

# THE AUTONOMY OF THE LOCAL GOVERNMENTS IN TURKEY: A CONTINUOUS AND CURRENT DISCUSSION

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The autonomy concept which is defined in the European Charter of Local Self Government as the right and opportunity for the local governments within the limits laid down by the laws to organize and govern the public affairs under their own responsibility and according to the local residents' benefit has become a predominant matter of debate in today's Turkey where the preparations for the new institution are being made. However, coming up with new definitions for autonomy and indicating conceptual differences have a great importance in this field where a conceptual chaos is being experienced. Another important question to be clarified after the limits of the subject matter are drawn is on the autonomy level of the local governments. This study tries to give an answer to this question especially from the angle of legislation in Turkey concerning local governments and European Charter of Local Self Government in special. Consequently, the aim of this study is to analyze the autonomy of the local governments conceptually and to evaluate the matter of local governments' autonomy in Turkey from the angle of its coherence to the Charter which was signed in 1988 by Turkey.

**Keywords**: Turkey, Local government, Autonomy, Local governments' autonomy, European Charter of Local Self Government.

#### Introduction

One of the concepts that has been argued about the most in public administration literature and on which many studies have been made is autonomy. Autonomy has not lost its significance especially in today's Turkey during the process of issuing a new institution; on the contrary, it has become an even more important concept in respect of Turkey's geographic, social and political structure. Actually, this concept has gained importance as a result of the demand to feature its "political" aspect and its political dimension is emphasized rather than its administrative aspect.

However, the concept's administrative aspect is also important for the local governments. For this reason, the study is in the aim of defining "local governments' autonomy", not "local autonomy". After defining local governments' autonomy, the autonomy level of the local governments is examined especially from the aspect of coherence to the local legislation and the European Charter of Local Self Government. Of course, an examination only of the legislation aspect does not answer the question of whether the local governments in Turkey are autonomous, while it can be evaluated as a significant step towards this goal. The amendments made in the local legislation in 2005 are worth to be argued on. Different studies can be made using different methods to evaluate whether the local governments in Turkey are autonomous or not. Nonetheless, the aim of this study is to define the concept of "local governments' autonomy"

from the point of view of management sciences and to evaluate the local legislation from the angle of coherence to the European Charter of Local Self Government.

## **Twosome Distinction in Administrative Organization**

The administrative organization in Turkey has shown a twosome structure as central and local administration. The first part of this organization is the central administration and public affairs are carried out by the capital and the country (local authority) units under the capital's hierarchy.

But, the facts that it is being understood that the central government can not meet the demands of the local population while offering the public services and the idea that the central government increases the bureaucratic process has caused the emerge of a second organization which is called decentralization. This organization differs within itself and decentralization is divided into two according to the service and geography criteria. The first decentralization type is oriented at certain services and these establishments are called the local administrative organizations with respect to their service. The first examples that can generally be given in relation with this situation are the universities. The second types of decentralized establishments are the entities that are known as the local governments and the establishment of these entities takes place within a specific geography. In other words, local governments are part of the decentralization in our country and are established in order to meet the common needs and requirements of the people who are living in a particular region. The question as to how the relationship between the central government and the local governments should be, is composing the primary discussion point at this stage and it has been claimed that, the power of the central government shall be decreased and parallel to this situation, the autonomy of the local governments shall be empowered for the purposes to obtain a simplification within the organization and also to improve the understanding of democracy.

### **Smoothing of the Central Government: Decentralization**

Decentralization is a tool which is intended to reduce the centralization. This tool, unlike the autonomy, is the transmission of the authority regarding decision taking and implementing certain matters and specific issues without consulting the Centre, to the entities which take place under the Hierarchy of the Centre. In this case the decisions are being taken and implemented by the hierarchical sub-levels of the central government. However, again, the real owner of this authority is the central government and the authority that is being used by the hierarchical sub-levels is temporary and figurative. Moreover, in the case of transferring the authority, the central government can not take the place of provincial departments and take decisions but they have a right of various dispositions on the decisions that are being taken. Another important issue that appears apart from taking a decision is on financial issues. The usage of the Decentralization does not mean that this particular department is autonomous. The holder of the authority can neither own its income nor has any disposition on the income that has been obtained through various transactions. In other words, it is not possible to talk about financial autonomy in the decentralization (Günday, 2004: 61). For that reason, decentralization is a principle that enables the central government to continue its implementations but smoothing it at certain points.

