THE END OF LOCAL AGENDA 21 AND ITS TRANSITION TO THE CITY COUNCILS IN TURKEY

Dr. Zuhal Önez Çetin Ph.D*

Uşak Üniversitesi İktisadi ve İdari Bilimler Fakültesi,
Kamu Yönetimi Bölümü,
1 Eylül Kampüsü UŞAK/ TURKEY
E-mail: zuhal.cetin@usak.edu.tr, zuhalonez@gmail.com

* Corresponding Author

Abstract

Local Agenda 21 was submitted to local governments at the UN conference on the Environment and Development (UNCED) in Rio de Janeiro in 1992. Local authorities in each country called upon to undertake a consultative process with their citizens and achieve a consensus on a Local Agenda 21 for their communities. In this context, one of the most important achievements of the Turkey LA21 Program is the entrance of the city councils in our lives as the legitimate partner formations which have no corporate entity before and their finding place at the Article 76 of the Turkish Municipal Law No 5393. Now, LA21 program ended in Turkey which is the basic implementation systematic of sustainable development and local governance on a larger scale, and the program is sustained within the context of the city council which is a formation that develops the urban consciousness, supports the urban rights and law and develops the human relations at the urban scale. Within the framework of this study, the transition of LA21 program to the city councils in Turkey has been examined in a historical perspective. At the second step, the basic dynamics of the city councils have been analyzed with the help of the By-Laws of the city council by presenting the formation of the city councils, responsibilities, working principles, and its financial structure. In this context, the possible strengths and weaknesses of the city councils will be put forth. At the last step, solution proposals will be discussed in order to enhance the current functioning of the city councils in Turkey.

Keywords: Local Agenda 21 (LA21), City Councils, Local Governments, Municipal Administrations
I. Introduction

I.1. The Historical Process of Local Agenda 21 and Its Transition to City Councils

Local Agenda 21 (LA21) emerges from the Agenda 21 (A21)\(^1\) action plan was prepared for global concerns. However, the problems and the solutions which are being addressed by A21, have their roots in local activities that Chapter 28 was integrated to this action plan at the Rio Summit for the participation and cooperation of local authorities in fulfilling the global targets. With this chapter, local authorities in each country are called upon to undertake a consultative process with their citizens and achieve a consensus on a LA21 for their communities. The aim of the process is promoting the solutions of sustainable development at the local level, with the integration of all local partners to the implementation, planning, and decision-making progresses of local government. As maintained by the results of the United Nations Conference on Environment and Development (UNCED, 2002: 2), LA21 process involves:

- Managing and improving the local authority’s environmental performance,
- Integrating sustainable development aims into local authorities’ policy and activities,
- Awareness raising and education, consulting, and involving the general public,
- Partnership
- Measuring, monitoring and reporting on progress towards sustainability.

In this regard, Turkey was affected by A21 process, not at the beginning of the Rio summit, Habitat II had a big impact on sustainable development discussions in Turkey, this conference led to a good environment for speeding up the preparatory process of Turkey’s National Report and Plan of Action (UNDP, 2001: Summary). In Turkey, the process LA was launched in 1992. In Turkey, in the scope of the LA21, UNDP and International Union of Local Authorities, Section for the Eastern Mediterranean and Middle East region cooperated. Milestones of this cooperation are i) Promotion and Development of LA21s in Turkey to encompass a number of pilot cities of varying sizes from all over the country to conduct their LA-21 processes, ii) Implementing Local Agenda 21s in Turkey, designed as continuation of the first phase was converted into the ‘Turkey Local Agenda 21

\(^1\) For details, see, Agenda 21 is an action plan for sustainable development into the next century; it sets the objectives in a number of programmed areas, and identifies the activities which governments and others should consider. Agenda 21 was drawn upon as a global agenda for 21st century and a commitment to a sustainable development; which meets the needs of the present generation without compromising the needs of the future generations. This action plan begins with this sentence “humanity stands at a defining moment in history”. A new global partnership model was suggested for the solution of global problems at this summit (UN, 1992: 10).
Program’ by virtue of the incorporation of a number of sub-projects, coupled with the inclusion of new local authorities to attain over 50 partners, iii) Localizing the UN Millennium Development Goals and World Summit on Sustainable Development Plan of Implementation through the Turkey LA-21 Governance Network, aiming at institutionalizing LA-21 processes and mechanisms through campaigns and capacity building initiatives and iv) Localizing the UN Millennium Development Goals in Turkey through the Local Agenda 21 Governance Network, strategy of which rests on participatory local governance as the basic means for the civil society and citizenry to mobilize local level action for achieving the MDGs.

