

**TOWARDS THE CRISIS IN METROPOLITAN MUNICIPALITY: THE EFFECTS OF THE  
PRESIDENTIAL GOVERNMENT SYSTEM ON THE CENTER-LOCAL RELATIONS AND PROBLEM  
AREAS\***

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**Abstract**

*The Republic of Turkey inherited a "local government" structure positioned as an extension of the central government from the Ottoman Empire. This structure, shaped by the heavy tutelage of the central government, continued its existence in the Republican period. However, there were times when central tutelage got deeper or lessened. Although important steps were taken in the direction of "localization" in the early 2000s with the influence of external dynamics, the search for new systems reduced the effect of the wind of localization. In particular, the new structure brought by the Presidential Government System paved the way for a new era in local politics as well as in general politics. While the new system necessitated the understanding of alliance between political parties, it also created a more tense political climate. The understanding of alliance was also reflected in local politics and the center-local relations entered a more difficult period. Moreover, strained political relations have made visible some of the implementation problems and invisible flaws of Law 6360. This study seeks to examine the center-local relations, which are in the tense political atmosphere of the last period. In this context, the "problem areas" arising from the relations between the central government and metropolitan municipalities and the relations between metropolitan municipalities and district municipalities have been tried to be examined.*

**Key words:** Local government, metropolitan municipality, presidential government system

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## **BÜYÜKŞEHİR BELEDİYESİĞİNDE KRİZE DOĞRU: CUMHURBAŞKANLIĞI HÜKÜMET SİSTEMİNİN MERKEZ-YEREL İLİŞKİLERİNE ETKİLERİ VE SORUN ALANLARI**

### **Öz**

*Türkiye Cumhuriyeti, Osmanlı'dan merkezi yönetimin bir uzantısı olarak konumlandırılmış bir "yerel yönetim" yapısı devralmıştır. Merkezi yönetimin ağır vesayetinin şekillendirdiği bu yapı Cumhuriyet döneminde de varlığını sürdürmüştür. Ancak merkezi vesayetin daha derinleştiği ya da hafiflediği zamanlar da söz konusu olmuştur. İkibinli yılların başlarında dış dinamiklerin de etkisiyle "yerelleşme" yönünde önemli adımlar atılmış olsa da yeni sistem arayışları yerelleşme rüzgarının etkisini azaltmıştır. Özellikle Cumhurbaşkanlığı Hükümet Sisteminin getirmiş olduğu yeni yapı, genel siyasette olduğu gibi yerel siyasette de yeni bir dönemin önünü açmıştır. Yeni sistem, siyasal partiler arasında ittifak anlayışını gerekli kılarak, daha sert ve gerilimli bir siyasal iklim de yaratmıştır. İttifak anlayışı, yerel siyasete de yansımış ve merkez-yerel ilişkileri daha sorunlu bir sürece girmiştir. Ayrıca, sert siyasal ilişkiler, 6360 sayılı Yasa'nın da bir takım uygulama sorunlarını ve görünmez kusurlarını görünür hale getirmiştir. Çalışmamızda, özellikle sorunlu hale gelen merkezi yönetim, büyükşehir belediye ilişkilerine odaklanılmaya çalışılmıştır. Bu bağlamda, merkezi yönetim ile büyükşehir belediyeleri ilişkileri ve büyükşehir belediyeleri ile ilçe belediyeleri ilişkilerinden kaynaklanan "sorun alanları" irdelenmeye çalışılmıştır.*

**Anahtar Kelimeler:** *Yerel yönetim, büyükşehir belediyesi, cumhurbaşkanlığı hükümet sistemi*

### **Introduction**

Local government institutions that started to be established towards the end of the 19th century in the Ottoman Empire were designed as an extension of the central government. The understanding of "deep tutelage", which was the result of this construction, passed on to the Republican administrations as a legacy. While the deep tutelage of the center over the local was maintained for long periods, it was only started to be questioned and discussed in the seventies. In the early years of the current century, globalization, relations with the European Union, political climate in the country, etc. led to the emergence of localization discourses in center-local relations. Laws enacted in 2004 and 2005 on local governments have been significantly influenced by the "decentralization" discourse (Official Newspaper, 2004, 2005). In these laws, positive arrangements were made to reduce tutelage over local governments, increase their financial means, increase the powers of elected bodies, etc.

While regulations on local governments evolved under the influence of the search for a new system in the country's administration, the 2007 Referendum, which enabled the president to be elected by the people, paved the way for a new era in the country's politics. Law No. 6360, which aims to benefit from economies of scale by reducing the number of local government units, has led to a transition to a new era in the metropolitan municipality structure (Official Newspaper, 2012). However, in the implementation of the law, "local centralism", "new centralism" etc. such discussions have arisen. With the transition to the Presidential Government System (PGS), arrangements made would lead to institutional and structural transformations in public administration. These transformations also had significant reflections on the local government system; especially the effects of Law No. 6360 became more evident (Official Newspaper, 2012). The 2019 Local Election results brought along a problematic political climate locally, especially in metropolitan areas. Developments in the central and local dimensions lead to a problematic course of center-local relations and create new problem areas. These problem areas have become more prominent, especially between

the central government and metropolitan municipalities. On the other hand, this problematic ground creates new problems in the relations between metropolitan municipalities and district municipalities.

The main problematic issue in our study is also structured in this context. It is thought that the transition to PGS and the results of the 2019 Local Elections made the already problematic center-local relations more problematic, the negative effects of Law No. 6360 more visible and created new problem areas (Official Newspaper, 2012). The main problematic issue in our study was formed within this framework. While examining the center-local relations in the study, evaluations were made by focusing especially on the relations between the central government and the metropolitan municipalities. While examining the new problem areas that emerged within the framework of the center-local relations, evaluations were made especially for the central government and metropolitan municipalities.

### **Development and Transformation of Local Governments in Turkey**

In this section, the development and transformation of local governments in Turkey are discussed.

#### ***Village Administrations***

Villages, which are the oldest and most widespread administrative units of the Turkish administrative tradition, are the product of historical and social conditions and are organized according to customs and traditions within the social structure (Karakılıç, 2015: 3-203). Arrangements regarding the organization of villages as local government units were made with the Regulations dated 1864. Although some changes were made with a regulation dated 1870, the villages were still not given a legal personality (Keleş, 2012). Village administrations, which are the oldest administrative units in the local government system, gained legal personality with the Republic. Village administrations were rearranged with the Village Law No. 442 dated 1924 and gained a legal basis. Article 1 of the Village Law No. 442 defined the village according to the population criterion, with the regulation "the dormitories with a population of less than 2000 are called villages" (Official Newspaper, 1924). In the Village Law, a lower limit has been determined for the village population. Accordingly, settlements with a population of less than 150 were not considered villages.

As Özefe (2005: 513) emphasized, especially with the multi-party period, public services such as schools, roads, water, electricity and telephone were delivered to the villages by the central government units. Most of the services taken to the villages since those times have been undertaken by the units of the central government. During the process, the issue of strengthening and reorganizing the village administrations as "local government units" came to the fore and was discussed from time to time. However, the Village Law, which was enacted in the founding period of the Republic, has been implemented until today. With the Law No. 6360, the legal structures of the village administrations were abolished in the provinces where metropolitan municipalities were established and they were transformed into districts of the district they belong to (Official Newspaper, 2012). In 51 provinces without metropolitan municipalities, the legal entities of village administrations were maintained.

