

Public land grabbing in the age of neoliberalism: Legal and political mechanisms of capital accumulation in Turkey's Green Road Project*

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Abstract

This study examines land grabbing in Turkey through the Green Road Project. Introducing the concept of "public land grabbing," it argues that Turkey's reliance on public lands in these processes and the specific public ownership regime shape the legal, institutional, and political mechanisms of land acquisitions that are realized via megaprojects. Using legal analysis, field studies, media coverage, and archival research, the study highlights three key arguments: (1) Legal amendments facilitate the commercial repurposing of public lands in the name of "public interest"; (2) Public-private partnerships enable access of capital to public lands, fostering a crony form of capital accumulation; and (3) The discourse of "public interest" serves to delegitimize oppositional movements against land grabbing and to fragment the lines of resistance.

Key words: Green road, public land, megaprojects, land grabbing, public-private partnership.

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1. Introduction

The privatization of common lands, initiated by the 14th-century enclosures in England, had marked a pivotal shift toward capitalism, converting land from a shared resource into a commodified asset with exchange value, thereby severing producers from their means of production. Contemporary forms of land acquisitions, elaborated comprehensively by studies on land grabbing in last decade, have underscored the continuing centrality of land politics to global capitalism, producing significant social, economic, and political repercussions across diverse contexts. For, the modern land acquisitions have diversified, introducing new methods, tools, and ownership structures. In the early 2000s, large-scale agricultural land acquisitions driven by global demands for food, biofuels, and cash crops became increasingly prevalent, particularly in the Global South and often involving foreign investors (Borras, Franco and Wang, 2013). This dynamic represents a response to the interrelated crises in food, energy, and finance, compounded by climate change and increasing resource demands by capital (Borras *et al.*, 2012b: 404). Over time, these practices expanded to include “blue grabbing”—the appropriation of water resources (Benjaminsen and Bryceson, 2012)—and “green grabbing,” where land is seized for conservation purposes (Fairhead, Leach, and Scoones, 2012). Additionally, land acquisition has been propelled by mining (Seagle, 2012), urban development (Sargeson, 2013), infrastructure projects (Merino, 2024), economic zones (Sampat, 2015), and large-scale tourism initiatives (Gardner, 2012). These trends highlight the increasing scope of land commodification and privatization on a global scale.

While the early primitive accumulation had revolved around the privatization of communal and ecclesiastical properties, current forms of land enclosures target private and public lands. In this sense, a central question of analysis becomes the role of ownership regimes, which vary significantly across different contexts and profoundly shape the dynamics of land acquisition. In many African countries, such as Ethiopia, Mozambique, and Tanzania, most enclosed lands are state-owned, with governments justifying their lease and sale as serving the public interest. Meanwhile, countries like Ghana, Kenya, and Mali permit limited private land ownership, but state control or large feudal holdings continue to dominate land use (Cotula *et al.*, 2019). Similarly, in Indonesia, where 70% of land is classified as state forest land, and in the Philippines, where only a fraction of arable land is privately owned, public ownership underpins enclosure practices. By contrast, in developed countries, land enclosure typically involves privately owned properties, sold or leased through negotiated agreements, further underscoring the contextual specificity of land commodification (Peluso, 1992; Borras, 2007; Deininger, 2011). These regional nuances reveal how global trends in land commodification intersect

with specific governance structures, highlighting the complex interplay between state authority and market forces.

The processes and consequences of land commodification and shifts in their ownership or governance structures are deeply embedded in broader socio-economic struggles. Borras and Franco (2012) argue that the critical issue in land grabbing lies not solely in ownership changes but in the social struggles between different classes and interest groups. Contemporary land commodification entails systemic losses of access to and control over land resources by local communities, distinguishing them from earlier changes in land investments. Hence, they argue that “land grabbing is essentially ‘control grabbing’: the appropriation of power to govern land and associated resources, such as water, to derive economic benefits from their control” (Borras *et al.*, 2012a: 850). This concept provides a useful framework for understanding how land acquisition processes share underlying mechanisms across diverse contexts, while their outcomes remain contingent on specific socio-political conditions.

Building on this framework, this study identifies land acquisitions in Turkey during the 2000s as a clear example of *control grabbing*, examining both the traditional mechanisms of capital accumulation and the novel processes that characterize 21st-century practices. To this end, it focuses on the construction of the Green Road Project, a prominent megaproject in the Eastern Black Sea region and problematizes the evolving patterns of capital accumulation via these acquisitions under the Justice and Development Party (AKP) rule over the past two decades. During this time, the energy and construction sectors have emerged as the two dominant fields in Turkey, reshaping rural and urban landscapes while provoking political conflict and social resistance (Adaman *et al.*, 2017: 246). Controversial developments in energy (Sayan, 2017), mining (Adaman *et al.*, 2018), construction (Yeşilbağ, 2016), housing (Demirörs, 2023), and urbanization (Bayırbağ *et al.*, 2022) and the legitimation of these processes through narratives of “public servicing” (Paker, 2017: 109) have been widely analyzed by critical studies. This paper will contribute to these critical efforts by underlining the legal constraints imposed on these processes by Turkey's land composition and ownership regime, and identifying the strategies through which the AKP governments overcome these constraints in relation to the Green Road.

