

1 Local Government in Turkey through the Lens of History

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4

5 **Abstract**

6 Modern local government (LG) is seen to have accountability, transparency, participation and
7 good governance as its greatest legacies and achievements and the manifestations of these
8 principles in local governance differ from one country to the next. Local government in Turkey
9 has mostly been perceived and discussed as an administrative issue. Yet since the eighties, the
10 Turkish local government has undergone significant administrative, financial and functional
11 changes. Recent reform processes have shifted the country's local government from the
12 traditional model towards local governance. This paper looks at the evolution of the Turkish
13 local government and reiterate the various wins and losses it has encountered over the years.
14 Considering the weak foundation of the Turkish local government history, this article makes
15 plain the updates in the foundational regulations of their local government system.

16

17 **Index terms**— local government, reform, tanzimat, turkey, autonomy

18 **1 Introduction**

19 contrary to the western republicans, local government in Turkey was created by and for the central government.
20 Therefore, the general characteristics of the framework within which the Turkish local government units were
21 established and expected to function had been centralisation with the central government exercising its power
22 and authority over their functions. This can be seen clearly in the operations of the local government in the
23 tanzimat era and early stages of the republican periods.

24 The local governments in Turkey is based on a tripartite system: special provincial administration (SPA),
25 municipalities and villages ??Akilli & Akilli, 2014: 682). The decision making bodies of these units are elected by
26 the public and like most local government units globally, their main task is to meet the local needs of the public.

27 This article focuses on the local government of Turkey from a historical perspective. It starts by giving an
28 outline of the historical background of the local government in the Ottoman and Republican period in the light of
29 major developments pertaining to those times of history. The third part of this article discusses the changes in
30 the local government and the reforms that has taken place since the Tanzimat Era focusing on law changes in the
31 four main local government bodies in the country. Finally the paper concludes by acknowledging the milestones
32 the Turkish local government has clocked and recommends it keeps pressing on towards a more autonomous local
33 government system. II.

34 **2 Lg in the Ottoman Period**

35 As has already been stated, Turkey does not have a long-standing tradition of autonomous local selfgovernment.
36 As a matter of fact, the local government in Turkey was not established as a result of an indigenous development
37 but in a top-down approach.

38 The Ottoman State exhibited a highly patrimonial characteristic as against the Feudalism of the European
39 states. Thus the predominance of the central government was a natural consequence. According to Köker, the
40 centralist establishment of the country rested on a two-tier structure -the rulers and the ruled ??Köker, 1995: 3).

41 Until the Tanzimat period, only the Islamic law was dominated by the Ottoman Empire and it established a
42 unique organizational structure that did not contradict Islamic Law ??Karaarslan, 2007: 108). Thus up until the
43 Tanzimat Reformation, the functions which are now performed by the local government were done by indigenous
44 organisations. The most notable of these is the Kad?, who had judicial and administrative functions. The Kadi

45 was centrally appointed ??Ortayli, 1985 ?? 112. Arslan, 2009: 7. Özer & Akçakaya, 2014: 64). The kadis
46 functioned also as the supervisors of local markets and the organisation of local affairs ??Kele? & Yavuz, 1983:
47 39). The kadis were assisted by the Muhtesip and helped by subasi, imams, and regents. Based on what has
48 already been said, we can deduce that in the Ottoman administration, the judicial and municipal functions were
49 not separated.

50 Vakifs were another significant indigenous organisation in the Ottoman State. They were created by the sultan,
51 his family and other rich people to donate property for charity. Services such as schools, libraries, hospitals, health
52 centres, dormitories, and social assistance were carried out by vakifs ??Gül, 2015: 11,12). The vakifs successfully
53 undertook a significant portion of public works and services (the construction of mosques, public baths bridges
54 and the provision of water and sewage services).

55 Other indigenous organisations worth mentioning include the Mahalles which were headed by the imams, who
56 were not only religious leaders but also administrative representatives in charge of collecting taxes and defending
57 the neighbourhood in court ??Akyol, 2012: 27); and the lonca system, made up of tradesmen organised in a
58 hierachial structure ??Ünal, 2012: 243). Their main duties were to organize the professional activities of the
59 people and to resolve disputes among members.

