

## UNITARY GOVERNMENT *VERSUS* FEDERAL GOVERNMENT: A NEW TURKISH PUBLIC SECTOR REFORM EFFORT

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**Özet:** Bu makalede, yeni Türk kamu sektörü reform çabasının federal devlete doğru bir adım olup olmadığı, federalizmin tanımı ve ayırt edici özellikleri yönünden tartışılmakta; bu iddianın doğru olmadığı sonucuna ulaşılmaktadır.

**Anahtar Kelimeler:** Üniter ve federal devletin tanımı, federalizmin ayırt edici özellikleri, yeni [son] kamu yönetimi reform çabası, Türk yerel yönetim sistemi, muhaliflerin iddialarındaki yanlışlıklar.

**Abstract:** In this article whether the new Turkish public sector reform effort is a step towards a federal government or not is discussed in terms of the definition and characteristics of federalism. In the end, it is concluded that the argument is not true.

**Keywords:** Definition of unitary and federal government, characteristics of federalism, the new [last] public sector reform effort, Turkish local government system, mistakes in the arguments of the opponents.

### I. Introduction

A shift in priorities and goals of the states came in 1970s with the emergence of the New Right. The New Right, contrary to previous period, “restated the case for free-market economies and individual responsibility” (Heywood, 1999: 365). For the last two decades this shift in the Western thought has affected almost all aspect of the states. Countries are trying to adapt themselves this change. In this context, for instance, most of the advanced capitalist democracies initiated public sector reform as a response to the public sector expansion process that had been a dominant feature of these countries after the Second World War (Lane, 1997: 2). The same tendency can be seen in the post-communist countries of the former soviet bloc. Reform of central-local relationships was accepted as a part of the transformation of their political systems (Horváth, 2001: 22). However, the direction of the public sector reform experience has been a bit different in Turkey.

Although the reform efforts come into the public and political agenda at times, the structure of the Turkish public administration is the same as in the early years of 1900s. Most of the public goods and services are still performed at the central level. Local governments do not have an important part in the public sector. In other words, “the general characteristic of the framework within which Turkish local government units were established and expected to

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function has been centralization, with the central government exercising its power and authority over their functioning” (Polatoglu, 2000: 157).

In essence, Republic of Turkey has a long history of public sector reform effort. For instance, reformation of the military had been accepted as a vital question for interrupting the decay of the Ottoman Empire. Furthermore, the intellectuals in its last period had debated the public sector reform at the public administration level. For example, Prens Sabahaddin had argued that a way of escape from collapse of the Ottoman Empire could be decentralization and individual enterprise (Prens Sabahaddin, 1999). He also found an association, called Tesebbus-u Sahsi ve Adem-i Merkeziyet (Individual Enterprise and Decentralization).<sup>i</sup>

The New Right in the Western world, especially Great Britain and United States, “tried and ‘roll back the state’ by cutting taxes, reducing economic intervention and holding back welfare spending” (Heywood, 1999: 365). Recently, as in the cases of some earlier Turkish governments, the last Turkish government also sent a draft law to the Parliament, i.e. Grand National Assembly of Turkey, in order to roll back the state.<sup>ii</sup> The law was passed in the Parliament but has not ratified by the President of the Turkish Republic.

The major opposition party, i.e. Republican People’s Party (RPP),<sup>iii</sup> non-governmental organizations<sup>iv</sup> and some scholars<sup>v</sup> criticized this law. The most important part of their arguments is that if this law is enacted, Turkey will be a federal government. In this article, it will be evaluated whether this argument is correct or not. In other words, we will analyze whether this law consists of features of federal governments or not.

At this point it must be necessary to mention about methodology followed in this article. In the first section of the study there is a conceptual framework. In order to evaluate whether the law consists of features of federal governments, at first, unitary and federal government and characteristics of a federal government are defined. Then, as the law regulates intergovernmental relationships in Turkey, reform and public sector concepts are clarified and Turkish local government system are summarized. In the second section of the study, at first, arguments against Turkish public sector reform are classified. Then, it is evaluated whether the law consists of characteristics of federalism or not. In the end, there are concluding remarks. In this context, it is argued that the argument about the transition from the unitary government to the federal one is an ideological manipulation which is done by saying that the public sector reform effort is a threat for our unitary government.

## **II. A Conceptual Framework**

In this part of the study unitary and federal governments will be defined and the meaning of the “new Turkish reform effort” will be explained.