#### ***Special Provincial Administrations***

Special Provincial Administrations, which were established within the framework of providing local services at the provincial level, started to develop in the second half of the 19th century. With the Provincial Regulations issued in 1864, the provincial organization was replaced by the provincial organization. With the regulations of 1871, which was largely a repetition of the 1864 Provincial Regulation, the province and municipality application spread

throughout the country. In this context, a "special provincial administration" was formed in the provinces in addition to the general administration. However, the transformation of provincial administrations into a local government unit took place in 1913. The 1913 decree law on special administrations regulated the special provincial administrations. Special provincial administrations, which lost their essential functions from time to time during the process, had to leave some of their duties and areas of responsibility to the central government units. Güler (2006: 219) emphasized that in the period between 1930 and 1945, special provincial administrations were more dominant than municipalities and that municipalities were in the second plan. The author, emphasizing that a reverse process was experienced in the 1946-1960 period, states that the important duties of the special provincial administrations were transferred to the center. For this reason, while these units were shrinking rapidly, municipalities became more prominent.

More than thirty minor changes were made in the system of special provincial administrations during the Republican period. With the Law No. 3360, which entered into force in 1987, some new provisions were introduced and some amendments were made. However, most of the provisions of the old law remained untouched. (Keleş, 2012). The most comprehensive change regarding special provincial administrations was made in 2005 with Law No. 5302. With this law, the traditional tripartite structure of the special provincial administration bodies was preserved, but it was foreseen that the provincial committee would be the executive body, not the decision-making body. With the law, the special provincial administration was given an intermediate level position between the private administration and the local administrations and the function of coordination at the provincial level. (Ulusoy and Akdemir, 2019:208,209). With the Law No. 6360 enacted at the end of 2012, the status of special provincial administrations in the provinces with the metropolitan municipality was terminated (Official Newspaper, 2012).

### ***Municipalities***

Municipal governments emerged as a result of the economic and social developments in the late Ottoman period. As a result of the relations with the West in the last periods of the empire, some changes occurred in the social structure and property relations. Changes in urban transportation and the increase in the urban population brought about the spread of cities to the environment and suburbanization (Tekeli, 1998: 3). The first municipal organization was established in Istanbul in 1855. At that time, there was a city manager appointed by the government at the head of the organization. With the Regulation issued in 1869, the municipal organization was extended to the whole of Istanbul, and with the Regulation dated 1870, it was obligatory to establish a municipal organization in each of the provinces, sanjak and district centers (Ortaylı, 2000).

Even after the proclamation of the Republic, the local administration approach from the Ottoman Empire was continued. In other words, the understanding of local governments as institutions that carry public services to the public rather than being a political institution did not change. The extreme centralization of the ruling class ideology hindered the decision-making and institutionalization power of local governments. Regarding local governments, the legal regulations that were closely related to the cities were carried out in the 1930s. In this context, first of all, the Municipal Law No. 1580 was enacted in 1930. The aim of this law was to change the physical appearance of burned and destroyed cities and to transform these cities into modern cities. Since the Law No. 1580 was a law that came into force during the single-party period, it was intended to keep the municipal organizations under strict tutelage control in this period (Güler, 2006).

After the Second World War, both social and institutional mobility increased rapidly. However, in the fifties, when the rate of urbanization was very high, it is observed that very important regulations regarding municipal administrations were not realized. With the 1961 Constitution, steps were taken to democratize local governments and to become strong institutions. For example, with the Law No. 307 enacted in 1963, the authority to dissolve the municipal councils, which were previously in the council of ministers, was transferred to the Council of State. In addition, mayors began to be directly elected by the people through a single degree majority method (Koçak and Ekşi, 2010: 301). However, the libertarian environment created by the 1961 Constitution could not make the democracy practices in the municipalities functional. The most important reason for this was that the "administrative tutelage" authority held by the central government sometimes turned into political or financial tutelage. This situation created controversy in the 1970s because the central and local power was under the rule of political parties with different views. The strict tutelage implemented by the center was questioned for the first time in this period.

While the September 12 Military Intervention suspended democracy, the period of the Motherland Party (ANAP) government began in 1983. During the ANAP government, liberal principles, which were tried to be dominant in economic life, also dominated the local government structure. In the early 2000s, significant improvements were made in the field of local governments. The desire to progress in the negotiations initiated with the European Union inspired and directed these reform efforts. The Municipality Law No. 5393 is one of the laws enacted in this context (Official Newspaper, 2005).

#### **Metropolitan Municipality in Turkey**

Under this title, the search for metropolitan municipality and the legal regulations made in this direction are evaluated.

#### ***Metropolitan Municipality and Its Evolution***

The urbanization process, which followed a stagnant course after the establishment of the Republic, gained momentum with the 1950s. In these years, it was observed that irregular, unplanned and rapid urbanization caused significant urban problems especially in large settlements. The increase in the urban population from 7 million to 20 million and the urban population ratio from 25% to 45% in the twenty-year period from 1960 to 1980 (Keleş, 2017: 67) is important in terms of showing the size of the increasing population in cities. Urban population growth, which developed mostly under the influence of push factors, caused significant problems in the management of metropolitan areas. In this process, several new urban area management models were discussed. With the Zoning Law No. 6785, which came into force in 1956, municipalities were authorized to provide services to areas called "adjacent areas" or "nearby areas". With this arrangement, it was aimed to provide services to areas outside the municipal boundaries or areas where a new municipality was likely to be established (Güler, 2019: 10). With the establishment of the Ministry of Construction and Settlement in 1958, there were initiatives for the solution of urban areas. Coşkun, Pank and Şen (2019: 303, 304) as they emphasized, the MEHTAP Project, which came to the agenda in 1962 within the scope of the reorganization of the central administration, is the most important of these initiatives. However, the attempts to manage the metropolitan areas did not yield results until the 12th of September.

The search for the management model of metropolitan cities accelerated after the 12 September Military Coup. The decision taken by the National Security Council (NSC) in 1980 to connect small municipalities located around big cities to the main municipality was the first

phase of the transition to the metropolitan municipality system (Official Newspaper, 1980). With the law enacted in 1981, the legal entities of small municipalities and villages around some metropolitan cities were abolished and merged with metropolitan cities (Official Newspaper, 1981). After these changes, the constitutional infrastructure of the metropolitan municipality system was established with the provision that "special forms of administration can be developed for large settlements" in Article 127 of the 1982 Constitution. In the first phase, the local administrative structure was reorganized in Istanbul, Ankara and Izmir, which were the three largest cities in terms of population. However, the actual implementation was made after the 1984 Local Elections and the Metropolitan Municipality Law No. 3030 came into effect in July of the same year. This law defined cities with more than one district within the boundaries of the municipality as big cities. Later, the Metropolitan Municipality was established in Adana in 1986, in Bursa, Gaziantep and Konya in 1987, and in Kayseri in 1988 (Tortop, Aykaç, Yayman ve Özer, 2008: 262). The number of metropolitan cities increased to eight with these municipalities, which would form the second generation in the Metropolitan Municipality system.