60 It is worth noting that all the aforementioned institutions had no separate budgets and decision making bodies,
61 thus it cannot be said that there was a modern administrative organisation in this period. The Tanzimat period
62 is credited for being the genesis of all the developments associated with the history of local government in Turkey.

63 November 3, 1839 marked the beginning of a new period in the Ottoman political and social life. The Imperial
64 Rescript of Gulhane was publicly declared. The primary motive behind this declaration was to reinforce the
65 central power through various reforms. Outside of this, it was to positively respond to the pressures of France,
66 Russia, and England on the country ??Heper, 1985: 39).

67 As part of the implementation of the Tanzimat Edict after 1840, the Muhasilik councils were created and given
68 a legal status. Although the electoral system to select some of the council members had significant restrictions,
69 there were elected representative members ??Ortayli, 1985: 24-25).

70 The establishment of the first municipal administration in the years 1854 -1856 was another significant step
71 towards a local government tradition. The establishment of the ?ehremaneti dur?ng the years after the Crimean
72 War began as a result of increasing relations with the Western world countries. After the war, there was an
73 influx of foreigners in Istanbul and these foriengners wanted to live in a 'modern world'. The first municipality
74 to be created took its example and model from the French commune administration ??Çiçek, 2014: 57.) The
75 ?ehremaneti was run by a centrally appointed ?ehremini and had a council of 12 appointed persons (Kele? &
76 Yavuz, 1983: 40). The municipality was responsible for providing basic goods and services, overseeing markets
77 and constructing roads, building sidewalks, etc.

78 All these notwithstanding, the municipality was not financially independent and had to totally rely on the
79 central government. It is therefore not surprising that these councils were under the strict control of the central
80 government and were far from being autonomous ??Eke, 1982: 112).

81 The spread of the municipal organization to all Istanbul was ensured by the Dersaadet Municipality
82 Administrative Regulation issued in 1869 and Istanbul ?ehremini became a two-level federative structure. At
83 the lower level, similar to the Sixth Apartment Model, there were 14 Municipal Offices responsible for the local
84 administrations of various districts. At the top level, there was the Cemiyet-i Umumiye, which was convened
85 under the presidency of ?ehremini and ?ehremaneti, as well as ?ehremini, consisting of the Presidents of the 14
86 Municipal Offices and the representatives elected and sent among the Parliamentary Ministers. The beginning
87 of the modern municipal organization in the provincial regions outside Istanbul was realized in 1864 with the
88 Provincial Regulation ??Ünal, 2011: 244).

89 By the stipulation of the 1876 Constitution, all municipalities to be established both in Istanbul and in the
90 provinces were to be governed by future parliamentary elections, and the procedures for the establishment of the
91 municipalities and the election of the members of the council in question would be specified by law. The aim of
92 this Provincial Municipal Law prepared in 1876 was to establish a municipal organization in each province and
93 town. The Dersaadet Municipality Law of 1877 was enacted in order to find solutions to the major problems in
94 Istanbul. Then, in 1912, the Law on the Municipality of Dersaadet Organization and the municipal offices were
95 abolished and municipal branches were established. This structure continued until 1930 ??Çiçek, 2014:58).

96 In the nineteenth century, disorganised public services andinsufficient infrastructure in the cities were a barrier
97 to economic and social developments. In addition to the above, pressure from the Western countries forced the
98 Ottoman state to have better port cities as centre of economic activities, necessitating better infrastructure.
99 Consequently, (Beyoglu), the first municipal administration in Pera was established ??Ortayli,1985: 31,32). The
100 port was run according to the recommendations of the Intizam Komisyonu, a sevenmember committee, comprising
101 of six foreigners and one Turk. According to Mumtaz Sosyal, the great disparity in the number of foreigners as
102 against that of the locals in the committee was an illustration of the disinterest of the local population in the
103 project ??Sosyal, 1967: 7).

