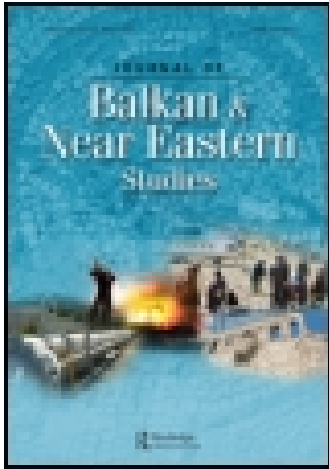


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Europeanization and the dilemma of decentralization: centre–local* relations in Turkey

AYLIN GÜNEY and AYŞE ASLIHAN ÇELENK

Introduction

Turkey's long quest to join the European Union (EU) entered a new phase following the decision taken on 3 October 2005 to start accession negotiations. During the preceding two decades, Turkey had been undergoing a major transformation in order to be able to meet the criteria imposed by the EU. This transformation has continued during the accession negotiations because there are many issues that need to be addressed to make the Turkish state system compatible with the European *acquis communautaire*.¹

Sub-national structures in European politics have become an important part of the *acquis* as actors in implementing the regional policies of the EU. These policies aim to reduce intra-regional disparities within the Union through re-allocation of resources benefiting the citizens. This has led to local government models, the principle of subsidiarity and minority issues being at the centre of multi-level governance and regional policy debates within the EU, and they are being discussed within the context of centre–local relations in Europe.

One important issue that will pose a challenge to the Turkish authorities during the accession negotiations are the chapters related to decentralization² and possible devolution of power from the centre. Although the Turkish state has tried to develop proposals with respect to decentralization in the context of Europeanization, it has had to approach the issue with the utmost care since decentralization is seen as an infringement upon the centralized and unitary character of the Turkish state by certain segments of the bureaucratic and political elite.

This paper examines the understandings of decentralization in the European and Turkish contexts and will address the possible challenges and opportunities that await Turkey as it tries to further integrate with Europe. To do this, the paper

* The term 'local' refers to both the lower tiers of government/governance apart from the central level of government and also to periphery as a power bloc versus the centre.

¹ The *acquis communautaire* refers to the rules, laws and procedures of the European Community that have accumulated through the course of European integration and that the candidate countries are expected to adopt in order to join the Community.

² Decentralization can be defined in two basic ways: as 'physical dispersal of operations to local offices or delegation; or devolution of a greater degree of decision-making authority to lower levels of administration or government' (see Burns *et al.*, *The Politics of Decentralization: Revitalizing Local Democracy*, Macmillan, London, 1994). The concept entails localization, flexibility and accountability in the delivery of services, devolution of power and an organizational cultural change to achieve these for creating local level democratic governance.

will focus on the local government tradition, first in Europe and then in Turkey. Second, it will deal with the recent decentralization efforts in Turkey within the context of Europeanization.

'Europeanization' and decentralization: a theoretical framework

Europeanization can be understood as the process in which certain institutionalized aspects of government and administrative cultures of the member states change as a result of EU-level policies. In other words, it is 'the impact that European policies in particular and European integration in general have on national polities, politics and policies'.³

Knill and Lehmkuhl identify three mechanisms of Europeanization.⁴ In the first mechanism, the EU prescribes an institutional model, to which domestic arrangements have to adjust and where the member states have limited institutional discretion. This mechanism concerns institutional compliance that is prescriptive and demands that member states adopt specified measures. For instance, with respect to the implementation of the regional policies of the EU, from the late 1990s onwards, the Commission identified 'regional institutional capacity' as a core requirement. Second, EU legislation alters the distribution of power and resources among actors, which in turn requires institutional change. For instance, the Customs Union, which has been operating between Turkey and the EU since 1996, has had a significant impact on regional competitiveness, by exposing economies to the challenges and opportunities of globalization, increasing the need to develop regional institutional capacity. The third mechanism of Europeanization is framing or shaping domestic beliefs and expectations. This changes the political climate by stimulating and strengthening overall support for broader European reform objectives, since changes in domestic beliefs can produce institutional adaptation over time. Policy learning plays an important part in this mechanism.⁵

Regional governance units and an efficient system of public administration at regional and local levels are seen by the European Commission as essential for both the implementation of the *acquis* on regional policy and the dispersion of structural funds. In fact, a large number of studies relate 'Europeanization' to the strengthening of sub-national governance.⁶ Despite the demand for changes in governance and regional policy, the degree and nature of change that takes place in the accession countries depends on their specific domestic institutional settings. This usually takes the form of persistence and robustness on the part of the decentralizing state,⁷ and has a lot to do with the way that the philosophy and practice of decentralization or local government has evolved in the European and domestic contexts. In other words, particular domestic institutional factors have shaped the way in which the EU has affected the relations between the central

³ A. E. Töller, 'The Europeanization of public policies—understanding idiosyncratic mechanisms and contingent results', *European Integration Online Papers*, 2004, p. 1.

⁴ Christoph Knill and Dirk Lehmkuhl, 'How Europe matters: different mechanisms of Europeanization', *European Integration Online Papers*, 1999.

⁵ E. Ertugal, 'Strategies for regional development: challenges facing Turkey on the road to EU membership', *Turkish Policy Quarterly*, 4(3), 2005.

⁶ *Ibid.*

⁷ *Ibid.*

and sub-national structures of government in different countries, and thus they have led to different modes of centre–local relations, despite the similar pressures for change coming from the EU level.

