

SIYASAL BİLİM ve HUKUK

PROBLEMS OF LOCAL ADMINISTRATION AT REGIONAL LEVEL IN TURKEY *

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I. INTRODUCTION

To explain the existing regional structures in Turkey, I would like to start with a brief description of the administrative system of the country. With administrative considerations, the national territory has been divided into 67 provinces ("il"s in Turkish). Each of these provinces is divided into districts ("ilce"s in Turkish) which are further divided into subdistricts ("Bucak"s in Turkish). The village ("Köy" in Turkish), is the lowest tier of the administrative divisions.

As it is provided in Turkish Constitution (Article 116), to meet the common needs of the local people, local administrative bodies having public corporate entities are created, such as Provincial Administration (İl Özel İdaresi), Municipality (Belediye), and Village (Köy). Policy-making organs of these units are elected by the local people.

Provincial Administration covers the area of the respective province which includes both of the rural and urban areas. It should be noted that the administration at provincial level has a dual status. First of all, the province is a field organization of national Government. Secondly, it is a local self-administration unit. For the purposes of this paper, the both aspects will be dealt with.

Each community with a population over 2,000 is entitled to establish a municipality, provided that the majority of the local people votes for it. A municipality is established in each of the

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centres of provinces and districts, even if their population are less than 2,000. In all other smaller communities under 2,000 of population the village administration is established with a legal entity, therefore; the village, which is the lowest administrative subdivision, has also a local self-administration status like provinces.

II. REGIONAL ORGANIZATIONS OF THE CENTRAL GOVERNMENT

Although the province is the main historical division in Turkey, there are many regional organizations of national government, covering an area larger than one province. According to the findings of a study made on the field organizations of the national government, out of the 45 Ministries and National Department, 21 have such regional organizations in the field. There are many differences among these organizations of various departments, in terms of their numbers, sizes and boundaries.

Some of them, such as Land Improvement and Irrigation, State Highways, State Water Works, cover the whole country, while some others have regional organizations only in certain parts of the country, among which there are General Directorate of Foundations, Ministry of Labour, Ministry of Trade. Some departments, such as General Directorate of Physical Training and Ministry of Industry, have regional organizations only in certain provinces and work at provincial level, still they are called as "Regional Organizations".

With very small exceptions, the boundaries of the regional organizations are based on the provincial boundaries. But there is confusion as regards to the selection of cities as centres for regional organizations. There are some organizations working within the same area and cover the same provinces, but they did not choose the same city as regional center, and vice versa.

It is a fact that there are no clear cut criterion laid down to establish regional units of the national government, and to determine their areas and to select their centers. It is also a fact that all these different regional organizations of various departments been set up regardless to each other.

The existing pattern of these units creates essential administrative problems which hampers coordination and planned development. In the First Five Year Development Plan, it is stated that the cooperation and coordination to be achieved among the

executive organs at regional level would contribute substantially to the successful implementation of the plan and programs. Regional Planning process also necessitates a region wide coordination of different activities carried out by national and local administrative units at regional level.

Since the regional organizations are a kind of exception to the existing system of provinces administered by governors, the general administrators appointed by the national government whose main function is coordination. These regional units are out of the coordinative powers of the provincial governor and consequently they create bottlenecks to maintain coordination among provincial as well as among regional organizations.

To solve the problem, whole system of provinces must be revised and reorganized as to take into consideration the needs of the technical departments. Several alternative proposals suggested to find a solution to the situation :

1. One of the solutions would be having regions as an upper administrative division over provinces. But, the Constitution has not made provision for any administrative echelon between national and provincial levels. Therefore, this is not possible. According to the article 115 of the Constitution, it is possible to establish the same regional boundaries, various technical services in an area larger than one province. To the extent possible, by selecting the same regional boundaries, various technical services including regional planning, can be organised at regional level as it is desired.

2. Another proposal made is regrouping the provinces, bringing several of them together, and putting under the supervision of a coordinator - governor as it has been done in France, a country which has a similar administrative system to Turkey. This was also experienced in Turkey when the General Inspectorships established for maintaining public order and safety, with only few functions in developmental activities.

3. It may be also suggested that the area covered by each province be enlarged, and by doing so cut down the number of provinces to reach larger provinces which will be equivalent to the size of desired regions. The improvements in the field of communication and transportation are so significant that, to a great extent, the existing provincial boundaries have become outmoded, and provinces became smaller. Although these improvements and technolo-

gical facilities encourages to enlarge provincial areas, but there are psychological and political difficulties which may prevent such a reorganization, since it will reduce the status and prestige of the peoples of two thirds of the provinces degrading them with a lower administrative status.