With the Statutory Decrees issued in 1993, metropolitan municipalities were established in some medium-sized cities. The municipalities that would be called third generation metropolitan municipalities had a different status. These metropolitan municipalities were Antalya, Diyarbakir, Erzurum, Eskisehir, Izmit, Mersin and Samsun metropolitan municipalities. According to this decree, sub-municipalities could be established within the boundaries of metropolitan cities without seeking the condition of establishing a district municipality (Official Newspaper, 1993). Thus, a dual structure emerged in which eight of the metropolitan municipalities had district municipalities and the others had lower/first tier municipalities. Adapazarı Metropolitan Municipality, which was established in 2000 with the Decree Law No. 593, was established with a mixed model bearing the characteristics of both groups. With the establishment of Adapazarı, the number of metropolitan municipalities increased to 16. In the 2000s, steps were taken within the framework of the Public Administration Reform in order to prevent the increasing expectations. In this context, the Metropolitan Municipality Law No. 5216, which made the establishment of a metropolitan municipality very difficult, was enacted (Official Newspaper, 2004). With this law enacted in 2004, a metropolitan municipality could be established in urban areas with at least three district or first-tier municipalities (Official Newspaper, 2004). The new law preserved the existing two-level administrative structure, consisting of the metropolitan city and the district and sub-tier municipalities below it. According to the law, the criterion of having a population of more than 750,000 living in a city center municipality and within a radius of 10 kilometers from the borders of that municipality was the most important of the minimum conditions for the establishment of a metropolitan city. In addition to the population size in the law, the physical settlement status and economic development level of that place were also stipulated to be suitable for the establishment of a metropolitan city (Özgür, Yavuzçehre and Ciğeroğlu, 2007). Although this prerequisite was disappointing in many cities, expectations have never fallen from the agenda. Law No. 6360 is the product of these expectations (Official Newspaper, 2012).

#### ***Law No. 6360 and a New Era in Metropolitan Municipality***

Law No. 6360 enacted in November 2012 has led to a new era in Turkey's metropolitan municipality experience (Official Newspaper, 2012). The new law primarily changed the definition of metropolitan and aligned metropolitan boundaries with the provincial territorial borders. The law established metropolitan municipalities in 13 more provinces under the regulation stating that "provincial municipalities of provinces with a total population of more

than 750,000 can be transformed into metropolitan municipalities by law” (Official Newspaper, 2012). After the establishment of Ordu Province with the Law No. 6447 adopted in 2013, the number of metropolitan municipalities increased to 30.

With the Law No. 6360, the status of special provincial administrations was abolished in the provinces where metropolitan municipalities were established (Official Newspaper, 2012). In addition, the legal structures of town municipalities and villages were terminated and transformed into neighborhoods districts of the districts to which they were affiliated with, and a new unit was established under the name of Investment Monitoring and Coordination Presidency (IMCP), affiliated to the governor (Adigüzel and Tek, 2014: 80). With the new regulation, the concept of metropolitan municipality that manages urban areas in Turkey has passed to the concept of whole city, which manages all rural and urban areas within its borders.

**Table 1.** Total Local Government Units Before and After Law No. 6360

Local Government Units	Pre-Law Local Government Units	Local Government Units Established by Law	Local Government Units Abolished by Law	Total Local Government Units After Law
Metropolitan Municipality	16	14	--	30
Metropolitan District Municipality	143	25	--	519
Provincial Municipality	65	--	14	51
District Municipality	749	2	349	416
Town Municipality	1.977	--	1.635	342
<b>Total Number of Municipalities</b>	<b>2.950</b>	<b>41</b>	<b>1.998</b>	<b>1.358</b>
Provincial Special Administration	81	--	30	51
Village	34.395	--	16.561	17.834
Neighborhood	19.103	--	17.637	36.740

Reference: Adigüzel and Tek, 2014

### **Central-Local Relations and Transformation from the Establishment of the Republic to the Present**

The transformation of the center-local relations from since the foundation of the Republic to the present has been evaluated under two sub-titles. Firstly, the transformation of center-local relations from the establishment of the Republic to the period of system change in administration, and then the transformation of center-local relations within the new system were examined.

#### ***Center-Local Relations and Transformation from the Beginning to the New Era***

As regulated in Article 123 of the Constitution, the administrative structure in Turkey is organized in the form of central government and local governments. However, it is a fact that from past to present local governments have been in a secondary position, under the deep tutelage of the central government. While the Republic of Turkey inherited the local government structure and principles of the Ottoman Empire during its establishment, it also inherited the tutelage of the center over the local. As Güler (2006: 216) emphasizes, considering the legal regulations made since 1924 in the process of structuring local governments, there is no radical break from previous periods.

As a newly established state, the social and economic conditions of the country required a centralized structure. Factors such as the very low literacy rates at the country level and the lack of personnel needed by local governments also required the continuation of the centralist approach. The centralist reflex, which was equipped in these periods, turned local governments into an extension of the center. Initially, it is seen that the special provincial

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administrations undertake a more functional task compared to the municipalities in the process of providing local services. However, the transfer of important duties of special provincial administrations to the center as of 1946 weakened the functions of these local government units. In this period, which lasted until the 1960s, when municipal administrations were brought to the fore, there were very important developments. In this period, while transitioning to multi-party political life, liberal policies began to be followed in the economy. These developments caused the traditional tradesmen and artisans segment, which had lost its position during the establishment of the Republic, to regain resistance and power.

The 1960s marked a period when problems arose in the management of growing urban areas with the increase in the rate of urbanization and searches in this direction came to the fore. In the 1970s, the administration of the central and municipal governments by different political parties caused central-local debates and conflicts. In this period, the concept of autonomous and democratic, self-sufficient municipality came to the fore once again in the history of the country. However, in the early eighties, under the influence of the September 12 Military Coup, a more centralized management approach prevailed. Later, steps were taken to pave the way for civil politics and to strengthen the financial structures of local governments with the effect of new liberal policies in the economy. In the nineties and two thousand years, the groups representing the periphery in the classical center-periphery dichotomy gained a strong position in local governments. With the influence of the globalization wind, while localization tendencies gained strength in Turkey, center-local relations began to be reshaped. Discourses such as increasing the powers of the elected, reducing the tutelage, and providing local services to the people by the closest local government units (subsidiarity) created a significant agenda. These discourses also started to be the subject of legal regulations with the positive effect of Turkey-European Union (EU) negotiations. It has been observed that, although limited, steps were taken in this direction, especially in the laws related to local governments that came into force in 2004 and 2005 (Official Newspaper, 2004, 2005). However, after a short time, the centralization tendencies started to gain strength again. Because the segments representing the periphery in the center-periphery dichotomy had at the time gained a strong position in the central government. For this reason, the direction of power transfer would change again and the "centralization" tendencies would gain strength. Especially with the legal and institutional arrangements after 2011, the centralization tendencies would show themselves more concretely. With this period, which is also called re-centralization, it would be seen that the authorities on the development and renewal of urban areas would also be centralized. Orhan (2014: 53) considers the legal and institutional arrangements made after the 2011 general elections as the cornerstone of these centralization trends. With the aforementioned regulations, local governments could be able to use their powers after the approval of either a higher local unit or the central government from then.

### ***Presidential Government System and Transformation of Center-Local Relations in the New Era***

In this subsection, the transition to the Presidential Government System (PGS), the effects of the new system on the local government structure within the framework of the legislation and the transformation of the center-local relations within the new system have been tried to be evaluated.

#### ***Presidential Government System and Transition Process***

The most important step in the transition to PGS was the 2007 referendum. In the referendum held on 21 October 2007, constitutional amendments including the election of the

president by the people were voted on. As a result of the referendum, constitutional amendments were accepted with 68.95% of the votes, and seven years later, in the elections held on 10 August 2014, the president was elected by the people for the first time.

