

Local Governance Lessons from Turkey's System: Enhancing Local Governance in Afghanistan

Türkiye Sisteminden Yerel Yönetim Dersleri: Afganistan'da Yerel Yönetimin Geliştirilmesi

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Abstract

Historically Turkey and Afghanistan have had strong centralist administrative systems that demonstrate relative institutional flaws at the local level. Afghanistan as a country that is emerging from decades of instabilities has adopted a new legal framework for its local administration under the 2004 Constitution. Likewise, Turkey's local administrative system has applied various reforms under the 1982 Constitution. Although both countries' constitutions delegate a certain amount of authorities and responsibilities to the sub-national level, local administrations are subjected to strong administrative and financial tutelage of central states in both countries. In Turkey, local elections matter relatively on the functionality of public institutions and local democracy, whereas in Afghanistan, major local authorities still representing the central state, and people at the local level have no role in making public decisions according to their constitutional rights. Since Turkey's experience on modern state-building has had a significant influence on shaping the first constitution of Afghanistan, recent reformations, successful or failed, can be lessons for Afghanistan as a country that is in the process of state-building to empower its public institutions, and foster participatory governance. This paper aims to compare the evolution, structure, and function of the local administration system in Turkey and Afghanistan to clarify the question of authority and autonomy level for local governance in both countries. The author in this research examines constitutional provisions, legislation, and policies regarding the interrelationship of the central states and local components to highlight the mechanism of people's engagement with states and offers specific recommendations at the end of this paper.

Keywords: Turkey, Afghanistan, Centralization, Decentralization, Local Governance

Öz

Tarihsel olarak Türkiye ve Afganistan, yerel düzeyde göreceli kurumsal kusurlar gösteren güçlü merkezietçici idari sistemlere sahip olmuştur. Afganistan, onlarca yıllık istikrarsızlıktan doğan bir ülke olarak, 2004 Anayasası kapsamında yerel yönetimi için yeni bir yasal çerçeve benimsemiştir. Aynı şekilde Türkiye'de yerel yönetim sistemi de 1982 Anayasası kapsamında çeşitli reformlar hayata geçirilmiştir. Her iki ülkenin anayasaları belirli bir miktarda yetki ve sorumlulukları ulus altı düzeye devretse de yerel yönetimler her iki ülkede de merkezi devletlerin güçlü idari ve mali vesayetine tabidir. Türkiye'de yerel

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seçimler kamu kurumlarının işlevselliği ve yerel demokrasi açısından nispeten önemlidir. Afganistan'da ise merkezi devleti temsilcisi konumundaki yerel yönetim kurumları ve vatandaşların anayasanın onlara tanıdığı haklar çerçevesinde kamusal kararların alınmasında hiçbir rolleri yoktur. Türkiye'nin modern devlet inşası konusundaki deneyimi, Afganistan'ın ilk anayasasının şekillenmesinde önemli bir etkiye sahip olduğundan, başarılı veya başarısız sonuçları olan son reformlar, kamu kurumlarını ve katılımcı yönetimi güçlendirmek için devlet kurma sürecinde olan Afganistan için önemli tecrübeler sunuyor. Bu makale, her iki ülkede de yerel yönetim için yetki ve özerklik düzeyi sorununu açıklığa kavuşturmak için Türkiye ve Afganistan'daki yerel yönetim sisteminin evrimini, yapısını ve işlevini karşılaştırmayı amaçlamaktadır. Bu araştırma, vatandaşların devletlerle etkileşim mekanizmasını vurgulamak için merkezi devletler ve yerel bileşenler arasındaki karşılıklı ilişkilere ilişkin anayasal hükümler, mevzuat ve politikaları incelemekte ve önerilerde bulunmaktadır.

Anahtar Kelimeler: Türkiye, Afganistan, Merkezileşme, Yerelleşme, Yerel Yönetim

1. Introduction

Participatory local governance is considered as a safeguard not only for the people's role in the decision-making process but also under the scope of participatory local governance, local institutions carry out key functioning services since the residents hold themselves the local institutions accountable. In Turkey and Afghanistan where traditionally strong central governments have existed, local administrations are still under heavy control of the central governments while the local administrations demand some extent of authority and autonomy in both countries. Afghanistan has been receiving the support of the international community to build a state within the standards of western democracy while urban-rural population unbalancing is visible in recent years that require strengthening formal local domains. Turkey, under the influence of EU nomination, improving economical scale, and nationwide urban growth, have applied varieties of reformation packages in recent years.

Within the first attempt on state-building in the modern history of Afghanistan, the Ottoman Empire and the Republic of Turkey were considered as a model because of their social-historical, cultural, and theological similarities. Therefore, local governance systems of Turkey and Afghanistan can be assessed comparatively since bilateral political, cultural relations between the two nations have existed in the course of history. Moreover, Turkey as one of the relatively successful developing countries may provide lessons for a country like Afghanistan which is emerging from perpetuating political instabilities. However, different external and internal factors influencing the evolution of distinctive local governance systems in Turkey and Afghanistan. Although local governance has a long root prior to the establishment of the modern republic of Turkey, the central government of Turkey tended to focus its attention on local governance for the purpose of European Union integration, economic development, and fostering local democracy. On one hand, Turkey has achieved significant economic development within the last two decades. On the other hand, urban growth and local democracy's condition still require more consideration of the central state.