## What is Autonomy?

As mentioned earlier, decentralization is the transmission of the authority regarding decision taking and implementing certain matters and specific issues without consulting the Centre, to the entities (units) which are under the Hierarchy of the Centre in order to avoid certain disadvantages and to increase the efficiency of the Centre in the public administration. As the anticipated positive consequences have not been realized, steps have been taken towards the entities becoming autonomous in due course. However, regarding the autonomy of the entities (units), the implementation has not been kept within the administrative limits and also political autonomy implementations, which have a different and broad meaning compared with the administrative autonomy.

Autonomy has been thought, for the purposes of removing the disadvantages such as decentralization of the central government. At this point, autonomy is defined as the identification of all the rules or part of the rules that govern a social community or entity or the authority to freedom of movement within the limits drawn by the rules that are set by the state (Meriç, 1992: 57 & Çoker, 1992: 61 & Tortop, 2008: 103-104). In this sense, it means, a department observing and fulfilling the duties that are allocated to them, within their own organization and on condition that this particular department bears the responsibility. At this point, it cannot fully explain the term 'being independent' fully, however takes place opposite 'dependence'.

Under this definition, two different implementations of autonomy including political and administrative occur. However, it should immediately be noted that, while the political autonomy is given to the population living in a special area, the administrative autonomy is not being given to the public but to public institutions and establishments. The concept of autonomy which is taking an important place in the recent discussions about the new constitution in Turkey is being squeezed between the political and administrative area at this point and expression 'local autonomy' is being used in the same sense as 'political autonomy' by various sectors.

## **Two Different Meanings of Autonomy**

Political autonomy is being called 'local autonomy' in the literature from time to time. Political autonomy means the political self-ruling of some particular place with its own organs different from the administrative autonomy. But as this authority has been directly given by the national state to this department (Shah & Shah: 1) it has a different meaning as the federal autonomy which is comprised of the union of federated states. Because, a federated state consists of the union of the federated states and the transmission of the authority and the commissions (duties) develop from the local towards the center. In other words, the authorities and commissions (duties) in a federated state are initially in the hands of the federated states (Keleş, 2001: 85-99 & Odyakmaz, 2008: 295 & Şengül, 2010: 6-8).

However, at the political autonomy, the transmission of the authority and the commissions (duties) takes place from the center towards local. In this context, it would not be wrong to talk about political autonomy as a structuring between a federated state and a unitary state. In this context, we can interpret the concept of political /local autonomy which has frequently become a subject of discussion in Turkey in the recent times, as a form of self-government that has been granted to a community who live in a particular region and who represent a particular political concept / opinion (Nalbant, 1997: 40-42).

Unlike the political autonomy, the administrative autonomy means that a department can govern itself not politically but administratively. Within this framework, it is possible to define the administrative autonomy as the institutions conducting their services under their own responsibilities and in line with the benefits of the country and spending after having created their own financial resources (Nalbant, 1997: 38). The administrative autonomy in this sense, is also separating from decentralization and is being identified with a structure in the form of local governments which are formed in order to meet the local, common requirements of the people who live in that region.

Another issue emerges, when the autonomy concept is being limited to the local governments within the context of administrative autonomy. This issue relates to as to how the relationship between the central government and the local government should be. In other words, the problem is whether the authority and mission fields of the local governments have been used by the central government or not. That is to say, the discussions are stuck between empowering the local authorities and giving up the principle of centralization (Güler, 2000: 15). Although the local governments and the central government are different administrative units, they are not completely separated from each other. On the contrary, there is a complementarities relationship between the central government and the local government (Carr, 2006: 481) and the main purpose of these two administrative units is to submit the public services to the citizens in the most fair and correct manner. For that reason, there are studies present, which evaluate this situation as a partnership relationship (Kalabalık, 2005: 273).

