District Policy being ahead of the Urban in Integrated Planning of Metropolitan Municipalities in Turkey, the Example of Konya

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Abstract

This study aims at analyzing the impacts of administrative problems resulting from the two level form of urban government whose framework is outlined in the Law for Metropolitan Municipalities, over the notion of integrated planning. It is suggested that it would be impossible to mention a sustainable integrated planning notion since the institutions entitled to planning within the metropolitan municipalities are not always in coordination. Within the scope of this study, first the provisions of the Law for Metropolitan Municipalities were reviewed; afterwards the process regarding the chosen sample area was discussed accordingly. The method of this research was based on the elaborate analysis of both the sample area and of the Law on Metropolitan Municipalities.

At the end of the study, it was concluded that the problems results from the integrated planning of Konya, the share of planning authorization among the levels, the fact that the metropolitan municipal council consists totally of district municipal council members and the existence of certain discrepancies in the law's content in terms of authorities and responsibilities required for planning metropolitan areas. In the final part of the study, solutions for the identified problems were offered.

Keywords: Urban Government, Urban Politics, Metropolitan Municipality, Konya-Turkey

Introduction

The coordination of metropolitan areas with administrative fragmentation in Turkey and establishment of a new administrative unit in order to provide more efficient urban services have been discussed since 1960s. (1). Following the discussion of such topics, the two leveled form of local urban government was adopted in line with the Law on Metropolitan Municipalities numbered 3030 entered into force in 1984. The Law on Metropolitan Municipalities is the first legal arrangement made for establishing administration of

metropolitan municipalities. After this legal arrangement, many other structural arrangements were made with respect to administration, finance, politics, and planning. Despite above mentioned legal arrangements, planning of metropolitan areas could not be institutionalized within the metropolitan municipality and the authorization for planning was granted too many other levels (2).

The fact that the metropolitan municipal council is comprised of district municipal council members resulted in that district governments gained political prominence against urban governments. The project based point planning research of the district municipalities dominated the integrated planning process of the city. The reasons such as endeavors/competition of district municipality administration to undertake big projects, housing projects to be implemented for the sake of good image, big scaled social and technical infrastructure projects, obtaining unearned income from the lands under the possession of the municipalities etc. resulted in that the planning decisions produced in macro scale were shaped according to the competitive power of the sub-scaled district government. It is not possible to mention an integrated planning approach in metropolitan municipalities as the institutions authorized for planning are not in coordination. Therefore, an ever changing/developing planning approach is emerging towards the demands of local administrations and powerful capital owners. This fact indicates that the provisions of the Law on Metropolitan Municipalities are not sufficient for implementation of an integrated planning notion in metropolitan municipalities.

Konya Metropolitan Municipality consisting of Selçuklu, Karatay and Meram district municipalities which became a "Metropolitan Municipality" on 20.06.1987 by the law numbered 3399, was chosen as the sample of the study to test its hypothesis. Whether the leveled form of administration among metropolitan and district municipalities whose framework was outlined in the Law of Metropolitan Municipalities is sufficient for the integrated planning of the city was discussed in depth. Following this, the decision making process regarding the choice of location for the court house, which affects the macro-form development of the Konya city, was examined in line with the Law on Metropolitan Municipality. A second round in-depth discussion was made in order to identify the actors playing a role in this process and to understand the decision making process. Upon examination of the in-depth discussions, it was understood that the implementation of the integrated planning notion stated in the Law on Metropolitan Municipality in Turkey bears

certain drawbacks. At the end of the study, solutions regarding the identified problems were offered.

This study was comprised of four parts, other than these parts one conclusion and one assessment parts. The introduction part explained the general framework for the study. In the second part, information about the chronological development of the Law on Metropolitan Municipalities which outlines the framework for the metropolitan administration notion in Turkey, was provided. In the third part, the method of the study was explained. In the fourth part, the location choice process of the court house, the sample area of the research, was analyzed. In the conclusion and assessment parts the problems faced in Turkey regarding the implementation of the integrated planning notion stated in the Law on Metropolitan Municipalities and solutions were offered.