The Green Road Project, officially named “Highlands Connection Road”, was based on the “Highland Corridor” concept, outlined in Turkey's Tourism Strategy 2023 for the Eastern Black Sea Region. Envisioned as a large-scale infrastructure initiative, the project aims to enhance regional connectivity by constructing a 2,645-kilometer network of roads linking key highland areas across eight provinces in the region, including Samsun, Ordu, Giresun, Trabzon, Rize, Artvin, Bayburt, and

Gümüşhane (Figure 1), to support highland and nature tourism. Its extensive geographical coverage and ongoing implementation provide a unique opportunity to trace the systematic transformation of public lands over time. In this sense, it represents a critical case study for examining the long-term dynamics of land acquisition in Turkey in the 2000s. Unlike smaller-scale or shorter-term projects, the Green Road Project offers rich data for understanding how land use changes reshape social, economic, and political relationships, making it highly significant within the land grabbing literature. Although the full impacts of this project are yet to unfold, its scale and controversial nature make it a vital subject for continued research. This paper, as a first step, will highlight the legal strategies and constraints underpinning the project, offering a preliminary analysis of the control grabbing mechanisms applied in the Project and their implications.

A significant historical specificity of the control grabbing processes in Turkey, including the Green Road Project, is that they take place as processes of 'public grabbing'. Public lands, which make up about 28% as forested areas and 36% as agricultural lands, pastures, and highlands, represent 64 % of Turkey's total territory of 814,578 km², making it the largest country in Europe by land area. Hence, it is not a coincidence that the Green Road Project, covering the highlands and pastures of the whole East Black Sea Region, is being constructed on public lands, an often-overlooked aspect of these control grabbings, which seemingly simplify their acquisition by capital. Yet, public lands in Turkey, legally defined as "public immovables," encompass village lands, Treasury lands, forests, pastures, and highlands, all *constitutionally* defined for certain restricted conditions of use / benefit / save. There is no real property right on public immovables which are legally under the rule and possession of the state, which has the authority only to use (*usus*), to benefit (*fructus*) from the powers granted to the owner of the right of property, and to control (*abusus*), that excludes the authority to dispose. Therefore, the state's authority regarding these places is legally limited to "acquisition, maintenance, protection, operation and use" *with no right to sell, transfer or dispose of*.

The public character of these lands has so far ensured their common use by local and national communities for activities such as grazing in pastures, cultivating crops in villages, and seasonal migration in highlands. These uses are deeply rooted in subsistence economies, prioritizing communal benefit and sustainability, and stand in clear contrast to private, profit-driven interests that seek to commercialize and commodify these resources. This draws attention to the fact that lands fully subjected to the public property regime are not the property of the state itself; today, public lands are lands that the state has the right to use and benefit from, provided that the public interest is observed (Gülöksüz, 2010: 137-141). Framed as assets

governed for the public good, these lands resist purely private commodification while providing the state with significant leverage in land acquisitions.

In this sense, Turkey's reliance on public lands introduces a distinct feature when compared to global land acquisition practices. Existing literature sheds light on the mechanisms of land transfer and loss of control in contexts where ownership is defined as either private or entirely state land, allowing governments to lease or sell lands under the guise of development agendas. In Turkey, however, public lands are defined by long-standing public use rights and constitutional restrictions, creating a unique interplay between state intervention and commercialization. This necessitates addressing *the legal processes* affecting the use of these lands carefully, as they have been historically designated for communal subsistence use where the state holds the authority to act in the name of public interest. For, the state must navigate strict legal constraints, justify projects as serving the public interest, and secure local consent, meaning that the commodification of these lands is a complex and contested process. This underpins the state's ability to facilitate ambitious infrastructure and development plans, *megaprojects*,¹ by framing land acquisitions as "public service" initiatives.

According to the Ministry of Transport and Infrastructure, 58 road-related megaprojects, including tunnels, highways, and bridges, were launched during the 2000s (General Directorate of Highways, n.d.). These projects often involve the redistribution of substantial public land parcels under the justification of serving the public interest and span sectors such as infrastructure, construction, energy, urban transformation, and tourism. The Green Road Project, as one of these megaprojects, reallocates vast stretches of highlands and pastures for infrastructure and tourism development, justified through the rhetoric of regional progress and public service. By appropriating lands ostensibly free from private ownership but in effect used by local communities, the state capitalizes on their public nature to legitimize its actions, while simultaneously navigating strict legal frameworks and addressing local resistance. Consequently, the public character of these enclosed lands emerges as a critical and defining factor in shaping the processes of commercialization and the nature of social struggles in Turkey, and transforms them accordingly.

This paper analyzes the processes of control grabbing on public lands in Turkey by identifying three key state strategies that illustrate how land grabbing unfolds through strategic and decisive state interventions. Firstly, the enclosure of public lands necessitates specific legal amendments in Turkey due to the constitutional restrictions of the public ownership regime. These amendments should be justified under the guise of "public interest" and often involve

¹ For an alternative reading of megaprojects, see Köstem (2024).

repurposing of lands for commercial use while retaining their public designation. These legal interventions alter the designated use of these lands, enabling leasing for capital investment, granting operational rights for infrastructure projects, and commercializing land-derived products to promote rent-driven capital accumulation. Secondly, facilitating access of capital to public lands and ensuring its ongoing presence necessitate a transformation in land use through channels beyond legal interventions. A key example of this is the build-operate-transfer (BOT) system, established within the framework of public-private partnerships (PPP) in Turkey, which is employed in nearly all large-scale megaprojects. This model underscores the emergence of "crony" forms of capital accumulation on public lands, aligning state and private sector interests in large-scale infrastructure projects. In this arrangement, public lands remain under public ownership and services -road itself-, yet the generated revenues are shared between the government and private investors, enabling private capital to play a significant role in the management and utilization of public resources. Thirdly, the invocation of "public interest" not only justifies land acquisition but also help weaken local opposition. When framed under the narrative of public service, these processes obscure the aim of control grabbing as communities deprived of their traditional rights are targetted as opposing public benefit, a powerful argument delegitimizing resistance movements. The framing of megaprojects as serving public interest undermines the legitimacy of local dissent, fragments opposition, and constrains collective resistance, further reinforcing the commodification of public resources. Building on this, the analysis demonstrates that all these mechanisms should be understood as deliberate state strategies aimed at restructuring the use and ownership of public lands, rather than as the common or conventional forms of control grabbing observed globally.