# **Autonomy of Local Governments in Turkey**

The Autonomy of Local Governments in Turkey is one of the issues which is commonly discussed. However, the boundaries of the subject must be correctly drawn. Turkey has an unitary state structure and the administrative principle of that structure is the 'centralization'. This principle regards the administration together with the political power (government) as unique and unitary. The relationship that is being established between the Centre and the grades that enable the Centre to spread to the society is not based on the segregation of duties but on the power authority sharing from top to bottom. Sharing of authority, puts responsibility to the grade that undertakes the particular part of the authority. Strengthening the local governments is a process that belongs to that category. Strengthening the autonomy of the local governments and the local governments need to be considered within this context.

It is possible to say that the expression "local autonomy" does not take place in the 127<sup>th</sup> Article of the 1982 Constitution, that regulates the local governments, if we take the issue of the local governments in Turkey, primarily from the constitutional point of view. The second paragraph of the same article contains the following provision:

"The establishments, the missions and the authorities of the local governments are regulated by law in accordance with the *decentralization principle*."

It has been discussed whether the 'decentralization' principle which takes place here carries the meaning of 'local autonomy' or not. The 'decentralization' is not the main principle of the system at the unitary state structure that has been organized according to the centralization principle. However having a center available, is a way of implementation with the basic condition. In this sense, one should consider the concept of decentralization together with the principle 'the administration is a whole with its establishment and its missions' that took place

both at the 1961 Constitution and the 1982 Constitution. The principle of "the integrity of the administration" does not define a 'separation of duties' between the Centre and the local governments. This is an important issue which shall not be overlooked. Because, it is argued that the content of the separation of duties principle is consistent with the nature of the federated state. (Güler, 2000: 22).

According to Keleş, the autonomy conditions of the local governments can be handled over the following headings taking into consideration the European Charter of Local Self-Government (Keleş, 1995: 19-27).

The duties and the authorities of the local governments shall be secured via the Constitution and the legislations. In this context, the local governments will be able to serve the interest of the local population on condition to stay within the framework that the law has drawn.

The legal presence of the unit against the central government has to be acknowledged. In other words, legal governments shall have a legal entity. This kind of personality structure enables the local governments to perform a certain portion of the public affairs under their own responsibility. At this point, the local government can obtain their own decision and these decisions are implemented without having to obtain any permission or any examination (Yalçındağ, 1991: 123).

The bodies of the local government need to be determined by the local community. The people should not only use the right to vote but also shall have a right to speak either directly or indirectly.

The local governments shall have a strong and autonomous financial structure. What is meant with the strong financial structure, is the transmission of revenue by the Central Government to the Local Government which is directly proportional with the authority and the missions of the Local Government and giving freedom to the Local Government in the using of this revenue (Davey: 1971: 45). The local government units shall have a continuous financial resource such as to enable the Local Government to carry out the Local Government duties and services. In this context, as Güler and Çınar have also expressed, a Local Government Unit can have the capacity to handle power, only if they can have a strong financial structure (Çınar & Güler, 2004: 33). The spending of the Local Governments in the countries which are a member of the European Council has a share of % 22 among the total government expenditures (Çınar & Güler, 2004: 37). This rate is much higher compared to Turkey which has an average of % 10. However in terms of the autonomy of the local governments, the resources which have been transferred only by the Centre are not sufficient. For that reason, an opportunity should be created for the Local Governments to create Revenue. In other words, the so-called equity income item shall have an important role within the financial structure of the Local Governments (Ulusoy & Akdemir, 2009: 265).

