

THE EVOLUTION OF METROPOLITAN MUNICIPALITY SYSTEM IN TURKEY AS PART OF CENTRALISATION / DECENTRALISATION ARGUMENTS

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ABSTRACT

In Turkey, maybe the most important debate about the administration of metropolitan municipalities is about the volume of centralisation and decentralisation, that is the matter of the distribution of authority between elected and appointed. This study puts an emphasis on the distribution of authority at metropolitans and the last important legislation no.6360 which introduced important changes about the structure of metropolitan administration. In order to emphasis these, the aim of the study is to understand the historical changes in the distribution of authority in metropolitans especially by the perspective of implementers. Firstly; the legislation about metropolitan municipality administration especially the law no. 6360 will be reviewed in detail. Then, we will have interviews with the top-level bureaucrats of a newly metropolitan in their offices, especially the officials who work in the Monitoring and Coordinating Department on Investment which is newly cited by the Law No.6360. This study sticks to the subject by the perspective of implementers who are not only passive part of the policy making but also the most susceptible part for the results of the policy. So, the study will contribute to the literature about metropolitan municipality administration and will create new research areas.

Key Words: Distribution of Authority, Metropolitan Municipality, Turkey

Abbreviations

NMML: New Metropolitan Municipality Law - The Law Amending Some Acts and Some Decree Laws and Constitute Fourteen Metropolitan Municipalities and Twenty Seven Districts (The Law No. 6360)

