

Chapter V:
LOCAL GOVERNANCE AND
DEMOCRACY IN TURKEY
WITHIN THE FRAMEWORK OF
NEW METROPOLITAN
MUNICIPALITY ACT

NEW METROPOLITAN GOVERNMENT REGULATION AND CHANGING LOCAL GOVERNMENT SYSTEM IN TURKEY

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Abstract

Significant changes were made in the model of metropolitan government in Turkey In 2012. With this change, area of responsibility of greater city municipality has covered entire province, area of responsibility of district municipalities has also covered entire district. In 30 provinces which have been transformed to metropolitan government other local government units have been abolished. In this paper, possible effects of these changes are emphasized and some suggestions are given.

Key Words: Metropolitan government, metropolitan area government, greater city municipality, district municipality, Turkey

Özet

Türkiye’de 2012 yılında metropoliten yönetim modelinde önemli değişiklikler yapıldı. Bu değişikliklerle birlikte, büyükşehir belediyelerinin sorumluluk alanı tüm ili, ilçe belediyelerinin sorumluluk alanı ise tüm ilçeyi kapsadı. Metropoliten yönetime dönüşen 30 ildeki diğer yerel yönetim birimleri ise kaldırıldı. Makalede bu değişimin ve olası etkilerinin üzerinde durulmakta ve bazı önerilere yer verilmektedir.

Anahtar Kelimeler: Büyükşehir yönetimi, alansal yönetim, büyükşehir belediyesi, ilçe belediyesi, Türkiye

Introduction

In 2012 a substantial legal regulation was made in Turkey. This regulation has made important changes in the metropolitan government model. These changes are not only in the form of establishment

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of new metropolitan governments which have been practiced for over 28 years in Turkey. More important change was made in the space on which this model is practiced and existing local government institutions on this space. By changes made in 2012 in Turkey, local government system based on the basis of settlement area has been abandoned and instead areal local government system has been introduced to the parts of countries in which metropolitan government model will be practiced.

This paper focusing on these changes is designed as three parts. In first part this changeover is discussed. In this context, current metropolitan government model, changes made in this model and two different systems generated are dealt with in the first part. In terms of Turkey's local government experience there are new and unfamiliar aspects of newly adopted metropolitan government system. Besides, this new system is not mature yet and includes various shortcomings. In the second and third parts of paper, new issues, problems likely to be encountered in practice are mentioned and suggestions to improve the model are included respectively.

The legal regulation which brought about these changes was enacted with intensive debates in Parliament in 2012. However, these debates were very hard and constructive effects of them on Law No 6360 remained restricted. Therefore, these legal changes to be implemented in 2014 probably will continue to be discussed for a long time and new regulations will have to be made according to new circumstances and problems that may arise.

1.From Metropolitan City to The Metropolitan Area Government

Discussions on metropolitan government began in 1960s In Turkey. The city which was the source of these discussions was the largest city of Turkey, İstanbul. In these years İstanbul began to show metropolitan features on the socio-economic aspects (Kiray, 1998, 118-119), urban area began to expand with the newly established municipalities around the central urban area of the city. (Suri and Kansu, 118-119). Thus, in the late 1960s what type of metropolitan government should be established in İstanbul entered both academia and government's agenda. Discussions continued until 1980s. However, these discussions could not be transformed into concrete implementation model in the political conditions of the day. Metropolitan government model came into effect in 1984 following Constitution made in 1982.

1.1. Metropolitan Government in Turkey

Starting in 1984 initially in 3 major cities, metropolitan government began to be practiced in 16 cities in 1999. In other words, metropolitan government was passed in 16 of 81 provinces of Turkey, but only in the urbanized area in the center of these provinces. The expansion of metropolitan government model to the other cities of country can not only be explained by extremely rapid rate of urbanization and urban growth in Turkey. The model began to be implemented over time in the cities whose metropolitan nature are controversial or do not have metropolitan nature. In Turkey this model has been used not only to solve the administrative problems in the metropolitan cities but also to promote development and for other purposes such as to create regional centers.

