Privatization of Security as a State-Led and Class-Driven Process: The Case of Turkey

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ABSTRACT: Private security has become a central form of everyday policing in the Southern and Northern countries alike, and has thereby redefined the modern conception of security, conventionally understood as the exclusive domain of the state. The relevant academic literature has seemed to problematize the issue either as a facet of the erosion of state monopoly of violence or as a dispersion of neoliberal governmentality. These positions — neo-Weberian and neo-Foucauldian, respectively — fail to grasp both the role of the capitalist state in the privatization of security and its class character. The Turkish case is quite telling about the constitutive role of the state in this process, which has been a class-driven project, reflecting contested class relations, from the 1960s to the 2000s.

IN 2004, THE TURKISH PARLIAMENT enacted a law for the establishment and operation of private security companies in Turkey. Since then, the sector has become one of the most important areas of economic activity. Currently generating over €2 billion, it is one of the largest private security sectors in the EU (CoESS, 2011, 129). Its highly profitable character has generated a proliferation of private security companies as well as security guards in recent years. According to official statistics, there are about 1,300 companies currently employing 220,000 guards. Moreover, over a million people have been licensed to serve as security guards; and about 600,000 people have received identification cards to be formally employed

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in the sector.¹ This dramatic proliferation of private security can be best observed in its ever-increasing presence in everyday life. Security guards are now employed in almost every sphere of social life: shopping malls, residential sites, business districts, banks, public parks and state institutions.

In fact, the post-2004 Turkish experience has been just another example of a global development. The number of private security guards has grown at a fast pace since the mid-1980s, and currently exceeds the number of police officers at the global level (Small Arms Survey, 2011, 101–106). Private security has thus nearly become the principal form of everyday policing in the Northern and Southern countries alike. Even though the phenomenon takes quite diverse forms,² it signals “a historic restructuring” (Bayley and Shearing, 2001, vii) or “a quiet revolution” (Shearing and Stenning, 1981, 193) in policing — privatization of a hitherto non-commodified sphere that has been conventionally conceived as the exclusive domain of the modern state.

This article intends to critically evaluate the formation of a market for private security in Turkey, in the context of the changing class character of society in the era of neoliberal globalization. This may be significant, for two reasons. First, the relevant academic literature has treated the issue either as an erosion of the state monopoly of violence, or as a dispersion of neoliberal governmentality. These positions — neo-Weberian and neo-Foucauldian, respectively — ignore the role of the capitalist state in the privatization of security and its class character. The Turkish case reveals the constitutive presence of the state in this process, which has been a class-driven project reflecting contested class relations in the entire period from the 1960s to the 2000s. Second, a class perspective is also important to counter the dominant way of conceptualizing state–society relations in Turkey. Based on a

¹ The statistics were retrieved from the website of the Department of Private Security under the General Directorate of Security Affairs in May 2014: http://www.ozelguvenlik.pol.tr/Sayfalar/istatistikbilgiler.aspx

² This global transformation has been under way since the late 1970s, with complex and intertwined processes of commodification, pluralization and fragmentation of institutionalized coercion in policing, incarceration and war-making. There are private security guards as well as private prisons, private investigation and detective agencies, and private military companies, which operate in providing security to the upper and middle classes, managing the surplus population, and even undertaking imperialist wars in the Global South. For a critical analysis of different aspects of such developments, see Benson, 1998; Ladipo, 2001; Shelden and Brown, 2000; and Leander, 2005.
Weberian understanding of the state, and reproduced through various theoretical perspectives, this dominant reading has long posited a “strong state tradition” in Turkey. This problematic reading has been applied to the analysis of private security in numerous academic and/or policy-oriented works, which see it as an additional impetus towards democratization of the Turkish state in relation to civil society (Gulcu, 2002a; 2002b; 2003; Gungor, 2005; Kandemir, 2008; Unal, 2000). By proposing a class-based alternative, I will try to reveal the historically inconsistent and theoretically flawed presuppositions of the strong state tradition thesis.

Predicaments of the Existing Literature

The neoliberal transformation of the last three decades has restructured almost all aspects of social life in a radical and contradictory manner. Gradually establishing its “ecological dominance” over the globe (Jessop, 2007, 74), the neoliberal project has attempted the subordination of social relations of production into the bare mechanisms of the self-regulating market. This process has meant increasing social inequality, deprivation and polarization, which have in turn brought questions of social order and security to the forefront. It has also resulted in social struggles over the re-organization of society, which have taken different ideological, political, socio-economic and

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3 This dominant way of reasoning puts primary emphasis on the uniqueness of the Ottoman–Turkish state tradition. It is argued that this historically and socio-culturally peculiar tradition has rested on the existence of a strong state organized in patrimonial form and representing the center of political power. This central locus of power, occupied by state elites or politico-administrative and military bureaucracies, has always been in direct confrontation with the periphery consisting of weak social actors, such as the peasantry and landlords in the Ottoman Empire and the bourgeoisie and working class in the Republican era. Ahistorically, this paradigm assumes antagonistic relations between strong state and weak society in the history of the Ottoman Empire as well as the Turkish Republic. Therefore, according to its adherents, this tradition has been a central impediment to development of a powerful civil society to safeguard liberal democracy (Mardin, 1973; Heper, 1980), formation of an independent bourgeois class to enforce capitalist development (Keyder, 1987) or initiation of neoliberal institutional and legal reforms in the post-1980 period (Onis, 2004). For a critical analysis of this paradigm, which has gained “a dissident but hegemonic quality” in contemporary scholarship on the Turkish state, see Yalman, 2009, 116–155.

4 The mainstream literature on private security is mostly produced by people such as ex-police officers, owners/managers/consultants of private security companies, students of the Police Academy, etc. That is, the production of uncritical and policy-oriented knowledge on private security is to a large extent determined in an organic relationship with the private security sector. A critical analysis of this relationship will reveal how the dominant perspective sees what is in fact an overtly class instrument as a means to democratize state power.
cultural forms throughout the world. In other words, the political constitution of the *free market* has gone hand in hand with intensification of social conflicts, contradictions and polarizations.