In Afghanistan, the new tendency towards institutionalization of democracy and state-building, after 2001, has focused on re-building a central authority instead of strengthening local domains that have resulted in the formulation of fragile formal institutions at the local level. Public Institutions at the local level in Afghanistan are unable to carry out necessary functions effectively such as providing basic services and maintaining political stability at the local level, being responsive to citizen's demands, or filling the gap between the state and people. According to the 2004 Afghan Constitution, the public sectors are crucial institutions to provide public services for the people of the community. In practice, however, the Afghan government has not executed the constitutional provisions regarding the delegation of necessary authority and a certain amount of autonomy for sub-national administrations. Besides, the existence of the old rules and policies that are not conforming to the new constitution is another reason that the Afghan government could not implement the supportive rules related to local institutions. Consequently, the lack of the central state's will to implement the new constitution resulted in a high level of political, administrative, and fiscal centralization in Afghanistan.

The concepts of local governance and local governments are subject to distinctive definitions and interpretations consistent with established political science literature (A Users' Guide to Measuring Local Governance, 2015).

For instance, Shah (2006) views local government as a specific entity or institution created and organized by a government through a constitution, or any other legislation to provide multiple ranges of services for the citizens at a specific geographical area (Shah, 2006). However, some others focus on how the government and other sectors connect with citizens. In contrast, local governance is considered as the role and ability of a government on providing efficient, effective, and accountable public management at the local level that is open to citizen participation and empowers a democratic system of government at the local level (Brinkerhoff, 2005). Due to the lack of inadequate authority and autonomy given to the public institutions at the local level in Afghanistan, the term "local administrations" is often used in many sources as a literary term for the public entities at the local level. This paper aims to explore exclusively local governance systems in two countries to highlight the potential functionality of local institutions, and the mechanism of citizen participation in the management of local affairs. The author in this paper argues that Turkey, as a newly industrialized country, has many challenges ahead of local governance and provides lessons for a pre-industrial country like Afghanistan which is in the process of rebuilding the state's institutions at the local level.

The focus of this paper is on the degree of the state's closeness to the citizens manifested in Afghanistan and Turkey. In line with the system of local governance, the author evaluates the structure of local governments in two countries to answer the question of whether local entities could be responsive to local needs and citizens can communicate their interests and oblige the local authorities to listen to them. Further, the author assesses three main variables: the structure of local administrations, in multi-level of government the weight of local authorities, and mechanism of citizen participation with the capability of local institutions on the promotion of

representative governance at the local level. Next, the author comparatively assesses the variables in order to reveal explicitly decentralization level in each country that may put Turkey in a better position compared to Afghanistan. In the end, the author offers a number of suggestions for promoting democracy at the local level, fostering citizens' engagement with the government, and the economic condition of the locals.

2. Local Administration System in Turkey: An Overview

Turkey with a population of over 83.4 million (The World Bank, 2020) is a founding member of NATO as well as a Mediterranean and Black Sea country (Şarbak, 2017, p.5). The form of governance has been shifted from parliamentary democracy towards presidential following 2017's constitutional referendum. Turkey, officially the Republic of Turkey, signed the European Charter of Self-governance in 1988, obtained a candidate statue for full membership of the European Union in 1999, and officially begun negotiation with the EU after 2005 (Yakar, n.d.). Administratively the country has been divided into 81 provinces, more than 921 districts, 395 towns, 18,322 villages (Şarbak, 2017, p.5-6).

Turkey has a tripartite system of local governance which includes Special Provincial Administrations, Municipalities, and Villages. Special Provincial Administrations (SPAs) were existed prior to the establishment of the Republic of Turkey in 1923 and continued to function until 2005 based on a law that was ratified in 1914. However, in 2014, in 30 metropolitan municipalities SPAs were abolished and their duties were delegated to the municipalities. In non-metropolitan municipalities, SPAs are carrying out certain tasks and operating as municipalities for the rural areas (Yakar, n.d.).

2.1. Special Provincial Administrations (SPAs)

This organ is the oldest entity of local administrations in Turkey which has been inspired by the French administrative system in the Ottoman Empire's time. SPAs have been reformed since their establishment that the major reforms occurred after the republic era (Kavruk, 2004). Currently, these organs are in charge of a variety range of responsibilities that mainly includes education, health, police, infrastructure, agriculture, rural services, industry, trade, environment, emergency, youth and sports, culture and tourism, parks and recreation services outside of municipal boundaries (Law on Special Provincial Administration, 2005). SPAs have three main organs that include the General Provincial Council, Provincial Executive Committee, and Governor (Law on Special Provincial Administration, 2005).

General Provincial Council is the decision-making component of the SPAs in which has the same functions and authority as the municipal council. Members of the General Provincial Council are elected by direct vote of the residents similar to the Municipality Councils' members (Ertaş, 2016). The 2005 Law No 5320 on SPAs stipulates that the head of the council shall be elected by

the council's members (Law on Special Provincial Administration, 2005) while in the past the governor was the head of this council. Besides, according to this law, Provincial Councils are given a certain amount of power and task (Law on Special Provincial Administration, 2005). Provincial Executive Committees (PECs) alongside the Governors are in charge of the executive affairs of non-metropolitan provinces. These Committees are consisting of three members elected by the General Provincial Council, and three members appointed by the governor, and the governor is the head of the committee. They jointly implement the main decisions of General Provincial Councils. In some cases, however, this organ acts as a decision-making body in cases of selling or leasing the properties of the Special Provincial Administration and some technical matters (Yakar, n.d.).

Governor is the representative of the central government at the local level as well as the head of the executive committee of the Special Provincial Administration. Governor was the head of the Provincial Council as well until the 2005 Law on SPAs mandated the council to elect the chair of the council among themselves. Based on this law, governors are acting as a chair for the Provincial Executive Committee.

2.2. Municipalities

Turkey's Municipalities are one of the key public entities in sub-national governance. Municipalities in Turkey dates back to the Ottoman era as the first Municipality was established in Beyoğlu, Istanbul in 1885 (Şarbak, 2017, p.14). However, local governance gained importance during the 1960s since, in this period, mayors were elected by the citizens for the first time in the history of modern Turkey. The first Law on municipalities was enacted in 1930 which had been enforced until 2005 for 75 years (Ertaş, 2016).