The Chronological Development Process of the Law on Metropolitan Municipality

Following the adoption of the Law on Metropolitan Municipality numbered 3030, dated 1984 in Turkey, a two leveled form of local administration was chosen for metropolitan areas. According to this Law, the municipal system consists of district and metropolitan municipalities at sub-level and top-level, respectively. Istanbul, Ankara and Izmir are defined as metropolitan municipalities according to the law. Adana gained metropolitan municipality status in 1986, wheras Bursa, Konya and Gaziantep gained this status in 1987. Mersin, Eskişehir, Diyarbakır, Antalya, Samsun, İzmit and Erzurum gained this status in 1993, as for Sakarya it was in 2000 (3, 2).

The arrangements regarding establishment and duties of metropolitan area administration were introduced with the law numbered 5216, dated 2004. Arrangements were made regarding the one hand administration and control of various services of the municipality (4). With this law the criteria of indicating scale and population was introduced for the borders of metropolitan municipalities. In brief, border expansions were made by using a method called compass arrangement.

The most significant criteria introduced by the law are the criteria of population within the transformation of cities into metropolitans. However, it was clear that even the cities which didn't meet the criteria of population were granted the municipality status. This situation was indicative for transforming cities into metropolitan municipalities and was misused by the politicians to obtain a sustainable unearned income.(5, 6).

14 new metropolitan municipalities were established by the Law numbered 6360, dated 2012. The total number of metropolitan municipalities increased to 30. Many structural changes were made in terms of administration, finance, politics, architecture and planning in the metropolitan municipality system. With this law, the preconditions for becoming metropolitan municipality were eased and the metropolitan municipality borders of a province were harmonized with the administrative boundaries (7, 8).

The legal arrangements that have been made since 1984 till now are as mentioned above. It was accepted that an integrated planning in metropolitan municipalities could only be made gradually according to these legal arrangements. Metropolitan municipalities were granted significant responsibilities due to this administrative model adopted by Turkey in a way that the top-level was invested with greater authority. Accordingly, the need for taking fundamental decisions at top level governing the city and afterwards detailing these decisions at lower levels was emphasized. However, this was changed in time and district municipalities became more independent in decision making (6).

The responsibilities and coordination duty regarding urban services were granted to the metropolitan municipalities in Turkey while the other local level services that necessitate participation were left for district municipalities. But, some problems, disagreements and disputes emerged due to the unclear definition of authority among levels and political differentiation. Even though the problems were tried to be eliminated by the Law numbered 5216, dated 2004, the disputes about share of authority could not been prevented (6).

The Metropolitan Municipalities Law numbered 3030, has provisions describing how to form a municipal council which is the decision making organ of the metropolitan cities. As the local administrations in Turkey are governed by a powerful major model, the major of a metropolitan municipality becomes the president of the municipal council at the same time (9). Furthermore, the majors of central district municipalities are also accepted as natural members of the metropolitan municipality councils. Therefore, metropolitan municipality council is comprised of one fifth of the members chosen for district municipality council. This representational system contributes to the establishment of the coordination among metropolitan municipalities and district municipalities. However, the fact that the whole metropolitan municipality council consists of district municipality council members brings about some certain problems. These problems were mentioned in the following parts of this study.

The Law on Metropolitan Municipality numbered 3030, grants the duty of preparing land use plans or having the job done to the metropolitan municipality along with their implementation after approval according to the land use plan that will be prepared by the district municipality and monitoring their implementation. The district municipality was granted the authority to prepare implementary development plans according to the land use plans.

"The structure with double identity" about the formation of metropolitan municipality council stated in the Law on Metropolitan Municipality numbered 5216, dated 2004 regarding metropolitan area administration. However, significant changes about the span of authority of metropolitan municipalities and leveling were made (10). With this law, the borders of metropolitan municipalities were expanded as per their populations. Moreover, the authority of developing and approving land use plans for every scale between 1/5.000 and 1/25.000 and having the job done was granted to the metropolitan municipalities within the boundaries of metropolitan cities and urban areas. In the regions where the Law on Metropolitan Municipality numbered 5216 is implemented, the authority to prepare land use plan was again granted to district and first level municipalities. However, it was ensured that it is the authority of metropolitan municipalities to monitor the implementary development plans to be prepared by the municipalities within the metropolitan areas according to the master plan, to alter these plans, to approve directly or after amendment, when district and first level municipalities do not prepare the implementary development plans in one year starting from the enactment of the land use plan. Given the above mentioned provision, on one hand the metropolitan municipalities gains the authority of "Approving the impementary development plans after amendment", one the other hand they also have the authority of "Preparing the implementary development plans directly".