In this framework, it is beneficial to carry on the discussion with the position of the city council at LA21 process in Turkey. At the initial stage of the LA21 program in Turkey, at the Official Gazette dated 6 March 1998, there was no expression concerning the city councils; the only target represented concerning the city council is the clarification that “a participation mechanism’s formation at the urban scale for the objective to determine the local problems, their causes and activity areas towards the solution of those problems at the formation of a consultative forum towards the development of the dialog between the local interest groups” (Emrealp, 2010: 14). Afterwards, at the Turkish Municipal Law No 5393 article 76 enforced in 2005, the city council is envisaged as a mechanism that enables only ‘consultation’ that has no executive authority unlike the practices and examples of the west (Çukurçayır, 2011: 171). Finally, at the 12 November 2013 dated Official Gazette, city council is defined as “City councils are the unique governance mechanisms which gather the central government, local government, and civil society around the collaborative partnership with a formation peculiar to Turkey (Emrealp, 2010: 14).

In this respect, the Bylaws of the city council prepared by the Ministry of Interior that determined the working principles and procedures of the city councils, and put into force with the published Official Gazette No.26313 dated 08.10.2006. The common fundamental issues have been put forward in related with the city councils by the Bylaws of the city council and the formations that were set up in the names of the city parliament and city convention, etc. within the framework of LA21 turned to the city council. Finally, at the prior term of 2009, some amendments had been made at the By-Laws of the city council. The regulation concerning the changes at the city councils’ was published at the Official Gazette No.27250 dated 6 June 2009 (Emrealp, 2010: 15).
II. The By-Laws of The City Council

ARTICLE 1(1):

The purpose of the By-Laws of the city council in Turkey can be listed as follows; developing the urban vision and the awareness of citizenship, protecting the city’s rights and the law, and regulating the working procedures and the principles where they are attempting to realize the principles of sustainable development, environmental awareness, social assistance and solidarity, transparency, accountability, participation, governance, and decentralization.

ARTICLE 4 (1): At the implementation of this regulation:

The city council is defined as follows:

The city councils are the democratic formations and governance mechanisms based on common sense and compromise with the spirit of the partnership of the central government, local government and the public institutions in the nature of the professional organizations meet around the law of citizenry, define the development priorities, problems of the city, the vision on the basis of the sustainable development principles, develop solutions.

Furthermore, the councils and the working groups are defined as follows:

The participatory formations that are established on a voluntary basis that targeting the contribution of the variety sections of the society especially the women and the youth councils and their taking of active role at a qualified and livable city, based on governance and within the context of the sustainable development.

The city council’s partnership covers the General Board membership, as well as the women and the youth councils, working groups and special interest groups which have no corporate entity. Additionally, those participatory platforms are taking its power from the ‘equal partnership’ understanding. At the By-Laws of the city council, the councils and the working groups are counted within the organs of the city council (Emrealp, 2010: 30).

At the By-Laws of the city council, the first steps that are needed for the formation of the city council are put into order with the Article 5;

The Formation of the City Councils, Responsibilities and Working Principles:
ARTICLE 5– (Official Gazette-6/6/2009-27250)

(1) The city councils shall be established at the places where there is a municipal entity with the composition of the members delineated in the Article 8 within three months following the general elections results of local governments.

(2) The city council General Board shall convene upon the invitation of the mayor to hold its first meeting. The General Board convening under the presidency of the mayor shall elect a Charing Board consisting of at least three persons from amongst its members to chair the meeting.

(3) After the formation of the Charing Board, the city council Executive Committee and the head of the city council shall be elected.

The Functions of the City Council;

ARTICLE 6 – (1):

a) The provision of the widening of the democratic participation, the development of the citizenship rights and consciousness of living together respectfully, adopting the multi-partner and multi-actor governance approach at the local scale.

b) The provision of the sustainable development and the preparation and application of the plans oriented towards addressing the pertinent issues and problems.

c) Contribution to the formation of the collective wisdom involving the whole urban scale at the designation of the basic strategies and action plans, as well as in relation to their implementation and monitoring processes.

d) Development of the participation, democracy, and consensus building around the subsidiarity principle.

e) Protecting and developing the historical, cultural, natural, and similar values related to the urban identity.

f) Contributing to the effective, efficient, and fair usage of the urban resources.

g) Supporting the programs that developed the urban life quality based on the sustainable development approach and the programs responsive to the environment and targeting poverty alleviation.

h) Contributing to the development and institutionalization of the civil society.
i) Increasing the effectiveness of the children, the youth, the women and the disabled in the social life and ensuring that they take up an active role at the local decision-making mechanisms.

j) Contributing to the realization of the transparency, participation, accountability, subsidiarity principles in the city administration.

k) Forwarding of the opinions developed in the city council to the concerned municipality to be evaluated.