In the wake of these contradictory transformations, developments have occurred in the ways through which social order is constituted and secured — in particular, redefinition of the practices of policing. The *defining* characteristics of the state with regard to order and security have been restructured in an always coercive manner, while a more complex system of multiple policing agents has emerged. Privatization of security constitutes one of the crucial developments, as it has become the principal form of everyday policing in the Northern and Southern countries alike.

Scholarly discussions have come up with various explanations, informed by quite diverse theoretical frameworks. There are two dominant modes of explanation. First, there are the neo-Weberian analyses, which put primary emphasis on the declining power of the modern state in exercising monopoly over the legitimate use of force, and on the pluralization of the actors of policing. What emerges in this view is a world of plural and democratized policing, within which the state has been losing its central role. Contemporary policing practices involve “a plethora of public, commercial, and voluntary agencies,” which are increasingly driven by “people’s willingness and ability to pay” (Loader, 1997, 377–378; see also Bayley and Shearing, 2001; Lewis and Wood, 2006; Shearing and Stenning, 1981).5

On the other side, there has developed a neo-Foucauldian school of thought, which rejects dichotomies such as state–society, law–violence, public–private. This school argues for a broader transformation from discipline society to neoliberal governmentality, with the implication that neoliberal market rationality has reconstructed all social spheres, including security, in line with the commodity logic of capital. Accordingly, neoliberal governmentality refers to the advent

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5 It is important to underline that most of the scholars in this camp do not explicitly call themselves (neo-)Weberian. In fact, they borrow conceptual outlooks from a variety of traditions, such as the actor-network theory of Manuel Castells, the libertarian outlook of Michael Walzer, and the power perspective of Michael Foucault. The result is an eclectic mixture of different theoretical traditions. Nevertheless, they can be analytically categorized as neo-Weberian institutionalists, for two reasons. First, the view of transformation from monopoly to pluralization in policing rests on a conventional Weberian account. Second, they tend to perceive the emergent forms of policing in terms of an institutionalist social ontology. That is, they perceive the world of plural policing as formed by the existence of autonomous and externally related institutional agencies of security.
of the neoliberal forms of subjectification, through which the political and the social are restructured in line with the logic of the economic, producing individualized and marketized subjectivities. Private security is conceived as a neoliberal form of regulation operating on the basis of individual responsibility and freedom, and thereby functioning as a strategy of “governing at a distance” (see Burchell, Gordon and Miller, 1991; Rose, 2000; Miller and Rose, 2008; Ruben and Maskovsky, 2008; Yardimci, 2009).

This article aims to show the limits of these two perspectives, on the basis of a class-based historical analysis of the privatization of security in Turkey. The neo-Weberian analyses lead to the problematic position that the current developments in the field of security have brought a kind of “democratization” to policing. Contrary to this institutionalist reading, I will contend that the “pluralization of policing” through privatization does not produce civil or democratic processes, but is indicative of even more authoritarian restructuring of capitalist state power. The neo-Foucauldian analyses, on the other side, reject the state as the object of analysis in favor of irreducibly dispersed formation and operation of power relations. The state, then, becomes a mere epiphenomenal aspect of power relations. This position fails to conceptualize the class character of the transformation underway and the constitutive presence of the state power therein.

Recognizing the problematic aspects of the aforementioned perspectives, this article will propose a state-led and class-driven analysis of the privatization of security in Turkey. The fact that this “quiet revolution” has been taking place in the era of neoliberalism makes it necessary to address the very character of liberalism, which appears as the expression of a world-historical attempt on the part of capital to restore its class power (Harvey, 2006, 7–54). This project, however, has not been put into practice in a uniform and uncontested manner. That is, the neoliberal project cannot be understood

6 Seeing privatization of security in these terms relies on a particular methodological strategy: to understand the state–class relation at the level of the concrete — of a complex, contradictory and contested transformation. The phenomenon of private security thus involves viewing the capitalist state in form-analytical terms. However, due to space constraints, I will not address systematically the theory of capitalist state, but rather hope to contribute to understanding of the historical reconstitution of a mediated relation between state and capital in the light of privatization of security. Traces of this methodological strategy can be found in Bonefeld, 1992; Clarke, 1992; Jessop, 2008; and Poulantzas, 1978.
as the simple unfolding of the commodity logic of capital. To the contrary, it has required contradictory and contested processes of learning, exploring, trying, making mistakes and re-trying on the part of the strategic agencies carrying out the reform agenda (see Brenner and Theodore, 2002; Pickel, 1997). In this way, a particular social order based on market rule has been imposed, on the basis of the constitutive presence of state coercion. Only after establishment of the neoliberal order has the law become functional and re-embraced. That is, the neoliberal social order has been imposed “as the condition of law,” not vice versa (Bonefeld, 2006, 248). The rise of constitutional politics from the late 1990s onwards has been a paradigmatic example of this fundamental and constitutive aspect of neoliberalism. Such a policy shift towards institutional, legal and constitutional reforms has corresponded to “the redefinition of the political” to construct a “protected domain” for the hitherto implemented neoliberal reforms by “locking in” future governments to neoliberal premises for the global accumulation of capital without collective restraints (Gill, 2002, 47).

The neoliberal class project has thus arisen on the basis of a dialectical articulation of particular arrangements of order and law-making, through which the form of state has been redesigned. What has emerged is a new form of state, which is not democraticized or dispersed, but crystallizes “a new government of social insecurity wedding restrictive ‘workfare’ and expansive ‘prisonfare’” (Wacquant, 2009, 286). Privatization of security has been a significant aspect of the formation of the neoliberal authoritarian state, characterized by its explicit class bias. In what follows, I will analyze the concrete class dynamics and corresponding state projects that have paved the way for formation of the private security sector after a contested process of order and law-making from the 1960s to the 2000s.