104 The growing number of non-muslim merchant bourgeoisie of the Ottoman Empire who supported nationalist
105 movements during the Tanzimat period served as a reinforcement for the central government's resistance and
106 prejudice against the municipality (Sosyal, 1967: 7). The Ottoman Empire was very sensitive to the topic of
107 nationalist movement at the time because it could dissolve the ottoman mosaic (Ortayli, 1985: 32). In fact,

108 during this period, the masses kept themselves attached to the traditional institution, who actively resisted the
109 reforms imposed from above between the years 1800-1850 (Inalc?k, 1964: 63).

110 In the second half of the 19th century, the provincial special administrations started to develop. The Provincial
111 General Assembly, which consisted of four members elected from each scepter as well as the provincial general
112 administration headed by the governor general was established with a Provincial Special Administration ??Çiçek,
113 2014: 58).

114 The village administrations are the first local government units that emerged before the Tanzimat in Volume
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117 the Turkish local government history. Despite its long history of villages as a sociological unit in the ottoman
118 context however, the creation of villages as a local government unit begun after the Tanzimat (Sosyal, 1967:1-2).
119 Over the years there have been some changes to the village administration, but it continues to be in existence as
120 the lowest level local government unit till date ??Ünal, 2011: 245).

121 The last decades of the 19th century were important in the ottoman history. By the end of the century,
122 the local government systems at the village, municipal and provincial levels had reached a pattern that was to
123 remain 'frozen' for decades ??Sosyal, 1967: 6-7). Before the Republican period, ie; the last period of the ottoman
124 Empire, there were ideas favouring more decentralization policies.

125 It is worth noting that although the provincial local councils were established as part of the decentralisation
126 process and policy of the Tanzimat, the fundamental motive of the Tanzimat was to protect the empire from
127 disintergration by reordering the state, restore the declining power of the state and improve tax collection. More
128 also, the Ottoman municipality acted as an institutionalized structure in the implementation of the city's services
129 rather than implementing a local government system. Thus, the centralist rule was very much in force. Within
130 this state of affairs, the local government bodies could not go beyond being merely the local agents of the central
131 government and highly dependent on the central government financially.

132 **4 III. lg in the Republican Period**

133 Turkey became a republic in 1923 and republican establishment, unfortunately, maintained the statist-centralist
134 frame it inherited from the Ottoman period. Another attribute from the past the republican establishment
135 inherited was the centre's distrust for the periphery. The republican arrangement of local government was based
136 on the principle of delegation, meaning to say, they had a completely subordinate status ??Kalayc?o?lu, 1994:
137 90-96).

138 The Republic was established in a critical period of the state. It was a time when the founders of the new
139 Republic were facing fears of a possible split of the Anatolia (Heper, 1985: 48). The resources of the country were
140 quite limited and so the effective and efficient use of them was very necessary. These and many other internal and
141 external pressures gave room for the reinforcement of the powers of the central government (Özgür & Kösecik,
142 2009:162). Another reason why the Republic maintained its centralist ideas of the Ottoman Empire was because
143 the bureaucrats and officers of the previous regime were maintained in power during the Republican period; 93%
144 of the high officers and 85% of bureaucrats of the Ottoman Empire continued to serve for the Republic (Özbudun,
145 1995: 7-8).

146 In the first year of the Republic, Ankara was given priority as the new capital and constituted specific example
147 for municipal and development plans. A similar system to that of Istanbul was established for the Ankara
148 Municipality by the law of 1924 and the mayor and members of the city council were appointed by the central
149 government ??Özgür & Kösecik, 2009:162,163).

150 The 1921 Constitution introduced by the government during the Independence War, conceived a wide
151 autonomy of provinces concerning local affairs, however, this constitution became ineffective after the 1924
152 constitution was adopted after the War (Kele?, 2006: 137,138). (Özgür & Kösecik, 2009: 163). The drafters of
153 the 1921 constitution aimed at rendering power into the hands of the people by localising administrative units
154 and at the same time, by establishing mechanisms to enable the people to directly elect their governors at all
155 levels from the district through the province to the Central government.

156 Shortly after the announcement of the new constitution, a new legislation concerning the local government
157 was launched. Initially, the intent was to prepare separate laws for each local government administrative level.
158 However, later on, this idea was renounced and a universal municipal law was prepared ??Bayraktar, 2007: 4).