Two-tier metropolitan government was adopted in Turkey In 1984. By Shah terminology this model has a two tier structure based on vertical integration (Shah, 2012, 11). Greater city municipality takes place on the upper tier in the model of metropolitan government. District municipalities are in the lower tier. These tiers are not completely separated from each other. For instance, municipal council of greater city municipality consists of members from district municipalities. Although there is a clear authority sharing between levels, there are areas where two levels have joint authority. For this reason, there are transitions between levels in terms of scope of authority. Indisputably, the primary authority in the upper tier is greater municipality. Besides, greater city municipality has the authority to control some decisions of district municipalities (for instance; construction planning).

The model has undergone several changes since 1984. The changes between 1984 and 2012 can be divided into three periods as establishment, enlargement and integration (Arikboğa, 2013, 50-65). In the establishment period model was not changed so much but practice was expanded to cities in other regions of country. In this process the number of cities in which model was practiced increased from 3 to 16. In the period of enlargement in 2004, boundaries of 16 metropolitan governments were re-determined and extended. One of the main purposes of this extension, due to the development of cities over time, was to include new areas of the periphery of the city within the boundaries of the metropolitan government. In other words, geographic integrity of the metropolitan area was required to be provided. However, the particular circumstances of each city were not considered in this expansion. Moreover, enlargement led some un-

predictable administrative problems. Thus, new changes were made in the model in 2008. One of the major reasons for this change called integration was to generate solutions to the administrative problems arising from enlargement in 2004.

1.2.The Radical Change in 2012

A new legal regulation related to metropolitan government was made in 2012. But, the scope and the direction of the change were quite different from former metropolitan government processes. Indeed, this change has significant differences from metropolitan government practice in Turkey for 28 years. Together with this change, metropolitan area government has been passed in 30 provinces (Arikboğa, 2013). Although this new model appears to be an institutional continuation of the former metropolitan government model, the area covered by the new model as well as the nature of this area are quite different. Therefore, the new model has a character beyond the metropolitan government.

The geographical area on which the metropolitan governments have authority has grown tremendously with the amendments in 2012. Before the change, the total area covered by the 16 metropolitan governments was around 40 thousand square kilometers, 5% of the country's territory. By the change in 2012 the number of metropolitan government increased to 30 but the scope of authority has reached 400 thousand square kilometers, half of the country's territories. This change was possible not only basically by increasing the number of metropolitan governments, but also by changing the model. In the model, the metropolitan government was established to cover very huge areas (practically the entire province).

In order to show the change better, looking at two examples which are partially differentiated with each other would be useful. In tables 1 and 2 examples of Bursa and Aydın which are of 30 metropolitan governments are shown. In both metropolitan governments, the district municipalities located in the lower tier are examined. In tables, districts are divided into three groups through combinations of urban and rural populations. Districts with more than 90% urbanization rates are classified as metropolitan district, districts with urbanization rate between 50% and 90% are classified as districts having rural areas and districts with less than 50% urbanization rate are classified as rural dense district. In the tables, population compositions as well as the surface area of district municipalities are shown.

Table 1: Urbanization Rates and Surface Area in Bursa Metropolitan Government Case

Type	No	Lower (District) Tier Municipalities	Population			Urbanization Rate (%)	Area (km ²)	Total Area
			Urban	Rural	Total			
Metropolitan Districts	1	Yıldırım	629.961	1.521	631.482	100	64	1.414
	2	Osmangazi	778.843	13.376	792.219	98	368	
	3	Nilüfer	325.901	13.766	339.667	96	496	
	4	Gürsu	61.364	2.780	64.144	96	110	
	5	Gemlik	92.942	8.315	101.257	92	376	
Districts Having Rural Areas	6	Kestel	38.716	9.774	48.490	80	431	7.268
	7	İnegöl	177.617	52.195	229.812	77	1.032	
	8	Orhangazi	57.180	17.896	75.076	76	476	
	9	Mudanya	56.153	19.191	75.344	75	347	
	10	Karacabey	55.264	24.493	79.757	69	1.284	
	11	Yenişehir	31.643	20.194	51.837	61	786	
	12	M.Kemalpaşa	55.954	44.040	99.994	56	1.764	
	13	Harmancık	3.897	3.455	7.352	53	411	
	14	İznik	22.507	20.918	43.425	52	737	
Rural Dense Districts	15	Orhaneli	7.546	14.924	22.470	34	799	659
	16	Keles	3.570	10.306	13.876	26	658	
	17	Büyükorhan	2.954	9.015	11.969	25	521	
Bursa Greater City Municipality			2.402.012	286.159	2.688.171	89	10.882	