As a result, the acquisition of public lands in Turkey through megaprojects such as the Green Road Project represents a distinct process of capital accumulation that is closely shaped by the prevailing land ownership regime. This regime actively dictates the processes of public land reallocation, commodification, and contestation, with legal instruments and institutional mechanisms playing a central role. These distinctive processes not only facilitate the transformation of public lands but also influence the capacity of local communities to resist dispossession and maintain control over their resources. This is why this study advances the notion of "public land grabbing" to capture the specific form of control grabbing observed in Turkey, where state-led interventions and ownership regimes jointly shape the structural conditions that enable and define land acquisition processes.

The article will identify the legal amendments and major political interventions conducted in public grabbing through the critical overview of field studies, media coverage related to the project alongside archival research and other

secondary sources. To this end, national real estate reports and official statements from newspapers will be monitored, and all statistical data regarding changes in land use will be compiled and presented. Based on these sources and the conducted research, this paper will primarily argue that the distinctive pattern of control grabbing in Turkey is shaped by the fact that the lands being acquired for private or commercial purposes are public properties, requiring the state to intervene in the process in novel ways. The following parts will focus on the Green Road Project, detailing its legal, institutional and political bases and its implications for resistance movements. The concluding section delineates the scope and distinctive patterns of Turkey's control grabbing processes, framed by the study's core arguments and the proposed concept of 'public land grabbing', tailored to these arguments.

2. Socioeconomic and legal foundations of the project

A comprehensive understanding of the regional characteristics of the Green Road Project and the legal framework governing land resources in the area are essential to uncover both the direct and implicit mechanisms of land acquisition. Eastern Black Sea Region, where the Green Road Project is located, is renowned for its rich natural resources, encompassing forests, pastures, highlands, and arable lands. This area, which contains 2.5% of Turkey's fertile lands and forests (TURKSTAT, n.d.), plays a pivotal role in agriculture, livestock farming, and herding. Historically, the region accounts for the entirety of Turkey's tea production, while livestock farming, including cattle and camels, as well as traditional highland herding practices (*yaylacılık*), remains a vital component of rural life. Highland communities engage in seasonal herding, producing butter, cheese, and dried meat, while also gathering firewood for winter. The Kaçkar Mountains, with their high elevations, further influence livestock farming, as herding practices in this area differ from other parts of Turkey; livestock typically remain near homes and return to barns at night, eliminating the need for shepherds (İnce, 2023; Yücel, 2008). These activities, rooted in subsistence economies, reflect the integral relationship between local communities and the land. Highland pastures, defined as communal lands in public property regime, have historically sustained these economies, shaping the distinctive traditions, architecture, and social fabric of the region.

Starting with the 1980s, significant economic and demographic shifts began to alter the region's traditional practices. Mechanization in agriculture and changes in land ownership rights triggered widespread rural-to-urban migration (Keyder, 1988). Between 1927 and 2000, Turkey's rural population dramatically decreased from 75.78% to 35.10% of the total population (TURKSTAT, n.d.). This migration profoundly affected the Black Sea region, leading to a decline in livestock farming and a weakening of subsistence economies. Consequently, the region experienced a

shift from agriculture and livestock-based activities to a service-oriented economy that is particularly focused on tourism. By the 2000s, plateau tourism emerged as a significant driver of economic transformation, catalyzed by government initiatives that designate twenty highland areas as tourism centers. This development effectively repurposed lands that have been traditionally used for subsistence farming into assets for tourism and commercial activities. Several legal frameworks facilitated this transformation.

Key legislative amendments in the early 2000s, such as the Tourism Incentive Law, and the Mining Law, enabled both domestic and foreign investors to access public lands under the pretense of advancing the public good. The Tourism Incentive Law and the 2/B Law (2012), which covers provisions on the sale and leasing of public lands, enabled highland areas to be opened for investment and development. Further revisions, such as the 2005 Soil Protection and Land Use Law and amendments to the Forest Law and Plateau Law, expanded permissible land uses to include infrastructure, tourism, and energy projects, thus accelerating the commercialization of public lands. Amendments to regulations, such as Law No. 5761 (2008), allocated forest lands for tourism purposes, while updates to the Regulation Amending the Regulation on the Allocation of Public Real Estate for Tourism Investments (2019) broadened land-use definitions to include wellness tourism, rural tourism, and recreational activities. These legislative changes allowed highland structures, previously used for subsistence purposes, to be commercialized, rented, or sold for tourism and investment projects. The introduction of the 2/B Law in 2012 marked a significant turning point among these amendments by allowing previously protected forest lands to be reclassified and allocated for private investment in construction and tourism under the guise of public service. Similarly, agricultural lands, once restricted to farming activities, became increasingly available for non-agricultural purposes as regulations were relaxed. The increasing investments in tourism, coupled with these legal changes, fueled urbanization and the spread of construction activities, reshaping the socio-economic landscape of the region.

These legal transformations primarily served key economic sectors such as housing, tourism, and mining, aligning the reallocation of public lands with broader capital accumulation strategies. Between 2006 and 2012, following the liberalization of public land regulations, significant losses occurred in natural land categories — with forests accounting for 45% and pastures for 15% of the total converted areas, alongside reductions in arable land. During the same period, artificial land use — including built-up and infrastructure zones — expanded by 25%, while the surface area of water bodies increased by approximately 10%, indicating a clear shift from ecological to artificial land uses (European Environment Agency, 2017). In conclusion, legal reforms after the 2000s have systematically enabled private capital

to access public lands by transforming land use through megaprojects framed as serving the public interest. This process, which has significantly accelerated the privatization and commercialization of public lands in Turkey, reshaped the country's landscapes and reinforced state-facilitated capital accumulation.