In addition to that the guiding principles of the city council, each having a special importance and priority in terms of embracing all aspects of local governance and complementing the duties of the council are delineated in Article 7 of the By-laws, as follows (Emrealp, 2011: 18):

**ARTICLE 7 –** (1) The city council continues its working principles at the basis of below principles;

a) Guiding the cities toward a livable future in the integrity of the principles of active participation, partnership in the solution, the sense of belongingness to the city within the context of LA21 process,

b) Realizing the basic principles towards the city and city life that are signed and approved by the Turkish Republican State at the United Nations’ Summits and the other international agreements,

c) Prioritizing the development of a city vision and responsible citizenship, preservation of the urban rights and the rule of law, principles of sustainable development, responsiveness to the environment, mutual social assistance and solidarity, transparency, accountability, and the participation and subsidiarity.

d) Forming the decisions and the proposals of the city council with an unbiased and neutral manner, with due consideration to the international developments and specific conditions of the country.

e) Taking participation and consensus based upon the collective wisdom as a starting point.

f) Adopting the result-oriented working culture by realizing the change and the innovations.

When the city council is integrated with multi-variety and wide range responsibility area; it is seen that the working principles has a context and content that open the way of the development of a new administrative approach that embracing the whole fields of the local governance at the target of the development of the environment and the life quality of the council. The principles of the city council that each of them has a different priority and significance are regulated at the 7th Article of the By-
Laws that carrying an integrity with the responsibilities of the city council. The working principles of the city council has a special basis in the aspect of the strengthening the ties with the LA21 processes. In this context, it is seen that the working principles especially the articles of a, b and c have a key function at setting up the bridge between the city council and LA21 processes (Emrealp, 2010: 24).

Furthermore, the organs of the City Council are delineated in Article 9th of the By-laws of the City Council dated 8 October 2006 as the General Board, Executive Committee and Assemblies, and Working Committees, whereas the head of the city council has been added amongst the organs of the City Council via the revised By-laws dated 6 June 2009 (Emrealp, 2011: 15).

**ARTICLE 9-** (1) The city council is composed of these organs listed below:

a) General Board  
b) Executive Committee  
c) Assemblies and Working Committees  
d) The Head of the City Council

In this context, the By-Laws of the city council also determines the membership to the city council with the Article 8.

**ARTICLE 8:**

(1) The city council is established in order to bring the central government, local government, public institutions in the nature of professional institutions and civil society under the partnership approach and consists of the following persons, institutions and organizations listed below;

a) The highest statute local administrative official or its representative (namely, the Governor in the province and the Sub-governor in the district),  
b) The mayor or his/ her representative,  
c) Public institutions or organizations’ representatives designated by the Governors in the provinces and by Sub-governors in the districts (not to exceed ten representatives),  
d) Neighborhood heads (all neighborhood heads shall be members of the Council in municipalities encompassing up to 20 neighborhood administrations. In other municipalities, the neighborhood heads, gathering together upon the invitation of the mayor, shall select among themselves their representatives, which should not exceed 30 percent of the total
number of neighborhood heads, and provided that the number of representatives is not less
than 20),
f) The political party representatives (those with an organization in the respective locality),
g) At least one representative from the universities and not more than two representatives in
case there is a single university, one representative from each university in the case of two or
more universities,
h) Representatives from professional organizations having the status of a public institution, trade
unions, notaries, bar associations and the representatives of the related associations and
foundations,
i) The representatives (one from each) of the assemblies and working groups established by the
city council.