Eventually, with the Law numbered 6360, adopted in 2012, the provisions regarding the establishment of the metropolitan municipality council were introduced. However, the expansion of the boundaries of metropolitan municipalities considering the administrative boundaries also expanded the authority areas of metropolitan municipalities about planning.

Method

The structure of the Law on Metropolitan Municipalities along with its provisions about planning was discussed with 22 people comprising of council members, bureaucrats and academics within this research. These discussions were mainly focused on the six questions (half structured) about whether the leveling notion between metropolitan and district

municipalities which was outlined by the Law on Metropolitan Municipalities, is sufficient for the integrated city planning or not.

Following this, the decision making process regarding the choice of location for the court house, which affects the macro-form development of the Konya city, was examined in line with the Law on Metropolitan Municipality. The analysis of the location choice for the court house was deeply discussed with 50 people comprising of deputies (central government), majors, council members, bureaucrats and members of NGOs. During the meetings, these people were asked half structured 8 questions about understanding the decision making process and identifying the actors playing roles in this process. The findings obtained from these detailed meetings are given below.

Findings

First of all, this part is dedicated to the assessments about the impact of council members, NGO founder members, bureaucrats and academics on the integrated planning of metropolitan municipality model in Turkey. Konya Metropolitan Municipality which was transformed into "Metropolitan Municipality" as per the Law on Metropolitan Municipality numbered 3399, dated 20.06.1987 was chosen as the sample area in order to test the hypothesis of this study. One of the most significant milestones in the environmental development of Konya is its earning the metropolitan city status. Konya earned the metropolitan city status in 1987 and following the local elections that took place in 1989 Konya was separated into Central Metropolitan Municipality, Selçuklu, Karatay and Meram district municipalities (Figure 1). Even so, the division of Konya city in three different district municipalities in 1987 caused problems for planning of the city center with an integrated approach. The fact that administrations of Selçuklu, Karatay and Meram district municipalities only focused on their own responsibility areas, led them to act independent from the high scaled planning decisions (11, 12).