4. One of the best solutions would be the reorganization of the regions in accordance with the needs created by regional planning activities which have been undertaken by the ministry of Reconstruction and Resettlement since 1957, and by the State Planning Organization since 1962. Regional Planning would be helpful in utilizing unused resources of the regions as well as in eliminating interregional disparities in the country. Regional planning is also a tool for mobilizing the local resources and initiative as to fully contribute to the national development. Instead of having nodal or homogenous regions for Turkey, it was suggested that areas would be designated as "plan regions" which are most appropriate for developmental activities as well as administrative efficiency. Therefore, reorganization of these regional organizations should be made in accordance with the "plan regions" selected as most suitable areas for regional and national development.

As it was suggested in the above mentioned report on the field administration, necessary amendments must be made in the legislation concerned with the administrative subdivisions in order to add the region to the existing administrative echelon, and to lay down principles and procedures to be observed in the establishment of such regions. It may be hoped that such a development in the policy towards regionalization would stop the existing tendency to create regions on arbitrary basis. It was also suggested that the criterion to determine the numbers, boundaries and centres of the regions should be given in the legislation. All departments should take into account the same principles and criterion provided in the main law for setting up regional institutions.

III. METROPOLITAN AREAS.

In rapidly growing metropolitan areas, such as Istanbul and Izmir, existing local administration units neighboring the main city create important planning problems as well as deficiencies in municipal services.

In Istanbul, the largest metropolitan area, there are 15 municipalities and 7 villages neighboring each other. In Izmir, metropo-

litan area, there are 14 municipalities and 4 villages. This creates many conflicts between main municipality with the surrounding municipalities and villages, and results in deficiencies in providing municipal services. It is a fact that region wide services, like electricity, bus system, sanitation, water supply etc. are carried out by the main municipality, with a very little participation on the part of smaller units. On the other hand, there are great differences in the quality of the services provided by various municipalities. Since each Municipality is required to have its own city plan, and given powers related to planning as well as implementation, it is impossible to make planning at metropolitan level, and to implement such a plan by a single planning authority. It is also a fact that there are some municipalities within these areas which have no city plan at all.

In connection with attempts undertaken for administrative reorganization, due attention has been paid to metropolitan problems. First of all, I would like to mention a research report on the reorganization of local administration units in which it was suggested that the functions of metropolitan government should be determined in accordance with the principles of regional planning. In a congress held by Istanbul Regional Development Association, the administrative problems of the metropolitan area were also discussed. The congress ended with some interesting recommendations for building up a metropolitan government bringing all local administration units into a single unit. A research project on metropolitan problems has been undertaken by the Ministry of Interior. Chamber of Architects also studied and prepared a report on the problems related to metropolitan planning. Turkish Municipal Association organized a seminar in Izmir on metropolitan administration, with the participation of mayors concerned. The proceedings of the seminar appeared in book form recently.

In a draft bill prepared by the Ministry of Interior, the municipalities have been put into different categories according to their population sizes. Municipalities with a population over 100.000 have been considered as "large" cities, and they are given with special powers as regards to metropolitan planning. In another draft bill amending the main planning law, the Reconstruction Act, it is proposed that governors be given some powers concerned with building permission as to extend the planning powers to the areas beyond the municipal boundaries, the areas which will be determined by the Cabinet, because of their impor-

tance in regional planning and transportation system. This bill has been developed with another proposal made by the members of parliament as cover a solution to the problem of metropolitan administration, by giving the Cabinet the power of enforcing the local government units within the metropolitan areas, including provincial local administration, municipalities and villages, to establish unions to work together in implementing the Reconstruction Act.

The proposals made concerning the metropolitan administration are based on the following basis :

1. There is an urgent need to have an administrative set up to coordinate all metropolitan functions and services.

2. Instead of making urban master plans for each municipality within the metropolitan area, there must be a joint planning activity at metropolitan level covering the whole area. Therefore, the planning powers must be given to a single authority having a jurisdiction over the whole metropolitan area regardless the existence of the local administration units in it.

3. Unless the both aspects be taken into consideration, the metropolitan problems can not be solved efficiently at that level.

Several alternative suggestions made on this subject areas are as follows :

1. Amalgamation or annexation of all local administration units within the metropolitan area to each other, and creation of a metropolitan administration would be one of the solutions. This proposal was made at the end of the congress organized by the Istanbul Regional Development Association. This single or joint administration must incorporate the provincial administration with the municipalities and villages in the region, and must have a single assembly consistst of the representatives elected by the people. But the governor is to be appointed by the central government, as it is done today. Istanbul was governed for 23 years under a similar status, having a single local administration incorporating the provincial administration and the municipality. The system abolished in 1952, as a result of democratic developments in the country.