Source: http://www.hgk.msb.gov.tr/urunler/diger/il_ilce_alanlari.pdf

Table 2: Urbanization Rates and Surface Area in Aydın Metropolitan Government Case

Type	No	Lower Tier (District) Municipalities	Population			Urbanization Rate (%)	Area (km ²)	Total Area
			Urban	Rural	Total			
Districts Having Rural Areas	1	Didim	47.872	12.067	59.939	80	334	3.141
	2	Kuşadası	70.143	20.509	90.652	77	226	
	3	Merkez	195.951	63.835	259.786	75	631	
	4	Nazilli	111.298	36.370	147.668	75	666	
	5	Söke	70.522	45.064	115.586	61	988	
	6	Buharkent	6.788	5.666	12.454	55	102	
	7	Yenipazar	6.688	6.710	13.398	50	194	
Rural Dense Districts	8	İncirliova	20.597	23.970	44.567	46	215	4.801
	9	Çine	20.250	31.143	51.393	39	915	
	10	Köşk	9.928	17.144	27.072	37	146	
	11	Karacasu	6.524	13.412	19.936	33	796	
	12	Germencik	13.017	29.954	42.971	30	409	
	13	Sultanhisar	6.159	15.076	21.235	29	237	
	14	Bozdoğan	10.078	25.136	35.214	29	860	
	15	Kuyucak	7.557	20.650	28.207	27	499	
	16	Koçarlı	6.402	18.244	24.646	26	470	
	17	Karpuzlu	2.072	9.745	11.817	18	254	
Aydın Greater City Municipality			611.846	394.695	1.006.541	61	7.943	

Source:

http://www.hgk.msb.gov.tr/urunler/diger/il_ilce_alanlari.pdf

In existing case in the examples in Tables 1 and 2, Bursa has the metropolitan government, while Aydın is one of the provinces which were transformed to the metropolitan government in 2012. Looking at tables, there are three types of district in Bursa, on the contrary it can be seen that there are two types of districts in Aydın. In other words, Aydın does not have metropolitan natured districts. All metropolitan natured districts in Bursa, already, are districts of Bursa Metropolitan Government. By the change in 2012, many districts with a very low rate of urbanization have been involved in the metropolitan government in Bursa. Urbanization rate of districts in Aydın is

lower than of Bursa. There are very large rural areas in both metropolitan governments.

Looking at Table 1, the urbanization rate is over 90% in 5 districts in Bursa, the total surface area of these 5 districts is 1.414 square kilometers. The urbanization rate of 9 districts of Bursa is between 50% and 80%. The total surface area of these districts is 7.268 square kilometers. Once again the urbanization rate in three districts of the province is extremely low, less than 30%. The surface area of these districts is 1.978 square kilometers; Aydın's situation given in Table 2 is even more striking. The urbanization rate of 7 districts of Aydın is between 50% and 80% and urbanization rate of 10 districts is between % 18 and 46%. The surface areas of these two different groups respectively are 3.141 and 4.800 square kilometers (hgk.msb.gov.tr). There are similar cases in other metropolitan governments.

The examples given above do not provide data on the phenomenon of intensive urbanization in metropolitan cities. The urbanization rate of first district group among three is over 90% solely in Bursa. Consequently, the "new" model of metropolitan government is an "areal" natured local government type including urban areas and large rural areas in Turkey.