**Private Security as a Strategy Against Labor Militancy**

The question of private security came onto the agenda of Turkish socio-political life as a particular manifestation of contested class relations in the 1960s and the 1970s. This was a period of urbanization and industrialization, culminating in the structural transformation of class relations. It reflected the industrial bourgeoisie’s attempt at hegemony, which was conditioned by the integration of Turkey
into the Western bloc under the conditions of the Cold War (Yalman, 2009, 198–233). The outcome of this attempt was the rise of organized labor as a major force. Reinforced by the relatively democratic political atmosphere guaranteed by the 1961 constitution, the working class began to put its mark on the social and political life of the country. It produced organized forms of class struggle, especially with the founding of the TIP (Workers’ Party of Turkey) in 1961 and DISK (Confederation of Revolutionary Trade Unions) in 1967. This culminated in transformation of the working class from a “young and inexperienced” social group into “a very militant and highly organized sector” (Margulies and Yildizoglu, 1984, 16).

Especially from the late 1960s onwards, deepened antagonism between labor and capital was explicitly manifested in countless massive legal and illegal strikes, work stoppages, public demonstrations, workplace occupations, acts of sabotage, etc. The rising militancy of organized labor was coupled with the growth of student movements and armed resistance of socialist organizations fighting against the state, as well as paramilitary right-wing groups in the service of Cold War anti-communism. By the mid-1970s, bourgeoisie hegemony had entered into an organic crisis, grounded in the crisis of the prevalent accumulation strategy, and dialectically intertwined with the crisis in the form of the state (Tunay, 1993, 18).

The crisis in the state form, as Simon Clarke suggests, is grounded in “the working class challenge to the power of capital,” which “extends to a challenge to the constitutional authority of the state in its relation to civil society” (1992, 148). This challenge reflected the social and ideological struggles at the very heart of the state apparatuses. The entire complex of state apparatuses, including

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7 The 1961 Constitution was engineered by military cadres, who had taken political power through a coup in May 1960. The Constitution contained fundamental rights pertaining to organization, freedom of expression and demonstration, etc., which were crucial for organization of political dissent on the part of the working classes in the subsequent two decades. Therefore, the Constitution designed for the first time in Turkey the general contours of a social democratic state, by recognizing labor as a constitutive socio-political force in the country. This does not mean, however, that this democratic state form was a voluntaristic choice by the military. It was rather conditioned by class dynamics, especially in the post-1945 period (Yalman, 2009, 212; see also Gulalp, 1985; Kocak, 2008).

8 The prevalent accumulation strategy was based on import substituting industrialization between 1960 and 1980, and on reproduction of Turkish dependence on foreign capital. This strategy reached its limits mainly because of the crisis of the Bretton Woods system in the early 1970s (Gulalp, 1985). However, the manner of its actual materialization was determined by contested class relations throughout the 1970s.
Parliament, trade unions, political parties and educational institutions, was divided along lines of ideological polarization. Even the police organization itself reflected the division of the state into clashing ideological groupings. While the left-leaning police officers were organized in POL-DER (Police Association) and sided with the working classes during strikes and demonstrations, the right-wing ones established POL-BIR (Association of Police Unions) to preserve the integrity and unity of the state and the nation against the communists (Gurel, 2004). All in all, the state was in a condition of constant paralysis in producing coherent economic policies and maintaining law and order (Gulalp, 1985, 346).

The bourgeoisie and state authorities were alarmed by this paralysis, which meant a fundamental failure of the state to ensure security of private property and restore public order. For instance, all the fractions of the bourgeoisie were concerned about the deteriorating industrial peace due to working-class militancy. They were particularly concerned that workplaces became ungovernable and employers lost their authority over workers (Boratav, 2005, 91). In addition, ideologically motivated bank robberies and sabotage against public institutions, undertaken by armed revolutionary organizations of various kinds, reinforced concerns over the security of public and private property.

It was through these contested social dynamics that private security was formulated as a strategy to reinforce industrial work discipline and safeguard property. From the late 1960s onwards, there were attempts to enact a particular law on private policing. The right-wing political parties brought various draft laws into parliamentary discussions. Quite interestingly, these draft laws were assertively promoted by state institutions with direct security functions, such as the army and the police. The central argument was that the state was not able to tackle the rising problems of “anarchy” in the country, which necessitated alternative means and sources of funding to make everyday

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9 In fact, in the 1970s different factions of the bourgeoisie came together under the leadership of the large industrial bourgeoisie, temporarily leaving aside their particularistic interests. The establishment of TUSIAD (Turkish Industrialists’ and Businessmen’s Association) in 1971 and HTK (Free Enterprise Council) in 1976 was significant for the Turkish bourgeoisie to act as a class for itself. The latter was organized as “an anti-labor front” in response to “the intensification of anarchic events and illegal demonstrations, increasing attacks on property rights, liberty of free labor, lockout right, and other rights and freedoms, [and] resort to practices of illegal general strikes” (Ozan, 2012, 137).
forms of policing permanent. In fact, this was a specific state strategy to incorporate capital directly into daily policing. Public forces, in turn, would direct their energy to more fundamental threats posed to the established order. In this way, a division of labor was created between “ordinary” and “political” policing to contain working-class militancy.

However, private security was such a politically contested question that the clashes among political parties prevented the proposed draft laws from being enacted in Parliament throughout the 1970s. A left-wing columnist in the daily newspaper *Cumhuriyet* regarded such attempts as “the legalization of fascist pressures” and argued that the law would furnish “the illegal private guards of capital with state power.” He then concluded that the existing power balance in the country would not let such a draft law be enacted (Apaydin, 1976). In fact, this sheds some light on the failure of parliamentary attempts to legalize the private police in the 1970s. As a matter of fact, parliamentary discussions were ultimately deadlocked due to the polarized views on private security, depicted either as an assist to public forces or as a privilege granted to capital.