Both in the 1961 and the 1982 Constitutions of Turkey have the expression 'Revenue resources shall be provided to Local Governments in proportion to their duties and commissions'. But the governments generally have an attitude, in which, when the municipality managements are from their own party, they carry out a reinforcing policy in terms of resource and authority and when the municipality managements are not from their own political party they pursue a contractionary policy and using their guardianship control for 'political' purposes (Eryılmaz, 1997: 25).

The limit and the extent of the inspection to be carried out by the Central Government has to be determined by the Constitution and the legislation. Because, when the Central government increases the inspection over the Local governments, that means the autonomy will decrease (Barber, 1969: 89). The central government has supervision over the local governments in all

countries. This supervision is called 'guardianship control'. Guardianship control means, ''the supervision (governance) of the decentralization establishments by administrative establishments other than themselves within the limits set by the legislation' (Gözübüyük, 1989: 230). This way of supervision, is being carried out on the bodies of local governments and their transactions. The supervision of the bodies appears to be the approval of the selection of the bodies or at certain conditions their removal; and on transactions it appears to be approval, permission, empowering, cancellation and decision making on their behalf. But it has to be mentioned clearly, how the supervision and inspection of the central government will be carried out and which authority will do the inspection. Another important issue which should be considered regarding guardianship control is that the context of the supervision is clearly determined by law and is being limited by law (Ekici & Toker, 2005: 9). According to the 127<sup>th</sup> Article and 4<sup>th</sup> paragraph of the 1982 Constitution;

"The Central Government has the control of guardianship, in accordance with the policies and principals which have been mentioned in the legislation, on local governments in conducting the local services in accordance with the principal of integrity and for the purposes, realizing the unity in public functions, to protect the public needs and benefits and to meet the local needs as required."

The Constitution, has not only limited the guardianship control with the principal compliance with the law, but also added the 'element of propriety'. The principles "Protecting the benefit of the society" and "to meet the local needs as required" do not necessitate the legal supervision; but the supervision of propriety (Eryılmaz, 2011: 342). The guardianship control in Turkey is being practiced by the Central administration over the Municipal bodies and their transactions. This supervision is divided into two as the legality and propriety. It has been alleged that the supervision that is being preferred by the municipalities is the legal supervision (İnaç & Ünal, 2007: 19, 20).

Until the change of the legislation in year 2005, the unit at which the supervision and inspection powers of the Central government have been practiced are the municipalities following the special provincial administrations among the local government units. The finalization of the municipal council decisions in relation to budget, final account (settlement), changes and amendments in the budget, transmissions, borrowing and lending transactions, service price list etc. are being the subject of approval of the administrative unit (Yeter, 1996: 6). With the municipal law from year 2005 and with the number 5393 this guardianship over the municipalities has been removed. The 5393 numbered municipal law, sees it as sufficient that the municipal council decisions are being sent to the administrative unit (highest authority) within latest seven days after the finalization date, finalization is required in order the entry into force. The 5393 numbered municipal law, also predicts that it can also be audited by the Ministry of Interior regarding the compliance with the law and the integrity of the administration of all the transactions of the municipality except the financial transactions. Thus, the Ministry of Interior has the authority of guardianship control. Besides, the inspection authority of the civil inspectors, Ministry of Finance Inspection Board, Local Authorities Controllers inspections of the actions and transactions of the Municipalities still continues. While the Council of State decides on the dismissal of the Mayor and the termination of the Municipality Council; the Mayor who is being investigated can be removed

Within the context of the headings which have been reviewed afore, the question of whether the local governments in Turkey are autonomous or not or to what extent their autonomy are have to be asked. Even if this question can be answered handling from different point of views the legal dimension of the matter will be discussed in the study and the issue of the autonomy of the local governments will be discussed in the framework of the European Charter of Local Self-Government which has also been signed by Turkey.

# **European Charter of Local Self-Government**

Works to prepare European Charter of Local Self Government has been started during the early 1980's within the scope of European Council and the Charter has been opened to the signatures of member states as a convention on 15 October 1985. European Charter of Local Self-Government includes the main principles of local sovereignty and also compromises of such issues as duties and responsibilities, income sources, financial funding of the state, administrative inspection of local institutions.