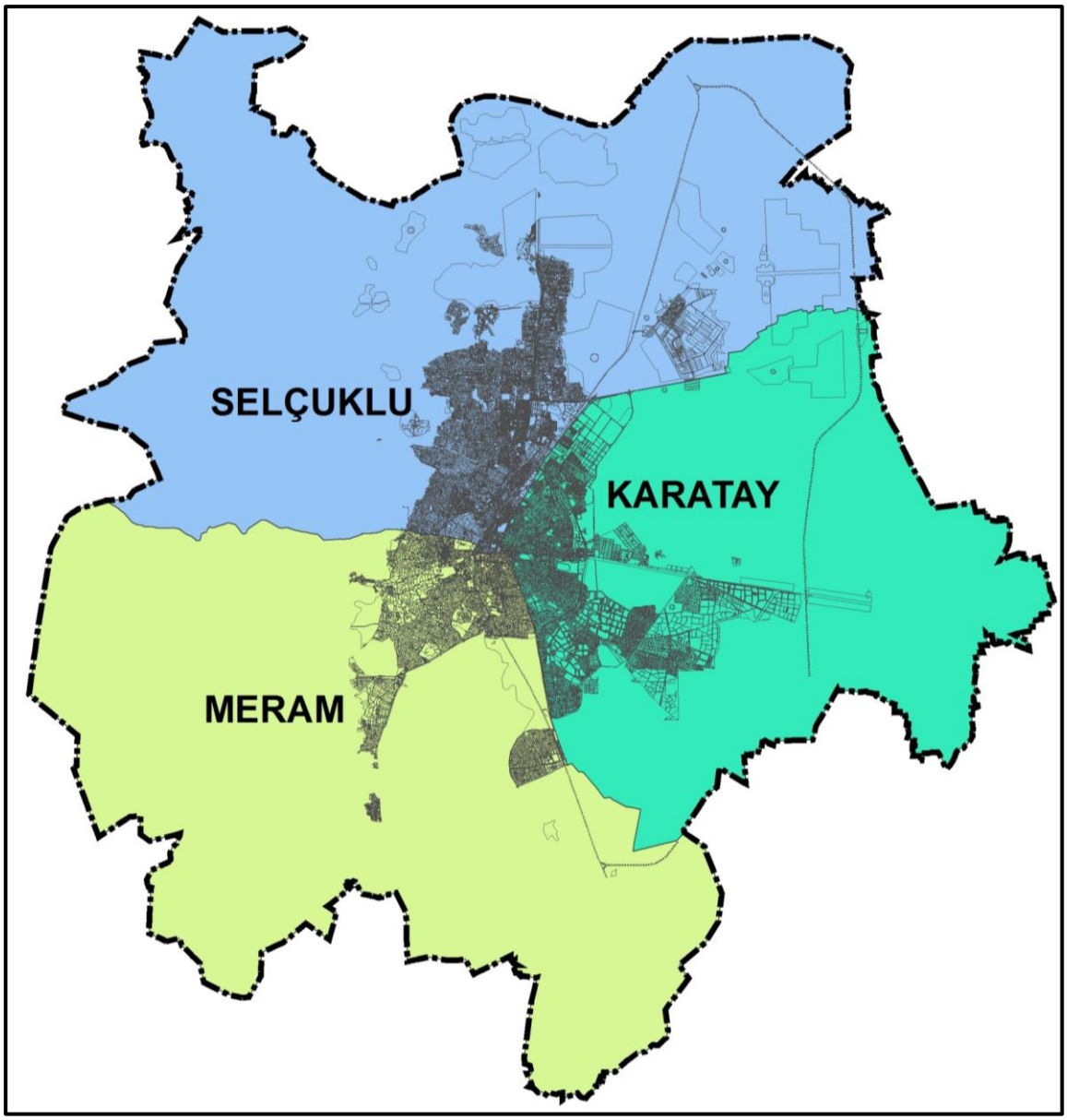

Figure 1: Konya Metropolitan Area and Central District Boundaries

The reasons such as endeavors/competition of district municipality administration to undertake big projects, housing projects to be implemented for the sake of good image, big scaled social and technical infrastructure projects, obtaining unearned income from the lands under the possession of the municipalities etc. resulted in that the planning decisions produced in macro-scale were shaped according to the competitive power of the sub-scaled district government. It is not possible to mention an integrated planning approach in metropolitan municipalities as the institutions authorized for planning are not in coordination. The fact that the administrative levels disagree over the high scaled plan of Konya city center causes dissents in the implementation of the plan, for this reason the ever changing/developing

planning notion is emerging according to the demands of local managers and powerful capital owners. Meşhur and Ayten explain this process experienced in Konya city center as follows;

> *The development of the city is hampered substantially by the actions of district municipality majors that consider their areas of authority as independent from the whole. The practices of majors defined by themselves as indicators of success and service result in problems for the cities which are impossible to solve. The endeavors of district municipalities aiming at transforming their own areas of responsibilities into an "investment center" prevents the development of the city and also causes some unpleasant consequences which were not foreseen in the plan(12).*
>
> *The success of keeping institutional investment within the boundaries of the district was evaluated as positive for local politics. However, an incorrect approach indicating the district as separated from the metropolitan city prevailed as can be understood from the expressions used for making this investment. The topics which otherwise could not be brought to the agenda, became basic determinants of the decision making process along with the practices of district politics. (12).*

These problems regarding the integrated planning of Konya city which were emphasized by Meşhur and Ayten were effective in the choice of Konya as the sample area for this study. The planning process of Konya city was evaluated in consultation with council members, bureaucrats, NGO members and academics through in-depth discussions. The reasons and solution offers about the problems experienced by Konya regarding the integrated planning process were obtained thanks to these discussions.

One of the most important subjects of debate encountered in the interviews made in Konya metropolitan area was the share of planning authority among the levels. In this respect, the interviewee provided different offers. Some of them;

> *The Law has given the upper-scale planning authority to metropolitan municipality and sub-scale planning authority to the district municipalities. However, from time to time, problems like inadequacy of law provisions relating to the planning authority and responsibilities, problems arising from the fact that the district boundaries have not been determined by objective reasons, that district municipalities see themselves as an independent institutional structure cause district politics to be more important than the city. This situation cause's coordination cannot always be achieved in the decisions made in relation to the city. To overcome this problem, the planning authority should be centralized. (compiled from in-depth interviews.)*

The interviewees, who stated that the main problem with respect to the holistic planning of the city is the multi-headed planning authority in the metropolis, argued that an administrative division in the form of the central district municipality should not be present so that decisions about city could be implemented before a competition / bargaining process occurs. In the case of such an administrative division, it is emphasized that it would be more appropriate to centralize planning powers from the macro-scale to urban design scale. In addition, it has been stated that necessary arrangements should be made to ensure public participation in the decision-making process.