As the population has been grown rapidly in urban areas, numerous reformations have been applied to foster the effectiveness of the municipalities. Furthermore, other main reasons behind these reformations were decentralization of power, the scale of the economy, and the European Union integration process (Oktay, 2017; see also Yılmaz & Güner, 2017). Municipalities in Turkey are classified into two categories: Provincial Municipalities and Metropolitan Municipalities. Provincial municipalities are graded as provincial, district, and town municipalities while metropolitan municipalities are established only in metropolitan cities (Ertaş, 2016). Metropolitan municipalities were introduced in the three largest cities while currently, the number of metropolitan municipalities are 30 (Derdiman, 2016). Metropolitan municipalities also have a two-tier system as district metropolitan municipality and metropolitan municipality (Özkal Sayan, 2013).

Recently, Turkey has made numerous reformations on local governments' structures under the influence of its candidacy for the European Union's membership and formation of metropolitan cities after the dramatic growth of its population. However, the introduction of metropolitan municipalities in Turkey's local governance system in the 1980s is related to urban growth

when metropolitan municipalities launched in Istanbul, Ankara, and Izmir for the first time. A revolutionary reformation has taken effect through law No 6360 that remarkable changes have brought into metropolitan municipalities and other provinces. Based on a new law the number of small municipalities has been reduced and 14 more metropolis municipalities were added (Özkal Sayan, 2013). The 2014 regulation on metropolitan municipalities has demolished Special Provincial Administrations in 30 metropolitan cities and increased the authority of metropolitan municipalities. In the metropolis cities, there are two-stage municipalities of metropolis and district municipalities that are in charge of providing services at the local level. New reforms have demolished town municipalities and villages in Metropolitan municipalities; however, town municipalities exist in district municipalities of metropolis cities without legal personality (Esen, 2016).

Municipalities consist of three main components: The Municipal Council, the Municipal Committee and the Mayor (Özkal Sayan, 2013). The mayor who is elected by direct vote of people is the head of the municipality for five years. This situation strengthens the position of the mayor within municipal bodies (Özkal Sayan, 2013). The Municipal Council is the decision-making body of the municipal administration. The number of council members varies according to the population of the city or town. The proportional representation system is applied in the election of the municipal council members. The Assembly convenes on the agreed day in the first week of each month, excluding a one-month holiday. Finally, Municipal Committee is the executive and advisory body of the Municipality, under the mayor's chairmanship. It consists of seven members in provincial municipalities and municipalities with a population of over one hundred thousand, and five members in other municipalities (Özkal Sayan, 2013).

Municipalities Council of metropolis provinces became the decision-making organ alongside the mayor who has the right to veto the decision of the council and makes the agendas for each meeting. Moreover, the number of council meetings has been increased to accelerate the council's activities and the members are encouraged to participate in the meetings by payment per each meeting. In non-metropolis municipalities, Special Administration for Provinces is acting as municipalities for rural areas. Furthermore, the number of villages with a population of less than 2000 has been demolished.

2.3. Local Governance in the Constitution

Turkey's 1982's constitution on article 127 defines local institutions as local administrations that should be established to meet the needs of residents in Provinces, Municipal districts, and villages. Based on this article, metropolitan municipalities are excluded from the classification of the local administrations in Turkey (Derdiman, 2016). This provision further indicates that the main decision-making bodies of these organs should be elected by the public vote (Rep of Turkey. Const. art. 127, 1982). The constitution also stipulates that local institutions are public entities. Furthermore, according to the recent amendment made by the 2017 constitution referendum,

local elections should be held every five years. The constitution specifies that a special law shall assign organization, duties, and authorities for the local institutions according to the principle of “decentralization”. Although it is debated whether the principle of “decentralization” here means “local autonomy”, “decentralization” is not considered the basic principle of the system in the unitary state structure (Özkal Sayan, 2013).

According to the constitution, there are two approaches that the central state could exercise its tutelage power over the local administrations. First, the central state through the relevant ministries has an administrative tutelage power over the local administrations in accordance with the principles and rules set forth by law. Secondly, in a case, if an elected organ has been subject to the judicial trial, the minister of Internal Affairs may remove the local administration or the members who are being investigated until the final judgment of the court. Finally, local administrations in Turkey are provided income sources proportionate to their responsibilities (Şarbak, 2017, p.8).

2.4. Local Democracy in Turkey

The right to vote for the local elections has been prescribed by the 1982 Constitution. A nationwide local election occurs every five years in Turkey to elect mayors, municipal councilors, general provincial councilors, and the village chief (Yakar, n.d.). The Supreme Board of Elections is the management body of election in Turkey, which is a permanent commission made up of 11 members from the judiciary, elected for 6 years (International Foundation for Electoral Systems, 2019). Based on the 1982 Constitution, citizens at least 18 years of age on the day of the election and who are registered on the voting list are eligible to vote except active conscripts, cadets, and those prisoners who have committed intentional crimes (Genç, 2015). Electoral systems for local institutions vary from municipalities to local councils. The chosen electoral system for the mayoral election is the majority, first past the post, while for local councils the considered electoral system is proportional (IFES, 2019).