Turkey has signed the European Charter of Local Self-Government on 21.11.1988, and then ratified it with law number 3723. During ratification, reservations stated in the law have been included. The number of these reservations is below the number stated in Article 12 of the Charter, which may be left out of the ratification. Later, European Charter of Local Self-Government, was re-ratified with cabinets degree on 6.8.1992, as foreseen in Article 1 of law number 3723.

European Charter of Local Self-Government, as it may be understood from its name, and from its content; talks about the sovereignty of local governments, rather than political sovereignty. In order to talk about the sovereignty of local authorities in Turkey, which are structured as provincial special directorates, municipalities and villages, it is necessary to fulfill a number of responsibilities which are explained in the Charter in detail. The common point of these regulations is granting sovereignty to local authorities in administrative and financial terms. In this scope, it is possible to divide the charter into three parts and examine it.

- Enforced Articles
- Articles left on free will
- Articles with reservations

These articles may be considered as Turkey as follows:

#### **Enforced Articles**

The first of the enforced articles, Article 2 is as follows:

"The principle of sovereign local governments shall be recognized by national legislation and with the constitution where possible".

As explained above, there is no "sovereignty of local governments" in the 1982 Constitution. We will not be dwelling again in this argument, however, another important issue to be considered in light of this provision is the fact that the decision making bodies of local governments are appointed by elections. According to Article 67 of 1982 Constitution;

"Elections and referendums shall be held under the supervision of the justice system, under free, equal, secret, single level, general voting, open counting and breakdown"

With this provision, the election of local governments is secured by the constitution and this provision shows suitability to the charter.

#### **Articles Left on Free Will**

Even though not enforced, some clauses in some of the articles were approved and ratified by Turkey.

As examples, we may provide Article 4 clause 3 "Public responsibilities shall generally and preferably be used by the bodies closest to the citizens. When transferring the responsibility to another body, the scope and quality of the duty, as well as authority and economic needs are to be considered", and, clause 5 "In cases where local authorities are authorized by a central or regional body, local authorities shall be granted possible judicial discretions in order to execute these authorities in line with local conditions".

Again, clause 2 of Article 6, which says "Working conditions of people employed in local governments shall be in a level which would make it possible to employ people with high levels of competence and qualification; and thus, possibilities for payment and vocational growth should be secured through sufficient training possibilities", has been ratified on free will.

And the other clauses ratified by Turkey on free will are the provision in Article 7 clause 2 "as well as the appropriate financial compensation of the costs to occur during the execution of the duty of which working conditions are in subject, if possible, it would ensure the compensation of income loss or a payment against the work executed, or to the payment of insurance premiums" and in Article 8 clause 1 "all administrative supervision of local authorities shall only be executed by law, or in cases determined by the constitution or by methods".

### **Articles With Reservations**

According to Keleş, even though many principles of the Charter have been adopted, Turkey's decision to make reservations on some important issues must be defined as negativity in terms of the development of local governments. Some of these reservations are claimed to be as a result of the economic and socio-cultural structure and conditions of the country, but it is difficult to understand the reasons for not adopting them (Keleş, 1995: 17-18). However, the new legislation on local governments adopted since 2004, in scope of new restructuring in public administration (Municipal Law no 5393, Metropolitan Municipality Law no 5216, Provincial Special Directorate Law no 5302, Local Administrative Unions Law no 5355) has been prepared by taking the basic principles and standards in the Charter into consideration. This way, local administration legislation in Turkey was oriented to the Charter with a few exceptions, and many of the reservations placed on the Charter became legally removable (Murat Zorluoğlu, 2011: 47-49).

## Reservations placed on the Charter and their Assessments are as Follows

1. **c.1**. Consulting the local governments, during the planning and decision taking phases in issues directly concerning themselves, as much as possible, and in an appropriate time and method: Considering the fact that, with Local Administrative Unions Law No 5355, a legal basis has been prepared for two local government unions ensuring the nationwide representation of municipalities and provincial special directorates, and with Article 20 of the same Law, these unions providing views during law preparations concerning local governments has been granted a legal basis, it is assumed that this reservation in the Charter could be removed.