In the EU context, the issues of decentralization and empowerment of the local level vis-à-vis the centre are interrelated with the principle of subsidiarity. The roots of the principle lie in the Catholic Church and are based on the idea of ‘protecting the private sphere against any undue interference from the state’.⁸ According to the subsidiarity principle, the state is only expected to intervene in matters of the private sphere of citizens when the actions of the private parties are unable to achieve certain objectives. The principle of subsidiarity implies that ‘decisions and laws should be made at the most appropriate level of government, as close to people as practicable’.⁹ According to this principle, powers should be exercised by local or lower levels and they should only be assigned to higher levels of government if there exist convincing and rational reasons to do so.¹⁰ Decentralization is integral to the application of the subsidiarity principle because the principle is based on allocating authority to the lowest possible level, that is, closest to the citizens. It covers not only the fulfilment of certain duties and services assigned to the local level by the centre, but also the dispersion of decision-making power among different levels of government, beginning with the lowest possible level.

In a multi-layered polity, such as the EU, the principle of subsidiarity is crucial as a means of finding the appropriate balance of power between different levels of government. In the EU, the division of power among community institutions, member states and central and local/regional levels of government within the member states is organized in such a way as to maintain the legitimacy of European institutions and bring the community closer to the citizens, while increasing the participation in the decision-making process of the lowest levels that are closest to the citizens. According to Article 3b of the Treaty of the European Union:

The Community shall act within the limits of the powers conferred upon it by the Treaty and of the objectives assigned to it therein. In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can be better achieved by the Community.¹¹

Later on, with the Amsterdam Treaty, the EU clarified the criteria for application of the principle and stated that:

⁸ ‘Subsidiarity: a preliminary discussion paper’, British Institute of International and Comparative Law (BICCL), 2003, <http://www.senlisouncil.net/documents/BICCL_subsidarity> (accessed 25 September 2006).

⁹ Beverly Singer, *The European Union and Its Citizens: The Social Agenda*, Greenwood Press, London, 1994, p. 3 and Wayne David, ‘1996—an opportunity to make Europe relevant’, in Valerie Symes, Carl Levy and Jane Littlewood (eds), *The Future of Europe: Problems and Issues for the 21st Century*, Macmillan, London, 1997, p. 7.

¹⁰ ‘Making sense of subsidiarity: how much centralization for Europe?’, *Centre for Economic Policy Research (CEPR) Annual Report*, 1993.

¹¹ Maastricht Treaty, 1992, <<http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>>.

Community action is preferred to national level action where the issue under consideration has transnational aspects which cannot be satisfactorily regulated by the action of Member States; actions by Member States alone or lack of Community action would conflict with the requirements of the Treaty or would otherwise significantly damage Member States' interests; action at the Community level would produce clear benefits by reasons of its scale or effects compared with action at the level of the Member States.¹²

Given these criteria of application, it can be inferred that another aim of subsidiarity is to find a balance between non-interference and intervention by higher levels of government/governance, in addition to devolving authority to the local level. Within the context of EU politics, the principle of subsidiarity limits EU action in the areas where it has no exclusive EU competence, and protects the role of the member states in EU policy making. At the state level, the subsidiarity principle is crucial for the empowerment of the local level, not only in terms of its duties and functions, but also in terms of its authority to make decisions and create resources to fulfil those functions. Thus, decentralization leads to different outcomes in terms of centre–local relations according to the extent of the application of the subsidiarity principle, as the different experiences of decentralization in the European and Turkish contexts will reveal.

Local government and decentralization in the European context

Local government is a key element in the political systems of Europe's liberal democracies¹³ because of its role in representing the concerns and views of the locality.¹⁴

The term 'local government' refers to political institutions that are subject to directly elected policy makers. Local governments, whether they be a small commune or large populous regions, are established by national or federal polities that retain the right to regulate through legislation the power and functions of their subordinate local units. They are largely creations of the state and are sustained by it, although they may also, in turn, have a major influence on central decision-making. Therefore, the interrelationships that exist between local and central authorities frame the local system of government, which cannot be considered as an isolated political structure.¹⁵

In Western liberal thought, local government is usually associated with greater democracy, since the scale of representation and administration is small and easy to manage. It thereby allows, to a greater degree, a close relationship between the ruled and the ruler, and a more effective accountability mechanism. It also provides an opportunity for political participation and

¹² Protocol 7 of the Amsterdam Treaty, 1997, <<http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html#0105010010>>.

¹³ Richard Batley and Gary Stoker, 'Introduction', in Richard Batley and Gary Stoker (eds), *Local Government in Europe: Trends and Developments*, St Martin's Press, New York, 1991, p. 1.

¹⁴ Ibid.

¹⁵ J. A. Chandler, 'Introduction', in J. A. Chandler (ed.), *Local Government in Liberal Democracies: An Introductory Survey*, Routledge, London, 1993.

expression that can have a role in a democratic political system.¹⁶ It is because of this linkage between local government and democracy that some thinkers like Alexis de Tocqueville referred to local government as the 'school of democracy'. Norton argues that:

in twentieth-century Western Europe the most outstanding political developments have been the universalization of electoral democracy linked with the maturation of the party system, both at national and local levels. These have been guaranteed in many European countries by the development of the constitutional system as the principal means to maintain individual rights and the associated rights of local communal autonomy.¹⁷

Local government has a long history in the European context, with the feudal period being of particular importance in both its birth and continuation. When one looks at a map of the various European regions today, it is possible to see that most of the sub-national borders correspond to the local or regional states of the feudal period. Although there are deep differences between centre–local relations in different European systems due to their historical backgrounds, there is also a common ground due to this feudal heritage of localism. Historically, what was common in particular was the tradition of free or chartered cities and boroughs, based on an acceptance by the state of the contribution they made to the shared wealth as free centres of wealth and commerce, controlling their own fiscal systems and levying direct local taxes on individuals.¹⁸