159 The Municipal Act of 1930 was designed to make local bodies agents of the central government in the periphery.
160 This Act only gave legal status to the local government. Also, the municipalities were mandated with a wide range
161 of services which covered almost all the local public services. In addition, the power of "general competence" was
162 conferred upon the municipalities to cover those services and activities with local characteristics which were not
163 explicitly prohibited for municipal undertakings.

164 It is noteworthy that, though the republican establishment passed legislations to enable local communities
165 to create semi-autonomous local authorities, it did not attempt an actual autonomous decentralized system. It
166 remained highly centralized.

167 Rapid urbanization after the World War II posed many developmental problems such as; the creation of many
168 weak municipalities, the accelerated establishment of the peripheral local governments and metropolitan ones,
169 and the rapid demand for urban services as against its population, all of which the local governments could not
170 handle (Tekeli and Guloksuz, 1976: 6). During this period, there was great inequality between the central and
171 local government. More productive resources were allocated in favour of the central government. More also, the
172 central government could easily influence the resources of the local governments ??Kele?, 1981: 15). In addition,
173 the local financial problems escalated because the central government failed to meet its legal obligations to the
174 cities (Danielson and Kele?, 1980: 324). So although the law purported that the local authorities were provided
175 with the revenue proportional to their functions, this was not the case in practice ??Eke, 1982: 127).

176 A multi-party political system emerged in the 1950s. During this period, no major changes were however made
177 to the workings of the municipalities except that the central government took up the provision of services such
178 as roads, water, electricity, and mapping. The dependence of the municipalities on the centre however did not
179 change ??Alada, 1990:135).

180 The 1960s brought a revival in the central government's interest in the local government. Of course, this
181 was not for the sake of increasing their (the local government's) autonomy but to direct their potentials to the
182 national development. This started with the Five-Year Development Plans. The first one ??1963 -1968) gave
183 priority to underdeveloped regions with the distribution of public investments. The second one (1968 -1972)
184 emphasized regional development and urbanization ??Danielson and Kele?, 1980: 337).

185 After the military coup of 1960, in 1961 a new constitution was prepared. This constitution introduced clear
186 constitutional provisions for local autonomy. That is, democratic rights and freedoms were extended to Local
187 government and newly established autonomous institutions (Özgür & Kösecik, 2009:162-163. Kele?, 1991: 294).
188 These new institutions were introduced in order to prevent the arbitrary, undemocratic and unconstitutional acts
189 of government ??Bayraktar, 2007: 8). The new constitution affirmed that the general decision making bodies of
190 the municipal and provincial general councils were to be elected by the public instead of being appointed. The
191 aim of the constitution was to strengthen the administrative and financial resources of the local government,
192 however, it could not effectively achieve this because they were accompanied by a widespread of administrative
193 and financial control of the central government, thus subordinating the local government (Özgür & Kösecik,
194 2009:162-163. Kele?, 1991: 294). According to Bayraktar (2007), the local government system was not amended
195 despite these changes because, the old system was maintained in reality due to the lack of laws that will translate
196 the constitutional principles to actual practices ??Bayraktar, 2007: 9).

197 Another significant change that happened during this period is the change made to the Municipal Act in
198 1963. Mayors were to be elected by citizens rather than the municipal council. In addition, the government's
199 appointment and president's approval were no longer required.

200 In the 1970s, the governments tightened their tutelage over the municipalities, particularly those of rival parties
201 ??Heper, 1986: 26). The climax of the local government stress happened after the 1973 elections. For the first
202 time, social democrats in opposition won the elections and controlled the largest Turkish cities. This in itself
203 was not the problem. The problem arose when the government consequently took partisan considerations and
204 restricted the financial autonomy of the municipalities especially over the opposing party mayors ??Danielson
205 and Kele?, 1980: 332). The social democrat mayors initiated a national municipal movement later named "New
206 Municipalism" but this movement could not establish organic bonds with the public.

207 There was a shift in 1978 to transform municipalities and make them more democratic based on the principles
208 of participation, coordination, and resource creation. This attempt, unfortunately, was unsuccessful due to
209 financial issues (Toksoz, 1981: 75-76).

