

AN INQUIRY INTO  
DIFFERENT URBAN TRANSFORMATION MODELS  
IN THE CONTEXT OF RENT AND PROPERTY TRANSFER:  
THE CASE OF ANKARA MAMAK DISTRICT

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## **ABSTRACT**

### **AN INQUIRY INTO DIFFERENT URBAN TRANSFORMATION MODELS IN THE CONTEXT OF RENT AND PROPERTY TRANSFER: THE CASE OF ANKARA-MAMAK DISTRICT**

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The transformation of urban space is determined by the social and economic relations in every mode of production. Under the condition of capitalist accumulation, the transformation of squatter areas is a significant debate. Therefore, the transformation of squatter areas should be analyzed in respect to the rent and the rent distribution by considering structure and agency relationship. In order to understand the rent distribution, political interest groups and capitalist power holders should be scrutinized. In other words, this thesis has focused the transformation of squatter areas in the capitalist production relations.

Urban space is the most significant field in which the neoliberal policies are embedded. In the squatter areas, various urban transformation processes have realized post 1980. Two basic legal regulations constitute the frame of these transformation models. These are Law Numbered 2981 which entails the improvement plans and the 73<sup>th</sup> article of Law Numbered 5393 which facilitates the urban renewal projects.

The basic motivation of the thesis is to indicate the differences between the development rights given to squatter owners in the transformed areas in accordance with these laws. After the discussion of urban transformation in terms of rent and property concepts, different transformation areas implemented in Ankara-Mamak District are analyzed comparatively. Then, difference of the development rights of squatter owners in urban renewal projects is indicated by considering the transformation process in İlker Neighborhood.

Keywords: Squatter, Urban Transformation, Improvement Plans, Urban Rent, Property Transfer

## ÖZ

### RANT VE MÜLKİYET TRANSFERİ BAĞLAMINDA FARKLI KENTSEL DÖNÜŞÜM MODELLERİ ÜZERİNE BİR İNCELEME: ANKARA MAMAK İLÇESİ ÖRNEĞİ

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Her üretim tarzında kentsel alanın dönüşümü sosyal ve ekonomik ilişkiler tarafından belirlenir. Kapitalist birikim koşullarında gecekondu alanlarının dönüşümü önemli bir tartışma konusudur. Bu nedenle gecekondu alanlarının dönüşümü yapı ve aktör ilişkisi içinde rantlar ve bu rantların dağıtımı açısından incelenmelidir. Rantların dağıtımında ise politik çıkar grupları ve sermaye çevreleri dikkatle incelenmelidir. Diğer bir anlatımla bu tez kapitalist üretim ilişkileri içinde gecekondu alanlarının dönüşümü üzerine yoğunlaşmaktadır.

1980 sonrası neo-liberal politikaların yerleştirildiği alanların başında kentsel alan gelmektedir. Gecekondu alanlarında 1980 sonrasında farklı kentsel dönüşüm biçimleri ortaya çıkmıştır. Bu alanların dönüşümünde iki temel yasal düzenleme dönüşümün çerçevesini oluşturmuştur. Bunlar ıslah planlarının düzenlenmesini şart koşan 2981 sayılı imar affı yasası ve kentsel dönüşüm projelerinin hazırlanmasını öngören 5393 sayılı yasanın 73. Maddesidir.

Bu tezin temel güdülenmesi bu iki yasaya göre dönüşen alanlarda gecekondü sahiplerinin ne düzeyde farklılaşan imar hakları alacaklarının gösterilmesidir. Kentsel dönüşüm kavramı rant ve mülkiyet kavramları üzerinden tartışıldıktan sonra Ankara Mamak ilçesinde farklı alanlarda yaşanan kentsel dönüşüm modelleri karşılaştırmalı olarak incelenmiş ve İlker Mahallesiinde uygulanmış bir dönüşüm göz önünde bulundurularak gecekondü sahiplerinin kentsel dönüşüm projelerinde imar haklarının değişimi gösterilmiştir.

Anahtar sözcükler: Gecekondü, Kentsel Dönüşüm, İslah İmar Planları, Kentsel Rant, Mülkiyet transferi

To My Parents



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## **CHAPTER I**

### **1. INTRODUCTION**

As every mode of production, in the capitalist mode of production as well, the transformation of urban space is determined by the dominant economic and social relations. This is considered as a general rule in this thesis. However, the transformation experienced under the conditions of capitalist accumulation in the squatter areas produced in accordance with the way of life borrowed from rural to urban, and not directly related with the capitalist social relations is a significant debate. The thesis will focus the transformation process which is realized under the capitalist mode of production in squatter areas.

An extensive transformation has been witnessed in the cities in which the neoliberal era results the rapid urbanization dynamics in the case of Turkey after 1980. Rapid urbanization was observed within various transformations model in certain geographies. It has produced different urban practices. The approach regarding the transformation as merely spatial transformation of cities excludes the political and ideological aspects. Another approach, on the contrary, ignores the spatial aspects.