Local government has also gained greater importance in contemporary Europe for a number of reasons connected with changes in its economic and political significance and its relation to central government in the aftermath of the Second World War. Local government became regarded as an important delivery vehicle for welfare state functions in countries such as the UK and West Germany, as well as in Scandinavia, and thus became an important economic and political actor. This meant the question of autonomy was raised in regard to the distribution of resources.¹⁹

The demands for decentralization in countries like Spain and Italy developed as a reaction against past authoritarian regimes. In the transition from authoritarianism to democracy, these countries have carried out a great degree of decentralization as a result of both the demand from localities and the need to limit centralized state power.²⁰ It is important to note, however, that there are also certain limits to the decentralization process. In countries like France, Italy, Belgium, Spain, Portugal and Greece, it is possible to see some common patterns with regard to these limits. For instance, the right to local government is a part of their constitutions, but financial and administrative rights are vested in the central government and the state has the right to monitor the legality of the

¹⁶ Ibid.

¹⁷ A. Norton, 'Western European local government in comparative perspective', in Richard Batley and Gary Stoker (eds), *Local Government in Europe: Trends and Developments*, St Martin's Press, New York, 1991, p. 26.

¹⁸ Ibid., pp. 24–25.

¹⁹ Chris Pickvance and Edmond Preteceille, 'Introduction: the significance of local power in theory and practice', in Chris Pickvance and Edmond Preteceille (eds), *State Restructuring and Local Power. A Comparative Perspective*, Pinter, London and New York, 1991, p. 2.

²⁰ Norton, *op. cit.*, p. 26.

decisions and actions of local governments. Local government gained further political prominence in the 1970s as local community groups began to make more direct demands for state services. The expanded role of the local government in local economic regeneration is connected with the economic crisis of the early 1970s onwards due to the effects of cutting welfare state spending.²¹ Additionally, the link between the local and global levels has become increasingly important, and local policies and central–local relations can only be understood in the context of ongoing economic and social changes which are national, international and global as well as local in scale.²²

The changing climate of centre–local relations in the 1970s as a result of globalization²³ and large-scale economic crisis provides an example of the relationship between the global economic situation and the balance of power between different levels of government. The social and economic climate of the 1970s created new burdens for the advanced welfare state in Europe and led to redefinition of centre–local relations throughout Europe. The common trend in Europe to cope with the problems related with the global economic problems can be described as ‘the contracting neo-liberal state’,²⁴ where extensive deregulation and privatization took place, the state cut back the services it previously provided, public services were marketized, and citizens were perceived as customers instead of being entitled to certain services.²⁵ This retreat of the central state, however, did not necessarily imply the empowerment of the local level, as in some states, such as the UK, the local level was stripped of its functions and resources through privatization of various services while the power of the centre remained intact.²⁶ It is also necessary to differentiate the impacts of globalization from those of European integration over the European countries in terms of centre–local relations. It is possible to argue that globalization has initiated and facilitated the Europeanization process because globalization has changed the preferences and powers of various actors, and this has changed the preferences of the states concerning EU-level policy making.²⁷ Additionally, while globalization has inevitable decentralizing and deregulatory effects, in the case of Europeanization, a political and voluntary component is added, where the outcome of the process depends on the consent of the interested parties.²⁸

European history can also be read as being a tug-of-war between localism/regionalism and nationalism. Local affiliations in Europe are so strong that even in its highly integrated nation-states, there have continued to exist

²¹ Ibid., p. 4.

²² Ibid., p. 11.

²³ Within the context of this analysis, globalization refers to the process of the ‘opening of a state’s political economy to the entry of products, companies, financial flows and financial operators from core countries, making state policy dependent upon developments and decisions taken in main capitalist centres’ (see Peter Gowan, *The Global Gamble: Washington’s Faustian Bid for World Dominance*, Verso, London and New York, 1999, pp. vii–viii for details).

²⁴ John Loughlin, ‘Regional autonomy and state paradigm shifts in Western Europe’, *Regional and Federal Studies*, 10(2), 2000, p. 14.

²⁵ Ibid., pp. 14–15.

²⁶ Pickvance and Preteceille, *State Restructuring*, op. cit., pp. 68–72.

²⁷ H. Marjoleine, ‘Europeanization and globalization: the missing link’, *Journal of Common Market Studies*, 39(5), 2001, pp. 834–835.

²⁸ D. Verdier and R. Bren, ‘Europeanization and globalization: politics against markets in the European Union’, *Comparative Political Studies*, 34, 2001, pp. 231–232.

problems of centre–local cleavage up until the present. The doctrine of ‘general competence’ (i.e. the principle that local authorities have a general power of jurisdiction over the affairs of their areas and inhabitants, subject to the national law) has become the norm in Europe. In addition, the EU principle of ‘subsidiarity’ has provided a more recent justification for the special position of local government because of the priority given to the lowest level government in carrying out certain tasks.²⁹

The European integration process has added a new dimension to centre–local dynamics. Since the inception of the integration process in the 1950s, member states have searched for ways of enabling the centre and the local to coexist in harmony while introducing a third supranational layer. This has posed the European Community with a seemingly paradoxical situation, since they realized that they cannot manage to integrate Europe without first acknowledging that the local and regional levels are important players in this integration process. At the same time, while trying to integrate with the global market, the European nation-states have witnessed a resurgence of regionalism.³⁰ Regions have gained further importance because integration has allowed them to ignore or bypass national governments and appeal directly to the EU when they have problems. Consequently, while integration is not intended to discard the nation-state altogether, it has provided a rationale to justify the assertion of local/regional activities and identities within the nation-states of Europe.