Furthermore, the Financial Structure of the City Council is clarified at the By-Laws of the city
council at the Article 16. In this context, the city council should reach sufficient financial resources
for its performing the functions in an efficient and flexible manner. The financial resources, the
accompanied office space and equipment, and the staff should be provided by the municipal
administration, and it is inevitable in respect of the roles and the functions of the local
administration. On the other hand, the provision of in-cash and kind contributions by other relevant
stakeholders is also of great importance within the context of the partnership approach. Whereas the
By-laws dated 8 October 2006 did not include an expression concerning the financial support to be
ensured to the city council by the municipal administration. In this regard, the revised By-laws dated
6 June 2009 has an explicit clause at opening up the ways for relevant financial and other
contributions under the heading ‘Financial Structure of The City Council’. Those expressions have
been located as follows:

**ARTICLE 16/A:**

(1) The municipalities shall provide in kind and cash contributions by the allocation of
the allowances in their budgets.

In addition to that, there is a legal bottleneck at the allocation of the budget to the city council by the
municipal administration which is in the nature of its local organ. On the other hand, the uncertainty
has been still carrying on about how the resource allocation has been made to the city council which
has no corporate entity.
III. The City Councils Problems in Turkey

There are no extensive and detailed researches that search for how the city councils perform their functions that are determined at the By-Laws of the city council. However, Turkish Republic at the Local Government Reform Program for reaching those targets of ‘development of the democratic decision-making mechanisms at the local governments’, ‘enhancing the local governments’ administrative/financial autonomy, efficiency and accountability’ and ‘prospering the quality of the local public services and citizens access to them’; the study of the ‘Strengthening the Local Participation Mechanisms and Current Status Detection’ within the context of the Local Administration Reform Program (LAR) was carried out with the support of the European Commission on behalf of the Local Governments General Directorate conducted by UNDP\(^2\). The findings have been evaluated with the academic literature of the city councils in Turkey and a chart is prepared to exhibit the current status of city councils in Turkey. In this context, when an analysis is made generally on the problems of the city councils in Turkey, we see that city councils have been faced with four main problems as follows; legal problem area, managerial/organizational problem area, local citizens-NGOs relation problem and city council-municipal administration relation problem. These four problem areas are nourishing each other and a change and a transformation in one field is closely related to the other areas.

Diagram I- City Councils Problem Areas:

<table>
<thead>
<tr>
<th>LEGAL PROBLEM AREA</th>
<th>LOCAL CITIZENS-NGOS RELATION PROBLEM</th>
</tr>
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<tbody>
<tr>
<td>□ The decisions that are taken at the city council are only evaluated and taken into the agenda by the municipal council.</td>
<td>□ The awareness on participation is not developed at the local community.</td>
</tr>
<tr>
<td>□ The lack of binding of the taken decisions at the city council.</td>
<td>□ The active citizenship concept is not developed.</td>
</tr>
<tr>
<td>□ The city councils’ position at the participation process is indefinite.</td>
<td>□ The lack of participation of the local citizens.</td>
</tr>
<tr>
<td>□ Task uncertainty problem.</td>
<td>□ The city councils are not contact with the local citizens.</td>
</tr>
</tbody>
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\(^2\) For detail, see, [http://www.lar.org.tr/uploaded/dosyalar/cb8d1b7d40fb8d6751df908adde90fb0.pdf].
### MANAGERIAL / ORGANIZATIONAL PROBLEM AREA

- The city councils are depended to the municipalities in terms of finance.
- The formation of the organizational structure does not comply with the legal basis.
- The working group formation and continuity problems.
- Certain activities have been carried out by not informing the members of the city councils.
- Lack of inter-communication facilities between members.
- Members’ different political tendencies can cause conflict at city councils.
- The people elected as the head of the city council feels responsible and accountable not towards the local citizens but to the people who are effective at the practice of his/her election process.
- The political polarization.

### CITY COUNCIL-MUNICIPAL ADMINISTRATION RELATION PROBLEM

- The city councils are seen as the sub-units of the municipal administrations (dependency problem).
- The municipal administrations’ administrative control and supervision on the city councils.
- The relationship between city councils and the municipalities is broken-off.
- The city councils activities are not indicated at the annual reports.
- The city councils are not participated to the strategic planning affairs.
- The activities that are belong to the municipalities responsibilities are seen as the works of the city councils.
- The decisions that are taken at the city council remain in the size of the advice to the municipal administration.

### III.1. Legal Problem Area

The first legal problem area is concerning with the decisions that are taken at the city council; those decisions are only evaluated and are taken to agenda by the municipal council; and the taken decisions have no binding peculiarity that the decisions remain in the size of a recommendation to the municipal administration. In this regard, at the By-Laws of the city council article 14th related with the declaration of the decisions part, it was expressed that ‘the taken decisions will be assessed
at the first meeting of the municipal council and after that the city council is informed by the municipal administration and it is announced to the public opinion with the appropriate tools’. In this framework, the determiner is the municipal council or the mayor at the evaluation of the council opinions or at their achievement the nature of a decision or not. It is obvious that not meeting the hopes in related with the reflection of the city council decisions to the municipal council decisions, adversely affects the motivation of the council representatives which is left to the individual initiatives (Savut, 2011: 360).