The July 15 coup attempt accelerated the process of system change in the administration. On April 16, 2017, this time for the transition to the PGS, the polls went to the polls, and the constitutional amendments were accepted as a result of the referendum. Recep Tayyip Erdoğan was elected President in the June 24, 2018 General Elections. With the Presidential Decree No. 1 dated 10.07.2018, the new system has been put into practice (Official Newspaper, 2018e). While there were radical and institutional changes in the administrative structure with the decrees that came into force after the transition, these changes were also reflected in the local government structure (Öner, 2019: 306). While nine new boards were formed in the process of creating policies in the new system, one of these boards was the Local Government Policies Board (Fedai and Aydın, 2020: 124).

From now on, it will be seen that the Local Government Policies Board comes to the fore in the process of establishing and developing the policies to be followed regarding local governments. The summary of the duties and powers of this new board is as follows (Official Newspaper, 2018e):

- a. To develop policy and strategy proposals in the field of urbanization and local government,
- b. To offer strategy suggestions regarding local government policies in accordance with Turkey's social, economic and political realities,
- c. To develop policy recommendations on migration and resettlement issues,
- d. To develop protective and improving policy proposals in the fields of environment, forest, water and similar areas,
- e. To develop urbanization policy proposals by nurturing Turkey's cultural heritage
- f. To conduct research on smart urbanization and make strategy suggestions,
- g. To carry out studies on the planning of public investments in accordance with the Bosphorus zoning implementation programs,
- h. To develop policy and strategy proposals to ensure an effective environmental management.

#### ***Effects of Presidential Government System on Local Government Legislation***

With the transition to PGS, a number of technical changes have been made in the basic laws regarding local governments in line with the new system. While most of these changes are technical in nature, there are also structural changes.

#### ***Amendments Made to the Law on Special Provincial Administration***

Two separate technical arrangements were made in the Law No. 5302 (Official Newspaper, 2018a)

a. With the Decree Law No. 700, the 6th paragraph of the Article 27 regarding the "council meetings" of the Law No. 5302 has been amended. The phrase "by law, regulation and" in this paragraph has been replaced with "and other legislative provisions".

b. In addition, with the Decree Law No. 700, the subparagraph (f) of the first paragraph of Article 51 of the Law No. 5302 was amended. With this amendment, the phrase "When the Ministers are established upon the proposal of the under secretariat of State Planning Organization" has been changed to "By the President".

#### ***Amendments to the Municipal Law***

With the transition to PGS, besides technical changes, structural changes were made in Law No. 5393 (Official Newspaper, 2005; 2018b).

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a. The phrase "joint decree after taking the opinion of the Council of State" in paragraph 5 of Article 4 regarding the establishment of a municipality in a settlement in the Law No. 5393 was changed to "Decision of the President". The phrase "with the joint decree upon the proposal of the Ministry of Internal Affairs" in the 6th paragraph regarding the process of establishing a municipality in the newly settled settlements with a population of more than 5,000 was changed to "Decision of the President".

b. The phrase "joint decree upon the proposal of the Ministry of Internal Affairs, taking the opinion of the Council of State" in the 1st paragraph of Article 11 on the "termination of the legal personality of municipalities" of the Law No. 5393 was changed to "Decision of the President". The phrase "joint decree upon the recommendation of the Ministry of Internal Affairs, taking the opinion of the Council of State" in paragraph 2 was changed to "Decision of the President".

c. The phrase "joint decree" in paragraph 3 of the Article 12 of Law No. 5393 on "implementation of decisions and population" was changed to "Decision of the President".

d. An amendment was made to the subparagraph (f) of the 1st paragraph of the Article 68 of the Law No. 5393, which regulates the subject of "borrowing". With the amendment, the phrase "by the Council of Ministers upon the proposal of the Undersecretariat of the State Planning Organization" was changed to "by the President".

e. The phrase "By the Council of Ministers upon the proposal of the Ministry of Environment and Urbanization" in the first paragraph of the Article 73 of the Law No. 5393, which regulated the "urban transformation and development area", was changed to "by the President".

f. The phrase "By the Council of Ministers" in subparagraph (c) of the first paragraph of the Article 75 of the Law No. 5393, which regulated the "relations with other institutions", was changed to "by the President"

In addition, after the transition to the new system, changes were made in many articles of the Law No. 5393 within the scope of the Law No. 7153 (Official Newspaper, 2018d). The phrase "Internal Affairs" in many articles of the aforementioned law was replaced with the phrase "Environment and Urbanism". Around the concepts of the municipal budget, borrowing, zoning, city council, so on. Many of the powers that were previously in the Ministry of Internal Affairs were transferred to the Ministry of Environment and Urbanization<sup>†</sup>.

***Amendments Made to the Metropolitan Municipality Law***

Law No. 5393 had the force of basic law for metropolitan municipalities as well as all municipal administrations. With the transition to PGS, the changes made in this law directly concern metropolitan municipalities. However, significant changes were made in the Law No. 5216 (Official Newspaper, 2004). It is possible to summarize these changes as follows (Official Newspaper, 2018d):

a. The authority to issue regulations regarding the working principles and procedures of the Infrastructure Coordination Center (ICC), which was included in the metropolitan municipality administrative structure with the Law No. 3030, was taken from the Ministry of Internal Affairs and given to the Ministry of Environment and Urbanization.

b. The Ministry of Internal Affairs had the authority to issue a regulation on the working principles and procedures of the Transportation Coordination Center (TCC), which was included in the metropolitan municipality structure with the Law No. 3030. With the amendment, the Ministry of Internal Affairs will use this authority jointly with the Ministry of Environment and Urbanization.

c. In the "general secretariat" structuring, which was included in the metropolitan municipality management model for the first time with the Law No. 3030, the general secretary was appointed with

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<sup>†</sup> With the Presidential Decree dated 29.10.2021, the name of the ministry was changed to the Ministry of Environment, Urbanization and Climate Change.

the approval of the Ministry of Internal Affairs upon the proposal of the metropolitan mayor. With the amendment, this authority passed to the Ministry of Environment and Urbanization.

d. The authority to prepare regulations within the scope of the creation of service units for the disabled, who came to the fore with an additional regulation made in 2005 to Law No. 5216, also changed hands. This authority was transferred from the Ministry of Internal Affairs to the Ministry of Environment and Urbanization.

e. In addition, an amendment was made in the clause (a) of Article 25 of the Law No. 5216. With this amendment, the metropolitan municipal council is authorized to remove or change the articles and phrases that are contrary to the laws, regulations and regulations in the budget text, while accepting the budgets of the district municipalities, the phrase "bylaws and regulations" in the sentence was arranged as "and other legislation" (Official Newspaper, 2018a)

#### ***Changes Made in Village Law***

With the transition to the new system, changes were made in the Village Law No. 442 (Official Newspaper, 1924).

a. No change has been made in the procedure regarding the "termination of the village legal entity" regulated in Article 11 of the Law No. 5393. The legal entity of the village was being terminated by a joint decree upon the proposal of the Ministry of Internal Affairs by taking the opinion of the Council of State. With the transition to the new system, the village legal entity is abolished by the President's decision after the existing criteria are met, without the need for a judicial process (Official Newspaper, 2018b).

b. The authority of the council of ministers regarding the determination of the provinces where security guards for villages will be implemented has passed to the president. In addition, the principles and principles to be applied in these matters will be regulated by a regulation to be issued by the President (Official Newspaper, 2018a). The provision that the existing regulation in the previous regulation was prepared by the Ministry of Internal Affairs upon the opinion of the Ministry of National Defense and the Ministry of Finance and published by the Council of Ministers was abolished (Öner, 2019: 326).