3. Green Road Project

The transformation of public lands for tourism, particularly highland tourism, has profoundly influenced the region's economic and social dynamics. The Green Road Project exemplifies this transition. This large-scale project that will connect highlands in the seven provinces of the Eastern Black Sea region, which form the most widespread plateau geography in Turkey (Figure 1). It is designed to convert traditional public land use -historically central to local livelihoods through *yaylacılık* (highland pastoralism)- into a commercial one through integrating these lands into national and international tourism circuits. According to the Eastern Black Sea Project Regional Development Administration (DOKAP), the implementing agency of the project, the project basically aspires to establish a highland tourism corridor, positioning the area as a leading eco-tourism destination that appeals to both domestic and international visitors.

Development and modernization narratives served as crucial tools in legitimizing the appropriation of highlands, pastures, and agricultural lands for the construction of the Green Road. Without these narratives, which framed the project as a public good, such large-scale land transfers would not be introduced to the public. By positioning the project as essential for regional growth, these discourses provided the necessary justification for actions that might otherwise have faced significant legal and societal resistance. Yet, The Green Road Project, far from being merely an infrastructure initiative, reallocates public lands for tourism-related investments and fundamentally alters the region's physical and socio-economic landscape. Framed as the “aestheticization of nature by the tourism sector” (İnce, 2023: 35), the project shifts the value of land from supporting local livelihoods to generating private revenue.

3.1. Commercialization of highlands via repurposing

The vast land on which the Green Road Project is constructed used to be a historically and constitutionally protected one for communal ownership and integral to local subsistence economies. The commercialization of these lands has been made possible firstly by the state's repurposing of these lands through legal reforms enacted in the 2000s. Framed as a necessary step for regional modernization and essential for development, this reallocation has facilitated the construction of road networks and tourism infrastructure, reflecting a broader economic transition toward a rent-driven model dominated by private investments.

The major legal intervention made to realize the Green Road Project and commercialize public lands previously designated for communal use, particularly the highlands under the public property regime, is to alter land use classifications. Through such legal adjustments, these lands were enabled to be repurposed for capital investments and infrastructure projects. This transformation has converted public lands into assets for capital accumulation. Specifically, key regulations such as the Pasture Law of 1998, the Regulation Amending the Regulation on the Allocation of Public Real Estate for Tourism Investments (2019), urgent expropriation decisions and amendments included into the Forest Law have played a crucial role in the repurposing of public lands for tourism and construction. These regulations have paved the way for transferring public lands to investment projects under specific conditions, aligning seamlessly with the objectives of "megaprojects." As a result, the provinces impacted by the Green Road Project have experienced substantial shifts in land use. Between 2005 and 2021, agricultural lands decreased by 32%, while built-up areas expanded by an astonishing 264% (TURKSTAT, n.d.). These transformations highlight the displacement of traditional practices such as farming and livestock herding, and their replacement by large-

scale commercial ventures. Turkish Foresters' Association attracts attention to some additional legal amendments and criticizes these dynamics powerfully. As they argue

[t]he central issue underlying these transformations is the conversion of highlands to urban development. Historically, Turkey's highlands and pastures encompassed over 40 million hectares, but today this figure has dwindled to approximately 14 million hectares... Recent regulations, such as the Regulation on Changes to the Pasture Management, have facilitated the repurposing of pasturelands for non-agricultural uses, including tourism (Türkiye Ormancılar Derneği, 2015).

The shift toward a rent-driven economy of tourism framed as regional development reflects the state's trading off economic growth with the preservation of subsistence-based local traditions. As tourism investments expand across the region, local communities—who have depended on these lands for generations—are increasingly excluded from the resulting economic gains. In areas like Uzungöl (Figure 2), once celebrated for its peaceful environment and agricultural productivity, urbanization and construction have significantly transformed the landscape. These highlands are now dominated by large-scale tourism developments, losing much of their natural appeal. The case of Uzungöl illustrates the likely trajectory of other highland areas along the Green Road route, where the pursuit of tourism profits is reshaping the regional economy, displacing traditional livelihoods, and prioritizing speculative development and tourism-driven capital accumulation.²

² See also Politeknik, 2017 for further understanding.

Figure 2
Before and After Touristic Investments in Uzungöl



Resource: uzungöl.org.

As announced by official authorities, Uzungöl will not be the only example of the commercialization of highlands along the Green Road. The Rize Governor's plan to build Turkey's largest ski resort between Ayder and Yukarı Kavron, and the promotion of the Çambaşı Ski Center in Ordu highlight the growing trend toward the commercialization and privatization of these lands (Kaçar, 2016). In addition to these, certain properties in the Ardeşen, Çamlıhemşin, and Pazar districts of Rize have also been subjected to urgent expropriation decisions, another legal instrument used to facilitate the acquisitions during the project.³ These official plans appear to local residents' view on the Green Road project, expressing that the Green Road is not being constructed for the local community, and that the development of hotels serves the profit interests of others.