This parliamentary paralysis did not put an end to the actual proliferation of private security throughout the 1970s. Circumventing

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10 For instance, the Ankara Martial Command demanded in March 1973 that the draft law on private police should be immediately enacted to “... prevent the public dams ... from failing to have security personnel and becoming suitable targets for anarchists” (cited in Gulcu, 2003). One of the central state institutions on the issue of security, *i.e.*, the army, did play a pivotal and affirmative role in initiating the debates over the private provision of security. In fact, it seems ironic that those raising demands over the legalization of private police have always been the state institutions, which have particular security functions like the army, police organization, martial commands, the Ministry of Interior, etc. From the conventional Weberian perspective, it becomes impossible to understand this phenomenon, if one considers for instance that the army is the core institution of the state claiming a monopoly over the means of violence. This point provides an important clue to understanding the capitalist state not as a monolithic entity, but as an essentially contradictory and multifaceted form of political power, which is restructured in and through struggles both within its institutional organization and in relation to social classes.

11 The notion of *division of labor* here does not denote an ontologically constituted relation of externality between private and public policing. To the extent that this very distinction between *public* and *private* is a contested question, continuously redefined through class struggle, the rise of private security refers to a much more challenging relationship between the two. As will be discussed below, this relationship is constituted in a quite ambiguous way through politico-legal acts and everyday practices. On the other hand, it has always been quite difficult to make a clear distinction between the two because, as Austin Turk argues, “all policing is political” in the specific sense that the *raison d'être* and function of different forms of policing are “never really neutral ... [but] designed for use on behalf of the politics of social order and continuity” (cited in Miller, 1986, 340; see also Bowden, 1978).
the parliamentary route, the industrial bourgeoisie and state institutions also increasingly resorted to informal forms of private policing. For instance, many banks, factories, and even public institutions began resorting to “bank teams,” which provided security for public and private banks, and mainly consisted of retired police and army personnel (Yardimci, 2009, 229). Moreover, capital groups brought forward proposals on different occasions for eliminating “anarchy” in the country through the use of private security. For instance, PUIS (the Union of Turkish Petroleum Employers) proposed to assign gasoline stations as public security stations, and put ten thousand security workers employed by the station owners under the control of the police chief (Milliyet, December 11, 1978). These illegal private security practices indeed had close, albeit amorphous and ambiguous, connections with paramilitary right-wing groups. Salih Gungor, a retired police chief working currently for a private security company, implicitly acknowledges this connection by stating that in the pre-1980 period, the “[public] police forces were utilized in private security services in line with the desires of governments and power groups” (2005, 129; emphasis added).12

In sum, in these formative years, the state and capital tried every means to resolve the question of labor militancy, and resorted to private security as a tactical strategy. From the very beginning, private security was constituted as an amorphous sphere operating through ambiguous, albeit organic, interaction of public and private forms of power. In fact, this very character of private security has intensified in the post-1980 period due to the co-existence of formal–legal arrangements and informal relationships, which were functional in enabling state restructuring in security in line with capitalist interests.

“The State Calls the Bourgeoisie to Bear Arms”13

From the late 1970s onwards, different fractions of the bourgeoisie demanded a structural transformation in the economic and political spheres to resolve the crisis. In early 1980, these demands were reflected in an economic liberalization package announced by Turgut Ozal, then Undersecretary of the Prime Minister Suleyman Demirel

12 For a detailed analysis of the formation of fascist movements in the 1960s and 1970s, and their gradually established organic relations with the state, see Agaogullari, 1987.
13 I owe this phrase to Funda Hulagu (2011).
leading a right-wing minority government. The package projected an outward-oriented growth strategy through liberalization of trade and finance, flexibilization of the labor market, initiation of fiscal discipline, etc. This was the official launching of the neoliberal transformation process assertively advocated by the IMF and the World Bank. It projected a radical transformation both in the mode of integration of the Turkish economy into the capitalist world system, and in the relation between state and society (Bedirhanoglu and Yalman, 2010, 111). However, the increasingly tense social and political atmosphere coupled with the organized power of the working class prevented such policies from being implemented in a smooth way. The coup of September 12, 1980 meant a radical coercive intervention in Turkish politics, with the military acting as the “de facto political party” of the bourgeoisie (Ongen, 2004, 83).

In the post-1980 period, a new hegemonic strategy started taking root, bringing together the liberalization package and the September 12 coup. Hence, the coup meant not a mere change in the political regime, but rather a fundamental transformation in the relation between the state and the society (Yalman, 2009, 308). Military rule initiated a major state restructuring, which has been further consolidated in the neoliberal authoritarian state since then, notwithstanding the switch from military to civilian rule and the relocation of political parties. During its three-year rule, the MGK (National Security Council) passed 535 laws and 91 decree-laws concerning almost all aspects of social, political and economic relations in Turkey. These initiatives projected a comprehensive restructuring of the judiciary, police, martial law and emergency rule, municipal governments, universities, associations, trade unions, collective bargaining and strikes, the press, etc. (Ozbudun, 1991, 41). In 1982, a new Constitution was enacted; military rule thus achieved the legalization and constitutionalization of almost all the demands raised by the bourgeoisie in the late 1970s.

All of these authoritarian measures fundamentally shaped the neoliberal project since then, “putting an end to class-based politics” (Yalman, 2009, 308). This labor containment strategy was primarily concerned with establishing peace in industrial relations and safeguarding public and private property. The project of private policing, earlier asserted but not accomplished, was one of the first legislative moves made by the military government. Even before the coup, Kenan Evren, the Chief of the General Staff, stated that private institutions
had to provide their own security and urged the government to enact the existing draft law on the issue (Cumhuriyet, March 13, 1980). The Program of the Bulent Ulusu Government, which was established on September 20, 1980, included a special clause on the establishment of private police organizations “to prevent robberies, sabotages and similar acts occurring in the banks and public and private workplaces, which call the State’s authority into question” (cited in Haspolat, 2012, 182). The MGK therefore did not create a new legislative instrument on private policing, but re-worked the existing draft. In July 1981, MGK passed Law No. 2495, on “Ensuring the Security and Safety of Some Institutions and Organizations.” The law was explicitly designed to contain labor militancy and ensure industrial peace and security of property.