#### ***Amendments Made to the Law on Local Government Associations***

Law No. 5355, which includes regulations regarding the establishment and fields of activity of local government unions, entered into force in 2005. With the transition to the new system, changes were made in this law in accordance with the structure of the new system:

a. While gaining legal personality of local government unions is an authority of the Council of Ministers, this authority has passed to the President (Official Newspaper, 2018a).

b. While the authority to determine the statute of the union belongs to the Ministry of Internal Affairs, the use of this authority is given to different ministries according to local government types. For example, this authority is given to the Ministry of Internal Affairs for unions formed by special provincial administrations and villages, and to the Ministry of Environment and Urbanization for unions formed by municipalities (Öner, 2019: 327).

c. With the transition to the new system, local administration unions were associated with IMCPs established in provinces with metropolitan municipalities. In this context, IMCPs can become members of the Local Administrative Union at the country level, which consists of special provincial administrations, with the same rights, powers and obligations (Official Newspaper, 2018c).

d. In the process of establishing tourism infrastructure service unions, in case these unions cover more than one province, the authority to determine the governorship to be assigned to monitor the process was also rearranged. With the said regulation, this authority was taken from the Ministry of Internal Affairs and given to the Ministry of Environment and Urbanization (Official Newspaper, 2018d).

### ***Transformation of Center-Local Relations in the New Era***

Although the “new era” in Turkey started with the transition to the PGS in 2018, the search for an alternatives to the parliamentary system dates back much earlier. In this context, the "presidential system", fore in this context, began to be debated and discussed with a louder voice in the early 2000s. The first concrete step in this direction was taken with the referendum held in 2007. Constitutional amendments, including the election of the President by the people, were the signal flare of the new era. Especially the legal and institutional arrangements made after the 2011 elections were very strong indicators of the tendencies towards centralization. Law No. 6360, which entered into force with the 2014 Local Elections, can be considered as an important step in this direction. While the Law No. 6360 caused Turkey to enter a new era in the experience of metropolitan municipality, it overlapped the boundaries of the metropolitan municipality with the administrative boundaries of the province, and the boundaries of the district municipalities with the territorial boundaries of the district. With the law, the provision of local services at all provincial level was left to the responsibility of the metropolitan municipality and metropolitan district municipalities in coordination. Thus, “new power centers” were created, which would be the manifestation of local centralization. The law also produced important problems during the implementation process, the effects of which would later become more severe.

The July 15 coup attempt, further clarified the search for system change and opened the door to a new era. The coup attempt also deepened the tutelage over local governments and their elected bodies. In 2016 and beyond, the dismissal of elected bodies of local governments or members of these bodies has become a common practice. The rules regarding the termination of the duties of local administrators in Turkey under normal conditions are regulated in Article 127 of the Constitution and the Law on Municipalities No. 5393 (Official Newspaper, 2005). With the Decree No. 674 (Official Newspaper, 2016a), one of the Emergency Decrees issued after the coup attempt, an additional regulation was made in Article 45 of the Municipality Law. According to this regulation, if the mayor, deputy mayor or council member is suspended from duty, arrested, or banned from public service due to terrorism or aiding and abetting terrorist organizations, his/her position as chairman or member of the council will be terminated. In this case, the mayor or vice president and council member will be appointed by the authorities specified in Article 46 of the Municipal Law. With this arrangement, many elected local administrators were dismissed and local administrators were appointed in their place. In addition, it was witnessed that not only mayors but also city council members were dismissed and replaced by new ones (Keleş and Özgül, 2017). These regulations, which were specific to the state of emergency became permanent over time and the appointment of trustees continued after the end of the state of emergency. According to Mengi (2021: 267), with these practices, the judicial guarantee regarding the loss of the title of organ of the elected organs, which is stated in Article 127 of the Constitution, is ignored.

The coup attempt accelerated the process and took more concrete steps regarding system change. In this context, a referendum was held once again for the constitutional amendments to introduce a new system that concentrate the executive powers in the elected president. While the constitutional amendments adopted as a result of the 2017 Referendum would form the legal infrastructure of the new system, the center-local relations would also be shaped through this infrastructure. The 2017 Referendum also provided a constitutional framework for the centralization trends that gained momentum after 2011. After the 2018 elections, the new system was officially started to be implemented with the Presidential Decree No. 1 dated 10.07.2018 (Official Newspaper, 2018e). With the decrees issued,

fundamental and institutional changes were made in the management system, which would also reflect on the local government structure (Öner, 2019: 306).

With the Decree No. 1, new regulations were made on the ministries that were authorized in matters related to local governments. The General Directorate of Local Administrations under the name of the Ministry of Environment and Urbanization at that time was established. The duties, authorities and responsibilities arising from the main tutelage authority over local governments remained with the Ministry of Internal Affairs. The powers remaining within the scope of Article 127 of the Constitution are those that remain with the Ministry of Internal Affairs. Other duties, authorities and responsibilities have been transferred to the Ministry of Environment and Urbanization. In addition, some powers will continue to be used by both ministries. The division of powers related to local governments between the two ministries has led to the emergence of a dual structure in the exercise of powers (Mengi, 2021: 274,275).

These changes should not be considered as purely technical changes. The structuring of the General Directorate of Local Administrations within the Ministry of Environment and Urbanization gives the impression that it was made by taking into account the zoning planning powers of the municipalities. Mengi (2021) considers the changes made in this direction as an effort to highlight this ministry in zoning practices. In fact, the Ministry of Environment and Urbanization was seen as an important tool in the implementation of centralization trends and its powers were increased rapidly after 2011. For example, with the Law No. 6360, which entered into force in 2012, almost all authorities on urban renewal and transformation have been centralized (Official Newspaper, 2012). With the law, the authority to make, make and approve plans of all types and scales in the "risky area", "reserve area" and in these areas is almost entirely left to this ministry. The authority to determine "risky buildings" was left to institutions and organizations licensed by the ministry. However, with the transition to the new system, new regulations have been made in this regard. In 2019, an amendment was made in the Implementation Regulation of the Law No. 6306 regarding the declaration of "risky area", that the requests deemed appropriate by the Ministry would be submitted to the President's approval (Official Newspaper, 2019).

With the transition to the presidential government system, a major transformation in public administration was reflected in the center-local relations, while the new system also created a new political climate. In particular, the 2019 Local Elections and their results have caused this political climate to harden. While the "alliance method", which was a natural requirement of the new system, was also applied in the local elections held in 2019, this method created significant results in favor of the opposition in the municipalities. The bi-block political climate created by the new system was also reflected in local politics, and the center-local relations began to follow a tenses course. This climate has caused new side effects to emerge in the metropolitan municipality system established by Law No. 6360 and the problems to become more visible. After the local elections, there were significant problems especially between some metropolitan municipalities and their extensions in the central government and the provinces. From time to time, metropolitan municipalities and disempowered district municipalities faced each other (Kutlu and Kahraman, 2017; Lamba, 2017; Öztop, 2017; Mengi, 2021; Güler and Parlıyan, 2021).