Movement of capital from production to built environment, as a theory, is inadequate for understanding the transformation of cities of Turkey. Space includes social and political relations. Constructing the spatial power is a necessity for political power grab. Space, here, is an active moment. However, spatial organization is not solely architectural or formal organization. This organization formation organizes the landed property ownership in space. This organization needs an interest group. Even if this interest group, which is a quasi-landowner capitalist, appears as local, its original extension is in the political power. In this regard, seizing to urban landed property is a necessity for political power grab. The seizing to the urban landed property makes a sense quite different from the ownership of urban landed property. Surplus value is appropriated either in the form of rent or profit. Keskinok (1997, 67) states that there is a conflict between capital and

land; however, this contradiction is not an antagonistic one and at the final analysis, there is a reconciliation between capital and land-based interest. Contradiction can only be solved by the struggle of agents within the city. This solution can only be possible with the interventions of the state. Additionally, fragmented structure of the urban land ownership limits the activities of the capital in the city. However, relationship between capital and landed property ownership should be analyzed to claim that the fragmented structure of land dominates the capital. Investigating urban renewal projects in terms of urban landed property and development rights will contribute to manifest the relationship between capital and land-based interest. Desire of unique initiative power of local authorities on the lands of urban renewal projects signifies such a relational form. The rent created through urban renewal projects need to be inquired within such a perspective.

In the thesis urban transformation models which are implemented in Mamak will be discussed within such a perspective. The relation of capital and land cannot be understood without contradiction between them. Moreover, this relation is in the political, social and ideological realms.

Mamak district have some specificities in respect to embodying the different urban transformation models. Different urban renewal projects are implemented in the squatter areas which already have improvement plans. However, it is obvious that the squatter areas were not able to transform through the market mechanism. Therefore, the interventions of the state to urban space like Mamak have specific elements. It is obvious that these various models are complementary to each other. They are political urban renewal projects based on rent as well. Mamak is the district where the existing rent is not excessive. The complementary nature of the urban renewal projects is an attempt for creation of future rent. Therefore rent and property transfer will be analyzed in details.

### **1.1. Aim, Hypothesis and the Problematic of the Thesis**

The aim of the thesis is to investigate the relationship between rent, landed property ownership and capital via different urban transformation models after 1980 in Turkey. Urban renewal projects have been implemented to cities since 2003 in Turkey. This transformation model is quite different from the 1980s transformation model. While 1980s' urban transformation model improves the squatter neighborhoods the model which is implemented after 2003, called west as "urban regeneration" (Uzun 2007, 182),

has the different meanings in the context of Turkey due to implementing it only to squatter areas. The period of 30 years will be discussed in two different terms which are between the years 1980-2003 and post-2003 years. However, our interest is limited to the context of Mamak in Ankara. In the context of the thesis “transformation” refers to the “redevelopment” (Uzun, 2007, 183) of squatter areas transformed through improvement plans and urban renewal projects. “Development rights” refers to the apartment flat obtained by squatter owners after the various transformation processes in their lands.

**Our main hypothesis in the study is as below;**

**Urban renewal project areas are the spaces where the state has an active intervention in order to solve the contradiction between capital and land-based interest. Intervention of the state converts this contradiction and creates the political and ideological struggle formation. Consequently, development rights of squatter owners decrease; even, most of the squatter owners lose their landownership position. Urban lands and rent is transferred to political power and an interest group which is supported by the municipalities.**

Post 1980 is a period when neoliberal policies are embedded in every social and economic field. Urban space is one of them in which neoliberalism is embedded. It is also experienced similarly in the squatter areas. Two fundamental laws constitute legal frame which facilitate the implementation of transformation in the historical process which begins in the early 1980s. The first one is the Law 2981 enacted in 1984, entailing the improvement plans. The second and more current one is the article 73<sup>th</sup> of Law 5393 that regulates the urban renewal projects.

The thesis is designed to understand the differences between the development rights of squatter owners in the areas which are planned in accordance with these laws. By comparing these legal regulations, hypothesis is built upon the regulation within the urban renewal frame which brings more excessive social and economic losses.

In the thesis, development rights will be compared in terms of title deed and title deed allocation owners. The condition of tenants in these urban spaces is ignored. When comparing these two different legal regulations, it is considered that the first one enables

the market-led urban transformations while the second one enhances the state led-urban transformation projects by strengthening the legal authorities.

The early 1980s is the transition period of the political and economic restructuring of Turkey. It also represented a new form of built environment in Turkey. Economic restructuring and the change of accumulation mode result in the flow of the capital to built environment from production (Şengül, 2001). Urban space became the center of capital accumulation. Therefore, urban rents also became the significant source of capital accumulation. Thereby, private capital began to invest urban space (Harvey, 1985; Şengül, 2001).