*A. Unitary and Federal Government: A Comparison*

The state “can legitimately use force to enforce its will and citizens must accept its authority as long as they continue to live within its borders” (Hague and Harrop, 2001: 6). The state “comprises the various institutions of government, the bureaucracy, the military, police, courts, social security system and so forth” (Heywood, 1999: 74) in one hand, refers to sovereignty, its absolute and unrestricted power, and particular form, territorially limited, authority and compulsory jurisdiction that “those living within a state rarely exercise choice about whether or not to accept its authority” (Heywood, 1999: 74, 76) on the other hand.

The relationship between state and government are controversial. However, it can be argued that government is “a part of the state” (Heywood, 1999: 76). In other words, “the state defines the political community of which government is the executive branch” (Hague and Harrop, 2001: 6).

Government is central to define unitary or federal government. To govern is “to rule or exercise control over others” (Heywood, 1999: 64). This is the broadest meaning of “govern”. The activity of government, in its broadest sense, “involves the ability to make decisions and to ensure that they are carried out” (p. 64). In that sense, governments exists whenever and wherever ordered rule occurs (p. 64).

The activity of government, in its narrow sense, refers to formal and institutional process by which rule is exercised at community, national and international levels (Heywood, 1999: 64). In other words, “a government consists of institutions responsible for making collective decisions for society. More narrowly, government refers to the top political level within such institutions” (Hague and Harrop, 2001: 5).

After this brief information, unitary and federal governments can be defined.

Unitary can be defined that “sovereignty lies exclusively with the central government; sub-national authorities, whether regional or local, may make policy as well as implement it but they do so by permission of the centre” (Hague and Harrop, 2001: 208).

In contrast to unitary government, federal government is the country based on federalism. Federalism “is the principle of sharing sovereignty between central and state (or provincial) governments” (Hague and Harrop, 2001: 202). Because of the division of sovereignty between the centre and the periphery, “at least in theory, neither level of government can encroach upon the powers of the other” (Heywood, 1999: 114). Any political system that puts this idea into practice is called a federation (Demir and Acar, 2002: 152).

To discuss which type of government is suitable for a modern state or the history of unitary and federal governments is not necessary here. However, in order to evaluate arguments of the opponents of the new Turkish public sector reform effort the characteristics of federal government should be

summarized. In doing so, arguments against transition from a unitary government to a federal one can be testable.

There are some basic characteristics of federalism though its numbers are changing. However, it can be said that federalism has six characteristics.<sup>vi</sup> They are as follows:

a) *The territorial distribution of power*: The distribution of powers is the essence of federalism. Constituent members of a federation, i.e. states, are determined territorially; in other words, the distribution of power in a federation is territorial or geographical (Gozler, 2003: 76).

b) *The difficulty in changing the distribution of power*: In a federation the existence and functions of the states can only be modified by amending the constitution (Hague and Harrop, 2001: 202) and the institution can not be changed without consent of the states (Gozler, 2003: 76).

c) *The assignment of residual powers*: It was mentioned above that the distribution of power is made by constitution. There are two ways of doing this. One of them is enumeration of the functions of federal governments. Another way is enumeration of the functions of states (or cantons, or Länders) (Gozler, 2003: 76-77). In fact, another enumerating way can be added to them: enumeration of the functions of two-levels (Tezic, 1998: 129). In practice, as indicated Deutsch (1974: 191), “no constitution and tradition can provide for every specific situation”. Sometimes, there can not be detected “which government, federal or state, has the residual powers –that is, the responsibility and legal power for dealing with those tasks that have not been assigned to either” (p. 191). While the residual powers can be in the hands of the states, such as United States, they can be in the hands of the federal governments as in the cases of Canada and India (p. 191).

d) *The necessity of federal supreme court*: As a way of judicial resolution of power conflicts between federal governments and states and among states, the establishment of a supreme court is necessary (Gozler, 2003: 77; Tezic, 1998: 130).

e) *A Two-level assembly and equal representation through an upper chamber of the assembly*: In almost all of federations “the states have a guaranteed voice in national policy-making through an upper chamber of the assembly, in which each state normally receives equal representation” (Hague and Harrop, 2001: 202).

f) *The equality of two chambers of the assembly*: The equality of states should be real; the upper chamber of the assembly should have an effective power especially in the legislative process (Gozler, 2003: 78; Tezic, 1998: 131).

These features of federalism will be measures in order to evaluate the law related to the Turkish public sector. Here, it can be useful to compare between unitary and federal government in terms of different aspects. Such a comparison is shown below (see Table 1).