### **Problem Areas in the Relations of Central Government and Provincial Extensions and Metropolitan Municipalities**

The arrangements made within the framework of the Presidential Government System (PGS) had important reflections on the local government structure, at the technical and structural level. With the new system, problems began to arise between the central government and many municipalities and metropolitan municipalities, and the negative effects of Law No. 6360 became more evident. In this section, determinations and evaluations have been made about the problems that have been experienced in the relations between the central government and the provincial extensions of the central government and the metropolitan city.

#### ***Problem Areas in Relationship between Central Government and Metropolitan Municipalities***

Due to the essence of the new system, the prioritization of centralism and the results in favor of the opposition in the last local elections caused the relations between the central government and the opposition metropolitan municipalities to harden. These tense relations between the central government and opposition metropolitan municipalities create new problem areas. These emerging problem areas were evaluated under the following sub-headings:

##### ***Trustee Appointments Problem***

The appointment of trustees made in the state of emergency created by the July 15 Coup Attempt has caused discussions on local democracy. After the coup attempt, the Decree Law No. 674, which came into force during the state of emergency, created new problem areas in the center-local relations (Official Newspaper, 2016a). As is known, the Article 127 of the Constitution states that local governments are public legal entities elected by the voters. In addition, it has been regulated that the resolution of objections regarding their acquisition of organ status and the supervision of their loss of the title of an organ will mainly be done through the judiciary. The same article also authorized the Minister of Interior as a guardianship authority in this regard. In this context, the minister has been given the authority to dismiss the local government bodies or members of these bodies against whom investigations or prosecutions have been initiated, in case of a crime related to his duties, until the final decision. It was also regulated by the said article that this removal would be a temporary measure. In the Municipal Law No. 5393, an additional arrangement was made to these constitutional provisions (Official Newspaper, 2005). According to the Article 47 of the law, the decision to dismiss from office must be reviewed every two months (Güler and Parlıyan, 2021: 299, 300).

After the coup attempt, new arrangements were made in Articles 45 and 57 of the Municipal Law with the Decree Law No. 674 (Official Newspaper, 2016a), and additions were made to Article 45 with the Law No. 6758 (Official Newspaper, 2016b). Additional provisions have been added to the articles containing the provisions to be made in the event of "emptying the mayor's office" and "disruption in services". With these additional provisions, it has been ensured that a representative "by appointment" replaces the mayor, deputy mayor and council members who are dismissed within the scope of crimes of aiding and abetting terrorism or terrorist organizations. During the implementation of this regulation, assignments were made by the Minister of Interior in metropolitan and provincial municipalities and by the governor in other municipalities. During the process, many local administrators who took office with the 2014 local elections were dismissed and trustees were appointed instead.

However, despite the end of the state of emergency, such practices continued after the 2019 Local Elections.

In practice, in municipalities appointed by the guardianship authority, duties and authorities are carried out by civil servant members of the municipal committee. It is also stipulated that the budget and accounting works and transactions can be carried out by the registry office or the property directorate with the approval of the governorship. At the same time, the assembly cannot convene without the call of the president. Güler and Yılmaz (2018) underline that council members are rendered dysfunctional with the said provisions and practices. The regulations and practices made in this direction render the municipal councils dysfunctional and empower those appointed in the duties of the municipalities. The continuation and dissemination of exceptional practices specific to extraordinary periods also in normal periods causes new problem areas to emerge in the local area. This undermines and erodes local democracy.

#### ***Problems with Transportation Coordination Center Arrangements***

Another problem area between the central government and opposition metropolitan municipalities is related to urban transportation. Transportation services were regulated in Article 9 of the Metropolitan Municipality Law No. 5216 (Official Newspaper, 2004). This article defines the structure of the Transport Coordination Center (TCC). TCC would consist of a representative to be appointed by the public institutions and organizations to be determined by the regulation, and the Turkish Drivers and Automobile Association, under the chairmanship of the metropolitan mayor or the person appointed by him/her. However, in 2020, Regulation No. 31344 was issued jointly by the Ministry of Environment and Urbanization and the Ministry of Interior (Official Newspaper, 2020). With this new regulation, changes were made in the membership structure and number of the centers, and the number of central government representatives was increased. With the amendment of the regulation, especially in metropolitan cities governed by opposition parties, it has begun to interfere with the decisions of municipal administrations regarding urban transportation (Mengi, 2021: 268). This intervention to TCC causes problems in the coordination of urban transportation services in metropolitan areas. This regulation means that the powers given to the elected administrators of the city by law are taken back by regulation.

Such interventions exacerbate the already existing problems and confusion in transportation. After these interventions, transportation problems started to be experienced much more deeply in some big metropolitan cities. For example, 6,000 new taxi projects developed by the Istanbul Metropolitan Municipality to find a solution to the taxi problem were rejected for the 12th time at TCC. Likewise, the municipality's request for a 40% increase in public transportation due to increasing oil prices was accepted only in the meeting held in April.<sup>‡</sup>

#### ***Borrowing Requests of Metropolitan Municipalities and Approval Problems of Projects***

Metropolitan municipalities have to develop projects to meet the infrastructure needs of the growing urban population. Such infrastructure projects also create a significant borrowing requirement. Recently, there have been problems between the central government and some metropolitan municipalities in this context. Approval of infrastructure projects that require advanced technology and borrowing demands for these projects create new problems in center-local relations.

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<sup>‡</sup> Hürriyet (2022a); Hürriyet (2022b).

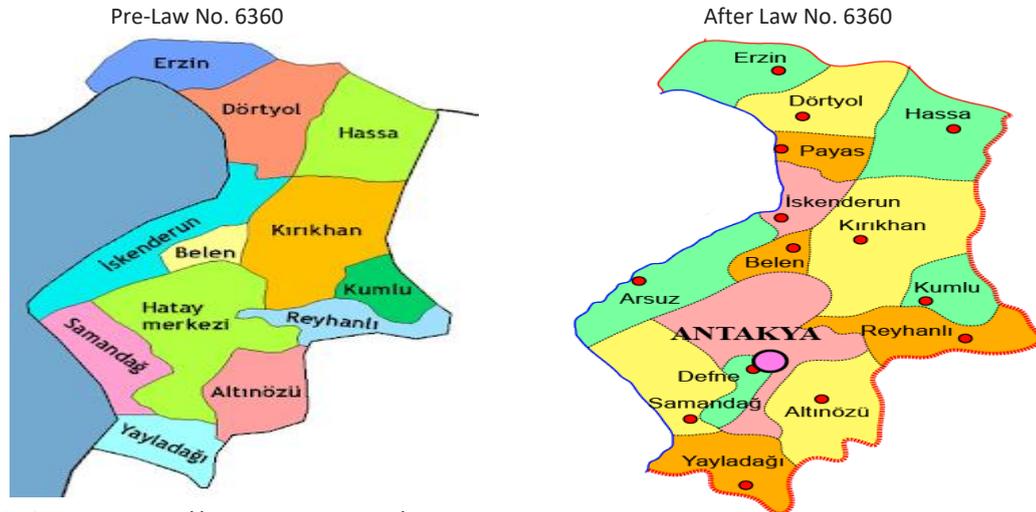
The permission of the Ministry of Treasury and Finance is required for the issuance of bonds by local governments, and the approval of the Ministry of Environment, Urbanization and Climate Change is required for domestic borrowing. For infrastructure investments that require advanced technology, local governments can only borrow for projects approved by the President. The favorable opinion of the Ministry of Treasury is also required for projects that require external resources ((Official Newspaper, 2004, 2005)). The problems experienced in this context are frequently reflected in the press and media. News that especially municipalities belonging to opposition parties cannot get approval and borrowing permission for infrastructure projects are reflected in the newspapers.<sup>5</sup>

#### **Problems with Creating New Constituencies**

Another problem between the central government and local governments is the "constituency problem". As Mengi (2021:271) emphasized, this problem first came to the agenda with the Law No. 5747 and No. 6360 dated 2008 (Official Newspaper, 2008, 2012). With these laws, new metropolitan district municipalities were established and their borders changed, and some of their neighborhoods joined the borders of other district municipalities. Such regulations have led to discussions that "they aim to change the voting rate in the municipalities in local elections". In the annulment lawsuit filed with the argument that some provisions of Law No. 6360 are unconstitutional, there is also a regulation regarding this boundary change.