MMs: Metropolitan Municipalities

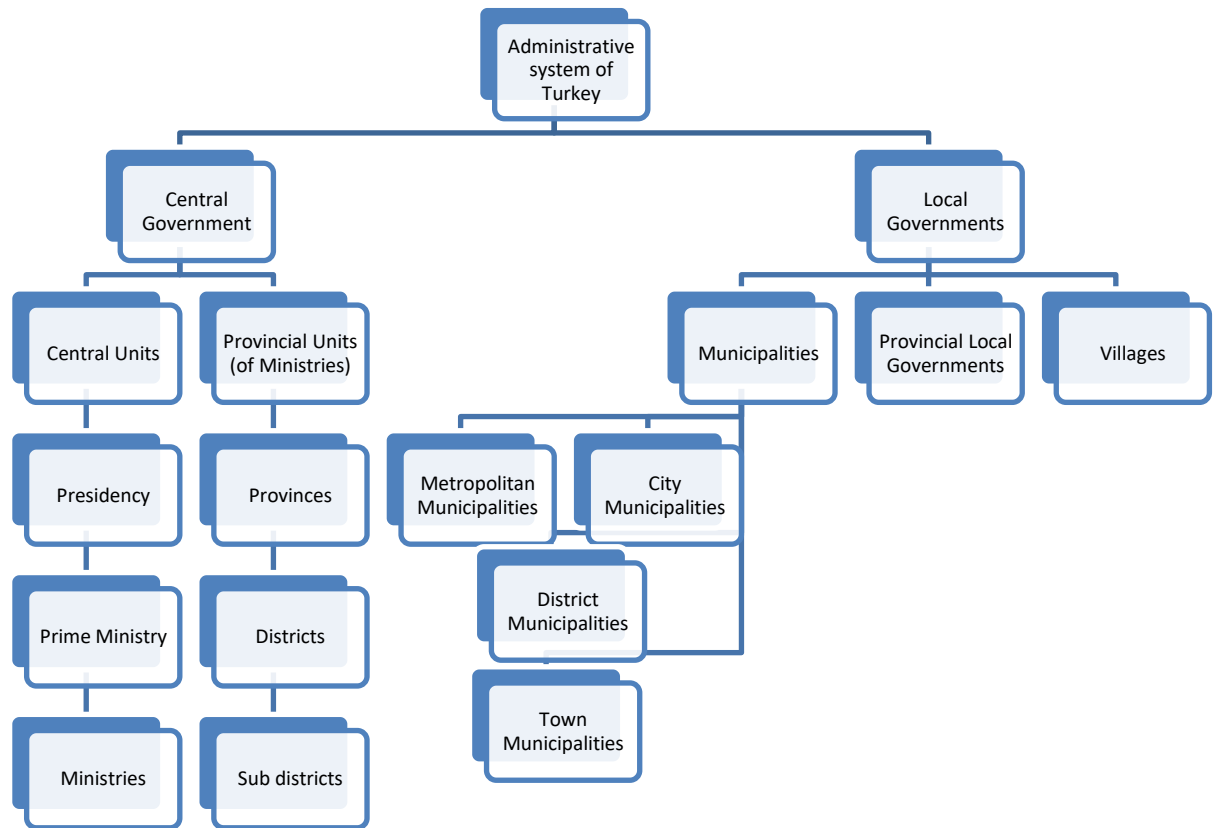
TR: Republic of Turkey-Turkey

INTRODUCTION

According to the second article of the Constitution of the Republic of Turkey (TR), “The Republic of Turkey is a democratic, secular and social state governed by rule of law, within the notions of public peace, national solidarity and justice, respecting human rights, loyal to the nationalism of Atatürk.” The executive, legislative and judiciary powers constitute the unitary state. Executive power is exercised by the President of the Republic and the Council of Ministers in conformity with the Constitution and laws. The chairperson of the Council is Prime Minister. Turkey is a parliamentary democracy. President is elected directly by citizens for 5 years. The administrative structure of Turkey is composed of two main branches; central government and local governments. Between them, local governments are more democratic and they have an important role on the participation of citizens [7]. Since 1980s, as is known, there is a consensus between the governments that too much centralization or excessive local autonomy is both inefficient. The better system is the cooperation of national, regional and local units of government. According to the constitution of TR, the local governments are based on the principle of decentralization. However; administrative and political system of Turkey is rather centralized.

As told, Turkey’s administrative system is divided into two main branches (Figure 1); central government and local governments. Presidency, prime ministry and the ministries with their provincial units constitute the central government. Municipalities, provincial local governments and villages constitute the local governments. All of the local governments have an assembly but only municipalities and villages have elected leaders. The mayor of the MMs directly elected by the people over 18 who are living in the boundaries of the MM. Nonetheless; there are some other public organizations like universities or state economic enterprises.

Figure 1
Administrative System of Turkey (Basic Units)



According to the Constitution, Turkey's administrative system is designed by the principles of deconcentration, devolution, and decentralization. Among locally elected governments, metropolitan municipalities are the most powerful ones. 30 of the 81 municipalities are metropolitans. They were first existed in 1983 with three metropolitans. During their short history, 27 new metropolitans have been sited due to different reasons.

This paper emphasis the evolution of metropolitan municipalities as part of centralization and decantralisation arguments. But our focus is the NMML no. 6360. Because the law changed most of things about the local governments. The new debate is about the distribution of authority not only between central and local governments but also between villages, districts and metropolitan municipality of a province.

LITERATURE AND THEORY

According to the last Metropolitan Municipality Law (2004); 750.000 native population and economic development enough for being a metropolitan. But, in 2012 NMML changed most of things about metropolitans. It was adopted in 12 November 2012, and numbered 6360. Its enforcement date was the local election which was held on March 2014. By this law, new metropolitans and also the old ones changed in economically, socially, politically, administratively, financially, geographically and democratically. There are many proponent and counter ideas concerning with the new law. The important arguments of the architectures of the NMML are effectiveness, efficiency and democracy. İzci and Turan [6] declare that the basic philosophy of the NMML is functional effectiveness of local governments. However, the most important counter ideas are about; the services far to citizens, fairing of rural and urban areas, giving rise to administrative federation, new taxes, and being electoral politics of the party in power. Until 2014 the boundaries of the MMs were only city center but after the NMML the boundaries extended to the boundaries of provinces.

In Turkey and also in all other countries the external factors effect decentralization are changes in economic and social structure of the world, rising power of civil society, neo-liberal approaches, globalization, changing administrative perspective, new public management, governance, international and supranational actors and etc. The internal factors are the structural and functional problems of public administration, excessive

centralisation, problems about distribution of authority and financial resources, bureaucracy, red tape, corruption, degeneration, lack of transparency, lack of engagement, problems of civil servants, lack of efficiency, immigration from rural to urban areas and etc. (Arslan et.al., 2015). Because of these reasons decantralisation and centralisation is an important debate in TR. As shown in the Figure 2, 3 and 4 not only the distribution from central to local but also from urban to rural means decantralisation. Making the MMs more powerful means decantralisation but when the towns and villages removed it is also means centralisation in the provinces [8]. As a matter of fact in newly MMs which are cited by NMML the authority and resources majored on centre. According to the principal of subsidiarity the civil services should be given by the departments close to people. In Turkey the nearest department to the citizens are villages and districts. But the Law no. 5216 and the Law no. 6360 gave the responsibility of civil service to the MMs. This is also a type of centralisation although the MMs are local governments because; the MMs are far from the people living in villages [1], [2], [3].