The second legal problem is related with the participation of all local stakeholders and the local citizens to the local decision-making process. The city councils’ position at the participation process is indefinite. In this context, the main influential thing that needs to be considered is related with the determination of the institutions that are invited to the General Board and gathered by the invitation of the mayor. At this issue, the 8th Article of the By-Laws of the city council has clear lines at the submission of framework; however different interpretations can be imposed to the determination at the (f) paragraph concerning the professional organizations in the nature of public institutions, trade unions, notaries, and related associations and foundations’ representatives. In this regard, in particular, there is the concern that the mayor can invite the associations and foundations that close to him/ her and the mayor can exclude the others from the city council with the ground that they are not pertinent to city council affairs (Emrealp, 2010: 18).

The third legal based problem concerns with the By-Laws of the city council. Some of the legal provisions stayed insufficient in the functioning of the city councils in Turkey. First of all, at the provision of the By-Laws of the city council, it is demonstrated that the settlement of the city council by the municipalities is an obligation. At the By-Laws of the city council at the Article 5th; it is clarified that ‘the city councils shall be established at the places where there is a municipal entity’ (Özdemir, 2011: 44). In this regard, at the By-Laws of the city council, the establishment of city councils at local level is foreseen as an obligation. The the By-Laws of the city council oblige the establishment of the councils with pre-assumption of the whole cities city councils have the same willingness. However, this requirement concerning the city councils’ establishment is not appropriate with the local democracy; because the willingness is the key factor at the participation process. As a result of this case at some city councils, the hoped activities cannot be carried out because the participation rate is low to the city council meetings (Özdemir, 2011: 44-45).
In addition to that, there is a legal bottleneck at the allocation of the budget to the city council by the municipal administration which is seen in the nature of its local organ in Turkey. On the other hand, the uncertainty has been still carrying on about how the resource allocation has been made to the city council which has no corporate entity. As a solution developed on this issue clarified as ‘the expenses of the city councils that are deemed appropriate by the municipal administration are made to be met by the related departments of the municipal administration, primarily the department responsible from the financial resource of the city council is the Socio-Cultural Affairs Department’. In this regard, it is seen that, the search for the solution proposals appropriate to the formation, and the functioning of the council has been carrying on (Emrealp, 2010: 29).

III.2. Managerial/Organizational Problem Area

One of the most important organizational problems in front of the city councils like the other participatory formations is the finance which is also discussed at the legal based problem area (Mercer and Jotkowitz, 2000: 163-181). In Turkey, most of the municipal administrations demand the allocation of a definite financial resource regarding the city councils at their budgets. The city councils cannot solve the financial structure and budget issues which hold an important place at the establishment and functioning of the city councils. The city councils are mostly perceived as a dependent participatory platform to the municipal administration because they are not independent in terms of their financial structure. Moreover, most of the municipalities’ current budget proportions in the aspect of the realization of the basic functions are insufficient that this plight decreases the financial support to the city councils at their costs in Turkey. When this situation coupled with the bureaucratic obstacles, it becomes an influential limiting factor at the realization of the city councils’ activities (Özdemir, 2011: 48). Particularly, the small city municipalities cannot support the city councils due to the economies of scale. The municipalities having limited budget in Turkey remain under the condition of deceleration of the functioning of the city council activities; because in general, they are under the anxiety of the provision of the local services and not losing the political power in their hands.

The second managerial/organizational problem area is related with working groups of the city councils. The formation of working groups, their working contexts and sustainability have a great importance in terms of the city councils’ contribution to the local level participation. In this respect, most of the city councils in Turkey cannot establish working groups that meet the needs of all sections of the society. Therefore, the working groups should be established in accordance with the problems of the cities and carried out their studies in a solution-oriented way. Furthermore, the
sustainability of the working groups is also critical for the effective functioning of the city councils’ affairs in Turkey. The city councils in Turkey encountered with the unsustainability of the working groups problem. In this respect, the sustainability problem of the groups can be stemmed from the sensitivity level of the city council representatives to the urban problems and their solution development capacities.