The main actors of initial period of post 1980 are unorganized capitalists, which is called “*yap-satçı*”<sup>1</sup>, in the squatter areas transformed through improvement plans. Organized capitalists interested to infrastructure investments, major construction projects and mass housing constructions (Şengül, 2003). Some squatter areas transformed by unorganized capitalist developers. However, the squatter areas at urban periphery were not able to transform. Some squatter areas could transform after 2003 have been also transformed by unorganized capitalist developers recently. There are still squatter areas with which transformation goes on within improvement plan. Rests are determined as urban renewal project areas.

In the early 1980s, market mechanism was unable to stimulate the urban transformation. In other words, due to the distinctive structure of improvement plans, market was not able to penetrate to urban space because improvement plans permit the construction on the parcel basis but not large scale urban space. Therefore, unorganized or petty capitalist developers undertook the construction works. At the same period, big and organized capitalist groups were not able to penetrate to urban space. Unorganized developers, which are the main actors of pre-1980 period, survived in the housing construction sector. Even, the survival of unorganized developer in building sector continued after the period of decline or bust which covers the years 1994-2003 (Balaban, 2008). The post 1980 era began as a transition period from unorganized capitalist developer to organized capitalist developer. However, it has not been a discontinued period in the present day.

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<sup>1</sup> In Turkish “*Yap-satçı*” refers to the petty developers who build and sell the apartment flats.

Some districts of Ankara city were transformed through improvement plans. However, in some districts such as Mamak, Keçioren and Altındağ transformation was not able to start. Development rights given through improvement plans could not prompt the market dynamics. After 1980, some neighborhoods of Çankaya started to be transformed through improvement plans with the extensive interventions of the state and efforts of municipality. On the one hand, some districts like Mamak were not able to transform. It is certain that it is not possible to transform some areas of the city through improvement plans prepared with political concern. Within this period, newly constructed regime created a populist urbanization dynamic through enacting the spatial regulations ideologically and politically.

Transformation has the various dimensions concerning the urban experience. However, we will indicate that differentiated development rights and rent in urban renewal bring about the political and social transition. Due to the land mostly seems like fixed investments of the capital, the difference between landowner class and capitalist is not certain. In this situation, contradiction between capital and land should be analyzed socially, politically and ideologically. In simple terms, the thesis focuses on capital, landed property ownership and urban rent in renewal projects area. However, the study concentrates on the following issues;

1. The change of development rights of squatter owners after various urban transformation models in terms of obtaining the house. In other words, differences between development rights given to squatter owners through improvement plans and urban renewal projects,
2. Discussing how the state intervenes to urban space, how the contradiction between capital and land-based interest differentiates politically and socially and how development rights and property are transferred to the interest groups,
3. Discussing how fragmented structure of urban lands affects the rent creation and development rights.

There are quite a number of studies explaining the relationship between capital and the urban space. According to Harvey (1973), land and buildings as goods pass into other hands relatively rare. Although they are used very frequently, they have been goods rarely. The rate of frequency of exchange is under the occupancy rate. Consumption rights of land and buildings for a long time are required high expenditure. Therefore, urban landed property market has been effective in capitalist economy. Şengül (2001) points out capitalist production relations do not represent an advanced structure in every field of social life simultaneously. The urban invasion of capitalist commodity relations has never been absolute. Even if, liberalism has been the most hegemonic period, urban space in terms of various features is out of the capitalist commodity relations. Thereby, the act of rent creation should not be examined solely within the capitalist production relations. Ball et al. (1985) state that struggle for rent is an important component of the social process of land development. Rent is a part of the struggle encompassing the capital accumulation. One part of accumulation is rental exploitation. For this reason, urban development process is extremely complex due to the diversity of landownership forms and land assets. Ball et al. (1985) do not consider the landowners as an autonomous social class as a result of their complex nature/structure. He mentions that landed property is not a form of investment capital. Keskinok (1997, 66) states “although fragmentation and institutionalization of private property on land ideologically reproduce and reinforce the system of appropriation of surplus, it may pose a major threat to capital accumulation”; however, this situation contributes to reproduce the ideology of private property. On the one hand, Balamir (1975) points out that fragmented structure of property prevents realization of rents and states that the market would not be able to overcome this problem. Moreover, Keskinok (1997, 67) discuss that the contradiction between capital and land-based interest would solely be overcome through the intervention of the state and such an intervention would result in a new contradiction.