A 10% threshold applies for local councils’ elections that discourage parties who are representing minorities and also inhibit independent candidates. According to the official website of the Union of Municipalities of Turkey, a quota clause applies for municipal council elections that awards to the highest voted political party. Based on laws regulating local elections in Turkey, independent candidates are severely inhibited in competition due to the threshold and quota clause. As a result, only 10 mayors are among the independent candidates which is 0,8% of all mayors, according to the official website of the Union of municipalities of Turkey. In addition to the local elections, Turkish citizens can engage local governance through participating in municipal council and commission meetings, and citizen assemblies (Şarbak, 2017, p.22). Meetings at municipal councils must be open to all citizens, and media may observe the meetings freely. Furthermore, civil society, media, representatives of other organizations can participate and observe the meetings at municipal council’s commissions. Municipal council’s commissions

also should publish the resolutions and reports of the meetings to the public. Citizens' assemblies are made up of representatives from civil society, universities, professional organizations, trade unions, and other public and private sectors (Yakar, n.d.). These assemblies have a crucial role in raising awareness of people and municipal administrations on issues related to the rights of the city, applying the decentralization principle of local governance, sustainable development, and environmental protections (Şarbak, 2017, pp. 21–22), (Yakar, n.d.).

2.5. 2012 Reform and Its Implication on Localization in Turkey: Tending Towards Decentralization or Recentralization?

Local democracy in Turkey has been subject to considerable debate among the local governance experts after the implementation of the reform package enforced in 2014 by the law number 6360. After ratification of the European Charter of local Self-Governments and obtaining the European Union's membership candidacy, Turkey prioritized fostering decentralization and improving economical scale at the sub-national level. Some notable reforms that can be outlined are increasing the number of metropolitan municipalities to 30 from 16, extending boundaries of metropolitan municipalities, demolishing Special Provincial Administrations at metropolitan municipalities, and eliminating a significant number of small-scaled municipalities (Oktay, 2017). However, some may conclude that integration of small municipalities to the metropolitan municipalities would weaken the democracy at the local level and may challenge citizen participation in villages since those units were the only entities that the distant residents could engage the governance.

According to the 2012 reform package, some may argue that it could be evaluated as localization and decentralization since the authorities of the SPAs, which were representing the central government, assigned to the mayors and local councils as the elective bodies of local entities in Metropolitan Municipalities. Moreover, it is justified that small-scaled municipalities were integrated into the metropolitan municipalities because of their low-income level, financial dependency on the central government, high rate of debt level, and issues with technical staff employment (Oktay, 2017).

However, some local governments experts have concerns over the implication of new reforms on local democracy norms in Turkey. First of all, it can be argued that removing the only decision-making bodies at distant municipalities is not conform with democratic principles as rural residents have different needs than urban municipalities (Akilli & Akilli, 2014). However, in September 2013, the Constitutional Court of Turkey ruled that the legislation [law number 6360] is not inconsistent with the constitution (Akilli & Akilli, 2014). In addition, the way in which the reform was introduced by the government via a top-down approach without considering local citizens' public opinion can be considered as a violation of the European Charter of local Self-Governments (Yılmaz & Güner, 2017, p. 244). The European Charter of local Self-Governments on its Article 5 indicates that "Changes in Local authority boundaries shall not be made without

prior consultation of the local communities concerned, possibly by means of a referendum where this permitted by statute”. Formulating weak municipal councils compared to mayors, decentralization in metropolitan municipalities, lack of devolution of power for residents and lack of access to local administrations at the local level are main concerns that may result in declining of citizen participation and undermining of local democracy in Turkey, especially in Turkey’s most populated cities (Akilli & Akilli, 2014; see also Yılmaz & Güner, 2017).

3. Sub-National Governance in Afghanistan: Who is Governing and Who should Govern?

Afghanistan, officially the Islamic Republic of Afghanistan, is a landlocked country that shares its borders with Pakistan, Iran, Turkmenistan, Uzbekistan, Tajikistan, and China, and it has a 647,500 Km² area with a population of around 32 million (Blunt, Mamundzay, Yama, & Afghan, 2015). Under the president’s office, the cabinet is the highest collective decision-making body of the government (United Nation, 2006). This country is divided into 8 economic regions, 34 provinces, almost 387 districts, 165 municipalities, and thousands of villages (“IDLG Policy – Independent Directorate of Local Governance,” 2018). The 2004 Constitution employs a unitary system of government in which key decision-making bodies are located in Kabul, the capital city of Afghanistan (Nijat, July 2016).

The first attempts toward modernization of governance in Afghanistan began in the early 19th. The first Constitution of Afghanistan (1923) during the reign of Amanullah Khan introduced a decentralized governance style which is known as the first attempt of modernizing and reformation in Afghanistan (Ayobi & Rahimi, 2018). In practice, however, most regimes in Afghanistan tended to apply strong central power over local units, even the communist regimes, at the end of the 70s and during the 80s, in which in the paper they had adopted a decentralized legal framework for the local administrations (Ayobi & Rahimi, 2018). Although many efforts were carried out to build a strong central government in order to monopolize the power by the state in the last four decades, as a consequence of long-standing instabilities, strong informal institutions at the local level have been formed. These informal institutions have been ruling rural Afghanistan, where the majority of its population are inhabiting.

The concept of local governance in Afghanistan once again has gained importance after defining the new legal structure for the local administration by the 2004 Constitution. While after 2001, following the collapse of the Taliban regime, the international community aimed to re-build the state’s institutions, bring stability, and support democratization efforts, after nearly two decades, the central government could not establish the Constitutionally mandated public institutions at the local level that should be elected by the public votes, except the provincial councils. Moreover, the central-local level power is unbalanced as the constitution imposes an accumulated power for the central state.

The 2004 Constitution explicitly emphasizing the preservation of the principle of centralized governance style at the local level while it requires the government to delegate necessary authorities

for the local administration to improve economic, social-cultural matters, enhancing people's participation, and develop national life. The legacy of the centralized governance style of the 2004 Constitution is inherited from its predecessor constitutions, especially the 1964s during the reign of Zahir Shah (Shurkin, 2011). The Afghan centralized constitution was not able to introduce meaningful checks and balances (Boex et al., 2011). However, the 2004 Constitution prescribes the establishment of key elective local entities such as municipal mayors, municipal councils, local councils at the province, district, and village levels (Afghan. Const. art. 137-138,140, 2004).