- 2. **c.2.**Letting local governments to determine their own administrative organization structure: Considering under the framework of Article 48 of the Municipality Law and Article 35 of the Provincial Special Directorate Law granting authority to municipalities and special directorates to form a new unit, to merge or abolish a unit through their own decisions, it is understood that this reservation has lost its meaning.
- 3. **c.3**.Legally determining the activities and functions which do not accord to the duties of those appointed by an election: It is thought that the reservation placed under Article 28 of Municipal Law arranging the responsibilities of Mayors and assembly members, and Article 20 of Provincial Special Directorate Law arranging the responsibilities of provincial council members, could be possible to remove.<sup>1</sup>
- 4. **c.4.** Allowing administrative supervision only when it is proportional to the interest wanted to be protected by administrative supervision: If we take into account the provision in Article 127 of the constitution which states that the central authority is granted a tutelage right over local governments and its procedures and principles shall be determined by Law, related provisions of Public Finance Management and Control Law No 5018 regulating internal and external supervision in local governments, and the provisions of Municipality Law, Metropolitan Municipality Law and Provincial Special Directorate Law regulating the supervision of these authorities, we may say that there is accordance to the Charter. However, European Council's Reports on Turkey state that Article 127 of the constitution which grants the authority to the Minister of Interior to temporarily suspend the local government bodies and their members due to an investigation regarding their duties is in violation of the Charter. Therefore, removing this particular reservation should be considered alongside a Constitutional amendment (Zorluoğlu, 2011: 49).
- 5. **c.5.** Accounting for the increases in service costs when providing financial sources to local governments: This reservation must be reviewed following a comprehensive arrangement on the incomes of local governments.
- 6. **c.6.** Consulting local governments when distributing funds: With the amended legislation, removing the reservation could be discussed.
- 7. **c.7.** Financial assistances not to harm the local governments to execute their own policies: Shares sent to the local governments in scope of the Law No 5779 on Granting Shares to Provincial Special Directorates and Municipalities from General Budget and Revenue Incomes have never reach them. Therefore, no obstacle exists to remove the reservation placed on this clause.
- 8. **c.8.**Granting the authority to local governments to become members in associations and join to international associations and to form partnerships with local governments in other countries:

Last clause in Article 127 of the constitution and Local Administrative Unions Law grants the authority to local governments to form a union among themselves; Article 74 of Municipality Law to municipalities and Article 62 of Provincial Special Directorate Law to provincial special directorates grant the same authority by the permission of the Ministry of Interior and the assembly to become a founding member/member to internationally operating international organizations and to form partnerships with foreign country local governments, and thus, it is understood that there is no legal obstacle to remove the reservations on these clauses.

<sup>&</sup>lt;sup>1</sup>At the end of their tenures, mayors and provincial assembly members cannot practice a job for two years in relation with their former duties, and the municipality assembly members cannot perform a similar job for one year.

With Article 18 of Municipality Law No 5393 the municipality assembly has been granted the right to form associations with other local governments, to join or leave existing associations, to perform mutual co-operations with local, and depending on the approval of the Ministry of Interior, foreign municipalities and local government associations; and to form twin city relations. Again, according to Article 74 of Municipal Law No 5393, the municipality, depending on the decision by the municipal assembly, could become a founding member or a member, to international entities and organizations operating in their area of interest. Municipalities are free to execute joint activities and service projects with these entities, organizations and foreign local governments or form twin city relations. These activities need to conform to foreign policy and international conventions, and prior approval by the Ministry of Interior is necessary.