The objective of the law, as stated in Article 1, was a fight against the militancy of organized labor and leftist movements. It spoke of designing “effective security formulas to protect and safeguard the public or private banks and other institutions and organizations . . . against such threats and attacks as sabotage, fire, robbery, pillage, forced demolition,” not to deter petty criminal acts but to ensure industrial peace in workplaces. The law required public and private institutions to establish private security organizations (PSOs) within their organizational structures (Arts. 3 and 8). The PSO was defined as a specific form of private police, whose foundation, supervision as well as powers were defined with an explicit public bias: as an extension of the public police forces, injected into the institutional structure of the coercive state apparatuses. The PSO would come under the orders of the general police chief during strikes and lock-outs (Art. 27), and of the commander during the times of state of siege (Art. 30).

Any non-compliance with the law would be punished with financial penalties as well as prison sentences (Art. 24). Moreover, the PSOs were made responsible to meet all expenses by themselves (Art. 4). The state was thus calling upon the bourgeoisie to bear arms to reinforce industrial work discipline in factories and safeguard property (Hulagu, 2011, 35). This was a state strategy of deploying “private police stations” in each and every private and public institution (Haspolat, 2012, 189). Throughout the 1980s, the state granted permissions for establishment of PSOs in banks, public institutions, factories, business centers, important transportation and communication centers, etc. This specific form of policing proved to be quite effective as an
anti-labor strategy of union-busting, labor spying and strike breaking. So much so that the PSOs functioned as “private courts,” which defined unionization as a “crime,” and then attempted to punish workers accordingly (Cumhuriyet, March 14, 1985; March 29, 1987).

This state strategy of incorporating capital directly into daily policing processes, however, was contested throughout the 1980s (Hulagu, 2011, 36). While the state made it obligatory for private institutions to establish the PSOs, different capital groups complained about the costs involved, and possible threats posed by private police in workplaces. For instance, the Bank Association of Turkey was concerned that the PSOs would endanger the life of employees and customers (Gulcu, 2002a). Others complained about the high cost of the 24-hour employment of private police within their institutions (Cumhuriyet, November 25, 1985). Throughout the 1980s, there were various cases of non-compliance with the law. In response, state authorities were forced to issue regulatory documents restricting the number of institutions obliged to establish PSOs (Milliyet, March 28, 1991).

Even though such contentions seemed to lead to a retreat in the use of private police, it was not fundamentally altered as a state strategy. Quite the contrary, from the late 1980s onwards, this strategy was re-defined in the wake of the counterinsurgency operations against anti-systemic threats, such as Kurdish movement, labor uprisings, urban riots, etc. Coupled with neoliberal class dynamics, this strategy was incorporated into a de facto formation of a private security sector. Capital thus began to establish organic relations with the state authorities and benefit from this highly profitable sector, while leaving aside others’ concerns for the costs imposed by private security.

Dynamics of Formation of a Neoliberal Order

The present-day private security sector in Turkey inherited the aforementioned socio-political dynamics, redefined within the crisis-ridden period of the 1990s and early 2000s. A critical analysis of this period reveals that private security has been gradually crystallized as a class response to and a state strategy against the ever-increasing social and political contradictions in Turkey. The sector became established as an ambiguous area between formal and informal forms of power, within which the state could establish
its relation to capital only through mafia-like connections. The neoliberal project for restoration of capitalist class power using private security in the 1990s, under conditions of yet another organic crisis, was not put into practice in a uniform and uncontested manner. To the contrary, it was pursued through ad hoc strategies, arbitrary, informal and illegal practices.

It was evident, in fact, by the 1990s that the hegemonic project of the post-1980 period turned out to be a fundamental failure. From the beginning it was defined as a “Two Nations” strategy, aimed at pacifying all segments of the laboring classes and dissident groups through oppressive means (Tunay, 1993, 23). Moreover, the neoliberal economic policies of the 1980s resulted in exacerbation of socio-economic inequalities and proletarianization of the urban poor, peasants and traditional middle classes such as public employees, craftsmen, and shopkeepers (Boratav, Yeldan and Kose, 2000; Senses and Koyuncu, 2007). This prompted the rise of the labor movement in the late 1980s and the urban riots in the 1990s, combined with the rise of systemic threats to the established order emanating from Kurdish insurgency, political Islam and socialist organizations. All of these problems worsened throughout the 1990s in the wake of the financial crises, which reflected the fragile manner of the integration of the Turkish economy into the capitalist world system (Onder, 1998).

These “high intensity” crises in the social, economic and political spheres revealed the bourgeoisie’s failure to achieve hegemony — to incorporate the alienated masses into the established order (Ongen, 2004, 96). Accordingly, the ruling classes opted for even more authoritarian and militarist forms of crisis management: establishment of paramilitary units, professionalization and expansion of police organization, and punitive reorganization of criminal law and prisons.14 While the Kurdish insurgency resulted in de facto declaration of a “low intensity war” (Ongen, 2004, 94), all other political opposition and social discontent were suppressed through counterinsurgency

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14 Such transformations included the establishment of Rapid Action Units in 1982, Special Operation Teams in 1983, an Anti-Terrorism and Operation Department in 1986, enactment of the Anti-Terrorism Act in 1991, and re-organization of Special Operation Teams within a separate department called the Special Operation Department in 1993. The Special Operation Teams in particular played a major role in the state’s wholesale counterinsurgency operations, by relying on paramilitary and guerrilla methods (Berksoy, 2010; Balta Paker, 2010).
operations.\textsuperscript{15} The use of private security was redefined within this inherently contradictory and crisis-ridden context.