While local populations hoped that the development of such infrastructure would bring economic benefits through transportation facilities, there were significant concerns and reservations about the project's environmental and

³ For a more detailed analysis of how urgent expropriation decisions were operationalized in this process, see Kaya (2011).

socioeconomic impacts as well. One of the main fears was that road construction would lead to the destruction of local vegetation, alter the region's topography, and increase soil erosion and landslides. There were also concerns that the roads, by opening up highland areas to easier access, would encourage day-trippers and lead to overcrowding. The influx of tourists would not only strain the capacity of the highlands but would also bring with it the waste and pollution concerns associated with urban tourism; the "city's garbage" being transported to the highlands is a widely voiced concern. Additionally, there are warnings that the new roads would facilitate the easy transportation of construction materials like sand, gravel, bricks, and iron to the highlands, rapidly accelerating the process of urbanization and construction in areas previously left in a natural state (Atmış, 2016). All in all, there are growing concerns that the region's agricultural economy is being replaced by a rentier model, where land is increasingly seen as a tool for generating profit through tourism, rather than sustaining local livelihoods through farming and livestock. Bülent's words below show that the locals are aware of what waits for them.

There is a concern that the highlands will also open to rent. According to some rumors, it will make the work of mining companies easier. If roads are opened to the plateau, people put picnic tubes in their cars, have picnics and return. Who will this benefit? Even those who say they are mountaineers make mountains turn into garbage. For people living in the highlands, this is a shock. Big tourism companies now bring tourism to the plateaus. 45 people get out of the vehicles, people in the highlands flee. Dialect imitations, photographing, weird questions... Mass tourism has alienated people. There are investments for mass tourism in Uzungöl, Ayder. There are roads in investment plans, nothing else. The mentality of "Let the tourists come, we'll look back" prevails. Suppose 10 thousand vehicles passed that road. Who will it benefit? Are there hostels in the highlands? Are there products such as carpet and cheesecloth so the locals can earn money? (Ocak, 2015).

Another promise to enable access to public lands and facilitate their transfer, particularly for tourism sector investments, is job creation. Indeed, as part of the regional development plans driven by increased tourism and construction investments, significant changes are expected in the labor market. The DOKAP Action Plan emphasizes the need for a qualified workforce to support the growing tourism sector. To this end, institutions such as İŞKUR (Turkish Employment Agency) and regional development agencies have introduced training programs aimed at equipping locals, particularly women and youth, with the skills needed for upcoming tourism-related opportunities. While these initiatives may create some

economic openings, they also mark a shift from traditional agricultural livelihoods to service-based employment in tourism. Between 2012 and 2022, employment in agriculture in the region dropped from 55% to 39.6%, while the service sector, driven by tourism, grew from 31% to 43% (TURKSTAT, n.d.). However, the focus of tourism development on catering to 'middle-class consumption' limits the creation of sustainable, productive employment. Instead, the shift toward a rent-driven model prioritizes speculative profits over agricultural sustainability, leaving local communities to bear the consequences of economic restructuring. Although a small segment of the rural population might benefit from modest investments in tourism-related ventures, the majority remains marginalized, unable to participate meaningfully in the new tourism economy.

Most of the benefits generated by the project are likely to accrue to external investors rather than the local populations who have traditionally depended on these lands for their livelihoods. This commodification of land, even though occurring without a change in ownership, privatizes the economic benefits of the highlands and restricts access to a privileged group of investors and tourists, further deepening social and economic disparities in the region.

What is wanted to be done with the Green Road Project is not highland tourism, but also making the mountains very easily accessible and making profits as it is. It is the opening of the plateaus to development and tourism through the amendment of the Pasture Regulation. Villas, mansions and even castles can be built and marketed in 38-40 new tourism regions to be established for local and foreign wealthy people (one local referred to in Sarıçayır, 2013).

The Green Road Project not only impacts the lands and highlands directly included in its scope but also acts as a trigger for resource exploitation and rent-driven investments in surrounding areas. Framed as a means to improve accessibility, the project has facilitated the commercialization of public lands and the transformation of highland areas from agricultural and pastoral livelihoods to tourism and construction-based economies. This shift reflects broader patterns of extractive capital accumulation prevalent in Turkey during the 2000s. Shortly after the project began the General Directorate of Mining Affairs, under the Ministry of Energy and Natural Resources, announced tenders for the exploration and operation of mines in three areas close to the Green Road route (Hoşer, 2016). This development highlights how the project serves not only as a conduit for tourism and construction investments but also facilitates the exploitation of natural resources. As a member of the Bizim Atabarı Association in Artvin -known for its powerful resistance to the long-standing mining project, Cerattepe- argued, hundreds of

kilometers of roads will be constructed under the guise of tourism, leading to deforestation and the subsequent handover of land to tourism cartels (Odatv, 2010). Local organizations like the Streams' Sisterhood Platform (DEKAP) and the Bizim Atabarı Association have criticized the project for prioritizing private capital while causing environmental and socio-economic harm. Critics argue that infrastructure built under the guise of tourism will lead to deforestation and the eventual transfer of public lands to tourism and mining cartels, further marginalizing local communities and their livelihoods, and indeed downgrading ironically the quality of the nature on which this whole tourism activity is projected.

3.2. Crony form of capital accumulation through public-private partnership

The second state strategy followed to realize the Green Road Project has been to incorporate private capital into the usufruct and revenue generation of these lands, primarily through public-private partnerships (PPPs). In this way, the highlands and their associated resources within the scope of the Green Road Project have been subjected to capital accumulation not only through their repurposing around the tourism, construction and service sectors but also during the process of transforming the highlands into roads, with the project itself. PPPs primarily operate under two frameworks: the Build-Operate-Transfer (BOT) system and public tendering practices governed by the Public Procurement Law, which transfer the rights to construct, manage, and operate public resources to the private sector, facilitate the integration of both national and international capital. Legislative reforms since the late 1990s and early 2000s have expanded particularly the BOT model, enabling collaborations between the state and private sector for infrastructure projects. Since highlands under the public ownership regime cannot be subjected to private property rights or transferred to any capital groups, PPP model is used as the most common method for fostering capital accumulation in such megaprojects in Turkey.