Table 1: *Differences Between Unitary and Federal Governments*

	<i>Unitary government</i>	<i>Federal government</i>
<i>Number of state</i>	There is only one state	There are two states: (1) Federal government + (2) Two or more states (or cantons, or Länders)
<i>Legal system</i>	There is only one legal system	There are two legal systems: (1) Federal legal system + (2) two or more legal systems of states
<i>Legislative, executive and judiciary powers</i>	There is only one legislative, executive and judiciary power	There are two legislative, executive and judiciary powers: (1) Federal legislative, executive and judiciary powers + (2) legislative, executive and judiciary powers of states
<i>Distribution of power</i>	It can be done by law between centre and local governments	It can be done by institution between federal government and states

Source: Gozler (2003: 75).

### *B. Reform and Public Sector*

The earliest meaning of “reform” was “recapturing of the past, the restoration of something to its original order” (Heywood, 1999: 356). However, “in modern usage, reform is more commonly associated with innovation rather than restoration; it means to make anew, to create a new form, as opposed to returning to an older one” (p. 356).

As can be seen above, “reform indicates changes within a person, institution or system which may remove their undesirable qualities but which do not alter their fundamental character” (Heywood, 1999: 356). In short, the same person, institution and system remain their essence.

Public/private divide is used in different contexts. Because of the complexity of modern government, as indicated by Hague and Harrop (2001: 254), “public employees have a range of employment relationships with the state”. The broadest term in this context is the “public sector, also called the public service or public administration” (p. 254). A new Turkish public sector reform in our study refers to Public Management Basic Law. The Article 1 of it puts the aim of the new regulation as follows:

“The aim of this law is (a) the establishment of a public management, which is participatory, transparent, accountable, based on human rights and freedoms, in order to provide/fulfil public goods and services justly, quickly, effectively and productively (b) determination of duties, authorities and responsibilities between central and local governments, (c) restructuring central government organization, and (d) regulation of basic principles and procedures of public goods and services.” (*Enumeration is mine*)

### *C. Local Governments in Turkey*

According to the article 123 of the Constitution of the Turkish Republic, administration is regulated as follows:

“Administration forms a whole with regard to its structure and functions, and shall be regulated by law.

The organization and functions of the administration are based on the principles of centralization and decentralization.”

As can be seen above, the integral unity of the administration is the basic principle of the administrative system. “Central government” represents the organizations that make up the main administrative structure of the state. It takes and implements political, administrative and economic decisions about the general administration of the country. Local governments are democratic entities established outside the central administration to carry out local public services (Keles, 1992: 13). The establishment, duties and powers of local authorities are regulated by law according to the principle of “decentralization”.<sup>vii</sup>

The article 127 of the Constitution of the Turkish Republic defines local authorities as follows:

“Local administrative bodies are public corporate entities established to meet the common local needs of the inhabitants of provinces, municipal districts and villages, whose decision-making organs are elected by the electorate described in law, and whose principles of structure are also determined by law.

The formation, duties and powers of the local authorities shall be regulated by law in accordance with the principle of decentralization.”

### **III. The Arguments on Federalism and Their Coherence**

The major opposition party (RPP), some non-governmental organizations and scholars argue that the aim of the law is different. The most important part of their arguments is as such: The aim of the law is the transition from the unitary government to the federal one.

#### *A. Arguments on Federalism*

a) *The major opposition party (RPP)*: The clues of their critics can be found at the negotiations of the law in the Parliament. For instance, Hasan Fehmi Gunes (in Grand National Assembly of Turkey, 2004) expresses the ideas of the RPP in his speaking as follows:

“...This draft law is not sensitive to unitary government. By transferring of the duties, authorities and responsibilities from the centre to the local level, the democratic cumbersome structure of the centre will be redesigned and the centre will be effective.

As an extension of this tendency, by the article 7 of the law, the duties, authorities and responsibilities are restricted and the residual duties, authorities and responsibilities are assigned to the local governments. This is a federalist attitude. If the centre is major component this government is a unitary government. However, if the centre is the secondary component this is a federal government. The design of the centre-periphery relationships in the law is not harmony with the concept of the unitary government”.