The EU’s focus on the local and regional increased further with the Mediterranean enlargement that brought Greece, Spain and Portugal into the EU. In order to meet the challenge of less-developed regions and regional disparities in these states, the EU aimed to build local institutional capacities to encourage these regions to begin utilizing their underused or unused resources.³¹

The European Charter of Local Self-Government that entered into force on 1 September 1988 reinforced this rising importance of regional/local level of governance in the integration process.³² Briefly, the Charter commits the parties to applying basic rules guaranteeing the political, administrative and financial independence of local authorities. It provides that the principle of local self-government shall be recognized in domestic legislation and, where practicable, in the constitution. Local authorities are to be elected by universal suffrage and act within the limits of the law. They should regulate and manage public affairs under their own responsibility in the interests of the local population. The Charter restates the importance of the principle of subsidiarity and sets the conditions under which responsibilities at the local level are exercised, administrative supervision of local authorities’ activities are performed, and financial resources of local authorities and legal protection of local self-government are controlled. The principles of local self-government contained in the Charter apply to all categories of local authorities.³³

The philosophy creating this charter is also reflected in the creation of the Committee of Regions in the Treaty of Maastricht in 1992, and by allowing the

²⁹ Ibid., p. 27.

³⁰ J. Newhouse, ‘Europe’s rising regionalism’, *Foreign Affairs*, January/February 1997, p. 68.

³¹ E. Ertugal, op. cit.

³² <<http://conventions.coe.int/Treaty/en/Summaries/Html/122.htm>>.

³³ Ibid.

regions to open representative offices in Brussels, the capital of the EU, to articulate their own interests and lobby at the Commission. With the increased presence of local/regional structures on the European political scene, the issues of decentralization, devolution, federalism and autonomy started to circulate within the EU member states, making them face the reality that supranational integration would be very difficult, if not impossible, without recognizing the regional/local reality of Europe. Thus, during the 1990s, debates started as to whether EU integration would bypass the national level, which further aggravated the cleavage between central and local authorities.³⁴

It was the member states themselves who found the methods to balance central and local authorities. The EU has not tried to impose a uniform model of centre–local relations in European countries, and has made it clear that the sharing of certain powers and responsibilities between the central and the local levels is not dangerous for the integrity of the nation-state, nor will it lead to fragmentation of the nation-states of Europe. To this end, they have tried to condemn especially the violent secessionist–autonomist movements of localities or regions whenever possible, as one can see from the frequent condemnations of the Basque separatists in Spain. The European Parliament has repeated frequently that ‘autonomy of the Regions of the European Community and the creation of a Europe politically more united constitute two complementary and converging aspects of the same political evolution’.³⁵ Nevertheless, it is important to keep in mind that the more or less uniform policies of the EU have important implications for each individual state, which has been shaped to a great extent by its unique history, political structure, political culture and economic conditions.

To sum up, the overall effect of this long process of European integration and decentralization is that the ‘decision-making has spilled beyond core representative institutions and been shared by supranational, national and sub national authorities’.³⁶ In other words, central authority is dispersed away from central government upwards (the EU level), downwards (sub-national bodies) and sideways (public and private agencies).³⁷ In this process, local governments emerge as the new actors of policy making, who can now bypass central governments and cooperate directly with the EU or with other local authorities. However, in order to understand the real dynamics of decision making between these different levels, one should look beyond the formal allocation of responsibilities to the informal relations, power balances and administrative cultures within individual states, which are difficult to change, once institutionalized.

Local government and decentralization in Turkey

As an accession country to the EU, Turkey has faced the above-mentioned difficulty of changing its institutionalized administrative culture. The Turkish experience contains important differences from the European experience, both

³⁴ Peter Wagstaff, ‘Introduction: region, nation, identity’, in Peter Wagstaff (ed.), *Regionalism in Europe*, Intellect Books, Oxford, 1994, p. 13.

³⁵ S. Petschen, *La Europa de Las Regiones* [The Europe of Regions], Insitut d’Estudis Autonomicas, Barcelona, 1992, p. 326.

³⁶ L. Hooghe and Gary Marks, ‘Types of multi-level governance’, *European Integration Online Papers*, 2001, p. 1.

³⁷ Ibid.

historically and in terms of its current situation. In contrast to many European countries, the culture of localism or local government in Turkey was never strong throughout the Ottoman Empire period (13th–20th century). This, of course, ran in parallel with weaknesses in democratic traditions and decentralized administration. As already discussed, most European states have a feudal tradition of localism and have therefore had long experience of managing the tug-of-war between the centre and the local. Over time, they have managed to a great extent to solve this problem so as to establish a co-habitation between the local and the centre within the context of the European integration. In Turkey, due to the strong state tradition inherited from the 600-year-old Ottoman Empire, the centre has remained in control of the local and there is not a strong understanding of local government.

In contrast to feudalism in Europe, under Ottoman patrimonialism, or absolute rule by the Sultan, the local notables did not have extensive political–territorial rights. Even the Ottoman Empire’s efforts at modernization that were undertaken in order to ‘save the empire from disintegration’ during the 19th century did not change this situation, as they were aimed at strengthening the centre. After the Tanzimat Edict of 1839, the central administration founded local administrative bodies, but these bodies had no autonomy. They were just a means of establishing the control of the centre at the local level.³⁸ In other words, local governments were established as administrative agencies of the central government in order to conduct affairs in the localities.³⁹ Until the 19th century, local services were left to the local notables and the religious organizations and foundations in the empire, which did not have any political power and were only responsible for the delivery of various services to the local community. Cities, towns and other residential areas did not gain distinct legal identities until the 19th century.⁴⁰ However, the 19th-century reformers tried to establish a strong central government, so they took these services back under the authority of the central administrative structure. Paradoxically, because of the lack of infrastructure for a centralized state, the reformers had to rely on the local structures and people to strengthen the centre, and this situation led to the birth of local administrative bodies.⁴¹ These bodies, however, were created out of pragmatic necessity, rather than from any deeply rooted tradition of self-government.