The Green Road Project also applied this model in road construction and related investments organized under the BOT framework. Between 2013 and 2017, the Green Road Project in Turkey received approximately 227 million TL (approx. 7 million dollar) in funding, resulting in the construction of 800 km of roads, including 318,99 km of road maintenance, 137,5 km of gravel roads, 343,45 km of paved roads, and 13 bridges. It was announced that the construction of these roads would be carried out completely through public-private (PPP) models via tenders (Ajans Haber, 2018), paving the way for the access of pro-government capital groups to public land and its resources, while maintaining the existing ownership structure on land. Under this model, the highlands' ownership regime remains under

public ownership and state control, preserving its legal status as communal land in the name of public service. However, capital groups become involved in overseeing land use and implementing investment strategies that are shaped by the project's development. Moreover, these tendering processes have notably been dominated by certain national companies, such as Cengiz Holding, a well-known pro-government corporation, which is responsible for constructing the roads connecting Camlıhemşin and Ayder Ilıcası, two of the most famous and tourist-attractive areas in the Black Sea highlands (Cengiz İnşaat, n.d.). Given that companies such as Cengiz Holding — which, according to World Bank (2017), ranked among the top ten firms worldwide in terms of public procurement contracts between 1990 and 2018, alongside Limak Holding and Kalyon Group — it can also be argued that this model not only facilitates privileged access to public resources for capital but also consolidates these pro-government conglomerates within a broader policy and strategy framework. On the other hand, according to a statement made by DOKAP, it is claimed that a total of 666 million 547 thousand 817 TL (approx. 25.00 million dollar) has been spent on the portion of the Green Road project which is within the boundaries of Giresun province. However, as of today, it is unclear how much the project will cost, how the contractor companies are selected, or even who these contractors are—unless they have voluntarily disclosed their involvement, like Cengiz Holding has. Consequently, these tendering processes are legally opaque and/or contradictory to the existing legal framework. Additionally, previous experiences indicate that the region's tourism investments are increasingly dominated by capital from Gulf countries,⁴ which are linked to AKP-affiliated networks. These foreign entities, who are legally prohibited from owning or accessing communal lands due to Turkey's ownership regime, are alleged to overpower local and national small- and medium-sized enterprises by offering higher bids for land and development projects like Green Road. The common factor between these national and foreign capital groups is their strong affiliation with the AKP government, with which they have established regular cooperation and coordination, often formalized through various means such as media reports, bilateral agreements, and other political channels. This has created a distinct chain

⁴ In Turkey, Treasury lands allocated to foreign states or companies are not officially announced and land agreements are not officially accessible for the public. However, when examining the media outlets of the relevant foreign states, there are numerous reports indicating that the governments of Qatar, Kuwait, and Saudi Arabia, along with companies they support, have made land deals with Turkish authorities. For further details, see Reuters (2009), Hurriyet Daily News (2010), Hurriyet (2011), Daily Sabah (2014).

of rentiership supported by the state's land brokering role, which facilitates the accumulation of capital by private groups in crony forms.⁵

In addition to recent tendering regulations, the shift in Turkey's legal framework during the 2000s, particularly in relation to international trade agreements and bilateral investment treaties, represents a move in favor of multinational and foreign capital. The transition from traditional regulatory frameworks to state-to-state international arbitration mechanisms has significantly strengthened the legal protections available to transnational corporations, enabling them to secure their rights and profits more effectively. This shift has not only facilitated international investments but has also reshaped the dynamics of how foreign capital interacts with Turkey's legal and economic environment. Moreover, constitutional amendments have expanded the scope of these frameworks, incorporating public service concessions into the legal system, including projects that fall under the Build-Operate-Transfer (BOT) model. This expansion of legal coverage has important implications for large-scale infrastructure projects, such as the Green Road Project. These projects, when included in the BOT framework, are able to circumvent traditional legal procedures, specifically the scrutiny of the Court of State Council (*Danıştay*) regarding their public benefit and legality. By bypassing such legal scrutiny, these megaprojects reinforce the alignment between state authorities and capital interests within the tourism and construction sectors, sometimes circumventing necessary legal procedures related to land use and tendering processes, especially in rural and highland areas. One clear example of this bypassing process can be seen in the legal interventions surrounding the Environmental Impact Assessment (EIA) reports. The law mandates that road projects exceeding 20 kilometers in length undergo an EIA. However, in the case of the Green Road Project, the route has been divided into smaller segments, each under the 20-kilometer threshold, thus enabling the project to avoid the EIA requirements. This strategy not only exempts the companies involved from the environmental assessments but also increases the number of tenders, allowing more capital groups to participate in the project.

These tendering processes facilitate the indirect and covert participation of pro-government capital groups in the profits generated from these lands. Historically designated for communal use, these lands are not only transformed into inputs for investment but also become integral to the processes of capital accumulation. This process redefines lands along the Green Road, legally held for communal purposes, into assets with significant rent value, establishing a profit-sharing framework between the state and private capital. In the absence of alternative means to integrate public lands into private capital, megaprojects and

⁵ See Levien (2018).

their associated tendering systems operate as instruments for acquisitions in favour of pro-government business groups. Legal frameworks that facilitate the allocation of public lands for such projects—frequently justified as serving the public good—mask hence the true nature of these interventions, which typically allow the commercial use of public lands with minimal transparency.