In addition to the formal structure of local administration under the 2004 constitution, within decades of civil wars and in the absence of state governance at the local level in Afghanistan, strong traditional local institutions have gained power called "*jirgas or Shuras*". These institutes have deep roots in the Afghan customary and religious rules and norms. Furthermore, some national programs, such as the National Solidarity Program (NSP) and The Citizens' Charter National Priority Program (CCNPP), with the financial aid of international donors operating at the local level in Afghanistan that mainly intended infrastructure progress at the local level rather than focusing on rule of law ("Afghanistan: Difficulties of Pivoting from a Highly Centralized to," 2019). These institutes may have a complementary role for the Afghan government's entities on the provision of local needs for the people. However, some informal institutions are militarized by local armed groups that are often opposed to the state's institutes when there is a conflict of interest (Burhanzoi, 2020). Therefore, besides the formal centralized governance under the 2004 constitution, a *de facto* decentralized governance has also existed that has led the country into further instability and retards state-building efforts. Informal institutions impressively rule the major rural territory of Afghanistan, particularly in those areas where the Afghan government has weak control or even has no control at all.

3.1. Central-Local Interrelationship: Formal Structure of Local Governance in Afghanistan

Formally, Subnational governance in Afghanistan has four key institutions: The Independent Directorate of Local Governance (IDLG), provinces and districts with provincial line departments and district line departments, provincial and district councils, and municipalities (Nijat, July 2016).

Independent Directorate of Local Governance (IDLG) was created upon a presidential decree in 2007 to function as a linkage between the central government in Kabul and subnational units and has no accountability towards the parliament-unlike the ministries (Nijat, July 2016). Initially, IDLG has a broad range of responsibilities over all subnational entities from recruitment of key officials, such as governors and mayors, and empowering local institutions, to making policies, legislation, and law enforcement authority. This institute has a strong overseeing authority over all subnational entities according to the rules and regulations related to the subnational governance of Afghanistan.

Provincial Governors, as the representative of the president for provinces, coordinating with line ministries and have an oversight role over district governors (Shurkin, 2011). The governor is appointed by the president and supervised by IDLG. According to the subnational governance policy of Afghanistan (2018) the governors in charge of a number of responsibilities that mainly includes promoting good governance, peace, and stability and ensuring security, leading the provincial development planning, development of the public administration reform, protecting and promoting the human rights, having an active role on political and diplomatic affairs, building the trust between the citizens and the state at the local level, making recommendations for the higher-level appointments and select the lower grade staff at provincials level (the Islamic Republic of Afghanistan, 2010).

One other important parts of the subnational governance structure are provincial line departments and district line departments. The heads of provincial departments are appointed and report to their related ministries; however, provincial department's directors have an accountability relationship to the Provincial Governors (Habib, 2013). In addition to the mentioned subnational institutions, municipalities at provinces and district important subnational governance organs. Their revenue capability primarily through the municipal services delivered in urban areas. According to the Constitution, municipalities should be established in order to administrate city affairs, and the mayors should be elected through free, general, secret, and direct elections. Due to ongoing instabilities and lack of rule of law, still, no election has been held for this purpose, and instate the municipalities are dependent on the IDLG (MUDH Report, 2015).

The Afghan constitution requires the establishment of elected councils for provinces, districts, villages, and municipal levels. However, the government was able to establish the elected council only at the provincial level. The purpose of these elected councils is to represent the people, make it possible for the people to participate in the decision-making process, oversee the affairs of the province by providing consultations for improvement of the government regarding the provincial and district affairs (Afghan. Const. arts.138-141, 2004).

Provincial and district governors represent the president at provincial and district levels. While the governors are appointed by the president, the district governors are appointed by the process of merit-based recruitments, jointly by IDLG and Independent Administrative Reforms & Civil Service Commission. One of the main roles of the governors is to serve the central government by providing leadership (Nijat, July 2016).

3.2. Elective or Appointive Local Authorities: The Question of Local Democracy

Chapter eight of the 2004 Constitution outlines a legal framework for the local administration in Afghanistan. This chapter, which contains seven articles titled "Administration", orders the government to delegate necessary authorities to the local administration within the preservation of the principle of centralization. Furthermore, according to the Afghan Constitution, municipal

mayors, members of municipal councils, and all local councils should be elected through direct vote of the residences (Afghan. Const. art. 137-138, 2004).

According to the Afghan election legislations, the electoral system for the local councils is Single Non-Transferable Voting (SNTV)-in which discourages the formation of effective political parties-instead, it supports independent candidates to emerge as new actors. This system has been accepted by Afghan leaders for a number of reasons. First of all, it is argued that this system is simple to understand for the majority of the Afghans who are remained illtreated due to long-stands instabilities while for the long term, this approach may not be justifiable. Secondly, SNTV has been accepted to prevent those warring factions who have been associated with decades of civil wars, corruption, and smuggling; instead, this system would support the emergence of new independent actors into Afghan politics. In practice, however, SNTV was unable to prevent the war-lords to enter the Afghan parliament as their representatives have been dominating the house of representatives within recent several parliamentary elections.

As was mentioned before, in recent last 18 years, the Afghan government could not establish the local councils that have mandates from the constitution, except provincial councils. Although the government promised in 2018 that elections for the district councils will be held in 2019, to date, neither district and village councils have not been established nor elections for these institutions have been planned by the central state.