Figure 2
Distribution of Authority and Resources of the State

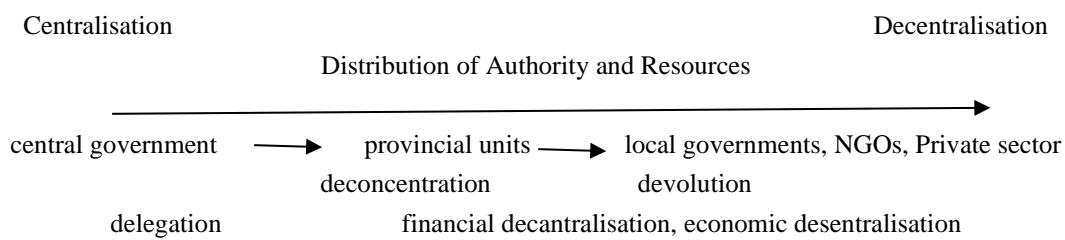


Figure 3
Distribution of Authority and Resources in Provinces

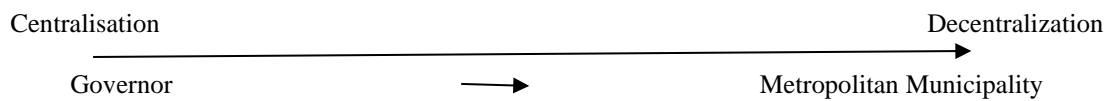
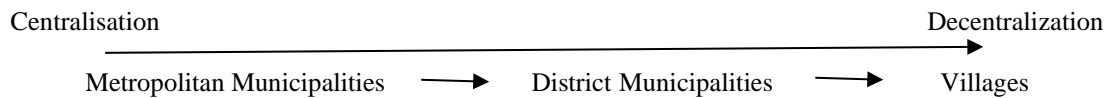


Figure 4
Local Distribution of Authority and Resources in Provinces



1. Existence of Metropolitan Municipalities in Turkey

The concept of Municipality firstly introduced during the second half of the 19th century which is the period of the administrative reforms of Ottoman Empire [4]. The normal municipalities cited in this era. The Village Law dated 1924 was discussing the villages, counties, provinces and metropolitans. However, in 1930 The Municipality Law no. 1580 did not cite metropolitan municipalities. But after a long time the MMs were first sited in 1983.

Actually, urbanization and metropolization of Turkey started with 50s because of the slum areas and their damage on the urban areas. After the 1960 coup d’etat the politicians realized that the population and vote potential of big provinces are very important for elections. So the financial resources of municipalities was increased and the electoral system of municipalities changed in order to make the mayor more powerful. But after a short time the Law no. 1605 purchased the authority from local to central. By the 70’s the newly constituted Ministry of Local Governments made the system more centralized until the local elections in 1973. Social democratic parties won the elections in most of the cities. But again by the coup d’etat of 1980 most of the mayor and member of local parliamentary removed from their offices. In 1982, by the new constitution, the legislative basis of the

metropolitan municipalities rendered. So, in 1984 the first three MMs constituted by the law which are İstanbul, Ankara and İzmir (Figure 5). After the first three, the other 13 MMs constituted one by one at different times. Firstly; Adana in 1986, Bursa, Gaziantep and Konya in 1987, Kayseri in 1988, Mersin, Eskişehir, Diyarbakır, Antalya, Samsun, İzmit and Erzurum 1993, and Adapazarı in 2000.

Figure 5
First Three Metropolitan Municipalities



1. Last Fourteen Metropolitan Municipalities

The last 14 MMs constituted by the NMMML in 2014 are ; Aydın, Balıkesir, Denizli, Hatay, Malatya, Manisa, Kahramanmaraş, Mardin, Muğla, Mardin, Ordu, Tekirdağ, Trabzon, Şanlıurfa, Van Metropolitanans. The Figure 6 shows all of the MMs of TR. The dark areas are 30 MMs, the others are 51 city municipalities.