Another discussion topic in the interviews for the whole metropolitan area of Konya is the impact of the fact that the municipal council is composed of district municipal councils on the integrated planning. Arıknoğa says the fact that all the Metropolitan municipal councilors are composed of district municipal councilors causes the councilors to have "double identity". This representation system for the metropolitan area itself constitutes an impediment for the members of Metropolitan city council to see the city as a whole and to be acting accordingly in the decision-making process in matters of planning and zoning (13). This problem is expressed by some of the people who were interviewed in depth as follows;

> *We act in concert with the mayor of the district and other council members at both the district municipal council and the metropolitan municipal council for an investment to be made in the city to come to our district. Because we have responsibility towards our voters. If we do not act in this way we get reaction. (compiled from in-depth interviews.)*

or

> *Council members have to act in concert with the district mayor and other council members. If they fail to do so, they will not be nominated for the next term. (compiled from in-depth interviews.)*

From this statement it can be seen that the metropolitan municipal council members place their membership of district municipal council before the membership of the metropolitan council. The members of the council composed by this method may not always think of the city as a whole and look out for the district rather than the metropolitan area in decision-making process. This shows that the priorities of council members in the decision-making process are the interests of the district they are elected for, rather than the city as a whole.

The results of the in-depth interviews are seen to coincide with what Arıkboğa has pointed out. In his work Metropolitan Municipality Model and Reform, Arıkboğa makes the following points;

A high-level of 'territorialisation' has been observed in Municipal Councils of metropolises. This territorialisation causes confrontation and conflict between not only the metropolitan and district municipalities but also less active district municipalities and more active district municipalities in the metropolitan municipalities. In this context, a portion of the problems is due to the competition between districts (6).

Those arguing that the main problem regarding the holistic planning in metropolitan cities in Turkey stems from the composition of the metropolitan municipality council state that the Metropolitan municipality council members should be elected directly. They state that such a metropolitan municipality council formed in this way will have a more independent structure in decisions to be made regarding the city.

However, some of the interviewees have stated that;

in fact, current legislation is enough to make decisions regarding holistic plan for the city. However, from time to time, the district municipality administrations may be able to pass decisions, even if they are contrary to the decisions regarding the city as a whole, by applying pressure on the metropolitan municipality council in the decision-making process through the provincial party organization as well as the central administration. (compiled from in-depth interviews.)

These interviewees state that existing regulations regarding the administration of the metropolitan area is adequate, but the metropolitan mayor should take more initiative.

Apart from these opinions, there are also interviewees who think that current legal regulations concerning the management of the metropolitan area in Turkey are adequate for the holistic urban planning. These interviewees stated that;

In fact, the provisions of the current regulations relating to the planning stages are enough for holistic urban planning. However, time to time, for reasons arising from people, decisions contrary to the holistic plans may also be made. (compiled from in-depth interviews.)

It can be understood from this statement that the law has inherent shortcomings in terms of authorities and responsibilities relating to planning.

This section deals with the identified problems regarding the impact of current legal regulations concerning the management of metropolitan areas in Turkey on holistic planning of the city of Konya and proposed solutions to these problems. Thereafter, it focuses, through a concrete case study, on the impact of the district politics on the city's holistic planning.

Decision Making Process Regarding the Area Selection of Konya Courthouse[1]

Project-based point-planning efforts of the central district municipalities put the city's holistic planning process under pressure due to the creation by the Metropolitan Municipality Law in Turkey of central districts in the metropolitan municipalities and the fact that boundaries formed between these districts municipalities are based on artificial criteria. Urban planning decisions made at the macro level have been observed to be shaped by the competitiveness of the district administration as a result of efforts/competition of district municipal administrations to have major projects within the boundaries of their district, without considering the public interest, housing projects made to appeal voters, social and technical infrastructure projects, aiming at getting unearned income from the municipality-owned land in the name of offering public service and so on. Because agencies with the planning authority are not in coordination, it is not possible to mention a sustainable and holistic planning approach in metropolitan municipalities.