As a result, one can argue that in the 19th century, centre–local relations were influenced by ‘deconcentration’, that is, extending central control to the localities, instead of ‘delegation’, that is, transfer of responsibilities and establishment of indirect control, or ‘devolution’, that is, establishment of sub-national units of government outside of the centre’s control.⁴² For instance, in 1864, the Tuna district was formed as a pilot district with a governor and a district council

³⁸ Sedat Azaklı and Hüseyin Özgür, ‘Belediyelerde Başkan, Meclis ve Encümen İlişkileri ile Güç Dağılımı’, in Bekir Parlak and Hüseyin Özgür (eds), *Avrupa Birliği ile Bütünleşme Sürecinde Yerel Yönetimler*, Alfa Yayınları, İstanbul, 2002, p. 140.

³⁹ Metin Heper, ‘Introduction’, in Metin Heper (ed.), *Local Government in Turkey: Governing Greater Istanbul*, Routledge, London, 1989, pp. 3–4.

⁴⁰ A. Öztürk, *21. Yüzyıl Türkiye’si İçin Yerel Yönetim Modeli*, Ümraniye Belediyesi Kültür Yayınları, İstanbul, 1997, p. 52.

⁴¹ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri (1840–1880)*, Türk Tarih Kurumu Basımevi, Ankara, 2000, pp. 17–18.

⁴² *Ibid.*, p. 4.

and then, in 1870, the application was extended to other districts. The first municipality was founded in Istanbul in 1854, and in 1868 municipalities were formed in other districts as well. The 1876 Constitution stated that there would be elected councils in each municipality.⁴³

However, with the beginning of the 20th century, the decline of the Ottoman Empire gained pace. The First World War and the subsequent Turkish War of Independence (1919–22) culminated in the birth of a new state. The new state had certain similarities with the Ottoman state, such as the important role attributed to the army and a centralized and bureaucratic state structure. The similarities were also visible in terms of local administration understanding and the economic and political problems regarding the division of responsibilities between central and local levels. The new state also inherited from the Ottoman state a lack of municipal experience, limited financial means, low levels of public participation in local affairs and lack of infrastructure. The proclamation of the Republic of Turkey in 1923 resulted in the adoption of a republican political system, based on the principles of centralization and delegation as well as administrative tutelage over local government.⁴⁴ From the 1930s to the 1980s, there was a high degree of centralization in the Turkish government system in the form of central political control over local administrative bodies, instead of simply administrative supervision.⁴⁵ In the post-Second World War era, with industrialization and urbanization, new socio-economic problems emerged, such as housing, infrastructure building and city planning, which needed to be solved at the local level. However, the Municipal Law of 1930 gave no attention to the financial capacity of the municipalities to solve these new and pressing problems. Especially in the 1970s, as a result of the decline of global and national economic welfare, the burden on the local administrative units increased, with increased public demands for welfare services. With the lack of financial capacity, the inability to solve these new problems increased the dependence of local on central government, as the tasks of local government were transferred to the centre.⁴⁶

It is interesting to note that, in Turkey's case, efforts at decentralization have usually occurred during the transitions to democracy after military interventions. For instance, until 1963, mayors were appointed by the centre. It was only after 1963, when the first direct elections were held after the military intervention on 27 May 1960, that mayors became directly elected by local people.⁴⁷ Similarly, after the military *coup d'état* in 1980, a two-tiered metropolitan municipal system (*Büyükşehir belediyeleri*) was introduced in 1984 and more powers were transferred to the metropolitan municipalities. The post-1980 municipal government reforms reorganized local government with the aim of solving problems caused by rapid urbanization. However, it also re-established the control of the centre over the municipalities of major urban centres.⁴⁸ The tutelage powers that had earlier been exercised by central government were transferred to

⁴³ Ibid., pp. 57–59.

⁴⁴ Heper, *Local Government*, op. cit., p. 4.

⁴⁵ Metin Heper, 'Introduction', in Metin Heper (ed.), *Democracy and Local Government: Istanbul in the 1980s*, Eothen Press, Beverley, North Humberside, 1987, p. 1.

⁴⁶ Heper, *Local Government*, op. cit., p. 6.

⁴⁷ Sedat Azaklı and Hüseyin Özgür, op. cit., p. 141.

⁴⁸ Üstün Ergüder, 'Decentralization of local government and political culture in Turkey', in Heper (ed.), *Democracy*, op. cit., p. 11.

the metropolitan municipalities and more specifically to the metropolitan mayor. This situation created a potential for conflict because one democratically elected office holder (the metropolitan mayor) now exercised both legal and administrative tutelage over other democratically elected office holders with similar responsibilities, that is, over the district mayors.⁴⁹ As well as creating these tensions, decentralization in Turkey after 1980 also stopped short at the level of the Metropolitan Municipality, and did not extend to the District Municipalities.