From the late 1980s onwards, the earlier concern over “anarchy” was replaced by “terror,” as claimed to be exacerbated by the rise of the PKK (Kurdistan Workers’ Party) and resurgence of socialist political organizations in the suburban areas of the large cities. In response, the state resorted to novel forms of coercion.\textsuperscript{16} The altered functions of the private police, legally established under Law No. 2495 in 1981, should be understood in this context. By this law, the state tried to expand the scope as well as the powers of the PSOs in the first half of the 1990s. The law was amended in 1992 and 1995, and the definition was greatly extended to include virtually every aspect of social life. Henceforth, this policing form began to be used in many public and private entities: state institutions, banks, universities, hospitals, shopping centers, business districts. Consequently, the central state strategy of calling the bourgeoisie to bear arms was renewed, given the counterinsurgency operations against systemic threats in the 1990s.\textsuperscript{17}

This proliferation of the PSOs ultimately paved the way to \textit{de facto} formation of a private security sector. For the mass proletarianization entailed by neoliberal transformation was accompanied by the rise of new upper and middle classes. The latter have accumulated their wealth due to outward-oriented economic policies, in the finance, communications and information technology, media, commerce, industry and entertainment sectors (Kurtulus, 2011; Sen, 2011). This reconfiguration of class relations affected the social organization of space in urban centers. Large urban areas like Istanbul have been undergoing a social–spatial segregation through which the upper middle classes have begun to live in prosperity enclaves in the outskirts

\textsuperscript{15} The following are just a short list of counterinsurgency operations conducted: extrajudicial executions of Kurdish and leftist journalists and political figures, systematic tortures, evacuations of mountains and rural areas, forced migration of Kurdish population in South-Eastern Anatolia, the violent suppression of urban riots and popular demonstrations in urban centers. For a comprehensive analysis of counterinsurgency operations, see the Report of the Human Rights Foundation of Turkey (HRFT) (1998).

\textsuperscript{16} Apart from the aforementioned paramilitary units, by way of creating a village guard system, the state developed a specific strategy of incorporating the local Kurdish population into the war against the PKK (Balta Paker, 2010, 419–422).

\textsuperscript{17} For instance, in 1993, then Minister of Public Works Onur Kumbaracibasi urged the owners of contracting companies operating in South-Eastern Anatolia to establish their own PSOs against the PKK insurgency. The Minister explicitly stated that they supported these practices as long as “such units do not act out of purpose” (\textit{Milliyet}, November 4, 1993).
of the cities, while the lower classes are relegated to islands of poverty. The new upper and middle classes began isolating themselves from the rest of the city through strictly secured physical places such as residential sites, gated communities, and luxury houses. This segregation of urban space has been coupled with proliferation of large-scale private property complexes: shopping malls, entertainment centers, luxury hotels. This “gentrification” of urban space has been legitimated through criminalization of the urban poor (Genis, 2009; Gonen and Yonucu, 2011). The social problems emanating from ever-increasing levels of poverty and deprivation have thus been transformed into problems of insecurity and disorder, which was claimed to be resolved through the removal of the urban poor from urban spaces. In this process, private security found its peculiar meaning: a class response to the increasing threats, whether real or perceived, to the lives and properties of the upper and middle classes.

Many security companies, which often started as cleaning companies, gradually transformed their services to security to benefit from this rapidly growing market.

This proliferating market had several novel features. First, the ambiguous area between the state and the market in private security acquired illegal forms. The state had established an organic relation with capital in the mafia-like private security sector, through its retired or incumbent officials, including retirees from such state institutions as the police, provincial governorships, military, and intelligence services, some of whom took part in the counterinsurgency operations throughout the 1990s. The intensification of such relationships resulted in various illegal practices such as “seizing tender” in the sector, “bypassing” existing legal frameworks, and using public personnel and resources to ensure security of private places (Akman, 2010). In fact, following the Susurluk Affair in 1996, when the state–mafia–capital relationship was publicly revealed, it became evident that private security functioned as a central sphere of reproduction of such relationships. From then on, there was an attempt to control this problematic relationship through many regulatory notices and governmental documents. Moreover, particular efforts were made to amend Law No. 2495 to incorporate de facto existing companies into

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18 For instance, Mehmet Eymur, the former head of the Special Operation Department, established one of the first private security companies in 1990 (Milliyet, October 4, 1990).
19 For a critical and comprehensive analysis of this relationship, see HRFT (1998, 39–85).
the legal order. Still, the state authorities continued pragmatically to promote the proliferation of private security companies. While they attempted to contain unrestrained proliferation of security companies, they also continued to encourage private security as an aid to public police forces in dealing with terrorist attacks, property crimes, and everyday violence.

Second, the sudden proliferation of private security companies was possible only due to the impoverishment and proletarianization of the urban poor, which exposed them to the severest kinds of precarious jobs characterized by long working hours, low wages and absence of any social and collective rights. Simply put, the growing demand for private security was met with the availability of cheap labor having almost no collective and social rights. Caglar Unal, a former police officer, explicitly underlines this central dynamic:

There is a harsh truth in Turkey: that the unemployment caused by the economic problems provides the solution for the personnel demand in the security sector. The cheap labor force has whetted the companies’ appetite; after gardening and cleaning jobs, the security guards have emerged. In short, the million-dollar buildings have been protected by people earning minimum wages. (2000, 11.)

