

PROBLEMS OF TURKISH PUBLIC ADMINISTRATIVE STRUCTURE

STRUKTURALNE PROBLEMY ADMINISTRACJI PUBLICZNEJ W TURCJI

Summary

Public administration in Turkey has recently experienced a reformation period, in order to solve the inefficiency problem of its local governments caused by cultural and traditional understanding of unitary state, which is inherited to Turkish Republic from Ottoman Empire. The paper focuses on the problems of public administration of Turkey that directly caused reforms.

Keywords

public administration, administrative reforms, Turkish administrative structure

Streszczenie

Administracja publiczna w Turcji stała się niedawno przedmiotem reform, które miały na celu rozwiązanie problemu braku skuteczności władz lokalnych. Źródłem niskiej skuteczności upatruje się w uwarunkowaniach kulturowych i tradycji państwa unitarnego będących spuścizną z czasów Imperium Osmańskiego. W artykule skoncentrowano się na problemach administracji publicznej w Turcji, które stały się bezpośrednią przyczyną wdrażania reform.

Słowa kluczowe

administracja publiczna, reformy administracyjne, struktura tureckiej administracji publicznej

INTRODUCTION

Turkey has been linked to the EU by an Association Agreement since 1964 and a customs union was established in 1995. The European Council granted status of candidate country to Turkey in December 1999 and accession negotiations were opened on 3 October 2005 [Soós, 2016, p. 245]. Although there has been a setback in relations between Turkey and the European Union in recent years, Turkey is still a candidate country and a strategic partner for the European Union. During the accession negotiations, in order to meet the Copenhagen criteria, the document that defines whether a country is eligible to join the European Union, Turkey undergone for a reformation process in its

public administration. The aim of these reforms was to overcome the problems in the public administration structure, so that it would be more efficient, effective and more up to modern understanding of administration which focuses on people's needs rather than state-centric understanding [Sözen, 2005].

Centrist administrative structure of Turkey caused lots of problems and required lot of planning relating to areas of activity of local governments and balancing the power relations between local governments and central administration. In this context, it was difficult for central administration to find effective solutions to local problems due to Turkey's large topography. For this reason, it was essential for Turkey to reformize the shape of its public administration and give more power to local administrations in order for effective democracy and good governance [Turan, 2016].

This paper aims to give a better understanding of Turkish public administration by explaining the structure of Turkish public administration and the reforms that shaped that structure. Also by underlying the reasons behind these reforms, the paper tries to analyze the main problems of Turkish public administration. It would also help people to understand the ongoing situation in Turkey much clearly, since the problems that affect public administration has also influence in Turkish political sphere. It is important to have a clear understanding of political and administrative structure of Turkey, because with proper and correct approach, Turkey can still play a major role in European Union as a strategic partner in subjects concerning neighbouring regions such as Middle East or Caucasia, even though the current diplomatic relations stating the otherwise.

1. Structure of Turkish Administration

Administrative structure of Turkey can best be explained by centralization dominated view. In this context, central administration refers to the dependency of decision-making process to the central government and to the decisions being made by the centre [Çevik, 2004]. The centralist structure of Turkish administration is inherited from the Ottoman Empire to Turkish Republic. Turkish Republic has been highly affected by these legacies and Ottoman Empire's idea of centralization and strong central government. Main feature of this inheritance have been the strong centralized government with the control over the society and economy and the dominance of the center over the periphery [Tural, 2009]. Therefore, it can be said that Western understanding of administration is not highly developed in Turkish Republic because of the above mentioned reason.

Article 123 of 1982 Turkish Constitution introduces the principle of decentralization as a basis for the organization and functioning of local administrations as well as principle of centralization which refers to the organization of central government

[Polatoğlu, 2000, p. 69]. In other words, Turkish Constitution tries to create a balance between centralized structure of public administration system and autonomous local administrations. The Article 123 states that the public administration should function in unity and coherence in order to maintain the integrity of the whole body of national administration including provincial and local ones [Gül, Kiriş, 2015]. The idea of creating a balance between highly centralized government and autonomous local administrations causes a duality in Turkish public administration. Although there has been some attempts by politicians to strengthen local governments, Turkish public administration is still very centralized. Because of this duality, it is easier for us to analyze Turkish structure of public administration in two parts; administration in central level, and administration in local level.

Administration in central level consists of three branches that represents the three branches of government which are legislation, the executive and the judiciary. However, Turkish public administration is under the influence of executive branch which includes Presidency, the Office of the Prime Minister, the Cabinet, ministers and consultative agencies [Palabıyık, Kapucu, 2008]. The President is the head of state and used to be elected only once for 7-year term by the parliament. However, after the constitutional amendments in 2007, the presidents now are elected for a 5-year term by direct popular elections. Addition to that, with the constitutional amendments in 2017 there has been a shift from parliamentary system into some sort of a semi-presidential system in Turkish political structure.