Figure 6
Metropolitan Municipalities in 2016



First three metropolitan municipalities are İstanbul (app. 14 million population), Ankara (capital- app. 5 million), and İzmir (app. 3.5 million). Latter are Adana (app. 2.2 million), Bursa (app. 3 million), Gaziantep (app. 2 million), Konya (app. 2.1 million), Mersin (app. 1.7 million), Eskişehir (789.000), Diyarbakır (app. 1.6 million), Antalya (app. 2.1 million), Samsun (app. 1.3 million), İzmit (app. 1.6 million), Erzurum (780.000), Kayseri (1.3 million), Adapazarı (app. 889.000). The new metropolitanans are Aydın (app. 1 million), Balıkesir (app. 1.2 million), Denizli (app. 943.000), Hatay (app. 1.5 million), Malatya (app. 762.000), Manisa (app. 1.4 million), Kahramanmaraş (app. 1.1 million), Mardin (app. 765.000), Muğla (app. 834.000), Ordu (app. 714.000), Tekirdağ (app. 853.000), Trabzon (app. 758.000), Şanlıurfa (app. 1.72 million) and Van (app.1.1 million) (TUIK, 2012: 8-10).

All municipalities (metropolitan, city, and district) and villages have a locally elected leader and an assembly for decision making. The provincial local governments are under the control of governor appointed by centre although they have an elected assembly. This type of structuring is the indicator of a centralized system. As seen in the Figure 1; cities have a dual status. They are the provincial units of central government, have municipalities and also have provincial local governments. Some of the cities have metropolitan municipalities which are special, large and crowded. Governor (appointed) is the administrator of the province; city mayor (elected) is the administrator of a bounded area in the province. Provincial local governments are responsible for the areas out of the municipality and some services in the boundaries of municipality. Actually, Turkey's administrative system is very complex and there are many details about the system. But this is not the focus of this paper.

RESULTS OF THE STUDY

The NMM Law changed most of things in the metropolises but four of them are important and related with subsidiarity, centralization and decentralization principles. First one is the extended boundaries of municipalities, the second is the abolishment of provincial local governments, the third one is the villages and towns converted into precincts, and the fourth is the newly constituted directorate named The Directorate of Monitoring and Coordinating Investment [5].

Boundary of the metropolitan municipality is the mostly debated amendment. According to the present Metropolitan Municipality Law the boundary of a metropolitan municipality (except Istanbul and Kocaeli) is the boundary of the municipality namely a bounded area in the province. But the NMM Law extends the boundaries of the metropolitan municipalities to the provincial boundaries. For instance; the older area of the newly metropolitan municipality Malatya was 925 km². But by the enforcement date of the law all of the districts were included. New service area is 12.313 km². Supporters of the law maintain the increasing budget of the metropolitans. Rightly, the budget of the provinces is increased but the service area too. For instance in Malatya the service area increased app. by one order of magnitude but its budget increased 40%. In Turkey, most of the provinces are too big to service from one point. Devote more authority and resources to MMs in order to serve to all of the districts made services farther from citizen.

The other important amendment is the conversion of the villages and the municipalities of towns into precincts. Villages are the smaller elected legal authority in Turkey. They have a council of village elders, a headman (elected), and a village assembly. The village assembly is comprised of all the electors living in a village. This is a model of direct democracy. But the NMML abolished the villages in MMs. The newly constructed precincts also have an elected leader but they are not local governments and they are not incorporated. They do not have a public legal personality, and budget. By the enforcement date the locally elected mayors of towns was been headman of precincts. Additionally, this type of amendment is the removal of public services and decision-making from citizen. Geographic size of the metropolitans will cause in the citizens has to go far away in order to take some services. Moreover, power of the district municipalities will decrease against metropolitan municipalities. The law declares that in a situation of conflict between metropolitan and district municipalities, the metropolitans have right to decide as a guide and regulator. It is again and again move away from sub-municipalities and citizens.

Abolishment of the provincial local governments is the other important amendment. Actually, provincial local governments are the mostly criticized branches of the local governments for a long time. They have a chief executive, a provincial general assembly and a provincial standing committee. Before 2005, provincial governor (appointed) was the chief executive, and chairman and the approval office of the provincial general assembly. But after 2005, this has been changed by law. Presently, the assembly elects its chairman although the burden of governor still continue. Actually, provincial local governments have never been real local governments with an elected leader. But they service for local residents especially in the villages which are far from centre. As written before, NMML abolished these units in the Metropolitans. All of the authority, responsibility, functions, properties, officials and etc. of these units will be distributed to other central and local units. Moreover, the elected assembly members lost their status. This type of amendment is again a decrease in the number of elected and the number of local governments, removal of services from citizen, and devolution of authority from local to centre.

