

THE COST OF SOCIAL POLICY

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What is important today, and especially in Turkey, is not the question whether our national economy can afford to meet the cost of social expenditure or not, but whether we want to meet this cost. And anyway as Beveridge says, the problem is not whether the country can afford these expenses but whether the country can afford not to. That is why Article 53 of our Constitution, which can be used by a Government for taking back with one hand what the other has given, should be analyzed with a positive approach.

In this study, different views on Article 53 which states, under the title, «The Scope of the Economic and Social Obligations of the State» that, «the State shall carry out its obligations to attain the social and economic goals set forth in this section, only insofar as shall be permitted by its economic development and financial resources,» have been looked at and the limitations determined.

The general framework around Art. 53, is Art. 41 of the Constitution, which has the overall purpose of showing the general aims and principles of the section on Social and Economic Rights and regulates the economic and social life in a manner consistent with justice, the principle of full employment and the goal of ensuring for every one a standard of living in keeping with human dignity. According to Art. 41, it is the duty of the State to promote economic, social and cultural development by democratic means and for this purpose to increase national savings, to give priority to those investments which

will promote the public welfare and to draw up development plans.

As the GNP increases there should be a proportional growth, and the shifting of the welfare to the public and thus the achievement of development should be realized.

After surveying Art. 53 under the above light, we should try to abolish the possibility of its being used by the State as a means for avoiding investments in the areas designated by the Development Plan and the yearly Programs and also avoiding its constitutional obligations. The State has to invest in areas in which it is obliged to make investment ; the State cannot escape any of its obligations. Art. 53 can only be used in forming a ratio for investments : i. e. if, for the sake of clarity, we assume that there are 10 areas (Schools, dams, housing, hospitals etc.) in which the State is obliged to make investments there is, according to Art. 53 only the freedom in the choice of priorities among the areas, and that too, within the limits of Art. 41 ; and never the freedom to chose solely any one of these areas, upon the wording of Art. 53 «permitted by economic development and financial resources.» The State has to put a multiple in the yearly Development Program to be applied to its choice of priorities in conformity with its rate of development. Art. 53 can never be used as a screen behind which the State can unsere investment in any discretionary area regardless of the above principle and Art. 41.

The Priorities presupposed by Art. 41 should be determined by the Development Plan and the yearly Programs and the State should direct its investments accordingly.

One must state once again with Abel - Smith, that «within our means i sa naughtily misleading concept which in a free society is determined by the proportion of income which the electors are willing to forego from individual spending, i.e. this is a political limit», and that, «in planning for developing countries it is at last recognised that economic and social objectives are not competing ends but that all ends are social and that economic development is only one of the means.»