The Council of Ministers, including the Prime Minister, represents the political wing of executive branch and it determines and implements general policies of the government and public administration [Palabıyık, Kapucu, 2008]. Although, each ministry is located in Ankara, they have the units in the provinces serving on their behalf in a hierarchical organizational structure that creates the local level of public administration. For administrative purposes, Turkey is divided into 81 provinces (İl) on the basis of geographical situation, economic conditions, and public service requirements. Provinces are the main administrative units for central government activities and they are headed by provincial governors (Vali). Yet, each ministry has a provincial and/or regional director of its provincial or regional field organization. The provincial governor also has the authority and responsibility for the supervision of the “field organizations” of each ministry. Provinces are further divided into districts (İlçe), headed by the sub-governor (Kaymakam). This makes the role of provincial governors role crucial since he/she has the duty of controlling and coordinating the activities of central government in local administrations [Polatoğlu, 2000].

However, on the local level of administration, there are not only branches of central administration, but also autonomous local administrations as well as functionally autonomous local bodies such as universities, Turkish Radio and Television Corporation (TRT) and state economic enterprises [Gül, Kiriş, 2015]. Autonomous local administrations consists of municipalities that can be categorized as metropolitan municipalities (Büyükşehir Belediyesi), district municipalities (Belediye), special provincial municipalities (İl Özel İdaresi) and villages (Köy). Role of these municipalities is to provide public services for special needs of local communities with their semi-autonomous budgets revenues and their own legal personalities [Palabıyık, Kabucu, 2008].

Although local administration might seem like they are autonomous decentralized units, they are under the strict control of central government exercised through power of tutelage. In order to protect the “administrative integrity”, central government uses hierarchical audit, which refers to an audit based upon a superior-subordinate relationship between the units or the people within the same legal entity (state). For example, the relationship between governor and district governor is hierarchical that are involved in state legal entity. The governor can interfere in the affairs and decisions of district governor due to the fact that the district governor ranks under the governor. Minister of Interior Affairs has the same rights on the governor [Turan, 2016]. This means that, local governments under the strict control of central government via administrative tutelage audit. Central administration keep the local governments under supervision in order to prevent the authorities which it gave to local governments from being used acting contrary to law rules and general interests, unity and integrity of state, and in order to provide a harmony in state services [Ünal, 2013].

2. Challenges and Problems of Turkish Public Administration

In general terms, main characteristics of Turkish public administration still fails to meet the needs of public and Western standards. Even though there has been a regression in relations with the European states and possible Turkish integration to the European Union, adopting a Western understanding of governance and good administration is still on the agenda of Turkish government. In order to achieve that, Turkey still needs to overcome several challenges.

In terms of organization, the influence of pre-republican period is still observable in Turkish public administration structure. Administrative tradition and culture of the Ottoman period, which promotes highly influential central authority and control, creates a problem in modern understanding of administration. As modern understanding of administration promotes growth of public institutions and organizations, strong central un-

derstanding of the Turkish administration has problems with distributing the tasks between central, provincial and local administrations. Thus, effectiveness and efficiency of those institutions fails to meet the expectations of society which causes high amount of red tape, ineffective distribution of authority and responsibilities. The inefficiency, bureaucratic red tape and misuse of resources in public administration lead to delays in service and consequently, reduce public satisfaction and trust [Palabıyık, Kabucu, 2008].

Another problem of Turkish administration is secrecy and closeness. Due to traditional reasons, Turkish public administration has tendency to keep the information regarding public issues as secret and non-disclosed. Therefore, access to information in this regard has always been problematic. Despite several attempts to promote transparent government and openness with the help of newly introduced laws such as Right of Information Law in 2004, openness and transparency is still an exception in public administration of Turkey [Sayan, 2013]. Another consequence of having a strong state tradition has been the development of an administrative culture which is not responsive to the needs of the citizens. Furthermore, public officials generally see themselves as a state official representing the state rather than servants of the public. As one reflection of such a notion of the state, public officials have considerable legal safeguards in relation to performing their duties [Sözen, 2012].

Participation of people who may be affected by public policy-making process is also another problem of Turkish public administration due to structure of 1982 Constitution, which restricts the notion of participation to election and election campaigns. Therefore, membership in NGO's and participation in public policy-making processes continue to be very low in Turkey. Additionally, representation of women in policy making bodies and managerial positions has always been limited in Turkish society. Therefore, lack of representation and participation can be evaluated as less public opinion about social concerns [Gül, Kiriş, 2015].