In this thesis, we will accept these arguments as the backlog of the study and our research question will be formed in the context of these arguments. **By accepting these arguments, major research question can be defined as follows: to what extent and how the different urban transformation models led to changes of development rights in terms of squatter owners?**

## **1.2. Methodology of the Thesis**

The thesis uses a comparative method for different urban transformation areas which are implemented in Ankara- Mamak District. Additionally, this comparative method has double meaning. Comparison comprises the “case comparative” and “variable comparative” parts. Within the case comparative part, three different urban renewal projects implementing in Mamak were compared to each other. Within the “variable comparative”, development rights of squatter owners in Dikmen – İlker district which is already transformed through improvement plans and the development rights of the squatter owners in the New Mamak Urban Renewal Project are compared. By depending on the variables, the average amount of land which is necessary for obtaining one apartment flat was calculated under the lights of the quantitative data which is obtained from the questionnaire conducted in İlker Neighborhood. The average land amount was used to calculate the losses of the squatter owners in New Mamak Urban Renewal Project. In this way, double comparative method is carried out. In other words, former version of urban transformation model and post-2003 transformation model were compared with each other with regard to the differences of development right and property transfer.

In the research part of our thesis, the qualitative and quantitative research methods are used. The research model was designed as “semi-structured” and “structured”. Semi-structured in-depth interviews and structured questionnaire was conducted. In-depth interviews were conducted in three different areas with the settlers, developers, real estate agencies, urban planners and topographical engineers working at Ankara Metropolitan Municipality, Çankaya and Mamak Municipality. In addition, a settler, who is a member of the former municipality council, and a former delegate of a political party were interviewed. The method of structured questionnaire conducted in Dikmen-İlker Neighborhood. This questionnaire was conducted with the settlers who transfer their squatter houses to developer with the contract for obtaining the apartment flats.

As a result, the dynamics of transformation and non-transformation phenomenon in Mamak are clarified by means of the double comparison. Moreover, research datas are integrated with the theoretical frame.



## **CHAPTER II**

### **2. THEORETICAL AND CONCEPTUAL FRAMEWORK**

#### **2.1. Introduction**

In this chapter we will inquire how the urban transformation, urban land and capital relate each other. First of all, rent formations and landed property are going to be discussed. Then, a new approach is going to be introduced. Moreover, together with this aim, this chapter will be the main theoretical and conceptual approaches of the thesis.

The relation between urban space and capital is described in Marxist approach. While Weberians consider the urban phenomena in the context of “urban managerialism”, Marxists consider it in the context of economic system. According to Harvey (1985a, 26), state has the role supporting the private capital in order to solve the over accumulation problem throughout the capital switches. Land and the buildings are the goods in contemporary capitalist economics; however, they are not ordinary goods. The places of them cannot be translocated. It gives them “absolute space” feature. Land and the buildings pass into other hands rarely than other goods. As their life span is long, they provide the opportunity of possessions. Buying them requires high expenditures. Therefore, financial institutions have the most significant roles in capitalist urban system (Harvey 1973, 147-148). In order to comprehend the urban transformation, we need to scrutinize the urban rents, landed property, capital and their relations with each other.

There are many aims of the theoretical and conceptual chapter of the thesis. Our assumption is that the rent creation and property transfers are the main features of the cities of neoliberal era. Therefore, it will be discussed what urban rent is, how it is created and how it differentiates in various parts of the city.

## **2.2. Theoretical Framework of Rent and Property**

In order to analyze the rent, I will discuss the use value, exchange value and property concepts. Value concept of Marx is based on capitalist mode of production. Unlike classics, Marx analyzes use and exchange values within a dialectical relationship in terms of commodity. According to Marx (1993, 56), commodity is the unity of exchange and use value and at the same time it is a commodity only in relation to other commodities. For Marx, the production of exchange value originates on the process of the labor, which is for need of society, exerting on the objects of the nature (Marx, cited in Harvey 1973). Since rent is, somewhat, form of surplus value in social meaning, here we need to consider surplus value appearing from exertion of labor to the objects of nature. A part of the societal surplus value has been paid to landowners by capitalist as rent. This surplus value which is paid by capitalists as absolute and monopoly rents means for capitalist that it is not kept as the part of surplus. Therefore, as long as capitalists invest to urban space, the amount of the total capital increases in urban space. Consequently, they increase the total rents which they could keep.

### **2.2.1. Use Value and Exchange Value**

According to Marx, every commodity has twofold aspects, which are use value and exchange value. In order to create the use value, the commodity has to satisfy a necessity. Use value does not have the social relations of production. It, as such, is out of the investigation of political economy (Marx, 42). Marx, however, relates the use value and exchange value by the forms which they gain in commodity (Harvey, 1973). The exchange value appears when the commodity gets into market. In other words, the commodity has value just in exchange process. The dialectical relationship between use value and exchange value can be expressed as follows; Commodity, for the ownership of it, is the use value as long as it has the exchange value and vice versa. Commodity must turn into a use value for others. As the commodity is not a use value for owner, it is a use value for other commodity owners. Otherwise, the labor in commodity is the useless labor; consequently commodity cannot exist (Marx, 1993). Marx introduces the labor which commodity has by using a dialectical relationship. Different from classical economists, Marx identifies the commodity as a production of social relations.