9. **c.9.** Local governments to freely practice the authorities granted to them and applying to courts: Under the scope of Article 125 of the Constitution "the possibility of courts is open against all actions and activities of the administration", it is possible to think that this reservation could be removed. In actual fact, this article is being implemented, even though a reservation was placed, and it was not ratified by Turkey. Local governments may apply to the Supreme Court or administrative courts against the decisions of the central government.

### **Conclusion**

Since her establishment, Turkey had an organizational approach whit an emphasis on centralization. However, as centralization led to a number of problems, new administrative approaches have appeared. The first one of these approaches is decentralization, which is an extension of centralization; while the other instrument is sovereignty, which is the exact opposite of centralization. At this point, what is meant by sovereignty is not political sovereignty giving autonomy to the people of a certain region, but rather administrative sovereignty granted to public institutions and organizations. The main examples of administrative sovereignty are local governments who are granted sovereignty in order to meet the common demands of the people living at a certain area.

According to Article 3 of the European Charter of Local Self-Government "an autonomous local government, within the borders drawn by law, is the right and possibility to regulate and administer a great proportion of public affairs under their own responsibility and in line with the interests of the local people". Local governments must be able to take decisions and to execute their decisions. However, it is not sufficient to take these decisions. Providing local governments with sufficient funds, appointing them as attorneys to determine the proportions and amounts, drawing the borders for tutelage supervision, securing the duties and authorities of local governments through constitution, granting them with legal personalities, and ensuring the election of the local bodies by the local people are among the conditions for sovereignty. Turkey has ratified some discretionary articles of this charter, while placing reservations on some of them. In this study, a legal status evaluation is being made on the reservations to this Charter, but there are also many other aspects of the issue worth examining. In addition, it is possible to say that the local government legislation in Turkey accords to the Charter with a few exception and many of the reservations to the Charter could be legally removed. In accordance with Article 2 of the law stating the Charter has been found suitable, it is possible to remove these regulations by the cabinet of Ministers without the need for a legal regulation, and removing these reservations is on the agenda of Turkey.

For conformity with the principles set forth by the European Charter of Local Self-Government, it is important to grant a sovereign status to local governments in Turkey, and to have a set up to ensure their administrative and financial sovereignty. In Turkey, local governments, especially the municipalities, have important issues regarding their revenues. Tackling all these issues and granting a democratic structure to local governments is a necessity for local democracy.