The alignment of the district municipality boundaries with the territorial boundaries of the district and expanding the scale of the electoral districts within the boundaries of the Metropolitan Municipality, of course, affect the election results. Likewise, the establishment of new districts and the change of some district boundaries have multifaceted effects on the election results. One of the examples for the regulations made in this direction is the example of the new electoral circles created in Hatay.

**Figure 1.** District Boundaries in Hatay Before and After Law No. 6360



Reference:<https://www.google.com/search>

As reflected in Figure 1, Hatay's district administrative map has undergone significant changes with the Law No. 6360. Antakya, Defne, Arsu and Payas districts were established within the Central District, İskenderun and Dörtyol districts, which were the largest districts of

<sup>5</sup> Hürriyet (2022c).

Hatay in terms of demographics (Official Newspaper, 2012). Within the scope of the regulations, the boundaries of the districts were radically changed and new electoral districts were created within this framework. A careful examination of the district boundaries before and after the Law No. 6360, as reflected in Figure 1, will make the situation very clear (Official Newspaper, 2012). Especially in the newly established districts of Antakya, Defne and Arsuz, abnormal regulations are observed (Adigüzel and Tek, 2014). While the newly established Defne District was compressed into a narrow area, it will be seen that the borders of the Antakya district were reduced to the Yayladağı District borders by creating a narrow corridor. While the borders of the newly established Arsuz District were kept very wide, Iskenderun was transformed into almost the smallest district of the province in terms of surface area. However, Iskenderun is the second most populated district of the province. Of course, the electoral district arrangements made in Hatay had significant effects on the election results (Adigüzel, 2021: 96).

It is possible that these interventions of the central government towards the electoral circles will directly affect the election results. Such interventions lead to tensions in center-local relations and create new problem areas.

#### ***Problems Caused by Mining Activities***

While the legal structures of the special provincial administrations were terminated in the provinces where metropolitan municipalities were established with the Law No. 6360, some of their duties were transferred to these municipalities (Official Newspaper, 2012). However, while the first applications are made to the special provincial administrations in matters such as mines, sand quarries and quarries, in the provinces where metropolitan municipalities have been established, these applications are made to the governorships (Official Newspaper, 2017). Granting mining exploration licenses by governorships in metropolitan areas creates new problem areas. In addition, metropolitan municipalities are faced with legislative barriers regarding the inspections of such enterprises operating within their service boundaries. The supervision of these enterprises by the Ministry of Energy and Natural Resources causes problems in the center-local relations.

Intervention of the closest units to the environmental problems at the local level can provide a faster and more effective solution to the problems. In this context, local intervention to the problems arising from mining activities seems more realistic. Because it is the local people and local governments who experience the effects of these problems.

#### ***Problem Areas in the Relationship between the Provincial Units of the Central Government and the Metropolitan Municipalities***

Some of the problems experienced between metropolitan municipalities and the central government stem from the relations between these municipalities and the provincial units of the central government.

#### ***Problems Caused by the Relationship between Metropolitan Municipalities and the Investment Monitoring and Coordination Department***

The Investment Monitoring and Coordination Presidency (IMCP), which was established by Law No. 6360, added a new dimension to the centralization discussions (Official Newspaper, 2012). As it is known, IMCPs, which were established to meet local needs in the determination, implementation and monitoring of public investments, started to operate in thirty metropolitan cities after the 2014 Local Elections. Although IMCPs are seen as structures that undertake some of the duties of the special provincial administrations that have been abolished, they are included in the central administration structure. However, it is not correct

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to claim that IMCPs were established to replace the abolished Special Provincial Administrations (Mengi, 2021:273). IMCPs were rearranged within the scope of Decree Law No. 674 (Official Newspaper, 2016a). With the regulation, the phrase "having a public legal personality and a private budget" was added to the relevant article after the phrase "subordinate to the governor". As can be seen, IMCPs have been given legal personality and have been made with a special budget. In other words, the capacity of IMCPs has been increased and strengthened. Finally, regulations regarding YIKOB were made in the Presidential Decree No. 703 issued in 2018 (Official Newspaper, 2018b). As a result, IMCP has taken its place in public administration as a structure with executive and supervisory powers (Dağlı and Özgül, 2019: 27).

As is known, there are duties assigned to special provincial administrations within the scope of the relevant articles of the Geothermal Resources and Natural Mineral Waters Law, the Mining Law and the Law on the Protection of Cultural and Natural Assets. The duties of special provincial administrations, whose legal entities have been abolished, have been transferred to IMCPs. However, some duties of special provincial administrations whose legal structures were terminated were transferred to metropolitan municipalities. The fact that their duties in this scope were transferred to IMCPs creates new problem areas. For example, the first applications in matters such as mines, sand quarries and quarries are made to the governorships, not to the metropolitan municipalities (Mining Regulation). Hence geothermal resources, mining etc. activities such as these cause problems between the metropolitan municipalities and the central government, as well as the provincial units of the central government. Recently, ministries and provincial units have been working on development, energy, public works, tourism, environment, olive groves, etc. they come face to face with the local people. Today, we can say that the central government is in a "growth despite everything" approach, especially in mining within the scope of mineral exploration and hydroelectric projects, permits, licenses, inspections, so forth. It is important that local governments also have authority in such matters. Arrangements to be made in this direction may bring different approaches.

One of the issues that need to be addressed regarding IMCPs is whether IMCPs have created a new guardianship authority. The fact that IMCPs have the authority to interfere with the administrative and financial autonomy of the municipalities and the boundaries of the intervention causes discussions. In addition, opinions are frequently expressed that the recent changes have increased the guardianship authority of the governors over the metropolitan municipalities. The duties assigned to the governors by the Decree Law No. 674 (Official Newspaper, 2016a), without a court decision, in the event that the services are found to be disrupted, also cause controversy. Taking the place of an elected municipality and fulfilling the local services by the civil administration adds a different dimension to the tutelage relations. The assumption of certain functions left to local governments by law by the central government is a situation that goes beyond tutelage control. Keleş and Özgül (2017: 304) consider this situation as a hierarchical relationship that goes beyond the tutelage control, which is foreseen to be used for the purposes specified in the Constitution.

***Problems in the Scope of Duty of Metropolitan Municipalities and Administrative Authorities, Provincial and Regional Directorates***

With the Law No. 6360, the overlapping of the service areas with the civil borders, including the rural areas, and the assignment of duties related to agriculture and animal husbandry to the metropolitan municipalities also created new problem areas. Arrangements made in this regard have caused the overlapping of the duties of the civil authorities and the

metropolitan municipalities. These conflicts are also valid for the fields of duty of the provincial and regional directorates. Such service area overlaps and new mission areas create different problems in the delivery of local services.