### **2.2.2. Rent and Urban Rent**

Classical economic politicians claim that exchange value is nothing but the labor-time. However, Marx (1993, 78) claims that it is not solely the labor-time. He points out that if exchange value is the nothing but the labor-time, so why the exchange value of labor is under the exchange value of production of labor. He implies that the problem can be solved in analysis of capital. And Marx (1993, 79) introduces;

If exchange-value is nothing but the labor-time contained in a commodity, how does it come about that commodities which contain no labor possess exchange-value, in other words, how does the exchange-value of natural forces arise? The problem is solved in the theory of rent.

Thus, rent cannot be analyzed without considering the interrelation of value, exchange value, labor and analysis of capital.

Marx considers the rent in two contexts; agricultural land and urban land. The basic difference of rent analysis of Marx is that he deals social structure together with 'rent' term. Marx discusses that monopolistic privileges of private ownership emerge from absolute nature of the space. Absolute space is the basis of monopolistic rent (Harvey 1973). In other words, Marx asserts that rent emerges from private ownership and its monopolistic privileges. Therewithal, it results from conflict between classes. According to Keskinok (2006) rent is a form of appropriation of surplus value and it is associated with accumulation of surplus value. According to him (2006, 189), "Rent, as the economic configuration of property of land in capitalist mode of production, bases on private ownership relation".

On the contrary, neoliberal doctrine defines the rent without the property relations. In other words, neoliberals use the 'rent' concept without social relations and class struggle, but solely in the meaning of economic transfers. However, we will discuss the rent from Marxist point of view in conjunction with the production of social relations; that is to say, within capitalist production relations. Rent analysis will be carried out through relational analysis of space in conjunction with social relations. Considering the rent term independently analysis of private ownership of land, value and capital means the neoliberal rent analysis.

### **2.2.2.1. Private Property of Land: Absolute Rent**

As production of urban built environment and fixed capital formation in urban land increases, urban rent increases as well. In such a case, it is expected that value of land and building increases. Therefore, it is assumed that urban growth is a process which should be supported from the landowners and capitalist. Consequently, both capitalist and landowners will be able to increase their fixed capital investments through appropriation of surplus value. In this sense, absolute and monopoly rents are the effective formation of urban rent as the cities grow.

In neoclassical economics, absolute rent is considered as equal to scarcity and is explained with no increase in total land supply. However, Marx explains absolute rent through conceptualizing scarcity term by means of private property. Marx discusses that rent is the share of landowners from a part of the surplus value (Harvey, 1973). By depending on the permanence of land status, Marx does not mark out the absolute rent from social labor (Marx, 1991).

Absolute rent has an exclusive importance in our thesis. First of all, absolute rent bestows advantages to landowners in urban area. By virtue of these advantages, landowners try keeping their lands until appropriate conditions come into existence. Scarcity of absolute rent comes out as struggle for keeping existing property ownership. However, what should not be forgotten is that absolute rent emerges in conjunction with monopoly rent.

In the process of urban growth, the value creation feature of land is constituted by publicly. In other words, a person holding a parcel in urban space cannot get rent only thereby s/he is a property owner. All values created in the urban space affect the rent of all private property owners. Therefore, in this study, absolute rent will be discussed regarding the all values created in urban area. Development rights of squatter owners are significant in this regard.

Another importance of absolute rent in this thesis, as stated above, is that it reveals the difference between unorganized and organized capitalist developers in the city. Power of value which is created by public has also impact on construction sector. Unorganized capitalist developers can construct in small lands, namely on parcel basis. Since unorganized capitalist developers cannot get a share in areas from which public creates

the value, they can get profits in small quantities. On the other hand, organized entrepreneurs who do not finish the construction might be able to create values and get considerable amount of rent by themselves or through other urban developments during construction process.

#### **2.2.2.2. Monopoly Rent**

Urban lands are situated in certain location in the cities. These locations are constant. Even though number of urban parcels increases as the city grows, in certain locations, amount and situation of some lands cannot be changed. These lands get rent through the purchasing power and needs of buyers. This rent is appropriated by landowners through the guarantee of monopoly price. We have already discussed the relation between monopoly rent and absolute rent above. Similar with absolute rent, monopoly rent also emerges from private property relations and appropriation of surplus value. This comes into existence upon the indispensable need of another person for a parcel located on a certain part of a city. Nuance between monopoly rent and absolute rent is the private ownership and the class monopoly on land.

Harvey (1973, 173) claims that due to their impacts on production costs in city centers, absolute and monopoly rents specify the usage of lands. Absolute and monopoly rent determines land values in city centers, and accordingly land price determines the usage of lands. In case differential rents are dominant, usage of land defines the land price.