The third problem at the organizational problem area is related with the communication between the municipal administration officials and city council members. In this context, certain activities have been carried out by not informing the members of the city councils in Turkey. Both the municipal council and the units of the municipality have no more information than the local citizens about the affairs of the city councils (Özden, 2010: 21). The activities are sustained by the Executive Committee without the knowledge of the members of the city council; and after that the municipal council announces the information on which countries, cities are visited and which works are done to the members, pretending as the works of the city council (Toprak Karaman, 2011: 9).

The last problematic issue concerning the managerial problem area is related with the mayor and his/her political attitude. At the city councils’ affairs, a political approach and the decisiveness having political nature should not be reflected for the provision of the maximum participation. However, the mayors have the tendency that holds back the city councils in their backyard at the position that supports themselves at their urban affairs. By the help of the city councils as their being of a living platform of the local politics, the games of the local politics replace the position of the participation mechanisms and the elit section of the society who are effective at the decision-making and application processes continue to benefit from the whole possibilities of the urban scale (Güneş and Beyazıt, 2011: 814). The people elected as the head of the city council feels responsible and accountable not towards the local citizens but to the people who are effective at the practice of his/her election process. In this regard, a public trust should be created at the public opinion in terms of the participation of the local masses. In this way, the city councils can turn to the participatory platforms that determined at their settlement targets. Moreover, as a result of the studies done on various platforms findings’ demonstrate that, the initiative at the application of the city councils’ affairs is in the hands of the mayor, and it creates major problems at the functioning of council activities (Çukurçayır et al., 2011: 304). It can be clearly stated that the effective working of the city councils is depended to the discretion of the mayors (Özden, 2010: 20). At many councils, the head of the council is the mayor, the deputy mayor or member of the municipal council. This case leads to the remaining of the city council activities in a narrow and limited sense. The head of the city council is entailed to be a facilitator at the public participation. The head of the city council should represent
mostly the middle class, and it would be more appropriate electing the head of the council from the different sections of the society periodically (Özdemir, 2011: 50).

III.3. Local Citizens-NGOs Relation

The first problem area concerning local citizens is about the awareness and recognition on participation. That participation culture is not developed at the local community for their participation to the local decision-making process in Turkey. The city councils in Turkey confronted with the recognition and know-ability/ awareness-raising problems. Particularly, the women councils coming to the front side at the cities and they gain an influential way concerning their effectiveness in comparison to the European countries and it paves the way for the perception of the city councils as the women councils (Güneş and Beyazıt, 2011: 810; Özden, 2010: 10).

Furthermore, the second problem is associated with the concept of the active citizenship which is not developed at the local community in Turkey for the effective functioning of the city council activities. First of all, it is not possible to talk about a real and a true local administration without responding the questions of ‘who is the active citizen at the local participation process and how can we reach to the active citizen with a structural amendment’. It can be clearly stated that before surpassing the legal, economic, and political barriers in front of the active citizenship; it would be impossible to achieve participation concept based on citizenship (Güneş and Beyazıt, 2011: 810).

The third problem area concerning the local citizens is about the lack of participation of the local citizens (Özden, 2010: 10). At the other side, the city councils do not contact with the local citizens. In this regard, the voluntary participation to the city council and the services of the municipal administration foresees only the organized groups’ participations at the urban field. However, the issues discussed at the city council should include the demands and wishes of the citizens, and the solutions should be produced by the public. In this context, in practice, it is seen that the solution proposals at the city councils meeting have been produced by the local officials attending to the meetings on behalf of the central government rather than the public. Namely, the participants at the city council are determined one by one at the By-laws of the city council, thereby, the citizens cannot take enough place at the local decision-making process at this formation. Besides, the appointed members of the central government are decisive at the decision-making and application processes owing to the reasons arise from the formation; and it is inappropriate with the
city council’s anticipated participatory administration approach (Özdemir, 2011: 49-50). Even though the city council has the capacity to fill an important gap at the realization of the citizen-focused understanding, it lives problems at the representation of that approach, on the grounds that it does not put into practice the decisions taken by the local citizens. The citizens are still passive at the decision-making processes who are depended to the municipal services provided by the municipal administration that those problems lead to the lack of participation of the local citizens to the city council activities (Kutlu et al., 2008: 234).

Indeed, Şen (2008: 60) declared that:

The city council as an institution has been governed by lots of institutions but the urban citizens/individuals do not appear at this formation; the city which is not managed by the local citizens is not a city, but it is only the spreading of the center.