In this context, the distribution of duties and responsibilities in provinces with metropolitan municipalities can be reviewed in accordance with the new situation. It may be possible to re-determine the duties and responsibilities of the civil authorities, provincial and regional directorates. These duties and responsibilities can be clarified with more specific lines. Such as, as Öztop (2017:28) emphasizes, youth, sports, culture, tourism, agriculture, forest, livestock, mining, and so on. Some duties of the provincial directorates responsible for their services may be delegated to the metropolitan municipalities. Thus, by filling the gaps in the areas of duty and responsibility, both local administrators can serve more effectively and the discussions on the status of the civil authorities are eliminated.

#### **Problem Areas in the Scope of Relations between Metropolitan Municipalities and District Municipalities**

Law No. 6360 put district municipalities in a weak position against metropolitan municipalities. Compared to the municipalities subject to the Municipal Law No. 5393, it can be said that the metropolitan district municipalities have less authority (Official Newspaper, 2005). The weak positions of the district municipalities cause problems with the metropolitan municipalities. Moreover the understanding of alliance that dominates today's politics deepens these problem areas observed in local politics. In this section, determinations and evaluations about the problems experienced in the relations between metropolitan and district municipalities are made.

#### ***Problems Caused by the Insufficient Authority of District Municipalities***

The main reason for seeking a different approach from the classical municipalism approach in the main city areas is to ensure coordination in the provision of local services within a holistic understanding. This is one of the most fundamental purposes of Law No. 6360. With the law, a two-stage local system has been established at the provincial level, in which the metropolitan and district municipalities are responsible. However, this structure has also led to the emergence of new problems in ensuring coordination at the local level. As Turan and Duru (2014: 287) emphasize, the main responsibility for the delivery of local services belongs to the metropolitan municipalities. District municipalities are positioned as auxiliary units. Giving the metropolitan municipalities the authority to supervise the district municipalities creates new problem areas. Especially among municipalities from different political parties, the problems are getting deeper. Sometimes, during the construction of zoning plans, uncertainties may arise about the duties, authorities and responsibilities of metropolitan and district municipalities. These uncertainties also have the potential to cause problems in the implementation processes.

In addition, the political differences of opinion between the metropolitan mayor and the majority of the council cause the existing problems to deepen. It is possible to say that these problems sometimes cause local centralization. Of course, local centralization paves the way for new and different problems in a vicious circle. While some studies on the subject reveal findings in this direction, we can also say that there is a general "acceptance" about centralization in the local area (Lamba, 2017:67; Kutlu and Kahraman, 2017: 151).

#### ***Problems Caused by Rural Area and Distance***

The obligation of the metropolitan municipality to provide services to all urban and rural areas causes the emergence of new problem areas in the implementation process. While the

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municipalities that are intertwined with the metropolitan city can benefit from the services of the metropolitan city very quickly, the municipalities that are far away can benefit from these services less. Similar problems are also valid for villages whose legal status has been transformed into neighborhoods. Rural areas far from the metropolis cannot receive adequate local services due to distance or the conflicts between metropolitan-district municipalities. Therefore, distance differences from metropolitan cities can create new problem areas.

Considering the rural areas far from the metropolis, there may be different practices regarding income transfer and sharing to distant district municipalities. The 30% share deducted from the share transferred to the metropolitan district municipalities from the general budget tax revenues every month can be reviewed in this context. Fewer deductions can be made from district municipalities that are far from the opportunities provided by the central city. Thus, the impact of distance-related problems in metropolitan rural areas can be reduced.

### **Overall Assessment and Conclusion**

Center-local relations in Turkey have always been shaped by a "skeptical" perspective of the center towards the local and have not been institutionalized. This point of view has brought with it a deep sense of tutelage over the local of the center, although its dose has decreased from time to time. While the deep tutelage of the center over the local was not even seen as a problem for long periods, discussions and inquiries about this issue first came to the fore in the seventies. In this period, there was a search for socialist municipalism approach. Issues such as producer, resource creator, participatory municipality, decentralization, local democracy, local autonomy etc. began to be on the agenda. However, searches in this direction have been constantly sacrificed to authoritarian, monist and centralist approaches. Towards the end of the last century, the wind of globalization that was blowing across the world also showed its effect in Turkey, and regulations were made to ensure direct contact of cities and locals with global markets. In the early 2000s, the positive evolution of Turkey-EU relations also strengthened the discourse and tendencies towards decentralization. However, the wind of localization tendencies, which emerged mostly with the effect of external dynamics, died out very quickly. Because, in the center-periphery dichotomy, the periphery has now come to a strong position in the central government as well as in local governments. For this reason, the direction of power transfer and the center-local balance will change in favor of the center again. Concrete steps in this direction were first taken with the referendum held in 2007, and the president was elected by the people for the first time in 2014.

While the July 15 coup attempt accelerated the process of system change and deepened the existing tutelage over local governments and their elected bodies. During this period, the dismissal of the elected organs of local governments by the central government has become a frequently used method. The referendum held in 2017 formed the constitutional infrastructure of the centralization tendencies and the transition process to the PGS started. In 2018, the transition to the new system was achieved with the election of Recep Tayyip Erdoğan as president in the parliamentary and presidential elections held together. With the transition to PGS, fundamental and institutional changes were made in the management structure in line with the requirements and character of the new system. This change and transformation was also reflected in the local government structure and some technical and structural arrangements were made in the local government system. Now, the newly established Local Government Policies Board has been brought to an effective position in the

process of establishing and developing the policies to be followed regarding local governments.

The "alliance method" that emerged as a natural requirement of the new system within the PGS was also applied in local elections. While the alliance method created significant results in favor of the opposition, especially in metropolitan cities, in the last local elections, the center-local relations started to follow a tensor course. The appointment of trustees, delaying the approval and borrowing requests of some metropolitan municipalities' infrastructure projects that require advanced technology, changing the TCC structure with the change of regulation can be seen as a reflection of the problematic relations. Even these examples alone are concrete indicators of what new problem areas the two-block political structure created by the new system has created in local politics.

Tensions in the center-local relations also created new problems in the implementation process of Law No. 6360, which was enacted long before. The law in question caused the emergence of side effects in the relations between the central government and the Metropolitan Municipality and caused the problems to become more visible. The exclusion of metropolitan municipalities from the mining activities process, the fact that IMCPs' intervention limits in the local area are not very clear, can be given as examples of new problem areas arising from the Law No. 6360. However, such new problems are experienced not only between the central government and opposition metropolitan municipalities, but also within the metropolitan cities themselves. Especially in metropolitan cities where different political views are in question, 6360 regulations create problems that can reach a crisis. With 6360, the authorization of the metropolitan municipalities to inspect the district municipalities, the positioning of the district municipalities as auxiliary units, and the ambiguity of duty and authority in the zoning plans cause new problems. These problems are sometimes experienced between the mayor of the metropolitan and the district municipalities with different political views, and sometimes between the mayor and the councils. In some cases, the problems are so severe that local services come to a standstill and reach the level of a "crisis".

The transition to PGS and the political climate created by the new system increased centralism, thus causing the center's tutelage over local governments to deepen. The center-local relations, which are currently on a problematic line, have also a negative impact on the quality of local services.

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