#### **2.2.2.3. Land Cultivation with Capital: Differential Rents**

Differential rent is a theory of Ricardo developed on the basis of agricultural lands. According to Ricardo, this rent emerges from differences of productivity of lands. In conditions of perfect competition, each product has a unique price. In Ricardo's theory, it is assumed that in conjunction with increase in population, demand for agricultural products increases. As the most productive lands are limited quantitatively, less productive lands will also be used for agricultural production. As production costs are higher in less productive lands, owners of more productive lands will gain above the others. Cost of production in the least productive lands should be equal to price of the product in perfect competition. Otherwise, landowners with the least production make a loss and goes out of production. Ricardo calls the difference between price and

production cost under the condition of perfect competition on “rent”. He states that this rent is appropriated from owners of the most productive lands (Ricardo, cited in Harvey 1973, 166)

On the contrary, though Marx accepts Ricardo’s differential rent theory, he points out that this is a special case and this case does not take the property of land into account. According to Marx, differential rent is the difference between production price and the price of capital which is used for a certain production. Therefore, differential rent cannot be considered within the production cost. Due to the high productivity of lands, some producers appropriate rents extremely. However, Marx does not explain rent solely with relative positional priority. In here, it is obvious that Marx separates differential rent. According to Marx, in addition to relative positional priority, what really constitutes differential rent is that lands with various characteristics are cultivated by different capitals. Thus, owners get different level of rent (Marx, 1991).

Different from Ricardo, Marx considers differential rent in the urban context and indicates the importance of location for differential rent of housing (Harvey, 1973). In this thesis, we will similarly discuss differential rent in the context of private property and the capital accumulation. In order to understand the urban transformation, it is unsatisfying to discuss the differential rent -in conjunction with absolute and monopoly rent- without regarding private property relations and capital.

### **2.2.3. Relation between Rent and Property**

Rent does not emerge by itself as a characteristic of land. Rent emerges as a result of production and distribution relations in a society. In capitalist societies, rent appears as a result of purchase and selling relations of private property institutions. In addition, legal framework determines the rent. Private property of land is the basic factor of conflict between labor and capital in the urban context. Although it does not include labor time, land can be an exchange value by itself. At the same time, while land provides reproduction of labor, explicitly creates rent as a form of appropriation of surplus value. This surplus value is a payment of labor to landowners originating from private property. There is a significant relation between emergence of rent and classes having the lands.

In capitalist mode of production, land seems as a form of commodity. Existence of land, as a commodity, integrates the landownership to the scope of capital. As a commodity, private property of land creates the rent for the landowners. Therefore, there is a relation between landownership and the capital.

In a city, as fixed capital volume used in built environment increases, rent increases in that city as well. Private property of land inherently creates rent seeking within capitalist commodity relations. Landowners and capitalists do not always imply the same denominational characteristic. Although landowners and capitalists seem as the representatives of the same class, sometimes they might appear in different classes. In case private property ownership and capitalists appear in the same class formation, simultaneously, the class gains a hegemonic power on urban rent. In this sense, urban renewal projects are significant in terms of ownership of landed property. Usually, though urban renewal projects seem market-led, they are basically the state-led. The most significant issue in urban renewal projects is the contribution of the state to transfers of landed property. State is an institutionalization of endless power for organization and distribution of urban rent. However, when property is whole-owned by the capitalists, some risks may appear for the capitalists. Sudden increases or decreases in land prices are unexpected situations for the capitalist. In such cases, capitalists are again supported by the state. In case study sections of the thesis, the state, capital, landed property ownership and rent relations will be discussed in detail.

## **2.3. Theoretical Approaches on the Production of Built Environment**

### **2.3.1. Marx, Engels and Lefebvre**

The writings of Marx are not directly related to urban space. Although Marx does not write on urban space, the analysis of capital should be regarded in the context of urban space. Therefore, he would not stress the urban phenomenon in details. Under capitalist mode of production, capital accumulation is the basic element for growth. In *Capital* Vol.I, originally published in 1867, according to Marx, capital accumulation is the use of the surplus value as capital. Capital accumulation comprises reproduction of itself increasingly. Capital has tendency toward turning into the surplus capital continuously. However, it needs existence of surplus labor power, the means of production and the absorbing of the produced goods via market (Marx 2004, 553-557). Turning into the

surplus value to capital may not eventuate in every case. Marx concludes that capitalism has tendency towards creating certain barriers against development of itself. As long as capital finds new fields and increasing of social needs, in other words by shifting of surplus value decomposition to capital and wages, it may be massive increase in accumulation by turning of the big portion of surplus value to capital production. Requirement of fixed capital may be more than need of labor power. Due to the demand of labor power, the wage of labor may increase. The main reason of wage increase is not the absolute or relative decrease of labor power but the increase of capital. However, wage rising, which is a handicap for capitalist mode of production, causes the difference between capital and labor. It is prevented by the mechanisms of capitalist production (Marx 2004, 584-585).