Thus, extended boundaries of metropolitan municipalities, abolishment of provincial local governments, and conversion of the villages and towns into precincts cause in the difference between Figure 7 and 8. As seen in the figures, by the enforcement of NMM Law the number of local governments and elected leaders decreased.

Figure 7

Administrative Units of a Province before the NMML

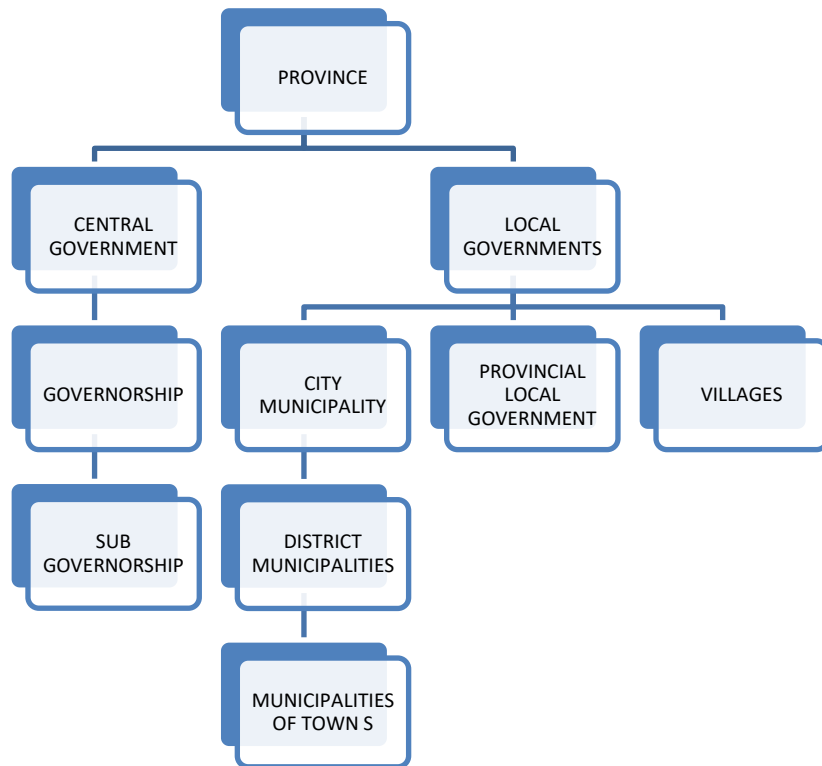
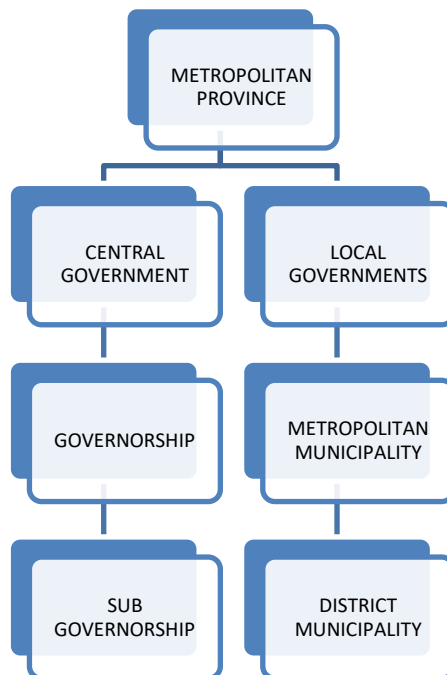


Figure 8

Administrative Units of a Province after the NMML



CONCLUSION

Thus, from past to present the centralised administrative system of the Republic of Turkey have been matter of discussion. Some governments put an emphasis for decentralisation some recognized centralisation more. As told before, this is not only about internal factors but also about external ones. Generally speaking administrative system of Turkey is rather centralized. However, establishment of metropolitan municipalities is an important step on the way of decentralisation. But after the establishment of the first three metropolitans the system was not remained healthy. By the Law no. 6360 the metropolitan municipality system changed considerably. Making metropolitans and their elected mayors more powerful seems to be a type of decentralisation. But on the other side abolishment of the town municipalities and villages is also a way of centralisation.

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