3.3. Delegitimizing opposition and fragmenting resistance

The acquisition of public lands during the Green Road Project has led to the development of anti-dispossession movements within complicated political encounters in which identifying who benefits from these developments and whose land is being commodified becomes hard to tell. Contrary to official claims of "development" that frame such projects as serving the public good, the reality is that these megaprojects often blur the lines between public interest and private profit. As previously discussed, the state-capital negotiations in tourism and construction sectors surrounding the Green Road have led to local social movements, such as DEKAP, challenging the narrative that these projects serve the livelihoods of local populations. These movements argue that the true beneficiaries are not the local communities, but rather external capital interests driving land privatization. In fact, by pushing forward projects like the Green Road without meaningful consultation with the people who depend on the land, the state has allowed commercial interests to reshape the highlands, disregarding the rights and needs of the local population. This dynamic is evident in the resistance of figures like Rabiye Bekar -known as Mother Havva- who, despite being confronted by authorities, refused to accept the justification of "state order" and continued her protest.

...They should go and see if there is anything green on this road. Those highlands are ruined. What are the highlands for? They are for children, for animals. We have nowhere else to go. It is with livestock farming and by protecting our highlands and forests that we have kept this country standing. We are here, that is why this people exists; this people exists, and that is why this state exists; this people exists, and that is why this government exists. If we don't exist, this inn won't exist, there will be no police, no gendarmerie, no judge, no government, no district governor. Nothing would exist. We exist, they exist. We didn't shoot people in the legs in the forests, we didn't burn machines. We didn't do anything. We are Hemşin people. We are people who care about our land, our greenery, and our highlands" (BirGün, 2015).

This resistance highlights how such megaprojects, far from fulfilling the promises of public benefit, obscure the identity of those whose land is being exploited, and deepen the processes of dispossession for local communities. The statements made by Mother Havva and the claims of the local people involved in the resistance both assert that the state is acting against the interests and will of its own citizens. In these processes, the affected people are not only alienated from their means of livelihood but also from their participation in decision-making and even the state's governance processes. In response to this social backlash, government officials, such as Mayor of Çamlıhemşin/Rize, urged the public to respect the authority and decisions of the state, citing this legal controversy:

The Green Road Project has already started and progressed, what will our conversations here change? Bringing those who are against and those who are not together, talking or clashing does not help anyone. After this time, it is not possible to change the project of the state, anyway. Lands where the road will pass is also the lands of the state. It once distributed it to the villagers, when animal husbandry was important. But then the laws are made that restrict to build a house or construction on the pasture that the state punished us who did it. The one who already gave us these plateaus and pastures is the state. There is no transhumance or animal husbandry at the moment, tourists from the Middle East come to the highlands. If they want to travel here and so generate an income on the basis of the country, this project will be done. If the state is required, it allows mining as well. Where we used to go by mule is now reachable by cars. No offence! (Helsinki Citizens' Association, 2014).

Indeed, while the forests and highlands designated for the Green Road Project are not legally owned by any specific group but the public, they also cannot be considered "state property" at the constitutional level, contrary to the claims made by the Mayor. In this sense, the contrasting views of Mother Havva and the Mayor of Çamlıhemşin reveal a deeper political divide over the concept of "the people" in the context of the Green Road project. The Mayor, framing the project as a public good that will boost development and tourism, relies on a view of public land as state property, thus justifying the project as a legitimate state-driven initiative. This framing obscures the fact that, in modern capitalist societies, land and property are not personal state possessions but public goods, owned collectively by the people, with the state acting as a trustee to manage them for the public good. This perspective reflects also an authoritarian approach, which criminalizes local resistance by labeling protestors as "pasture occupiers" and threatening legal action. The incorrect assertion of land as state property, used to legitimize megaprojects

like the Green Road then, masks the reality of dispossession and privatization, and local opposition is suppressed through criminalization and marginalization. In this way, the AKP regime constructs "the people" not as active, resistant citizens, but as passive supporters of state-led development, effectively neutralizing dissent and consolidating power (Mutioğlu Özkesen, 2019).

Here, we are not only defending the streams, but also a total living space. We defend the natural habitat of the people of the region with its culture, social and economic structure from the past to the present. This is also the struggle for survival of people who earn their living on these highlands with their agriculture and animal husbandry. It should not be perceived only as an environmental struggle." (DEKAP, cited in Odatv, 2010).

DEKAP, a highly organized movement in the region, emphasizes other critical cultural and *collective losses* caused by the Green Road project. They argue that the ecological resources designated for these projects have been irreversibly damaged, resulting in the end the deterioration of intergenerational justice. In addition, the traditional practice of yaylacılık (highland pastoralism), which has long been the region's primary livelihood, is not just an economic activity but a way of life with deep ecological, social, and cultural significance. These movements highlight the social disruption caused by the displacement of local highlanders, pointing to the threat this poses to traditional farming practices and the erosion of local cultural identity. This raises critical concerns about the long-term sustainability of both the environment and the community as well as the potential for increased socio-economic inequality within the new, capital-driven development model, as noted by DEKAP.

We have shown with official documents that the highlands, which have historically been used by the local people, are gradually being taken away from them, and that in the prepared plans, the pasture areas of the highlands are being restricted to the surrounding area of the highlands, while the areas that have never had forests above 2000 meters are now being classified as forests in the plans. We have personally experienced that the highlanders are now considered occupiers, being prosecuted in criminal courts on the grounds that they are allegedly occupying pasturelands. We have stated that the Firtına Valley is both a national park and a natural protected area, and that protection-oriented zoning plans have not been made for the past 17 years. For these reasons, among many others that we cannot cover here, we are opposed to the Green Road Project (Kaçar, 2017).