The last problem is related with the unwillingness of the NGOs at the participation process. At the By-Laws of the city council, it is expressed that “the general council is composed of public institutions in the nature of professional organizations, trade unions, notaries, and the representatives of the related associations and foundations”, it is understood that the widest participation section is formed by the NGOs (Şengül, 2004: 38). However, here by whom and how will the relatedness be designated and with which criteria is still uncertain. The city council as a LA21 organization, every representation from the public or the civil society is determined through organization. Thereby, it can be evaluated as a corporatist representation formation that supporting a certain plurality (Şengül, 2004: 38). In this sense, according to Şengül (2004: 37):

The city council is the tool of the LA21 that has the target to override the old ‘selective representation’. However, when looking to the city councils, these participatory platforms are attached to the municipality except a few samples.

Therefore, at the formations like the city councils based on entirely voluntariness, most of the civil society institutions are reluctant of at being participative, at having the sense of the belongingness to the city and at sharing the responsibility. It has many reasons such as social, cultural, and psychological and there are also people who claim that even the city council itself has a structure that leading to the unwillingness of the people at the participation to the decision-making process (Şen, 2008: 60).

III.4. City Council- Municipal Administration Relation Problem Area

The first problem concerning the city council and municipal administration problem area is the assumption that the city councils are seen as the sub-units of the municipal administrations. Even if the studies today, the city councils are mostly perceived as an organ of the municipal administration
and it is the reflection of the new kind of administrative tutelage relation on local citizens (Güneş and Beyazıt, 2011: 814). The city council is encountered with the turning of a unit of the municipal administration that made the legitimization of the acts of the local government rather than its basic functions of affecting the decision-making process, accountability, and the protection of the urban rights and law. So, there is the widespread conviction that the city councils have not been providing yet the hoped benefits with its current structure (Bulut, 2013: 127). Furthermore, at the By-Laws of the city council, there is no requirement concerning the relation of the head of the city council with the related municipal administration. Therefore, in many provinces, the head of the city council is the vice-mayor, deputy mayor and the mayor’s consultant. In consequence of this situation, the city councils have been directed within the municipal administration under its control and orientation as a unit of municipal administration (Bulut, 2013: 131).

Besides, the second problem is associated with the municipal administrations’ administrative control and supervision on the city councils which has also strong ties with the dependency problem. In that framework, the opinion is widespread that the city councils are generally under the influence of municipal administration. The Executive Committees of the city councils have been formed under the influence of the municipal administration (Özden, 2010: 12). At that context, one of the critical points is the strong participation at the local level requires strong local government. In Turkey, the financial and administrative autonomy of the local administrations’ is problematic that the city councils remain as dressed participatory organizations (Güneş and Beyazıt, 2011: 811).

In this respect, the other problem is concerning with the relationship between the city councils and the municipalities which is broken-off between them. In Turkey, there is hardly any relationship with the city council and municipal administration. Furthermore, the legislative links pertaining institutional relations network between the city council and municipal organization cannot be set up. The institutional relations cannot be structured for the fulfillment and the evaluation of the activities by the units of the municipality. In this legislative background, the responsibilities of the municipal council representatives and the mayor towards the city council are not expressed explicitly at the functions and responsibilities list of the law of the municipal administration. The critical importance of the legal-institutional linkage does not take the required attention by the municipal officials and the representatives of the city council (Karaman, 2011: 9-10).

The fourth problem is related with the municipal administrations’ annual reports and strategic planning affairs. In this respect, the city councils activities are not indicated at the annual reports and the city councils’ representatives cannot participate to the strategic planning affairs. At that point, the
city councils’ effectiveness requires the effective role-taking of the city councils’ at strategic planning works and activities of the municipalities. The city councils cannot participate to the strategic planning process of the municipal administrations, however all affairs’ decisions of the municipal administration are taken under strategic planning process. In this regard, strategic plan preparation and city council formation calendar is overlapped in Turkey; the city councils probably at best conditions can be integrated to the process at the revision of the strategic plan period (Özden, 2010: 15). Lastly, the activities that are belong to the municipalities responsibilities are seen as the works of the city councils. The city councils are oriented to the activities outside their tasks and philosophy, the routine and daily affairs of the municipal administrations in their responsibility areas are indicated as the works of the city councils (Karaman, 2011: 8).