The study of Engels called “The Condition of Working Class in England” (2008), originally published in 1844 is based on case study in Manchester. His basic motivation is that Manchester is a developed capitalist city. Engels, in his study, has examined tendency of capitalism on working class and capital. He observed the social problems, extreme poverty and homelessness caused by capitalism. He has specified that working class cannot reproduce itself in such a poverty condition. The most fundamental determination of Engels is that capitalism creates a spatial isolation between classes. It can be considered that the concept of segregation is first revealed by Engels. (Gottdiener, 1994)

Lefebvre, on the one hand, is the representative of 20<sup>th</sup> century of the Marxist approach. Lefebvre (1974, 1976) analyzes the cities by using the concepts of the capital investment, rent and class. He puts forward the idea of circuits of capital and indicates that the real estate is the separate circuit of capital. He indicates that all social activities result from not only interactions between individuals, but from the space. He specifies that the basic form of the conflict is between the concepts of the abstract space and social space. (Gottdiener, 1994)

### **2.3.2. Harvey’s Capital Switching Approach**

In this part we will focus on capital accumulation of capitalist mode of production, specifically Harvey’s capital switching approach. Harvey (1973, 1985 and 2001) explains the urban spatial change within the capital switches between different circuits of capital.



As we stated, surplus value may not turn into capital and has not opportunity to use as capital in every case. The demand for labor power may increase as the capital finds a new field for investment and go towards fixed capital investment. Therefore, the wages may increase. However, it is an obstacle for capitalist. Capitalism solves the problem of wages increase by its specific dynamics. Along with the increase of social qualification of labor power, capitalist invests to fixed capital more than variable capital from the parts of surplus value which are separated as fixed and variable capital. Whereas, the capital volume increases, the variable part of capital tends to decrease relatively. Due to the deficiency need for labor power, reserve industrial army appears. Hereby, capitalist has the chance of using more labor power with less capital. This occasion leads to the decrease of wages. Thereby, the reason of decrease in wages should be considered in the scope the logic of capital not in the increase of natural labor power. In this way capitalist class reproduces itself. However, the conflict regarding the will of increase of the interests, between capitalist and labor classes is the main source of the class struggle. Harvey (1985) expresses that accumulation problem is the conflict between capitalist and labor classes. According to Harvey (1985a, 1);

Within the framework of capitalism, I hang my interpretation of the urban process on the twin themes of accumulation and the class struggle... The class character of capitalist society means the domination of labor by capital. Put more concretely, a class of capitalist is in command of the work process and organizes that process for the purposes of producing profit. The laborer, however, has command only over his or her labor power, which must be sold as a commodity on the market. The domination arises because the laborer must yield the capitalist a profit (surplus value) in return for a living wage... the capitalist class reproduces both itself and its domination over labor. Accumulation cannot therefore, be isolated from class struggle.

Capital has to find new fields of investment in order to produce itself continuously. These new fields are the new means of productions and new terrains. Moreover, compulsory competition forces the capital to find new technologies and innovations. Since innovations reveal itself as new will and needs and reduce the turnover time of capital and lessen the friction of distance, capital tries to reach new raw materials and labor power. Harvey (2008, 25) summarizes it as below;

If there is not enough purchasing power in the market, then new markets must be found by expanding foreign trade, promoting novel products and lifestyles, creating new credit instruments, and debt-financing state and private expenditures. If,

finally, the profit rate is too low, then state regulation of ‘ruinous competition’, monopolization (mergers and acquisitions) and capital exports provide ways out.

If any of the above barriers cannot be circumvented, capitalists are unable profitably to reinvest their surplus product. Capital accumulation is blocked, leaving them facing a crisis, in which their capital can be devalued and in some instances even physically wiped out. Surplus commodities can lose value or be destroyed, while productive capacity and assets can be written down and left unused money itself can be devalued through inflation, and labor through massive unemployment.

He proposes the main problematic; the mean is urbanization in order to overcome these obstacles. The (re)production of urban space is compulsory in order to maintain the capital accumulation. On this account, Harvey places emphasis on the urban space in the form of production of capital. He considers the urban space as the place of production, consumption and capital circulation. In short, class struggle leads to capital accumulation problem in capitalist mode of production and this problem can be solved by just the (re)production of urban space.

However, Gottdiener (1985) contributes and criticizes the Harvey’s approach. Gottdiener claims that Harvey’s approach is deficient concerning the interventions of state and criticizes his capital switching approach. Gottdiener states that Harvey is inadequate regarding why investment is more profitable in the built environment. At the result of this chapter, we will encompass these two arguments, show their lacking and potent way and construct a relational approach including private property institution, rents and capital.

#### **2.3.2.1. Over Accumulation Problem and Crises of Capitalist System**

Capital experiences the over accumulation problem due to the class struggle. The principal contradictory point of the capitalist mode of production is the irreconcilable class conflict between capital and labor. Another contradiction of the capitalist system can be defined by heterogeneity of capitalist class. Individual capitalist behaves for his own interest. Since each individual capitalist wants to increase their fixed capital investments in primary circuit of capital, conflicts of different interest in capitalist class jeopardize its accumulation formation. This inner capitalist class conflict form emerging in the primary circuit of capital causes the congestion in fixed capital investments (Harvey 1985a, 2-4). Over accumulation is the problem which excessive capital derived from surplus value cannot be reinvested due to the excesses.