In the remaining part of his speaking, he argues that the law is not enforcing the local governments. At first, the duties, authorities and responsibilities are transferred to the local governments. This is not final but an interim process. Because the duties, authorities and responsibilities transferred to the local governments are retransferred to the market in the second phase. In other words, the aim of the law is *to privatize* these duties, authorities and responsibilities.

b) *Some non-governmental organizations:* DISK, KESK, TMMOB and TTB organized a symposium in Ankara, dated October 23, 2003. The summary of their arguments can be seen at the title of the symposium: Public Management Basic Law: “It is not reform but eliminating social state”.

The representative of KESK, Sari (2004), argues that the aim of the law is to transform the state in the direction of global capital. In this context, the decentralization is an instrumental concept in order to hide objections of the majority of the society. The representatives of KESK, TMMOB and TTB –Avci (2004), Uyar (2004) and Kaan (2004) respectively-also indicate the same process, the decentralization and *privatization* of the public services.

It seems that the objections of these non-governmental organizations are directed the changing character of the “social” aspect of the state. The same objection can be seen in the some parts of the speaking of Gunes (in Grand National Assembly of Turkey, 2004): “By the draft law the social character of the state is abolished. However, this principle should be conserved.”

c) *Some scholars:* It is not necessary here to list these scholars. The summary of their arguments is as follows: For the article 6 and 7 of the law enumerate general functions of the central government, determination of the duties and responsibilities of local governments necessarily will be based on the subsidiarity principle. This principle is not harmony with the unitary government (Azrak, 2004; Guler, 2003; Karahanogullari, 2004a and 2004b; Oztekin, 2004).

d) *The listing of the arguments:* Perhaps, in order to understand the discussions on the law the listing of the whole arguments can be useful. (1) As we have said before, the title of the law is that: Turkish Management Basic Law. It is argued that there is no such terminology in Turkish [administrative] law. With the law the term administration chosen up to now is left and the term management is used instead of it (Azrak, 2004). (2) It is argued that the term “basic” at the title of the law refers to a new category at the hierarchy of norms;<sup>viii</sup> The intension of the government is to add a new category between customary law and institution (Azrak, 2004). (3) In another draft law regarding local governments<sup>ix</sup> the status of civil servants is replaced with contractual personnel in order to supply public goods and services. This is an retrogressive step in terms of civil servants’ rights (Guler, 2003: 34 vd.; Azrak, 2004; Karahanogullari, 2004b: 16). (4) The article 40 of the law indicates that the external auditing of central and local government organizations will be

undertaken or made under the procedures and conditions determined by Sayistay (Turkish Court of Accounts). It is argued that Sayistay will not overcome to audit all of the organizations and it will be necessary to leave some parts of auditing to international auditing companies (Guler, 2003: 25 vd.; Azrak, 2004). The article 8 of the law permits the privatization of all of the public goods and services. This regulation is not convenient with the inalienability of the act of legislative power (Karahanogullari, 2004b: 15). (5) According to the article 46 of the law, under-secretary of ministries and upper level bureaucrats will come and go with governments. It is argued that this is a spoil system (Azzrak, 2004). (6) For the article 6 and 7 of the law enumerate general functions of, duties and services undertaken by, central government, determination of the duties and responsibilities of local governments necessarily bases on the subsidiarity principle (Guler, 2003: 17 vd.; Azrak, 2004). According to the law, local governments are becoming essential instead of the central government in terms of functions (Karahanogullari, 2004b: 14). (7) It is argued that the law is not considered the tutelage. Without tutelage, the unity of administration withers away (Guler, 2003: 18; Azrak, 2004). (8) The law is transferring the functions of central government to the local governments, special provincial administrations, on a large scale. Special provincial administration is thought as a first step in the direction towards a regional development, i.e. a federation (Guler, 2003: 25 vd.).

In addition, Karahanogullari (2004b: 21) argues that the aim of this law is to eliminate the public sphere. Guler (2003: 38) finishes her evaluating about the law as follows: "Subsidiarity is, not empowering of local governments, the acceptance of non-centralization. The political equivalent of this principle is local, or federal, organization instead of unitary structure."

Without doubt, it can be added to the list new arguments put forward by the opponents of the law.<sup>x</sup> But the purpose of the article is not to list them. Each of the above arguments can be disproved. For instance, the first argument can be seen as a linguistic problem. The concepts are important but we have been already using public administration or management at the universities.<sup>xi</sup>

The second argument became meaningless because the title of the law was changed at the Parliament in the course of negotiation.

