güvenli i Bilinci". Presentation, n.d.

"YEKON : Yaratıcı Endüstriler Konseyi". *Yekon.Org*, 2018.

<http://www.yekon.org/tuzuk.htm>.

"YEKON : Yaratıcı Endüstriler Konseyi". *Yekon.Org*, 2018.

<http://www.yekon.org/tarihce.htm>.

Yılmaz, E. (2010). TÜRK YE'DE ç i Sendikalarının Önündeki SOSYAL, Siyasal VE Ekonomik ENGELLER. *New World Sciences Academy*, 5(3).

"Yoksulluk Ve Sendikalar". *Bianet - Bagimsiz Iletisim Agi*. Accessed 30 May 2018. <https://bianet.org/bianet/insan-haklari/20963-yoksulluk-ve-sendikalar>.