210 During the military interverntion in 1980, a twotier metropolitan municipality system, made up of the
211 metropolitan and district municipalities, was established. In 1984, the metropolitan municipalities were
212 introduced under the Law No. 3030 making government of large cities to be handled at two different municipal
213 levels. The district-based municipalities were maintained. This introduction though good brought some problems
214 as well. The municipalities lost considerable resources and their democratic functioning was weakened. The
215 mayors wielded too much power hence creating a "centralist pressure" at the local level (Kele?, 1986: 41-45).

216 The nineties was accompanied with movements that advocated for the principles of good governance, a less
217 pronounced but effective state, and a division of responsibilities between the state, the private sector and the
218 Non-Government Organisations (NGOs) with an emphasis on the rule of law and wider human rights (Göymen,
219 2006 ?? 247. Özcan & Turunç, 2008: 180). Several influential studies and reports were conducted and published
220 throughout that per?od by some effective NGOs and think-tanks.

221 The European Charter of Local Selfgovernment, adopted by the Council of European 1985, signed in Turkey
222 in 1998 was approved by the parliament in 1991 and put in effect in 1992 ??Kele?, 1995: 17-18). Consequently,
223 the Ministry of Interior Affairs prepared a series of bills to improve the workings, structures, and resources of the
224 local government ??Kele?, 2006: 476). In 1996, the government launched a series of reform processes that lasted
225 until 2001. Bills regarding each local government unit, excluding villages, were made public. Unfortunately, these
226 bills failed to be passed.

227 Projects like the Local Agenda 21 (LA 21) birthed in the 1990s are worth mentioning. And despite their
228 shortcomings, the structures it put in place helped to reinforce civic pride, a sense of collective responsibility and
229 partnership in solving the problems as well as create a culture of participation ??Göymen, 2006: 249-250).

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232 It must be noted that since 1950 Turkey has been making progress towards a more democratic way of life. It is
233 certain that the Republic period has improved greatly on the traditions of local government even though local
234 was based on the principle of delegation with a completely subordinate status. According to some scholars, the
235 Republican approach of municipalism entered a process of true democratisation with the 1980 military coup.

236 7 IV.

237 8 Reforms Over the Years

238 Turkey has carried out large scale reform efforts since the Tanzimat period and still continues to do so at regular
239 intervals now. Local government reform in Turkey has been on the national agenda for many years. However,
240 the lack of strong political leadership and governance prevented these plans and attempts from being translated
241 into concrete reforms and actions ??Göymen, 2006: 253). Particularly, the first decade of the 21st century has
242 been the year of reforms in local government. Although these efforts were triggered by external dynamics and
243 a desire to adapt to the European Union's criteria, there has been a level of successful reconstruction in local
244 government and public administration (Özer, 2013:104). This section will, therefore, discuss the changes in the
245 local government and the reforms that have taken place since the Tanzimat Era. The discussion will focus on law
246 changes in the four main local government bodies in the Country (Metropolitan Municipalities, Municipalities,
247 Villages, and Special Provincial Administration).

248 The V.

249 9 Metropolitan Municipalities

250 From its advent in 1984, metropolitan municipalities have evolved and gained increased autonomy and urban
251 planning powers ??Bayraktar & Massicard, 2012: 18). With an increase in number from three to eight in 1988,
252 metropolitan municipalities were the birthing ground for the Emergency Action Plan and Public Administration
253 Basic Law drafts of the Justice and Development Party which made decentralisation for the sake of democatisation
254 a priority ??Ad?g?zel, 2012: 158). Two waves of expansion in the metropolitan municipalities were an
255 accompaniment to this mentioned decentralisation. The first wave happened in 2004, when the responsibility
256 area of the metropolitans was increased according to population by the Metropolitan Municipalities Law Article
257 No. 5216. In 2012, with the legislation Act No. 6360, fourteen more metropolitan municipalities were established
258 and the metropolitan municipality borders were expanded to provincial borders ??Akilli & Akilli, 2014: 683).
259 According to this new legislation, metropolitan municipalities can only be established by law (?ahin, 2015: 161).
260 Party powers The purpose of these reforms are detailed to help achieve ideal and optimal scale.i.e. to help
261 avoid problems about planning and coordination and benefit from economies of scale. Morealso, clear lines of
262 responsibility has been drawn for the metropolitan municipalities.