#### References

- 1. Aykaç, Burhan, 1999. "Türkiye'de Kamu Yönetiminin Küçültülmesi, Yerel Yönetimler ve Yerel Demokrasinin Amaçları", *Gazi Üniversitesi İktisadi İdari Bilimler Fakültesi Dergisi*, S:1, pp.1-12.
- 2. Barber, Michael P., 1969. *Local Government*, Mcdonald&Evans, London.
- 3. Carr, Jered B., 2006. "Local Government Autonomy and State Reliance On Special Districts Governments: A Reassessment", *Political Reseach Quarterly*, V:59:, N:3, September, pp.481-492.
- 4. Çağdaş, Tülin, 2011. "Türkiye'de Yerel Yönetimlerde İdrari Özerklik", *Marmara Üniversitesi İ.İ.B.F. Dergisi*, C:30, S:1, pp.391-416.
- 5. Çoker, Ziya, 1992. "Yerel Yönetimin Özerkliği", Çağdaş Yerel Yönetimler Dergisi, C:1, S:2, pp.61-64.
- 6. Davey, K.J., 1971. "Local Autonomy and Independent Revenues", *Public Administration* V: 49, I: 1, , pp.45-50.
- 7. Ekici, Birol & Toker, M. Cem 2005. "Avrupa'da ve Ülkemizde Yerel Yönetimlerin Denetimi ve Etkinliği", *Çağdaş Yerel Yönetimler Dergisi*, C:14, S:1, pp.5-28.
- 8. Erdoğan, Mustafa, 2005. Anayasal Demokrasi, Siyasal Kitabevi, Ankara.
- 9. Eryılmaz, Bilal, 1997. Yerel Yönetimlerin Yeniden Yapılandırılması, Birleşik Yayıncılık, İstanbul.
- 10. Eryılmaz, Bilal, 2011. Kamu Yönetimi, Okutman Yayıncılık, Ankara.
- 11. Gözübüyük, Şeref, 1989. Yönetim Hukuku, Seçkin Yayınları, Ankara.
- 12. Güler, Birgül Ayman, 2000. "Yerel Yönetimleri Güçlendirmek Mi? Adem-i Merkeziyetçilik Mi?", *Çağdaş Yerel Yönetimler*, C.9, S.2, pp.14-29.
- 13. Günday, Metin, 2004. İdare Hukuku, İmaj Yayınları, Ankara.
- 14. İnanç, Hüsamettin & Ünal, Feyzullah, 2007. "Avrupa Yerel Yönetimler Özerklik Şart ve Türkiye'de Belediyeler", *Dumlupınar Üniversitesi Sosyal Bilimler Dergisi*, S.17, pp.1-25.
- 15. Kalabalık, Halil, 2005. Avrupa Birliği Ülkeleriyle Karşılaştırmalı Yerel Yönetimler Hukuku, Seçkin Kitabevi, Ankara.
- 16. Keleş, Ruşen, 1995. "Yerel Yönetimler Özerklik Şartı Karşısında Avrupa ve Türkiye", *Çağdaş Yerel Yönetimler*, C.4, S. 6, pp.3-19.
- 17. Keleş, Ruşen, 1995. Avrupa Yerel Yönetimler Özerklik Şartı Karsısında Türkiye ve Diğer Ülkeler, Türk Belediyecilik Derneği-Akdeniz Belediyeler Birliği- Konrad Adenauer Vakfı Uluslararası Konferans Bildirileri, Antalya, pp.19-27.
- 18. Keleş, Ruşen, 2001. Yerinden Yönetim ve Siyaset, Cem Yayınevi, İstanbul.
- 19. Meriç, Osman, 1992. "Yerel Yönetimlerin Özerkliği", Çağdaş Yerel Yönetimler Dergisi, C:1, S:2, pp.57-60.
- 20. Nalbant, Atilla, 1997. Üniter Devlet Bölgeselleşmeden Küreselleşmeye, Yapı Kredi Yayınları, İstanbul.
- 21. Odyakmaz, Zehra & Kaymak, Ümit & Ercan, İsmail, 2008. Anayasa Hukuku İdare Hukuku, İstanbul.
- 22. Shah, Anwar & Shah, Sana, The New Vision of Local Governance and The Evolving Roles of Local Governments", http://siteresources.worldbank.org/INTWBIGOVA NTCOR/Resources/NewVisionofLocalGovernance.pdf, (18.04.2012).
- 23. Şengül, Ramazan, 2010. Yerel Yönetimler, Umuttepe Yayınları, Kocaeli.

- 24. Tortop, Nuri & Özer, Akif & Aykaç, Burhan & Yayman, Hüseyin, 2008. *Mahalli İdareler*, Nobel Yayın Dağıtım, Ankara.
- 25. Ulusoy, Ahmet & Akdemir, Tekin, 2009. "Yerel Yönetimler ve Mali Özerklik: Türkiye ve OECD Ülkelerinin Karşılaştırmalı Analizi", *Balıkesir Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, C:12, S:21, pp.259-287.
- 26. Yalçındağ, Selçuk, 1991. Türk Yerel Yönetimlerinde Yeniden Yapılanma, *Amme İdaresi Dergisi*, C:24, S:3, pp.123-152.
- 27. Yeter, Enis, 1996. "Avrupa Yerel Yönetimler Özerklik Şart Karşısında Türkiye: Anayasa ve İlgili Yasalarda Durum", *Çağdaş Yerel Yönetimler*, C:5, S: 3-13, pp.1.
- 28. Zorluoğlu, Murat, 2011. "Yeni Yerel Yönetim Mevzuatı ve Avrupa Yerel Yönetimler Özerklik Şartı", İdarecinin Sesi, pp.47-49.