3. Administrative Reforms to Overcome the Challenges

In order to overcome the economic, social and political problems in its public administration, Turkey has undergone legal and structural reforms. It can be said that there were both internal and external pressures that pushed Turkish government to start its reformation process in public administration. While Turkey's attempts to become a full member of EU and other international organizations such as IMF and World Bank can be considered as external factors, growing demands and expectations for effective and higher quality provisions of public services by NGO's and business world can be considered as internal pushing factor [Sezen, 2011].

When we look at the content of administrative reforms, it is reasonable to classify them into two main categories. The first set of reforms might be named as “managerial reforms”, the second type of that as “governance reforms”. While managerial reforms aimed at improving economy, efficiency and effectiveness of public sector, good governance reforms focused on transparency, accountability, responsiveness and participation in public administration [Sözen, 2012].

Managerial reforms are the reforms that mostly focuses on privatization and improvements in the private sector. As a result of privatization, the number of state-owned enterprises fell drastically which helped Turkish government as a source of revenue during the economical crisis. In addition to privatization, the adoption of business management practices into public administration has been another key principle of these reforms. Introduction of strategic plans and performance-based budgeting with the aim of ensuring economic efficiency and increasing transparency and accountability was the main objective of these reforms [Kapucu, Palabıyık, 2008]. The Law (No. 5018) on Public Financial Management and Control (Kamu Mali Yönetimi ve Kontrol Kanunu) that is approved in 2003, included measures in ensuring transparency in the public financial management system as well as strategic plans that defines objectives, principles, priorities and methods to achieve these objectives.

Decentralization was also another important aspect of these reforms. Due to increasing criticism from external and internal factors concerning the highly centralized structure of Turkish administration, duties, responsibilities and powers of local governments were expanded. The new laws that are approved in mid 2000s narrowed the administrative tutelage control of the central government on local governments and also included provisions providing participatory mechanisms for local community. Besides, local government bodies are also granted the legal authority for outsourcing almost every service in their spectrum of tasks [Sözen, 2012].

On the other hand, governance reforms aimed at improving transparency, accountability and participation within public administration. In order to achieve that, the most important legal act was the Law on the Right to Information (Bilgi Edinme Hakkı Kanunu), that came into force in 2004. Article 1 of the Law on the Right of Information defines its aim as: “to lay down the guidelines and procedures for individuals to exercise their right of information acquirement in accordance with the principles of equality, neutrality and openness which are the fundamentals of democratic and transparent administration.” In this regard, public organizations are obliged to publish their basic decisions and legal regulations falling under their duty domains, and annual activity reports, through using information and communication technologies [Sözen, 2012].

Citizen participation on public matters was also another objective of governance reforms. With the establishment of City Councils which are seen as a platform to enhance public participation in local governments, and strengthening local governments structure. The regulation defines City Councils as governance mechanisms where local branches of central government and civil society organizations meet with an understanding of partnership [Beriş, Gürkan and Andıç, 2011]. By doing that, Turkey also attempted to strengthen its weak civil society with the promotion of participatory democracy whereby public services mostly provided by local actors.

Moreover, the need for establishing efficient and effective public institutions was the core component of these reforms. Various measures were taken in order to ensure that public officials can perform their duties effectively and rationally while meeting the needs of the people. These measurements covered the reductions in size and improvements in the allocation of budget, and reductions in size and improvements in the assignment of the officials [Kapucu, Palabıyık, 2008].

CONCLUSION

Thanks to the internal and external pressures, Turkish public administration has undergone a significant reform. There has been a great support for delegation of the powers of the institutions of the central government to the local, provincial levels, however structure and tradition of a highly centralized public administration continues to persist due to unitary state characteristics of Turkey. Transition of powers from central administration to local administrations remains limited despite the amendments to the constitution and laws that are passed by the parliament [Soós, 2016].

It is clear that, if Turkey still desires to be a full member of the European Union, disregarding the political factors, successful implementation of European Union law depends on the Turkey's administrative capacity. Whether Turkey is prepared for EU public policies that is based on service delivery to the citizens and businesses rather than state-centric understanding, remains a challenge.

Although the reforms has shaped the role of public institutions, especially the local ones, the nature of relationship between state and society remains untouched. Therefore, effective implementations of administrative reforms is still a challenging task, since the administrative culture favors highly centralised authority and administration. Changes in the administrative culture that changes the focus of public institutions from state to needs of society is required in order for successful implementations of administrative reforms [Sözen, 2012].

Despite several reforms and improvements, it is still imperative for Turkey to aim for further improvements in democracy, human rights and freedoms, the rule of law, the judicial system, women's position and gender equality and civil society. Such reforms would not only help Turkey to consolidate democracy, but also it would strengthen its administrative structure as well. Successful implementation of these reforms requires further improvements that shapes Turkish society positively [Gül, Kiriş, 2015].

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