Although the Green Road project affects a vast geographic area, social movements and organizing efforts have primarily focused around the Rize region, with DEKAP, a civil society organization boasting over 10,000 members—comprising local residents, environmentalists, and activists—playing a key role in opposing the project. DEKAP has consistently advocated for the protection of the region's ecological balance and resisted the privatization of public lands for commercial development. However, struggles in other areas along the Green Road have remained more localized, limited to communities directly impacted by the project. The acquisition and commercialization of public highlands, which are public resources under state control, constitutes a form of dispossession of the public at large indeed. As Mother Havva poignantly stated, “What is the highland for? It is for the children and for the animals,” highlighting who is being dispossessed through the project and marking a collective loss of control over the land. However, this process, often framed as a public service initiative, blurs the identities of those losing their resources, severing their connection to their means of production and traditional livelihoods. This ambiguity in who is being dispossessed narrows the scope of resistance and makes it restricted to the project region or a few historical non-governmental organizations, which could not create a collective reaction in the society at large against this collective loss. Nonetheless, small-scale social movements, alongside non-governmental organizations such as the TEMA Foundation (Turkish Foundation for Combating Soil Erosion, Reforestation, and the Protection of Natural Habitats), have consistently opposed the Green Road Project and successfully delayed its construction through legal and practical efforts. Notably, between 2011 and 2015, and again in 2020, Turkey's Council of State suspended the project, citing concerns over potential irreversible ecological damage and the threat to the unique character of the plateaus. These developments underscore the enduring strength of environmental activism in Turkey as a significant critique of ongoing developmentalist agendas.⁶

4. Conclusion

This study has examined how the status of ‘public lands’, the use of which constitutionally necessitates “public interest,” shapes the mechanisms of land acquisition and the dynamics of resistance movements in Turkey. The public ownership regime governing public lands, covering more than half of Turkey’s territory, restricts their use to activities deemed beneficial to the public, compelling state-led megaprojects to justify land acquisitions and capital accumulation under

⁶ For further examples related to this, see Arsel, Akbulut and Adaman (2015).

the guise of public service. Framed as initiatives for common good, these projects involve large-scale infrastructure developments, including highways, urban centers, roads, and bridges. Focusing on the Green Road Project in Turkey's Eastern Black Sea region as a case study, this research has offered a critical analysis of the project's legal and political bases and its implications.

The Green Road Project in Turkey demonstrates how public lands are acquired and commercialized through legal reforms that bypass constitutional restrictions on public ownership. These reforms repurpose communal lands for tourism and infrastructure, enabling capital accumulation in the name of serving the "public interest." Legal changes, such as amendments to the Pasture Law, allow highlands traditionally used for subsistence economies to be leased for commercial activities, fostering the commodification of public lands without privatization. The project involves public-private partnerships (PPPs), particularly the Build-Operate-Transfer (BOT) model, where private investors gain operational rights, turning public resources into profitable assets. Additionally, the framing of such projects as serving the public interest obscures the dispossession of local communities and weakens resistance movements. By portraying opposition as harmful to the public good, the state suppresses collective resistance and facilitates the transformation of public lands for commercial purposes, further marginalizing affected communities.

The transformation of land tenure through megaprojects in Turkey exemplifies the dynamics of control grabbing, deeply shaped by the unique context of public land ownership. Traditionally used by local communities and held in trust for public benefit, these lands have been redefined and commodified to serve the interests of the tourism and service sectors, alongside the state. This transformation has dismantled self-sufficient local economies, redirected regional wealth into rent-driven sectors, and created opportunities for politically connected corporations. Consequently, these processes have reshaped rural and highland landscapes, eroded traditional livelihoods, and marginalized local populations, concentrating wealth and power in the hands of capital interests. In these processes, the state has played a continuous and active role in channeling public lands into capital accumulation via legal interventions that target repurposing, and facilitated the development of crony forms of capital accumulation. The acquisition of public lands in Turkey thus necessitates context-specific mechanisms that not only drive dispossession but also shape the scale and limitations of resistance movements. This study has highlighted the need to frame such processes as public land grabbing to capture the distinct nature of state-led expropriation and capital accumulation in Turkey. It has revealed how these dynamics redefine state power and class relations in the 21st century while exposing the marginalized communities to dispossession. This study hopes to contribute to the strengthening of social movements resisting the appropriation of

public lands by fostering collective action and facilitating the development of more rigorous counterarguments.

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Özet

Neoliberalizm çağında kamu arazilerinin gaspı: Türkiye'nin Yeşil Yol Projesinde sermaye birikiminin hukuki ve siyasal mekanizmaları

Bu çalışma, Türkiye'deki toprak gaspı süreçlerini Yeşil Yol Projesi örneği üzerinden incelemekte ve “kamu topraklarının gaspı” kavramını ortaya koymaktadır. Çalışma, Türkiye’de kamu arazilerinin yaygınlığı ile mevcut kamu mülkiyeti rejiminin yapısal özelliklerinin, mega projeler aracılığıyla gerçekleşen toprak kapatmaların yasal, kurumsal ve siyasal mekanizmalarını belirleyici biçimde şekillendirdiğini savunmaktadır. Yasal düzenlemelerin analizi, saha araştırmaları, medya haberleri ve arşiv verilerine dayanan inceleme üç temel argüman ileri sürmektedir: (1) Yasal değişiklikler, “kamu yararı” söylemi üzerinden kamu arazilerinin ticarileştirilmesini kolaylaştırmaktadır; (2) Kamu-özel işbirliği modeli, sermayenin kamu arazilerine erişimini mümkün kılarak kayırmacı sermaye birikimini teşvik etmektedir; (3) “Kamu yararı” söylemi, toprak gasplarına karşı gelişen muhalefeti gayrimeşru bir konuma iterek direnişin kurucu hatlarını parçalamaktadır.

Anahtar kelimeler: Yeşil yol, kamu toprağı, megaprojeler, toprak gaspı, kamu-özel işbirliği.

JEL kodları: P26, P16, O13.