The key reason why decentralization efforts were not very successful in Turkey was because of the philosophy behind it. It is important to distinguish between the concept of 'local government' used in the European sense and the term 'local administration' used in the Turkish sense. While the former implies action taken with a certain level of political autonomy or independence, the latter implies action taken under the direction and administration of the centre over the periphery. Article 123 of the Turkish Constitution of 1982 stipulates that 'Administration forms a whole with regard to its structure and functions, and shall be regulated by law. The organizations and functions of the administration are based on the principles of centralization and decentralization.' In this context, central administration is defined as the 'organizations that make up the main administrative structure of the state. These take and implement political, administrative and economic decisions about the general administration of the country and are represented at the local level through provincial administrations.'⁵⁰ Provincial Administration is comprised of provinces and districts established to take and implement decisions on behalf of the centre. These units are headed by provincial and district governors. The provincial administration, as stated by Article 126 of the Constitution, is based on the principle of deconcentration.⁵¹

The Turkish understanding of local government is that of a mechanism of delivering services instead of performing a political and democratic function.⁵² Through their political and administrative influence on the state bureaucracy, the political elites wish to tightly control local government politics from Ankara, the seat of the national government. They want to concentrate power in the centre and keep at bay the periphery through the distribution of patronage to local persons of influence.⁵³ It has to be the central state, therefore, which performs the important and traditional functions of distributing welfare and justice. While performing these functions, the concentration of power at the centre and the control of the periphery through the distribution of patronage have been important aspects of this state tradition. Thus, authority is monopolized and power and resources are distributed by the centre,⁵⁴ as is the case in other centralist states of Europe, such as France and Greece.

These centre–local relations in Turkey have important administrative, political and financial implications. First, regarding administrative relations, the centre maintains administrative tutelage over the local institutions, and their decisions,

⁴⁹ Heper, 'Conclusions', in Heper (ed.), *Democracy*, op. cit., pp. 54–55.

⁵⁰ Turkish Ministry of Interior, *Local Authorities in Turkey*, Ankara, 1999, p. 23.

⁵¹ Ibid.

⁵² İlber Ortaylı, op. cit., p. 4.

⁵³ Ersin Kalaycıoğlu, 'Division of responsibility', in Heper (ed.), *Local Government*, op. cit., p. 13.

⁵⁴ Ergüder, op. cit., pp. 10–11.

actions, organs and personnel, in order to keep the local dependent upon the centre. The provincial administration acts on behalf of the centre at the local level, while the popularly elected municipalities are under the control and supervision, that is, administrative tutelage, of the centre.⁵⁵ Administrative tutelage controls local affairs in various ways. In order to ensure the integral unity of administration, secure the delivery of services and protect the interests of the public, the central government approves, postpones or cancels the decisions taken at the local level. The centre also controls the legality of the acts, the functioning of the local administrative organs and the appointment and promotion of the personnel in these organs.⁵⁶ Regarding political relations, because of the dependency relationship between the centre and the local, partisanship sometimes has an impact on the distribution of resources.⁵⁷ In terms of financial relations, the local institutions are not autonomous in terms of either their revenues or expenditures.

Challenges to decentralization in Turkey

Turkey's historical heritage and its republican state tradition have acted as obstacles to decentralization as understood in the European context. It seems that the distribution of powers and competences between the centre and the local has been to the advantage of the former, especially with the principle of administrative tutelage governing the relations between the two levels. The main difficulties of the system stem from the lack of public participation in local decision making, lack of transparency and lack of financial resources.⁵⁸ The effects of Turkey's centralized state tradition create a number of major obstacles to restructuring the administration in its efforts to prepare for EU membership. These difficulties are as follows: the centralized state tradition with its excessively centralized planning, decision making, and personnel and resource management; the highly politicized Turkish bureaucratic tradition lacking cooperation between the centre and the local; the patron–client relationships and dependence on the centre for financial resources; the lack of capabilities to deal with the local problems; application of the same centrally defined policies regardless of regional disparities; fears regarding the fragmentation of the state due to Kurdish separatist movements in South-east Anatolia.⁵⁹

Of the problems listed above, one is particularly critical. The Turkish public administration system suffers from unclear boundaries concerning administrative tutelage of the centre over the local. The 1930 Municipal Law, for example, states that:

⁵⁵ Ruşen Keleş, *Avrupa'nın Bütünleşmesi ve Yerel Yönetimler*, Türk Belediyecilik Derneği ve Konrad Adenauer Vakfı, Ankara, 1999, pp. 308–310; S. Yalçındağ, *F. Almanya'da ve Türkiye'de Yerel Yönetimler*, TODAİE, Ankara, 1992, pp. 5–13; Prime Ministry of Turkish Republic, *The Restructuring of Public Administration*, Ankara, 2003.

⁵⁶ Keleş, op. cit., pp. 30–32, Article 127 of the Constitution.

⁵⁷ Ibid., p. 313.

⁵⁸ Turgay Uzun and Hüseyin Kurt, 'Avrupa Birliği'ne Giriş Sürecinde Türkiye'de Yerel Yönetimler ve Sorunları', in Bekir Parlak and Hüseyin Özgür (eds), *Avrupa Birliği ile Bütünleşme Sürecinde Yerel Yönetimler*, Alfa Yayınları, İstanbul, 2002, p. 83.

⁵⁹ Ergüder, op. cit., pp. 19–21.

in case of a severe interruption of delivery of services, an appropriate amount of time is given to the local administration for remedying the situation and if the problem is not solved in the given time period, the measures required by the situation are taken by the centre.

The problems with this article are the ambiguity of 'severe interruption', the lack of a specified duration of time for remedying the situation and the undefined nature of the measures to be taken by the central administration.⁶⁰ Another problem concerns the division of responsibilities between the centre and local level administrations, as well as between the metropolitan level and district level administrations.⁶¹ Municipal 'activities' are unclear and ambiguously defined and there is confusion in terms of the responsibilities of each.⁶² The following areas of conflict exist between the metropolitan and the district municipalities: issuing of construction licenses, property rights over municipal real estate, responsibility for maintenance of main streets, and regulation of markets and shopping areas.⁶³ The fact that there is no clear division of responsibilities and competences between different local administrative bodies has various implications in terms of the accountability of these bodies to the people, and thus raises concerns about the efficiency and democratic qualities of the administrative system.