1.3. Two Different Systems

Together with the changes made in 2012 geographical boundaries of both the upper level and the lower level have been determined in areal manner. While greater city municipality has become authorized in entire province, district municipality in lower level has become authorized in the entire district (urban and rural areas). In parallel with these changes, other local government units in the province have been abolished. Abolished local governments units are special provincial administration, village administration and town municipalities with low populations. Thus, by the new metropolitan government regulations two different local government systems have emerged.

The first of the systems is the model practiced for about 150 years in Turkey. This local government system will continue to be practiced in 51 provinces. This system covers 49% of the country's territory but 23% of the population. The system adopts an establishment method based on settlement clusters, it designs unassociated and multiple local government system. Local government units of this model are the special provincial administration in the provinces, village administration in with a very low population in rural settle-

ments and municipalities in settlements with a greater population and urban.

The second system emerged with the metropolitan government law number 6360 in 2012. This system will be applied in 30 provinces covering 51% of the country's territory but 77% of the population. The basic nature of the system is adopting an organization based on areal basis and requires an integrated and two tiers local government system. Local government units in this system are greater city municipality in the upper level and district municipality in the lower level.

In which of these two systems provinces of Turkey will be included is based on a very simple criterion. If a province's population is more than 750 thousand, this province is included in the second system by a new act; otherwise the first system is valid. Lack of criteria is to one side, many discussions were made concerning the suitability of the second system and discussion still continues in Turkey. There are issues that are unfamiliar to the experience of local government in Turkey in the second system.

Neither sufficient knowledge on academic level exists nor are required experiences held by practitioners in local governments yet in these issues. Surely, intensive discussions regarding new circumstance and weak and superior aspects of the new model have started in academia following the legal changes. Implementation of the second system will begin following the local elections in March of 2014. Thus, current debates are carried out mostly at theoretical level. Following the implementation, discussions will be supported probably by case analysis.

In the following section this second system, i.e. the metropolitan government system will be looked at and new and unknown aspects of this system will be emphasized.

2. Unknown Aspects of New Model

Turkey has 28 years of experience in metropolitan government, also has experienced in local governments over 150 years. Barely these experiences are not enough to put new system into practice without any problem. Here below, some explanations will be stated on newly adopted metropolitan system concerning past experiences.

It is clear that Turkish Government is satisfied with the positive aspects of the current metropolitan government experience. Because, metropolitan government practice, after 1980s, functioned as the main generator of local governments in Turkey. Certainly, this circumstance is directly proportional to financial sources used by met-

ropolitan government as well as other determinants. For example, if data sets of 2012 taken into consideration, 38% of total financial resources used by local governments in Turkey, by 16 greater city municipalities (and these units' water and sewerage, public transportation administrations) (portal.muhasibat.gov.tr). Turkish Government, satisfied with the positive aspects of current practice, wants to extend greater city municipalities' capacity of service production to other cities and to entire province. So that, it is assumed that economic development can be easier. Also, wants to overcome the problem of small-sized municipalities with this model and to make a contribution to service efficiency with greater city municipality (Preamble of law. 6360). However, in doing so Turkish Government wants to apply a model which has tested in urban areas to entire province which includes both urban areas as well as huge rural areas. Moreover, much of fictional changes not done in existing model of metropolitan government to harmonize this change.

Metropolitan government experience in Turkey was a model which applied in center and urbanized area of the province. This area was relatively integrated according to socio-economic aspect. This model will be practiced in the entire province following new system which will come into effect in 2014. Square measures of some provinces are 3-5 thousand square kilometers; some provinces are quite larger, there are provinces with an area of 15, 20 and even 40 thousand squatter kilometers. Especially in provinces with large geographical areas, settlement units with different socio-economic aspects do not represent an integrated structure. Yet these cities have very huge rural areas. From this point, metropolitan government practices in urban areas, in new era, are not guiding us about practices at different settlements.