This part of the study discusses the decision-making process regarding the area selection of the Courthouse in Konya, which is a product of the above mentioned process. The plan decision regarding Konya Courthouse is one of the examples of decisions taken as a result of the guidance of district policy contrary to the 1/25000 scale Konya Master Plan decisions where holistic policies at macro-scale are determined.

The process regarding the said plan decision started with the decision of the Ministry of Justice of Turkey on the rebuilding of courthouse across Turkey in 2003. This project of the Ministry of Justice also brought up the rebuilding of the Courthouse in Konya. In this context, Technical Affairs Department of the Ministry of Justice requested Konya Metropolitan Municipality to determine a project area appropriate for the new Courthouse. In line with the said request Konya Metropolitan Municipality politicians and bureaucrats stated that the plot owned by Konya Metropolitan Municipality located within the periphery of the industrial areas known as "Eski Sanayi" within the boundaries of the Selçuklu Municipality in accordance with Master Plan decisions in force. Metropolitan Municipality politicians and bureaucrats aimed at the acceleration of the transformation process of the industrial area with the building of the courthouse in this area. In addition, the metropolitan municipality officials offered two different alternative areas owned by the Metropolitan Municipality located north of the city. Officials of Metropolitan Municipality and the Ministry of Justice Technical

[1] Information regarding decision-making process on the area selection for the Palace of Justice in Konya has been compiled from in-depth interviews made with mayors, council members, bureaucrats and MPs of the period who played a role in the process.

Affairs Department evaluated these three alternatives and agreed that the project be designed at the "Eski Sanayi" area.

On the other hand Karatay District Mayor, district municipality councilors, MPs of the Justice and Development Party for Konya[2] and Justice and Development Party's provincial offices created an understanding for the new Courthouse project to be conducted within the boundaries of the Karatay district. Besides, the bar administration also supported the building of the new Courthouse within the boundaries of Karatay district.

The conflict on the choice of the location of the project between these two fronts continued approximately 4 - 6 months. During this time, the two aforementioned groups prepared reports on the area they want and spent effort to convince the then Minister of Justice. This conflict has continued for a while because in the period in question the Mayor of Konya was newly elected and pursued a policy of balance. Following the request of Minister of Justice, being uneasy of the long process, to make the decision as soon as possible, the Metropolitan administration had to accept the building of the Courthouse in the Karatay district.

The Courthouse was positioned on the ring road, in the southeast periphery of Konya, at a point kept at low density in terms of agriculture as a result of pressure created by Karatay Municipality on both the decision-makers and politicians. As a result of this decision, increase in density has been observed in this area and the pressure on agricultural areas has increased. This has damaged the 1/25000 scale Konya Master Plan decisions where macro scale holistic policies for Konya are determined.

[2] First MPs of Karatay origin had agreed to carry out the project Karatay district and then convinced the other MPs.