The third argument can be evaluated in different ways. On the one hand, the public sector reform movement in the world is a response an important transformation, namely globalization. Because of this the formation of the personnel of public authorities has been changing as in the cases of other countries which initiated public sector reform in the last two decades.<sup>xiii</sup> And also if we carefully analyze the law related to local governments, we can see that the formation of personnel policies changes partly but not radically. The article 49 of the law is that "municipal services are carried out by hands of civil servants, other public officials and labours". On the other hand, it is true that in conformity with globalization working conditions are changing in Turkey.



Moreover, the law does not indicate a privatization of auditing directly. One way of resolution of this uncertainty in the writing of the article is, perhaps, to look at the reasons upon which the law is based. There is not any proof to overcome this uncertainty in the booklet of the law.<sup>xiii</sup> However, this is not important. According to the article 160 of the Constitution of Turkish Republic, there is only one responsible organization for the auditing, i.e. Sayıştay. The article 40 of the law is not interpreted as a privatization of auditing. If this article is accepted as it is, Anayasa Mahkemesi (Constitutional Court of Turkey) will annul it definitely. Because, according to interpretation of Anayasa Mahkemesi, auditing services can not be privatized (Akillioglu, 1986: 97). Moreover, the argument about eliminating public goods and services by means of privatization is meaningless because the article 47 of the Constitution of the Turkish Republic regulates and permits privatization.

In the following part of the article, it will be analyzed the last three arguments of the opponents of the law because of their interconnectedness.

#### *B. Is This Reform a Step Towards a Federal Government?*

It is difficult to understand the rhetoric of the major opposition party. Because theoretical aspects of the public sector reform has been developed by the major opposition party, namely republicans and leftists. However, the same block is in the other side of the debate today. For instance, the major opposition party had declared public sector reform before local election in 1999 as follows (<http://www.chp.org.tr/haberler/yerel2000.htm>):

“We will make a revolution in the local governments; we will pass beyond the centralization and establish subsidiarity. ‘The passing beyond the centralization’ in all areas and ‘establishing subsidiarity’ is the basic step of democratization and effectiveness in the administration of the country. We will reorganize/rearrange the distribution of functions between the central and local governments. With the functions, resources and instruments local goods and services will be revolved to the local governments. The power of directing all local goods freely will be transferred to the local governments within their jurisdiction without any doubt.”

The demands of them about public sector reform are a highly radical in some aspects. For example, they were arguing that “we would make all areas of Turkey municipality”. If this is taken into account with decentralization, it can be argued that the municipalities will be an important role in the public sector.

The law lists the functions of the central government at the article 7. The following article envisages that “all types of the functions, powers and responsibilities and services related to local collective needs are fulfilled by local governments”. However, the local governments will fulfil their responsibilities according to the principle of the administrative unity (the article 123 of the Constitution of the Turkish Republic). If the local governments violate this principle, the article 8 of the law envisages that the central government gives an opportunity in order to fulfil their duties. If these duties

are not fulfilled within a limited time, by taking into account the requirements of the situation the central government may take precautions.

However, the control of the local governments is assigned to Sayistay (see Table 2). This is important development because many authors frequently recommended substitution legal control for appropriateness one up to now. In fact, establishing mahalli sayistaylar (*departments of Turkish Court of Accounts*) were being suggested (Ulusoy, 2002: 279). In the end this suggestion will be realized. In short, listing the functions of central government and accepting the subsidiarity principle alone do not mean the transformation of the unitary government towards a federal government (see Mengi, 1998: 55; Keles, 1995: 18). Moreover, the control of central government is continuing though the form and means of the control are changing by the law.

Table 2: *The Tutelage Before and After The Law*

	<i>Subject</i>	<i>Goal</i>	<i>Scope of the tutelage</i>	<i>Central authorities exercising tutelage over the local governments</i>
<i>Before the law</i>	Administrative tutelage	The principle of integral unity of the administration	Legal and appropriateness control	Central government units, such as the ministry of the interior
<i>After the law</i>	Administrative tutelage	The principle of integral unity of the administration	Legal control	Sayistay (Turkish Court of Accounts)

In order to evaluate the law in terms of the federalism it is reasonable to sum up the criteria of federal government comparing with the law:

a) *The territorial distribution of power*: The constituents of a federation, i.e. states, are determined territorially; the law is also determining the local government territorially. This condition was the same as in the past. In other words, local governments in Turkey as in the cases in other unitary governments were being determined by geography. Thus it can be said that this situation is not changing. However, the distribution of power in this context is administrative.