263 10 VI.

264 11 Municipalities

265 The first municipal organisation was created in 1855 in Istanbul, under the influence of the international
266 developments related to the Crimean War (Bayraktar & Massicard, 2012 ?? 11-12. Ünal, 2011: 243). Another
267 catalyst to the formation of the municipal administration was the external pressure and influence of the Western
268 powers (Neumann, 2014: 6-7). Modern municipalism came on the scene three years later with the founding
269 of the sixth District of Istanbul located in the Pera/Galata area. Following the success of this, the Dersaadet
270 idarei Belediye Nizamnamesi, a two-tier system to govern the capital was introduced in 1868 ??Bayraktar &
271 Massicard, 2012: 12). Shortly after the approval of the 1921 constitution, in the year 1930 specifically, the
272 law on municipalities (law no. 1580) was formulated and remained for 75 years. The law of 1930 transferred
273 some services back to the central government ??G?rmmez, 1997: 124-125). In 1961, the constitution, through
274 Article 116 recognized the need to allocate proportional resources to municipalities. Despite this recognition, the
275 old system persisted. One noteworthy thing however was that municipalities as from that time were no longer
276 overseen by the central government but by the judges. More also mayors were no longer appointed but elected
277 ??Bayraktar & Massicard, 2012: 18). In the growing population and rapid advancement of Turkey however,
278 this law proved a bit inadequate and thus called for a reform. Subsequently, the law No. 5393 was birthed.
279 This law was adopted in July 2005. The main goal of this law was to ensure more democratic and autonomous
280 municipalities hence it bestowed on the municipalities administrative and financial autonomy. The new law
281 increased the minimum population requirements of a municipality from the original 2000 (as seen in the law no.
282 1580) to 5000 ??Tileuberdi, 2014: 99-101). This led to a significant reduction in the number of municipalities.
283 In March 2008, Law 5757 withdrew the municipal status of 1,145 towns ??Bayraktar & Massicard, 2012: 45).

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286 Through this reforms, the shares of national tax revenues granted to municipalities increased, new responsibilities
287 were assigned to them, as well as changing the composition of the municipal standing committee to an equal
288 number of elected and appointed members as against the previous appointed majority.

289 **14 VII.**

290 **15 Villages**

291 The village administration is the oldest management unit among the local administration. It is also the most
292 neglected according to Ad?g?zel ??Ad?g?zel, 2012: 155). Although villages in Turkey had been in existence and
293 operation for very long, they gained their legal status during the Republican period.

294 The village administration was organised as a local administrative unit in the late nineteenth century. A decree
295 proclaimed in 1864 dealing mainly with the administration of the provinces also served the village administration,
296 by providing for a popularly elected muhtar and council of elders ??Soysal, 1967: 2). This regulation made
297 detailed arrangements on matters concerning the duties, responsibilities, and authorities of the administration.
298 These duties and authorities continued until 1913 ??Ünal, 2011: 245).

299 The Village Law No. 442, 1924 abolished the previous law and it is still in force today ??Ünal, 2011: 245).
300 It introduced a more liberal approach by abolishing most of the restrictions imposed during the 19th century
301 and endowing the villages with corporate status. This is why, according to Sosyal, the Village Law of 1924, of
302 all legislation on local government in Turkey is the most realistic and most paradoxical ??Soysal, 1967 : 3). As
303 of 2009, there was a record of 31,146 villages. However, there has been an increasing trend of migration and
304 relocation to the provincial and district centres ??Altan et al., 2010: 57).

305 Polatoglu says the village law gives the impression of a very autonomous and democratic unit in the local
306 government, however, in reality, due to financial constraints it is not as autonomous ??Polatoglu, 2004: 169).
307 Most of the services taken to the villages are undertaken by the central administration unit ??Ad?g?zel, 2012:
308 155).