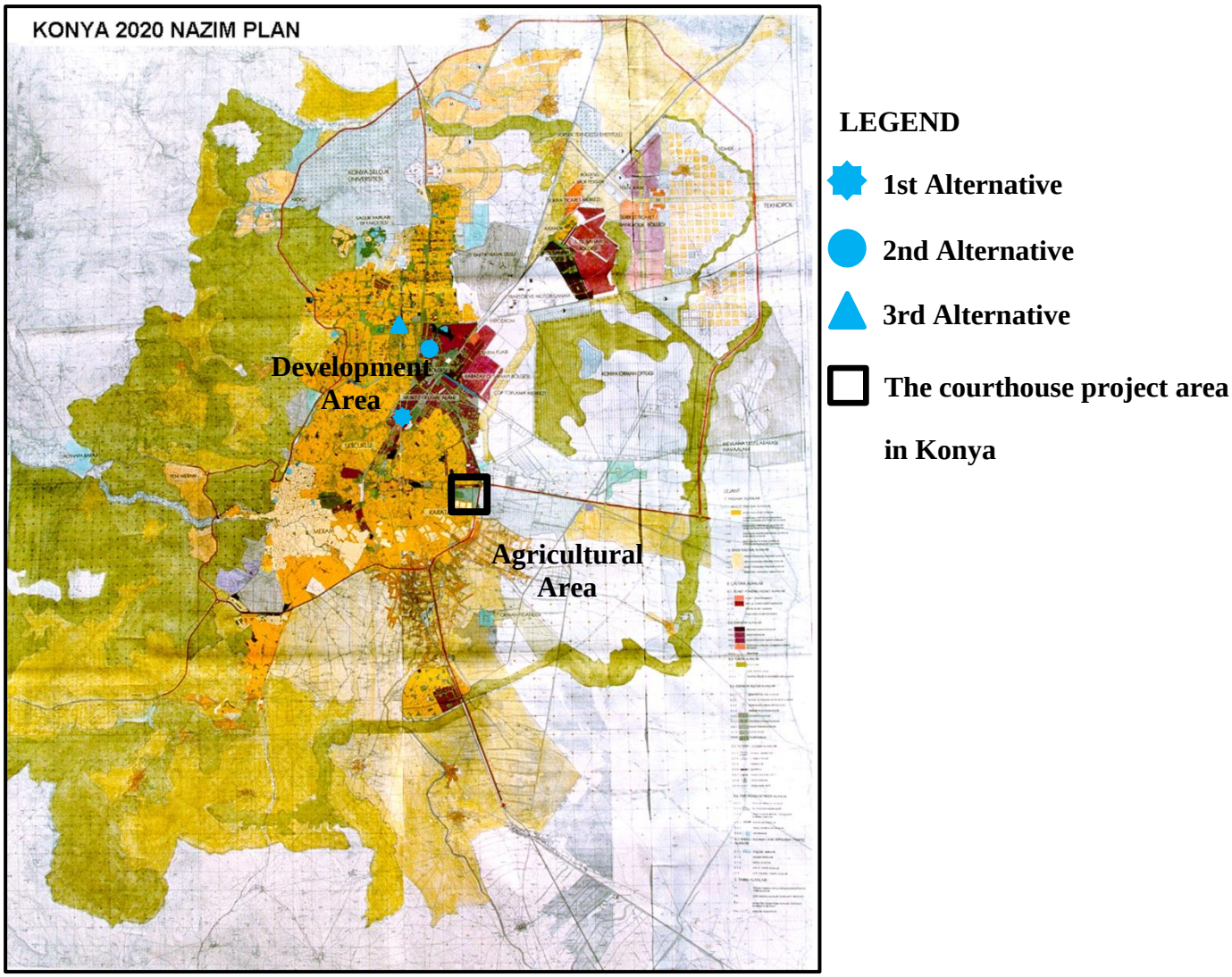

Figure 2: 1/25000 scale Konya Master Plan and alternatives to the project area

Conclusion

Within the scope of the study the impacts of management problems arising from two-tier management form, the framework of which is set by the Law of Municipalities in Turkey, to the holistic planning approach have been determined. The study has found that a sustainable holistic approach to planning in metropolitan municipalities will not be possible to speak of because agencies with the planning authority in metropolitan municipalities are not always coordinated. The findings presented as a result of in-depth interviews point out two main problems for the holistic planning of metropolitan municipalities. The first of these is that the metropolitan municipality law has grey areas in in defining authority and responsibility of metropolitan and district municipalities and thus causing conflict of authority. The second problem is that the councilors making up the metropolitan municipal council, which is the

decision making body of the metropolitan municipality, consist of all district councilors and this causes them to be "double identity". This causes councilors to put the interests of the district before the city as a whole.

Solutions offers to the problems in question and other problems experienced have been also addressed in in-depth interviews. Many different suggestions have been made by the interviewees. However, the followings recommendations are the most agreed upon;

- Metropolitan municipalities at Konya scale may turn to one stage. Thus, the integrity of the city will be best ensured and unnecessary government spending will be prevented.
- The powers and responsibilities of the metropolitan municipality and district municipalities should be clearly identified and conflict of authority should be avoided. In addition, arrangements regarding the participation of civil society organizations in the decision-making process of the metropolitan municipalities must be made.
- Metropolitan municipal councils should be freed from its "double identity" structure and transformed to a metropolitan council which can deal with the city as a whole. In this regard, all Metropolitan city councilors should be elected directly. However, districts should not be determined as the electoral-district and metropolitan area should be determined as a single electoral district (6).

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