b) *The difficulty in changing the distribution of power*: In a federation the existence and functions of the states can only be modified by amending the constitution. However, the existence and functions of the local governments in Turkey are changed by laws. The Constitution of Turkish Republic is amended by Parliament only with qualified majority. Consequently, it can be argued that there is not difficulty in changing the distribution of power after the law.

c) *The assignment of the residual powers:* While the functions of central government are enumerated in the law, this is not the same as in the federalism. Contrary to federalism, the distribution of power is not made by constitution but by the law.

d) *The necessity of federal supreme court:* While we have a constitutional court, it is not new. It has been established in 1961. Moreover, according to the law, local governments do not have judiciary power. In other words, there will be only one legal system in Turkey after the law.

e) *A Two-level assembly and equal representation through an upper chamber of the assembly:* In the law it is not possible to trace this criterion. Essentially two-level assembly alone is not a characteristic of federalism because United Kingdom as a unitary government has still a two level assembly and Turkey had two-level assembly structure between 1961 and 1980 similarly.

f) *The equality of two chambers of the assembly:* For there is not a two-level assembly, to mention from equal two chambers of the assembly is meaningless.

#### **IV. Conclusion**

In this article, it was evaluated whether the law related to public sector reform in Turkey consists of characteristics of federalism or not. In this context, it was concluded that the mechanisms introduced by the law is compatible with the unitary government.

In the end, it can be argued that in general the arguments of the opponents about federal government are not reflecting the whole picture, and that in particular the transition from the unitary government to a federal one is an ideological manipulation because of the opponents' hatred attitude to *the market*.<sup>xiv</sup>

In fact, in a broad sense the law is not taken into account as an important reform movement because some goods and services provided by central government up to now are transferred to provincial special governments. However, the governor of the provincial special governments is assigned by the central government. For example, in the existing system decisions of the provincial general assembly are subject to approval by the governor. If this condition exists in the future, it can be argued that changing condition in the provision of the some public services is geographical proximity only. In other words, the central government henceforth will fulfil its duties and responsibilities without using central organizations.

Moreover, the public sector reform is a complex problem. It should not be perceived as a legislative process (Aykaç, Yayman and Ozer, 2003). To adapt managerial experiences of different countries is not easy (Al, 2003). If we look at the reasons for not ratifying the law by the President of the Republic, it can be said that public sector reform in Turkey will be discussed in the near future.

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#### Notes

- <sup>i</sup> For the history of public sector reform efforts, see Aykac, Yayman and Ozer (2003); Tortop, Ispir and Aykac (1993: 197-204); Coskun and Nohutcu (2005).
- <sup>ii</sup> The name of it was as follows: Public Management Basic Law. However, its name was changed in the course of the negotiation and became as such: Basic Principles and Restructuring of Public Administration. See TBMM (2004: 56).
- <sup>iii</sup> See TBMM (2004) and daily newspapers.
- <sup>iv</sup> See DISK, KESK, TMMOB and TTB (2004).
- <sup>v</sup> See Azrak (2004); Guler (2003); Karahanoğulları (2004a; 2004b); Oztekin (2004); Sengul (2004).
- <sup>vi</sup> This classification belongs to Arend Lijphart. However, his study has not a publication date. For a different classification, see Uygun (1996: 27-38); Erdogan (2001: 24-26).
- <sup>vii</sup> Decentralization means “delegating policy execution to sub-national bodies, traditionally local authorities but also (and increasingly) a range of other agencies” (Hague and Harrop, 2001: 210).
- <sup>viii</sup> From top the down the hierarchy of norms is that: (a) anayasa (constitution), (b) kanun (law) and kanun hükmünde kararname (decree), (c) tüzük (regulation), (d) yönetmelik (book of instruction), and (e) others, such as directives.
- <sup>ix</sup> See, <http://www.basbakanlik.gov.tr/Tasari-137.htm>.
- <sup>x</sup> For example, see Oztekin (2004: 9); Sengul (2004: 58 vd.).
- <sup>xi</sup> Public administration or management is used as a name of department at the universities. See, [http://www.yok.gov.tr/universiteler/uni\\_web.htm](http://www.yok.gov.tr/universiteler/uni_web.htm).
- <sup>xii</sup> See, Hesse (1997: 137-140).
- <sup>xiii</sup> For the draft law, see <http://www.basbakanlik.gov.tr/kitap2.pdf>.
- <sup>xiv</sup> The experiments of the post-communist countries of the former soviet bloc in terms of local utilities can be instructive. See, Péteri and Horváth (2001).