In the present model of metropolitan government, the main actor is greater city municipality located in the upper level. This situation is maintained in the new system, too. In this respect, there is a parallelism between the old model and the new system. In the meantime, model's scope of space has been radically changed and expanded. Although the Turkish Government claims that new system provides service efficiency, it is unlikely to agree with this prediction. This claim, at least can be criticized in two ways: Firstly, in new era, there will not be overlap rather will be inconsistency between the benefit area of the public service and the area of responsibility of the local government who has the authority to provide the service. This situation is a concern that reduces service efficiency. Secondly, from the

aspect of scale economy, probably in most services, scaling up does not allow reduction in the unit cost of service, on the contrary, will cause increase in costs (Arikboğa, 2013, 83-86).

In the present model, the services intended to city size were given to greater city municipality. Either narrowness of the practice area (geographical scale) of the model, or because of the integrated characteristic of the area within the city, in most services as being main actor, greater city municipality did not generate many problems. But with the new era, geographical area expanded too much. Within this expanded area, expectations and interests of different settlement units will differentiate. Thus, in 2014 when implementation starts, it can be said that new model will be forced to provide services to differing interests. From this aspect, one of the most important critics through new model had done in the context of principle of subsidiarity (Arikboğa, 2013, 81-83).

District municipalities in greater city municipality model, was only responsible for services in the urban area of the district. Municipalities in the traditional model in Turkey established on the basis of settlement clusters. Hence, municipalities have experienced in urban services. In new era, district municipalities in metropolitan government, now the entire district, in other words, will be entitled in urban and rural area. However, municipalities in Turkey are not experienced in rural areas.

In Turkey, the exact starting and ending boundaries of municipalities are clear. However, surface area has not been used as a main variable for municipalities. Population size of municipalities is an important variable used for municipalities. Population size is used both for calculation of fiscal transfers from central government and determination of permanent staffing of the municipalities. But in the new era probably, it will be necessary to use surface area in addition to population size and new arrangement will be needed because of this reason.

Following local elections in 2014, transformation from old system to new system, one of the issues that will lead many problems, will probably be district municipalities. Especially in the new era, district municipalities as one of the components of metropolitan government system, have to transfer significant portion of their powers and resources to greater city municipality. In new era, in terms of district municipalities there is a dramatic change in the following way: Scope of authorities of district municipalities will geographical-

ly expand and contain both urban and rural areas; in contrast, its power functionally will be narrow. In parallel with this contraction, fiscal sources will reduce and again will transfer some of its units, staff and vehicles to greater city municipality. Accordingly, district municipalities are going to face dissolution of existing knowledge at the one side, and providing services to previously unrecognized rural land, at the other side.

3. Concerns and Suggestions toward Implementation of The New Model

Humans, organizations and societies are learning entities. Hence, it is necessary to keep bias away from the new. But, this situation should not led us to ignore the fact that new model faces a very serious sustainability problem. This model in which upper tier authorized as the main provider of public services in the entire province is fictionally very problematic.

New system is a model based on centralized decentralization. In wide geographical area, authority related to many public services collected in the hands of greater city municipality, whereas authority and sources of district municipalities are very limited. When it is about implementation, it is very possible for this model to face significant blockages and to produce dissatisfaction within the society (Arıkboğa, 2013). As noted accurately by other authors (Çukurçayır, 2012, Parlak, 2013, Görmez, 2012), with such a model, it is difficult to solve all local problems of province or to solve in an efficient and effective way. Here, two different solutions may be considered.