Moreover, mayors are appointed through recruitment procedure by IDLG and Independent Administrative Reform and Civil Service Commission (IARCSC) upon final approval of the president's office (Afghan. Municipal Law. art 13 (6), 2018). The municipality of Kabul, as the capital and largest city of Afghanistan, has been given a different state by the municipal law of Afghanistan. The president directly appoints Kabul city's mayor, which has to report to the president and has the right to participate in the cabinet's meetings (Afghan. Const. arts. 13 (1), 23, 2004)

On one hand, the 2004 constitution emphasizing the principle of centralization of power that allows the central government to foster some extent of centralization at the local level. On the other hand, further provisions prescribe strong instruments in which can formulate a bridge between the state and citizen ensuring, to some extent, the principle of citizen self-governance at the sub-national level. The current formal structure in many cases is not consistent with the constitution that undermined the principle of rule of law and rule of people. Lack of citizen participation in sub-national Afghanistan contributed to shaping a *de facto* decentralized structure of local governance and ultimately resulted in undermining the process of empowering formal institutions.

4. Comparing Turkey and Afghanistan

Afghanistan and Turkey have enjoyed a close bilateral and warm relation because of their strong religious, cultural, and historical associations while there is no border among these two nations. After the declaration of Afghanistan's independence under the leadership of King Amanullah Khan on 19 August 1919, Afghanistan established a diplomatic contract with Turkey even the war for Turkey's independence was ongoing. When Turkey gained its independence, Afghanistan was the second state to recognize the Turkish Republic after the Soviet Union (Doğan, 2011, p. 369).

In addition, Turkey supported the modernization and state-building efforts in Afghanistan in the early 20th and post-2001 regimes (Rep. of Turkey Ministry of Foreign Affairs, n.d.). This is one of the main reasons that Turkey is contemplated as a topic of comparison for Afghanistan's enhancing local governance since the major people in Afghanistan believe that Turkey is the best friend for their nation. Despite all the closeness that states and nations have had in the course of history, the local governance system has been developed in two countries within different socio-economic and political situations. Nevertheless, Turkey, as one of the relatively successful developing countries provides many lessons for empowering local governance in a country like Afghanistan.

According to the constitution of Afghanistan, fundamental principles can be stated as a unitary state, Islam as the religion, Islamic Republic, Rule of Law, democracy, and extensive rights of the citizens while the Constitution of Turkey declares the fundamental principles as democracy, Republic and Secular State, Rule of Law, Human Rights and loyal to the Nationalism of Ataturk. Mutual fundamental principles among two constitutions are democracy, rule of law, human rights, republic states while key differences are Islam as the religion, Islamic republic and state of secular and loyalty to the nationalism of Ataturk.

In both countries, presidents are the heads of states and governments while Turkey has a unicameral legislative power, Afghanistan has a bicameral parliament. The central governments employ heavy tutelage power over the local institutions relied on legislative instruments; however, in Afghanistan in some cases, the national government applies the central power on local administration even contrary to the constitution and other legislation related to local governance.

Under the scope of the unitary systems in Turkey and Afghanistan, it is very unlikely that sub-national units would have extensive authorities. However, constitutions and other related regulations concerning local governance delegate a certain amount of decentralization in both countries. A comparative study of local governance of both countries reveals that despite having similarities on the subject matter of style of governance, practically the forms and degree of decentralization differ between Turkey and Afghanistan. In addition, as two countries have different socio-economic and political conditions, the rate of citizen participation, service delivery efficiency, and local institutions' accountability are the main differences at the local level in both countries that demand additional deliberation of two states. Turkey, throughout the process of European Union nomination and for the purpose of increasing economic scale, has devoted

further authorities to the elected local institutions and empowered their legal personalities. Unlikely, in Afghanistan, the IDLG on behalf of the central government is in charge of all local units across the country-including those elected institutions such as provincial councils.

According to the legal framework designed for the local governance of two countries, administratively both countries are divided into provinces, districts, and villages. In each country, local governance systems have been developed based on different socio, economic and cultural demands. In addition to external factors that have influenced the process of democratization and decentralization in both states, population unbalancing is a key domestic challenge that requires both countries' additional efforts. The urban-rural population of the two countries is a major factor that has formed a distinguished local governance style.

Turkey has experienced metropolitan municipality governance as the urban population has been grown dramatically in recent years. For instance, in 2000 the population of Ankara was 4 million while in 2016 it had a population of 5.8 million. Unlikely, the long-standing armed conflicts in Afghanistan caused this country to remain a pre-industrial nation that only 24% of its population live in urban areas (UN HABITAT, 2016). However, the rate of urban growth in Afghanistan has been increasing recently, especially the Kabul which is the capital and largest city of Afghanistan is the center of urbanization (Rasmussen, 2014). Therefore, local governance must be enhanced per future urban growth.

Electoral systems for the local councils in both countries defined through their legal systems significantly matter on citizen participation, civil society engagement, and the role of political parties on local politics. The election system of local councils in Afghanistan is SNTV which favors independent candidates and discourages political parties. Conversely, in Turkey, the local electoral system is proportional in which political parties can actively participate and maintain the local institutions responsive for the residents. Although SNTV is simple to understand for the voters, who have not experienced elections because of insecurities and conflicts for decades, this system may not be effective in the long term since it has prevented the formation of modern political parties in Afghanistan.

Turkish governors as the representatives of the national state for locals similar to Afghanistan have enjoyed extensive power and authority in the past while based on the new tendency towards decentralization in Turkey, the trend has been changed in favor of elected local institutions such as mayors and councilors. Empowering municipalities instead of governors would contribute to the local and regional economies as municipalities have their own revenues. On contrary, the delegation of further power to governors' offices could result in counterproductivity as they are dependent financially on national states' transfers. Therefore, in a country like Afghanistan that local institutions are in need of financial aid from the central government, the focus should be on those institutions that have their own revenue sources such as municipalities.