Therefore, the fundamental class dynamic of the private security sector was established by capital’s full-scale attack on labor rights. This is the constitutive class character of private security in Turkey. It is a matter of “policing the poor through the poor” (Eick, 2003). Private security guards, employed to preserve the lives and property of the upper and middle classes, were (and still are) mainly recruited from the lower social strata. By the early 2000s, there was a de facto existing sector, in which hundreds of security companies were operating and over 50,000 security guards were employed (Karaman and Seyhan, 2001, 155–156). As noted earlier, there are over 200,000 people currently employed in the sector, and over one million certificated to serve

20 For instance, then Minister of Internal Affairs Murat Baseskioglu was concerned with those committing crimes against the state under the cover of security companies, and speaking of a draft law on this matter (Cumhuriyet, December 1, 1998).

21 Two regulatory documents were issued by the Governorship of Istanbul and the Ministry of Interior in 1999. These documents drew attention to the “inadequacy of public security forces” to deal with ever-increasing threats in everyday life due to terrorism, poverty and violence, and then urged private individuals and institutions to resort to private security companies.
as security guards. A considerable portion of Turkey’s working class has thus been employed in the sector in one way or another to serve as guardians of private property against the potential threats coming from other sections of the urban poor. In this regard, the burden of private security has been redefined so as to present it as a so-called public good that capital provides to society. Bülent Perut, President of the Federation of All Private Security Associations, summarizes what is at stake here:

We are taking serious burdens from the state. We recruit those people remaining idle or looking for a job anywhere, for whom becoming criminals is a high possibility. We transform them into people fighting against crime. We both generate employment and provide a serious effect in and contribution to the crime fighting. When there was a possibility for the man to be involved in a crime, to become a robber, he is repositioned after a while as a person who would chase the robbers. (Emphasis added.)

Examples of policing the poor through private security guards range from business districts, shopping malls, gated communities to the bazaars and touristic areas. In other words, the entire fabric of neoliberal urban space is being policed through private security on the basis of a particular class project, which redefines poverty and transforms it into a problem of criminality. To make sense of how this striking social reality has come into existence, it is important to analyze the third driving factor of the de facto formation of the neoliberal order in the security market in the 1990s. Closely related to the second, this refers to intensification of informal employment dynamics characterizing this market. As the principal employer of security guards, especially in the 1990s, the public institutions were largely responsible for normalization of such informality, defined through subcontracting. They not only employed personnel of the PSOs established under Law No. 2495 as public servants, but also resorted to subcontracting companies to employ security guards. As the establishment and operation of the PSOs in accordance with the law were perceived as rather complex, time-consuming, bureaucratically inefficient and expensive (Gulcu, 2002a), various public institutions, which were also under the pressure from neoliberal austerity measures, began

22 This interview was retrieved from the following website on May 12, 2011: http://www.hurriyet.com.tr/ekonomi/16620345.asp
to receive security services from various subcontracting companies. Even though there was no legal basis for such practices, many public hospitals, universities, and airports ultimately started subcontracting to employ private security guards, working at a subsistence level. The subcontracting of municipal police force employees provides one of the clearest examples of the transformation in question. The following observations of another former police officer, Ali Safak, provide important insights in this regard:

On the one hand, the private security organizations [founded by Law No. 2495] were positioned within the state institutions in the service for the public. On the other hand, illegal ways and methods were utilized and the legally ambiguous companies providing private security services were established due to either the existence of legal gap[s] or the shenanigans of shrewd people. The employers employ personnel with the name of security officer, but under other departments, to suppress labor activities. Besides, because the municipal police do not have the right to carry guns, those private security personnel empowered to carry and use guns are employed by the municipal authorities as if they were municipal police or were employed in tandem with the municipal police. (2000, 4.)

These apparently contradictory practices indeed defined the general characteristics of the neoliberal reform project in the 1990s. Characterized by “ad hoc strategies,” such a project enabled policymakers to undertake pro-market reforms rapidly, while avoiding resistance and refraining from wholesale institutional change. Moreover, such strategies gradually paved the way to corroding existing institutional structures, which in turn facilitated comprehensive administrative change in the future (Sonmez, 2011, 104–105). Thus, by the 2000s, a neoliberal security market had been formed and a politico-corporate order was established before the relevant laws were passed. Hence, as will be seen below, the law-making practices of the 2000s worked more to legalize specific security relations which had already been in operation.

Institutionalization of the Politico-Corporate Order

By the 2000s, the massive illegality and uncertainty began to be questioned from within the sector, which paved the way for gradual formation of a specific law-making strategy, undertaken by capital in close cooperation with public officials. In fact, this strategy materialized only
via consolidation of the neoliberal authoritarian state, represented politically by the AKP (Justice and Development Party) from 2002 onwards (see Bedirhanoglu and Yalman, 2010; Oguz, 2009). Therefore, this period corresponded to a fundamental policy shift towards institutional, legal and constitutional restructuring. With regard to private security, this took place in 2004, with the enactment of Law No. 5188. What remains to be analyzed is how this law-making process has been strategically designed by social and political actors, which had concrete interests to be protected within the informal security market.

In response to the contradictory and arbitrary state policies, from the mid-1990s onwards, capital groups began getting organized to demand coherent legal arrangements from the state. Among others, GESIDER (Security Industry Businessmen Association) and GUSOD (Organization of Security Services Associations) were the most important employers’ organizations established in the 1990s. Founded in 1996, GESIDER brought together over 60 companies producing and/or importing electronic and physical security equipment. It has operated in close cooperation with GUSOD, the leading organization of companies providing physical security services. In fact, GUSOD deserves particular attention as it has played the major role in shaping the law-making strategy for the sector. Founded in 1994, GUSOD has been the most influential group in the preparation of the draft law on private security and its enactment by Parliament in 2004. As the founding member and ex-Chairman of the Executive Board of GUSOD, the retired Staff Lieutenant Colonel Oryal Unver describes this law as their “biggest achievement” (cited in Gurs, 2007–2008, 18).