2. It is also suggested that instead of abolishing all local administration units in the area, they should be enforced by the national government to set up a joint organization or union to

fulfill some of their essential functions (including metropolitan planning). According to the Turkish Constitution and Municipal Act, it is possible to create such unions in order to render certain services on a joint basis. These provisions are only permissive in nature, but not compulsory. Due to different reasons, very few unions have been established so far. At least for the metropolitan areas, the national government must have the power to enforce the local government units in a metropolitan area to create such unions.

3. Another suggestion made is to have a Regional Consultative Council which will consist of the representatives of the local administration units, National Organizations, Universities, Professional Institutions including research centers. It is proposed that this council must be referred before planning decisions made, must be consulted within matters related to the economic, social, cultural, and all other important problems of the Region, including the examination of the Proposed Regional Plans.

IV. LOCAL ADMINISTRATION AT REGIONAL LEVEL.

Among the local administration units, only the provincial administration may be considered as a regional administration unit in Turkey, in the sense that it is a human group established in the largest territorial unit within the national territory with a legal personality. As it was pointed earlier in the introduction of this paper, the provincial administration is a regional body having a jurisdiction over all rural and urban areas within a province, the biggest administrative division in the country. Except governor, the executive organ who is appointed by the central government as the top administrator in the province, provincial administration has its own organs elected by the people. The functions and powers of the provincial administration were formulated in 1918, personality. As it was pointed out earlier in the introduction of this important functions have been transferred gradually to the central government. Primary education, health, agricultural extension, animal husbandry, public works are among the functions transferred. In many cases, the functions of the provincial administration are duplicated with those of central government. In parallel to the decrease in the number of their functions, a decrease in the volume of the revenues has been observed. In other words, provincial administration has been left without sufficient financial

resources to fulfill the functions assigned by law. In some cases, like construction of village roads, water supply and primary schools, central funds have been sent to the custody of the provincial administration. In other words, the provincial administration spends certain funds allocated by the central government for certain village works. Studies made on the reorganization of the Turkish Local Government System resulted with serious doubts on the necessity of keeping provincial administration as it is.

Followings are the reasons leading to this conclusion :

1. Very few functions have been left to the provincial administration, and mostly it takes care of funds allocated for certain services by the central government.

2. The boundaries of the provinces were delineated at least forty years ago and, with minor changes within this period, kept unchanged. These boundaries do not satisfy the needs of regional planning. It is a fact that communication system and transportation facilities have been improved to a great extent and this necessitates the revision of the provincial boundaries.

3. Community Development initiated by the first five year development plan which has brought the district (ilçe) fore as the most appropriate unit for this purpose. District should be reorganized as to support the voluntary efforts of the village people to improve their social, economic and cultural conditions. Districts were chosen as the most appropriate administrative subdivision for rural community development activities because of its proximity to the field as well as its organizational pattern and possibilities. It is suggested that the district must be given a status of local government, as to substitute for the province. Since the district is not listed among the local administration units in the Constitution, this suggestion can not be easily accomplished. For a transitional period, until the Constitution amended in this direction, it may be possible to have semi-autonomous sub-units of provincial administration at each district, having certain powers in planning and execution of rural community development projects.

V. CONCLUSION :

Giving autonomy to the regions in general must be examined not only as a problem of local government system, but also a

problem of reorganization of the field administration of the national government. It is also necessary to consider the needs of a planned development at national as well as regional levels.

The numbers, boundaries of the provinces, the upper tier of the administrative divisions, must be revised and reorganized as to satisfy the needs of the regional and rural development. Existing areas of the provinces are rather small for regional planning goals, but too large for rural community development purposes. Since the "district" is more close to the field where community development work carried out at village level, it must be reorganized with that purpose in view, and must be given a status of local government. Constitution made no provision to convert the district into a local government status. As a local government unit, provincial administration exhausted its vitality, and lost its importance, in the long run, it should be established as to give way to districts to take over its position.

The existing chaos in regards to the regional organizations of the central government must also be tackled with more rational and objective ways. The establishment of such organizations must be subject to certain criterion and procedures predetermined by law. The concept of "plan regions" is the most appropriate approach which could be adopted in this matter.

Since the Constitution did not make provision for a local government unit at regional level, it is not possible to give legal authonomy to the region. For a transitional period until a political consensus develops to amend the constitution in this direction, some consultative bodies could be created in order to make the local people and their organizations to participate in regional affairs, and maintain necessary liason with the representatives of central government working at regional level.

The metropolitan problems can be easily solved, since the Constitution provides for the establishment of unions with the participation of local administration units. The Municipal Act must be changed as to enforce the local administration units to create such unions for metropolitan functions and services including planning.

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