5. Conclusion

Effective and responsive local institutions in which meet the social, economic, and cultural demands of the residents are the means for democratically governance. For people's participation and provision of effective services, local institutions require to obtain a significant level of authority and autonomy from the central governments. Although Turkey is known as one of the centralist states, the political and administrative decentralization are higher in Turkey than in Afghanistan. Turkey and Afghanistan employing a heavy central power over the local institutions while national governments may not be able to provide residents' demands efficiently as they are not informed about the preferences of residents. In contrast, subnational units with having plentiful support of the people are considered better aware of the needs, especially in a representative style of governance at the local level. In fact, the centralization principle mentioned in 2004 constitution of Afghanistan paves the path for the central state to apply its strong power over the local units

Turkey has a remarkable influence over the course of modernization in Afghanistan since the early 19th until post-2001. The first constitution of Afghanistan in 1923, which was relatively resulted in decentralization of power and constitutional monarchy, was exceedingly inspired by constitutional movements in Othman empire. Likewise, the structure of governance through a top-bottom three-layer levels reflects resemblance among two centralized countries. In Afghanistan, however, the absence of central state's power at the local level, due to the civil wars—has resulted in formation of informal and complex institutions such as *Jirgas* and *shuras*.

In addition, citizen participation through a democratic approach matters on effective provision of service delivery at the local level. Therefore, local democracy should be empowered in both countries to ensure citizen participation and to promote the efficiency of service delivery at the subnational level as citizen engagement on local issues is still a controversial matter for both country's local administration systems. In order to empower local institutions in Afghanistan, the gap between the state and people must be filled through empowering participatory governance at the local level. Moreover, bringing reforms for the purpose of economic growth must be in line with the basic rights and freedoms of the citizens. Although the recent reformation in Tukey may have been contributed to economic growth at the local level, the basic rights of citizen in the villages, where the municipalities have been demolished, remained controversial. Likewise, in Afghanistan, due to the lack of rule of law, the citizens are unable to claim their basic rights such right to vote for local authorities.

Active groups collectively have a crucial role in raising people's awareness about their rights of engagement to the local governance, holding the local institutions accountable and responsive to the people instead of the central government, and increasing the efficiency of local service delivery. The electoral system which defines the role of active groups such as political parties on engagement with governance matters in each country. The electoral system concerning the local councils in Afghanistan [SNTV which is abolished in many countries] (Renolds et al., 2012). fails

in offering sufficient incentives for the political parties, civil society's and other activist groups to have a functional role in local governance. Likewise, applying a 10% threshold for the local elections in Turkey is identified as an obstacle against diverse participatory governance and pluralism, and local institutions may not reflect a factual diversity of the society.

References

- A Users' Guide to Measuring Local Governance. (2015). Retrieved from https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/local_governance/a-users-guide-to-measuring-local-governance-.html
- Afghan. Const. arts. 13,137-141, (2004)
- Afghan. Municipal Law. art. 13 (6), (2018)
- Afghanistan: Difficulties of Pivoting from a Highly Centralized to. (2019). Retrieved September 17, 2021, from <https://www.democracyspeaks.org/blog/afghanistan-difficulties-pivoting-highly-centralized-decentralized-government>
- Akbar, S., & Akbar, Z. (2011, March). *Elections and Conflict in Afghanistan*. Global Policy and Development. Retrieved from <http://www.fes.de/GPol/en>
- Akilli, H., & Akilli, H. S. (2014). Decentralization and Recentralization of local Governments in Turkey. *Procedia – Social and Behavioral Sciences*, 140, 682–686. Retrieved from <https://www.sciencedirect.com/>
- Ayobi, M., & Rahimi, H. (2018). A Study of Afghanistan's Organization and Structure of Public Administration under the 2004 Constitution. *Afghanistan Research and Evaluation Unit*, 1–48. Retrieved from <https://areu.org.af/publication/a-study-of-afghanistans-organization-and-structure-of-public-administration-under-the-2004-constitution/>
- Blunt, P., Mamundzay, F., Yama, N. and Afghan, H. (2015) Policy Paradigms, Sub – national Governance and the State Sovereignty Gap in Afghanistan. *Progress in Development Studies*, 15, 270-285. <https://doi.org/10.1177/146.499.3415578981>
- Boex, J., Buencamino, G., & Kimble, D. (2011). An Assessment of Afghanistan's Municipal Governance Framework. Urban Institute Center on International Development and Governance.
- Brinkerhoff, D. W. (2005). Rebuilding governance in failed states and post-conflict societies: core concepts and cross-cutting themes. *Public Administration and Development*, 25(1), 3–14. <https://doi.org/10.1002/pad.352>
- Burhanzoi, A. (2020, February 29). A Decentralized Government Is Not the Answer to Afghanistan's Problems. Retrieved August 27, 2020, from <https://thediplomat.com/2020/02/a-decentralized-government-is-not-the-answer-to-afghanistans-problems/>
- Constitution of the Republic of Turkey (1982). Chapter two, IV, C. Establishment of the Administration, 2. Local Administration, Article 127.
- Derdiman, R. C. (2016). Türkiye'de Büyükşehir Belediyelerinin ve Bu Belediyelerin Yapılarındaki Yeni Değişikliklerin Anayasaya Uyumu Sorun. *Süleyman Demirel Üniversitesi Hukuk Fakültesi Dergisi*, 2(1), 51–87. Retrieved from <https://dergipark.org.tr/tr/download/article-file/213632>
- Doğan, S. (2011). *Turkey's Presence and Importance in Afghanistan*. Usak Year Book, 4, 367–370. https://doi.org/1065605/Turkeys_Presence_and_Importance_in_Afghanistan