The problems discussed so far already represent significant difficulties. However, the most important challenge of decentralization for Turkey is the large internal disparity between the eastern and western areas. Broadly speaking, although the eastern half of the country accounts for 37 per cent of the population, its share of GNP is only 22 per cent. In contrast, the western part of the country, with 63 per cent of the population accounts for 78 per cent of GDP. GDP per capita ratio is 60 for eastern Turkey and 123 for western Turkey (2004 national average = 100).⁶⁴

The case of the South-east Anatolia region, which is largely populated by Kurdish-origin Turkish citizens, illustrates the constraints on Turkey's adaptation to the 'multi-level governance' model implied by the EU's regional policy. Despite the existence of a regional development administration, there is a challenging combination of institutional fragmentation, lack of institutional networks, a very strong state presence and quasi-feudalism. The ethnic structure of the region and the state elites' associated perception of a threat to Turkey's territorial integrity have turned the concept of decentralization into a security issue.⁶⁵ This is due to the radical activities of the PKK (Kurdistan Workers Party), aimed at establishing an independent Kurdish state. The suspicions about the long-term implications of decentralization in the form of secession in the south-eastern part of the country have prevented Turkey from initiating the necessary steps for the decentralization of the administrative system.

⁶⁰ Aykut Polatoğlu, 'Türk kamu yönetim sisteminin yeniden örgütlenmesi üzerine düşünceler', *Anne İdaresi Dergisi*, 36(4), 2003, p. 6.

⁶¹ Azaklı, *op. cit.*, p. 155.

⁶² Kalaycıoğlu, *op. cit.*, p. 12.

⁶³ *Ibid.*, p. 18.

⁶⁴ T. Reeves, 'Turkey's regional policy on the road to the EU', *Turkish Policy Quarterly*, 4(3), 2005, p. 6.

⁶⁵ Ertugal, *op. cit.*

Europeanization and decentralization in Turkey

The differences between Turkey and the European countries regarding the understanding and practice of centre–local relations can also be seen in Turkey’s approval of the European Charter on Local Self-Government in 1991. Turkey did this only with certain reservations regarding the organizational, administrative and financial autonomy of local governments, together with their rights to cooperate with each other and go to court for the judicial review of decisions and acts.⁶⁶

Nevertheless, Turkey has attempted to restructure the system of public administration over the last few years through the Urgent Action Plan of the Government and the Draft Framework Law on Public Administration. Within this context, the government prepared a comprehensive public administration reform plan, the legal basis for which is provided by several laws, such as the Public Administration Draft Law, the Law on Metropolitan Municipalities, the Law on Municipalities and the Draft Law on Special Provincial Administrations. The priorities of this reform are as follows: strengthening the capability of local decision making with improved organizational, managerial and information systems, modernized working and communication procedures, and a more professional and neutral civil service; continuing the decentralization process and strengthening local authorities; modernizing public finance management and increasing the degree of transparency for citizens; and creating partnerships with civil society.⁶⁷

In parallel with public administration reform studies and the EU accession process, Turkey is in close cooperation with OECD/SIGMA (Support for the Improvement of Governance in Management of the Administration) to improve the Turkish public administration system.⁶⁸ The intention is to stimulate a debate in Turkey on the need for, and goals of, reforming public administration, and to raise awareness about the principles governing the European Administrative Space, as well as the implications of EU membership for administration.⁶⁹

During Turkey’s accession negotiations with the EU, the chapter on ‘Regional Policy and Coordination of Structural Instruments’ will be one of the most difficult, due to the severity of the regional imbalances and low income levels in Turkey. This chapter will also be one of the most important, since Turkey has been witnessing a transformation in terms of development policy and public administration. As a part of this transformation process, since 1999, Turkey has launched regional development programmes as well as cross-border cooperation programmes. Although these programmes are limited in scope and financial resources, they provide a good starting point for planning and monitoring the regional development programmes.⁷⁰

⁶⁶ Mustafa Ökmen, ‘Yerel Yönetimlerde Özerklik Eğilimleri: Avrupa ve Türkiye’, in Bekir Parlak and Hüseyin Özgür (eds), *Avrupa Birliği ile Bütünleşme Sürecinde Yerel Yönetimler*, Alfa Yayınları, İstanbul, 2002, p. 114.

⁶⁷ Murat Sungar, ‘Turkish–EU negotiations: prospective effects on public administration and regional development’, *Turkish Policy Quarterly*, 4(3), 2005.

⁶⁸ In 2004, the European Commission requested SIGMA (a joint initiative of the Organization for Economic Cooperation and Development (OECD) and the European Union), principally financed by the European Union, to assess the current state of central systems in Bulgaria, Romania and Turkey.

⁶⁹ Sungar, op. cit.

⁷⁰ Ibid.

Despite this activity, the Regular Progress Reports on Turkey prepared by the European Commission every year since 2000 have stated that 'no notable change has occurred at the level of regional and local government. The strong control of the central administration over local institutions continues to exist.'⁷¹ The Turkish public administration system has to be reorganized in a way that is compatible with the common political values of the EU for stable and institutionalized democracy, concern for human rights and protection of minorities.⁷² In the course of the Europeanization process, there have been some public administration reform attempts such as the MEHTAP Project (*Merkezi Hükümet Teskilati Arastırma Projesi—Central Government Structure Research Project*) of 1962–63. This concerned the reorganization of the central administration and did not deal with the local administrative structure. There was also the KAYA Project (*Kamu Yönetimi Arastırma Projesi—Public Administration Research Project*) of 1988, which started within the context of administrative adjustment to the EU.⁷³ However, these projects were not successful, primarily because their philosophy was not suited to the European model, but also because of political instability, lack of continuation, bureaucratic resistance and the lack of the necessary legislative and constitutional changes.⁷⁴