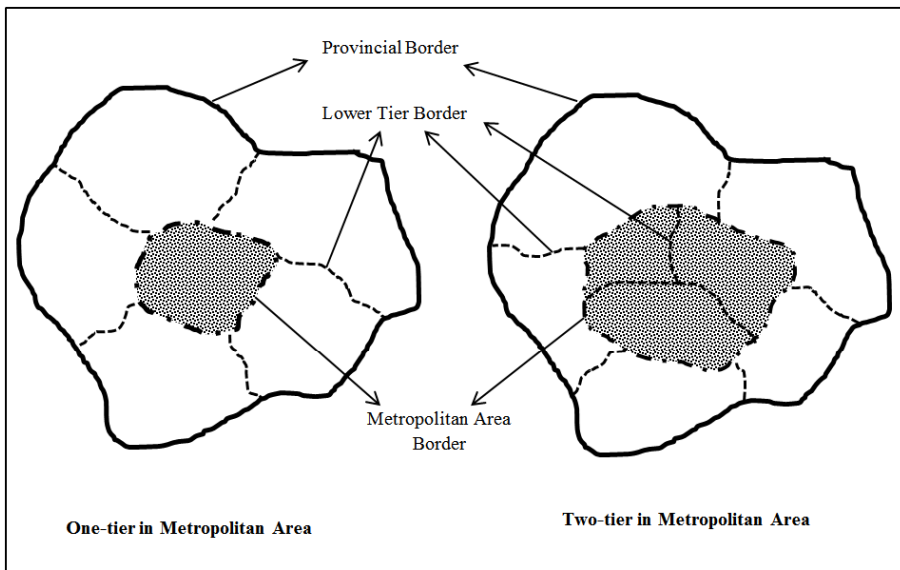
First of all, greater city municipality which is at the upper stage in the model can create units at different regions by applying deconcentration. Even though it is a weird situation that local government's body according to decentralization principle has to refer deconcentration in order to be localized, it is a way of solution to the model to work. Certainly, it is extremely clear that this case is open to criticism from both subsidiarity and decentralization.

A better alternative, will partially offset these criticisms, is only possible with a change based on decentralization in the model. Once again, municipalities, in a similar way to new model, can contain wide (all of the province and district) areas. However, the fiction of the model needs to be changed. A model based on this, tried to be developed in Arıkboğa, 2012. Gravity point of suggestions in that model was; integration, distribution of public responsibilities and

restructuring lower tier. This kind of changes can be considered in the new model which will be implemented in 2014.

One of the most important components of Arikboğa 2012 model divides greater city municipality's scope of authority into two. Basically in the model, center and periphery districts of the province are separated from each other. Based on this separation, districts located in center defined as metropolitan area. Within the boundaries of metropolitan area, there might be one or few districts depending on the nature of that province. Model suggests greater city municipality as the main actor in metropolitan area and lower tier as the main actor in progressively becoming rural areas.

Diagram 1: Provincial Border, Metropolitan Area Border and Lower Tier Municipalities



In Diagram 1, metropolitan area boundaries are shown in gray. Speaking out from the examples given Bursa and Aydın in the previous section, for example Bursa metropolitan area contains many districts within its borders. Hence, it will have two tier metropolitan areas in the center. On the contrary, for example there might be only one district in Aydın metropolitan area. The model propose to establish only upper tier rather than two tiers in this gray area that in case of if there is only one district in metropolitan area borders.

Gray area in diagram 1 shows the area where greater city municipality has primary authority. On the other hand, in the regions

around gray area, greater city municipality should have very few authorities. For instance, master plans, establishment of recycling of solid waste facilities and large scale investments. Other authorities of the public services in these areas should be left to lower tier municipalities. Thus, authorizing lower tier municipalities on public servicing in surrounding areas has proposed with this model. Suggestions on integration and restructuring of lower tier municipalities also made in model. (For further information see Arıkboğa, 2012).

Conclusion

Last few months of 2012, caused heated debates in Turkey. With these debates, on the basis of the model of metropolitan government, many significant changes had occurred in local government system in Turkey. When these changes will be implemented, a different local government system will be start in 30 provinces. But, discussions and suggestions on the model will continue.

Discussions will continue, because it will take time to adapt new model either for society or local governments. Also, it cannot be said that new model possesses sufficient maturity. Thereby, following 2014 local elections, discussions on the new model will gain a different dimension. New arrangements will be added to agenda according to the insufficiencies faced in practice.

With these discussions it is difficult to predict in advance in which direction the new model will evolve. In parallel, will the main structure today continue its numerous services through greater city municipality and its hierarchical units, or will there be more democratic reforms by means of transferring certain powers of greater city municipality to district municipalities, time will show that. The direction of change will be depend on to what extend practice of model have difficulties, kinds of feedbacks given to practices by local governments and society, national politician's reclaims on feedbacks and of course academic debates.

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