- Ertas, H. (2016). Türkiye'de Yerel Yönetim Birimlerinin Görev Ve Sorumlulukları İle İlgili Mevzuat Ve Karşılaştırmalı. *Selcuk University Journal of Social and Technical Researches*, 11, 87–113. Retrieved from <http://sosyoteknik.selcuk.edu.tr/sustad/article/viewFile/70/56>
- Esen, A. (2016). A Brief Overview of The Development of Metropolitan Governance In Turkey. *دراسات اقتصادية*, 1. <https://doi.org/10.37487/0845-000-026-009>
- Genç, E. (2015). Demokratikleşme Sürecinde Türkiye'de Yerel Yönetimler. *Akademik İncelemeler Dergisi*, 10(1), 267–290. <https://doi.org/10.17550/aid.63838>
- House of the People of Afghanistan (Wolesi Jirga). (2020). History of the National Assembly of Afghanistan. Retrieved June 28, 2020, from <https://wj.parliament.af/english.aspx>
- IDLG Policy – Independent Directorate of Local Governance. (2018). Retrieved September 17, 2021, from <https://idlg.gov.af/en/department-policy/>
- International Foundation for Electoral Systems. (2019, March). *Elections in Turkey 2019 Local Elections*. IFES. Retrieved from https://www.ifes.org/sites/default/files/2019_ifes_turkey_local_elections_faqs_final.pdf
- Islamic Republic of Afghanistan. (2018, July). *Islamic Republic of Afghanistan Citizen-Centered Governance A Roadmap for Subnational Reform*. Retrieved from <https://idlg.gov.af/en/wp-content/uploads/2019/06/English-Book.pdf>
- Kavruk, H. (2004). The System of Local Government in Turkey. *Gazi Gazi Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi*, 6 (1), 181-205 . Retrieved from <https://dergipark.org.tr/en/pub/gaziuibfd/issue/28342/301270>
- Law on Special Provincial Administration, 5302, articles 3, 6, 9. (2005)
- National Defense Research Institute RAND, & Shurkin, M. (2011). *Subnational Government in Afghanistan*. RAND. Retrieved from https://www.rand.org/pubs/occasional_papers/OP318.html
- Nijat, A., Gosztonyi, K., Feda, B., & Koehler, J. (2016). Subnational Governance in Afghanistan I. The State of Affairs II. The Future of District and Village Representation. *Afghanistan Research and Evaluation Unit and German Federal Ministry of Economic Cooperation and Development*, 11, 1–68. Retrieved from https://www.researchgate.net/publication/306239959_Sub-National_Governance_in_Afghanistan_The_State_of_Affairs_and_the_Future_of_District_and_Village_Representation
- Oktay, T. (2017). Metropolitan Governance in Turkey with Regard to Regionalism Approaches. *The Journal of Knowledge Economy & Knowledge Management*, XII, 63–77. Retrieved from <http://www.beykon.org/dergi/2017/SPRING/2017XII.1.5.T.Oktay.pdf>
- Oktay, T. (2017). Municipal Councils in Turkey After the Local Administration Reform. In Demirkaya, Y. (Ed) *New Public Management in Turkey, Local Government Reform*. (p. 30).
- Özkal Sayan, İ. (2013). Türkiye'de İdari Sistem ve Örgütlenme. Konrad Adenauer-Stiftung, 1–18. Retrieved from https://www.kas.de/c/document_library/get_file?uuid=a4fd2244-a04a-0eaa-9547-92e52e4fac36&groupId=252038
- Rasmussen, S. E. (2014, February 3). Kabul – the fifth fastest growing city in the world – is bursting at the seams. Retrieved September 17, 2021, from <https://www.theguardian.com/cities/2014/dec/11/kabul-afghanistan-fifth-fastest-growing-city-world-rapid-urbanisation>
- Rep. of Turkey Ministry of Foreign Affairs. (n.d.). Turkey-Afghanistan Bilateral Political Relations. Retrieved November 20, 2020, from http://www.mfa.gov.tr/turkey_afghanistan-bilateral-political-relations.en.mfa
- Reynolds, A., & Carey, J. (2012). Fixing Afghanistan's Electoral System. *Afghanistan Research and Evaluation Unit*, 24. Retrieved from <https://areu.org.af/publication/1211/>

- Şarbak, Z. (2017). *Local Governments of Turkey* (2nd ed.). Retrieved from https://www.tbb.gov.tr/online/kitaplar/turkiyede_yerel_yonetimler2eng/html5forpc.html?page=4&bbv=0&pcode=
- The World Bank. (2020). Retrieved September 17, 2021, from <https://www.worldbank.org/en/country/turkey/overview>
- UN HABITAT. (2016). Afghanistan the Impact stories. Retrieved December 16, 2020, from <https://unhabitat.org/sites/default/files/download-manager-files/Afghanistan%20Impact%20Stories%20LowRes.pdf>
- United Nation (2006) Islamic Republic of Afghanistan Public Administration: Country Profile. Department of Economic and Social Affairs (DESA), United Nations.
- Yakar, M. (n.d.). Types of Local Governments. Retrieved November 26, 2020, from [https://www.tbb.gov.tr/en/local-authorities/types-of-local-governments/#:%7E:text=Turkey%20has%20three%20types%20of,provincial%20administrations%2C%20municipalities%20and%20villages.&text=P-redating%20the%20Republic%20\(proclaimed%20in,a%20law%20promulgated%20in%201914](https://www.tbb.gov.tr/en/local-authorities/types-of-local-governments/#:%7E:text=Turkey%20has%20three%20types%20of,provincial%20administrations%2C%20municipalities%20and%20villages.&text=P-redating%20the%20Republic%20(proclaimed%20in,a%20law%20promulgated%20in%201914)
- Yılmaz, S., & Güner, A. , (2017). Impact of Recent Changes on Local Government Discretion and Accountability in Turkey. *Marmara Journal of Economics*, 1, 229–250. <https://doi.org/10.24954/mjecon.2017.12>