The latest attempt at reforming the Turkish public administration system was 'the Law on the Basic Principles and Reorganization of Public Administration' in 2004. Quite remarkably, this draft law tried to introduce the principle of subsidiarity into the Turkish administrative system, to redefine the powers and responsibilities of the central and local administrative structures and to redefine central–local relations by giving more weight to the latter.⁷⁵ More specifically, this law aimed at the following: to decrease the number of ministries at the central level; to make the local administrations compatible with the European Charter on Local Autonomy; to define the powers and responsibilities of the central and local administrations; to decentralize the public administration system; to introduce the principle of subsidiarity; and to establish Regional Development Agencies.⁷⁶

However, the president vetoed the law on the grounds that it was against the constitution as it proposed limiting the powers and responsibilities of the centre and giving extended powers to the local administrations, weakening the organizational and functional features of the central administration and violating the deconcentration and administrative tutelage principles.⁷⁷ At the same time, other critics of the draft law attacked it on the grounds that it was not a genuine attempt at decentralization. The powers and responsibilities were left to the provincial administration, thus to the governor, who is appointed by the central administration. Thus, according to these critics, rather

⁷¹ European Commission, *Progress Reports, 2000–2008*, <www.europa.eu.int>.

⁷² Asım Balcı, 'Türkiye-AB ilişkileri perspektifinden kamu yönetimi sisteminin yeniden yapılandırılması', *Anıme İdaresi Dergisi*, 38(4), 2005, p. 25.

⁷³ Başbakanlık, *Kamu Yönetiminde Yeniden Yapılanma*, Başbakanlık, Ankara, 2003, pp. 115–116.

⁷⁴ *Ibid.*

⁷⁵ <www.todaie.gov.tr/KYP/5227.htm>.

⁷⁶ Başbakanlık, *op. cit.*, pp. 139–162.

⁷⁷ T. C. Cumhurbaşkanlığı Sayı: B. 01.0. KKB. 01-18/A. 9.2004-890 03/08/2004, <www.todaie.gov.tr/KYP/5227_veto.htm>.

than create decentralization, the draft law simply reproduced centralization at the local level.⁷⁸

Although local government and public administration reform is not one of the preconditions of membership, as the Committee of Regions Opinion on Turkey's Accession of 6 July 2005 demonstrates, Turkey is expected to transform its administrative system in accordance with EU norms in the following respects: by passing a public administration reform package as quickly as possible; by giving more powers and public resources to popularly elected local and regional representatives; by establishing a legal framework for regional development policy; and by accepting the principle of local and regional autonomy in accordance with the European Charter on Local Autonomy. Moreover, issues related to local governments are a part of 12 of the 35 chapters, which Turkey has to negotiate during the accession process. Thus, local government reform is an inescapable part of the adoption of the *acquis*.⁷⁹

In order to assist Turkey in reforming her public administration, the European Commission provided financial resources between 2005 and 2007 for the 'Assistance to Local Government Reform Project', which was carried out by United Nations Development Program (UNDP). This project aimed to develop democratic decision-making mechanisms at the local level, to increase the administrative and financial autonomy of the local administrations and to improve the quality of the local services through capacity development, educational programmes and seminars, and cooperation among local administrations.⁸⁰

Concluding remarks: future prospects

Decentralization, which is an important part of the *acquis* has posed important challenges for Turkey. The challenges stem basically from the different understandings and historical traditions of the European and Turkish contexts. While in the European tradition, the concept of local government has evolved from a feudal past and persisted to a great extent during the nation-state building and European integration processes, in the Ottoman–Turkish context, its development neither stemmed from a historical reality as feudalism nor played an important role in the foundation of the modern Turkish Republic.

On the contrary, the centralized nature of the Turkish state, which continued in many respects the Ottoman tradition, and the weakness of the periphery prevented the development of a local government tradition. Nevertheless, recognizing the correlation between the local governance and the democratic tradition, the ruling elites from time to time attempted a decentralization process within the context of democratization. As mentioned above, the decentralization process tended to take place in the aftermath of military interventions in Turkey, as seen following the post-1960 and post-1980 interventions.

⁷⁸ Keleş, op. cit., p. 95.

⁷⁹ These 12 chapters are environment, consumer protection, transportation, justice and home affairs, energy management, competition law, free movement of people and anti-discriminatory measures, social policy, public procurement procedures, state aid, free movement of goods and local elections (<www.deltur.cec.eu.int/belediyeler.html>).

⁸⁰ <www.tepav.org.tr/eng/admin/dosyabul/upload/Yerel_Yonetim_Reformuna_Destek_Projesi_Fikret_Toksoz_ppt>.

Needless to say, the opening of negotiations with the EU and the chapters related to local government have provided an important stimulus for reforming the public administration system in Turkey with the aim of harmonizing Turkish and European practices. The reform attempts in the field of decentralization have gained pace within the context of Europeanization since the 1990s. When one considers the three Europeanization mechanisms of Knill and Lehmkuhl, it can be argued that the process of Europeanization in the field of decentralization has not really succeeded in the Turkish context. The first mechanism, that is, domestic institutional change, has been very limited. In fact, there is still no layer of governance in Turkey comparable to regional governments in most European countries. With respect to the second mechanism, there are attempts at significant policy changes as seen from the examples of draft laws and reform attempts at greater decentralization. However, the presidential veto and resistance among the bureaucratic and state elite have proven that the third mechanism of Europeanization has also not been effective, as an administrative local culture has not been internalized and developed yet.

The reasons for this insufficient decentralization are primarily the strong state tradition, the related lack of local consciousness about self-government, regional disparities, the lack of an administrative local culture and the lack of harmonization between central and local interests. The future prospects for decentralization will depend on the extent to which it will be possible to create more correspondence between the European and Turkish understandings of local government.

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