IV. Proposals for the Effective Implementation of the City Council

In related with the legal problem area; first of all, the legal framework should be set up for the legitimization of the taken decisions at the city council; those decisions should reach a binding character. Besides, in order to solve the participation of all local stakeholders and the local citizens to the local decision-making process; the head of the city council should not behave politically in inviting the local stakeholders to the local-decision making process. Additionally, the relevant articles of the Municipal Law No 5393 and the By-Laws of the city council should be re-regulated to solve the allocation of the budget and the settlement of the city council issues. The solution of the financial problem also assists the solution of the dependency problem concerning the managerial based problem area. The procedure that how the municipal administration provide facilities and support to the city council should be clearly clarified at the By-Laws of the city council for the elimination of the local administration impact to the city council.

In this regard, the other managerial problem is seen at the working groups and the councils of the city council. Therefore, the city councils should create the possibilities at the establishment of the new groups focused on the solution of the city councils problems. Qualified councils should be created for the disadvantaged sections of the society (women, children, youth and disabled) for discussing the problems that they face at the urban life and developing the solution proposals (Özdemir, 2011: 50). Moreover, the works done by the working groups and the councils should be reflected to the decision-making mechanisms, and the results should be shared by the public opinion for a positive impact on the participation process (Keskin et al., 2011: 321). Furthermore, the sustainability of the working groups should be provided for the effective functioning of the city councils’ affairs in Turkey. The other managerial problem related with the two-way communication
between the city council and the municipal administration can be solved with a well-functioning information process. Lastly, the mayor should not reflect a political approach and the decisiveness having political nature for the provision of the maximum participation. Additionally, the third problem area related with the local citizens is about the awareness and recognition on participation. The participation culture is not developed at the local community for their participation to the local decision-making process that the necessary awareness raising campaigns should be arranged for the enlightenment of the local citizens by the municipal administration and the city councils in Turkey.

Furthermore, the legal, economic, and political barriers in front of the active citizenship should be surpassed to achieve participation concept based on citizenship. By the ingenuity of the city councils; the studies should be made that develop the citizenship consciousness; on the other hand the urban citizens’ inclusion to the city who are remained outside the economic, social, and cultural life should be provided (Bulut, 2013: 163-166). Besides, the lack of participation of local citizens can be solved by the city council with including the demands and wishes of the citizens and with producing the solutions by the public rather than the appointed public officials (Bulut, 2013: 146).

Lastly, the city councils should pave the way for the integration of the NGOs to the city council decision-making process by surpassing the corporatist representation. One of the most important actors at the good governance in this process is the civil society (Keyman, 2007: 10-12). The civil society institutions should be the driving force and partner of the governance processes, and there should be more attempts that surpassing the reluctance of the civil society institutions at active participation at the city council.(Bulut, 2013: 146). The methods that promote the participation of the civil society organizations should be developed and their accessibility to the city council places and studies should be facilitated. The method that is developed to overcome these and similar difficulties and to avoid to harm the city council is the proposal which expresses that the list of the associations at the city can be made by the Ministry of Internal Affairs Associations’ Department and the invitation can be made in that direction (Emrealp, 2010: 18). At this process, the civil society organizations which are related with the city council affairs come out by themselves, the reluctant stayed far away from the city council and the problem is solved at the application by itself with the sustenance of the participation of the institutions sensitive to the city council affairs (Emrealp, 2010: 19).

The fourth problem area is related with the relation between the city council and the municipal administration. Firstly, the city councils should reach a status of financial and administrative autonomy within the legal framework. Furthermore, the legislative links pertaining institutional
relations network between the city council, and municipal organization should be set up. Lastly, the city councils engagement should be provided to the strategic planning activities that determined the roadmap that they can follow in the short and long term. Furthermore, the councils’ affairs should be taken to the municipalities’ annual reports according to their subjects in the aspect of informing the public and the effectiveness of the city councils.

To conclude, a small number of municipalities take account of the city council process, and the majority of the local administrations see this participatory mechanism as a legal obligation and they reach the conclusion that these platforms only ‘produce an image’ (Çukurçayır and Eroğlu, 2008: 216). Although, democratic achievements are designed with legal regulations; it is obvious that there is a mismatch with the designation and application process. In this participatory process, it is determined that the municipal administration is reluctant, and the level of the awareness of the local institutions is low (Çukurçayır and Eroğlu, 2008: 198). In Turkey, the city councils are in their initial stages but having highly successful local applications; however, it seems that there is a considerable way that the city councils should take at performing their basic functions.

References


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