Since its founding, GUSOD has been the representative of the biggest capital groups in the sector. It is currently formed out of 30 institutional members, 25 individual members and 10 voluntary members. In total, it represents 75% of the entire private security sector in Turkey (Gurs, 2007–2008, 19). Being a member of CoESS, which is a European umbrella organization for national security services among the EU member states, it represents the amalgamation of domestic and international capital in the sector. Furthermore, the management seats of almost all the companies organized under GUSOD have been filled by retired personnel from public security institutions such as the police, army, provincial governorships or intelligence services. Thus, it also represents the organic relationship between public officials and groupings of private capital.
As an umbrella organization, GUSOD did the lobbying for creating a law on private security companies, which gained momentum in the early 2000s. They issued press statements, gave speeches, organized professional meetings with public officials and private entities, and formed working committees in order to influence public opinion and put pressure on Parliament to make legislative changes.\(^{23}\) In 2003, GUSOD formed “The Working Committee on Law No. 2495” to prepare a draft law on private security services in Turkey. This Committee was formed by numerous retired public servants and businessmen. For instance, the retired police chief, Yusuf Vehbi Dalda, worked as a voluntary consultant. Besides Dalda and Unver, “the kitchen of 5188” included also such persons as Murat Kosereisoglu, who is the current General Director of Securitas, and Hasan Ozer, who was then in the administration of GUSOD. The Committee worked in close cooperation with various public institutions such as the Ministry of Interior, General Directorate of Security and parliamentary commissions. Furthermore, it played a functional role in translating and transferring technical and legal knowledge about the issue from such countries as the USA, UK, and France. The studies of the Committee culminated in the draft texts, which parliamentary commissions used while carrying out their duties (Dalda, 2005, 434–435).

The law — No. 5188 — was enacted by Parliament in June 2004. It was a concrete product of a specific law-making strategy, which was determined, if not totally controlled, by a kind of interest group formed out of the amalgamation of national and international capital, and technically directed or supervised by retired personnel of public security institutions. In fact, comparison between the draft law proposed by GUSOD and Law No. 5188 shows that these two documents are almost identical in content, scope and objective.\(^{24}\)

\(^{23}\) Before the enactment of the law on private security, they opened a vocational school of higher education in the field of private security in Kocaeli University in 2003. This school has provided a significant institutional setting for not only training of new personnel for the sector, but also exchanging academic and policy-oriented knowledge within the sector. In 2004 and 2005, with the support of various public and private institutions, two nationwide conferences were held bringing together parliamentarians, public officials, and capital groups. This was one of the most explicit manifestations of cooperation between public representatives and private capital groups shaping legalization and institutionalization of the sector.

\(^{24}\) This argument is explicitly embraced by Yusuf V. Dalda in a long analysis of the two texts (2005, 434–480).
Therefore, capital groupings such as GUSOD have been quite instrumental in incorporating corporate interests into state strategies in the process of legalization and institutionalization of the private security sector.

Conclusions

The experience of Turkey provides significant insights into the constitutive presence of capitalist state power in the process of privatization of security. The state-led and class-driven character of the process has been greatly underestimated by the contemporary scholarly literature on the issue of private security. The neo-Weberians depict private security as a phenomenon externally related to the transformations taking place in the organization of state power. Thus, they come to a problematic conclusion that privatization of security open the way to a more plural, democratic, and civilian gateway in the processes of policing. As underlined on various occasions, such a perspective has a powerful purchase in the mainstream Turkish literature on private security, which reproduces the historical and theoretical fallacies concerning the thesis of a strong state tradition. Contrary to such explanations, this article has tried to demonstrate that the formation of private security has been a strategic project of the state itself from the 1960s onwards; it was legalized as an authoritarian state strategy of incorporating capital into daily policing processes in the 1980s; and it was redefined as a strategic part of the state’s counterinsurgency operations in the 1990s. Hence, rather than signifying a kind of democratic re-organization of policing, private security in Turkey has been a central element in the formation of the neoliberal authoritarian state in the post-1980 period.

The due emphasis on the state’s constitutive role in this transformation also helps to counter the arguments emanating from the post-structuralist power perspective of the neo-Foucauldians. They tend to conceptualize this transformation as a grand unfolding of the commodity logic of capital, a phenomenon reflective of the dispersion of neoliberal forms of subjectification and governmentality. Such a perspective leaves no room to make sense of the very class character of the transformation underway. Thus, they fail to grasp the question of class agency. The Turkish experience in privatization of security suggests that the formation of neoliberal rationality has
been a dialectical outcome of the processes of order and law-making in the post-1980 period. The order-making project, defined on the basis of the state–capital–mafia nexus, followed an ambiguous strategy of trial-and-error in the midst of substantial social and political crises. This in turn gradually established a neoliberal order in the sector only in and through informal, arbitrary and contested practices. By the early 2000s, the constitutive ambiguity and informality of the politico-corporate order determined the contours of the law-making project initiated by GUSOD. Hence, Law No. 5188 on private security services denoted the ultimate fusion of corporate interests and state strategies, which has meant the legitimation and institutionalization of a legally ambiguous, politically contested, and socially contradictory sector. This in turn radically restructured the state’s so-called fundamental public role of providing security for all on an equal basis.

As the preceding analysis has tried to underline, the Turkish experience in privatization of security provides significant insights into the dynamics of market and state restructuring in the neoliberal era as a contested process driven by class struggles and defined by the class character of the capitalist state. Beyond this emphasis, however, this investigation brings forth some broader questions concerning the transforming nature of capitalist state power and its organic relation with bourgeois class power.25 For the form of policing manifested in private security, as depicted as an explicit class instrument and state strategy, seems to pose substantial challenges to, as well as create novel opportunities for, the reproduction of the alleged impartiality of the bourgeois form of capitalist state power. Such issues need to be rethought through further empirical and comparative research to make sense of the more fundamental processes of capitalist state transformation.

25 On the historical specificity of the capitalist organization of state power and class power, see Wood, 1981; Gerstenberger, 2007.
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