309 With the enactment of Law No. 6360, many village administrations were terminated and turned into mahalles
310 (neighborhoods) of the nearest district (Ad?g?zel, 2012: 156).

311 **16 VIII. Special Provincial Administration**

312 Special Provincial Administration is one of the very interesting local government units in Turkey. It holds a dual
313 role; firstly as a local government unit and also as a local unit for the central administration. The former role
314 was majorly governed by an ordinance issued in 1913 whereas the latter role falls under the provision of a law
315 enacted in 1949.

316 The roots of special provincial administration go back into the second half of the nineteenth century. In
317 1864, the Provincial Regulation was established. During that time, the unit had no special legal personality,
318 however, its formation was somehow linked to achievement of the purpose of local participation, especially of the
319 non-Muslim subjects ??Ad?g?zel, 2012: 156).

320 In 1913, a law governing the special provincial administration was instituted. This 149 articed law contained
321 provisions related to the general administration of the province. The first part of the law concerning the general
322 management of the province was abolished with the provincial administration law no. 5442 in 1949.

323 In 1987, the law no. 3360, which is seen as the hugest and most comprehensive amendment to the system
324 of special provincial administrations was passed. Despite the provisions and amendments this law made, many
325 provisions of the old law were not tempered with ??Ad?g?zel, 2012: 156).

326 Until very recently in 2005, the law of 1913 has been the reference law for the management of the Special
327 provincial administration. Since its establishment, the special provincial administration has been plagued with
328 so many problems necessitating the 2005 law review. In fact, the provisional local administration is the least
329 developed and most disputed of all the local government units in Turkey (Soysal, 1967: 32). There was no
330 clear distinction between the work of the central government and the special provincial administration unit.
331 The initial duties of the provincial government were later taken over by the central administration. In 2005,
332 Law No. 5302 which abolished the law of 1913 and all annexes and amendments, and restructured the special
333 provincial administration was enforced. The Law No. 5302 clearly defined special provincial administration as
334 a public legal entity with administrative and financial autonomy, established to meet the common local needs
335 of provincial people. Thus, it brought an end to the confusion between the local authority and devolved state
336 administration at the provincial level ??Bayraktar & Massicard, 2012: 45). This law also charged the SPA with
337 duties of dual nature; those that are seen within the provincial borders and those seen outside the boundaries of
338 the municipality.

339 The law no. 5302 also made changes regarding the approval of budgets, audits and control issues. It also
340 made provisions and various arrangements in revenue and expenses of the provincial administration. Changes
341 in the borrowing conditions of the provincial administration were not left out. All in all, the new law is more
342 autonomous and it seems to have foreseen a structure with less administrative guardianship and control.

344 **17 Conclusion**

345 Although the local government of Turkey still has quite a way to go, I believe it has been progressive. One
346 can trace the footprints in the sands of time, from a place where it was virtually impossible to find any room
347 for either the concept of a local government with legally defined status and some degree of independence or the
348 concept of citizen participation; to a time of deconcentration and finally to this period of quasiautonomous local
349 governments.

350 Although the developments in the 1980s brought limited decentralization, they strengthened municipalities and
351 revived interest in local government and politics (Eder and Nihal, 2008: 6-7). It can be said without hesitation
352 that until the recent reforms, local government authorities in Turkey had been considered as administrative
353 agencies of the central government. Thus their administrative and financial autonomy was limited and under the
354 iron clads of the central government.

355 There is no denying the strides that have been taken towards increasing capacity, efficiency, effectiveness,
356 and transparency over the years. We can also not deny the improvements, and enhancement in local autonomy,
357 participation and accountability in recent years. And while we must recognize these achievements, the nation is
358 the nation is still far away from having a 'truly' autonomous and democratic local government. One bothersome
359 note I have made is that, local government reforms are still initiated and enforced in a top-down approach.
360 Additionally, citizens seem to be quite satisfied ending their 'duty of participation' at merely voting. I believe a
361 close look and examination at these two areas will help improve and inform future local government reforms in
362 the country. For it is clear, by looking at history that the problems of the local government in Turkey cannot be
363 resolved merely by policies that are imposed from the center.

364 **18 Références**

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