Harvey (1985a, 4-6) defines the over accumulation in four guises:

1. Overproduction of commodities – a glut on the market
2. Falling rates of profit (in pricing terms, to be distinguished from the falling rate of profit in value terms, which is a theoretical construct)
3. Surplus capital which can be manifest either as idle productive capacity or as money capital lacking opportunities for profitable employment,
4. Surplus labour and/or a rising rate of exploitation of labour power

For Harvey (1985a, 11) “Crises are the real manifestation of the underlying contradictions within the capitalist process of accumulation”. Overproduction leads to devaluation in fixed capital and produced goods. At the same time, the production of surplus value decreases. For Harvey (1985a, 12);

Crises are the ‘*irrational rationalizes*’ within the capitalist mode of production. They are indicators of imbalance and force a rationalization (which may be painful for certain sectors of the capitalist class as well as for labor) of the process of production, exchange, distribution, and consumption.

In this chapter, concerning this episode, in order to manifest whether or not the post 1980 urban transformation eventuates as the consequence of over accumulation of capitalism should be inquired. Moreover, same inquiry should be carried on for post 2003 urban transformation model as well. Then, we are going to inquire in this context what the similarities and differences are between the urbanization character of the years between 1980-2003 and the year 2003 until today in the cities of Turkey.

#### **2.3.2.2. Secondary Circuit of Capital and the State**

Harvey’s capital switching approach literally means the secondary circuit of capital. Production of built environment is an economic activity in capital switching. For Harvey (1985a, 6) there must be surplus labor army and the capital in order to flow the capital to secondary circuit. He suggests that flow of secondary circuit is temporary solution to over accumulation problem. Harvey (1985a, 7) states the instrumental role of the state as follows;

The existence of... perhaps a state willing to finance and guarantee long-term, large scale projects with respect to creation of the built environment...state institutions controlling the process as a kind of collective nerve center governing and mediating the relations between the primary and secondary circuit of capital

There are surplus labors and low paid labors in the capitalist system. Credits system, mortgage and debt facilities increase for the secondary circuit because capital prospects that built environment, as a fixed capital, should be consumed for switching. Our question is in this argument; why capital switches to urban space, what and which features of urban space lead to flowing of capital to urban space, how private property institution, formerly a progressive power against to feudalism, acts a retrograde role for society?

### **2.3.3. Chicago School: Urban Ecology Approach**

Urban ecology approach is introduced by Chicago School. Park, Burgess and Mc Kenzie are the pioneers of this approach. They establish an analogy between living organism and the city (Gottdeiner, 1985, 27; Keskinok, 1997). They put the economic factors into central to the spatial organization. Chicago School, with anti-Marxist attitude, put economic competition in the centre of their explanation. Gottdiener (1985, 29) criticizes them as follows;

In sum, the early Chicago School posed three theoretical assertions: the efficacy of the biological analogy, the use of social Darwinist principles to explain human behaviour, and the relegation of symbolic values to the realm of social psychology as secondary primacy of economic competition

According to Chicago School, human beings are in the competition in order to have the best place in the city for their benefits. According to them, there is a competition for the city centre which is the focus of the economic agglomeration. At the end of this competition, some successful groups make invasion to city. Consequently, this competition continues until a new invasion is revealed.

According to them, the economic competitiveness is absolutely related to accumulation in the city centre. However, main problem of this approach is that it does not include economic and politic point of views. Cities are considered as “non political realms” (Keskinok, 1997).

#### **2.3.4. The Growth Machine Approach**

This approach has been the studies of Molotch and Logan. According to them, there are local elites in the focus of the urban spatial change. In other words real estate developers defined as separate class. These groups prepare new urban places and provide the development by moving these urban places to the public agenda.

According to Molotch (1976, 310), as the number of people living in the city increases, the needs of the local governments increase as well. Therefore, they need tax revenue to provide necessary resources. Local governments speed up the urban development in order to increase the tax revenue by the public agenda which developers reveal. On this account, he considers that property is a tax source for local governments. Urban space is a exchange value more than the use value in terms of local elites. City is a growth machine to increase rent (Logan and Molotch, 2002). Local business groups who are interested in developing real estate and property establish a growth coalition and generally get a local strength related to development of city in order to increase their own rent (Logan and Molotch, 2002).

Growth machine approach can contribute to conceptual frame of the thesis through urban renewal project areas with which municipalities tend to increase their incomes from taxes and rent. In conceptualization in the thesis, defining landowner class separate from capitalist class is another contribution of Logan and Molotch. It is accepted not as local elites but as a political interest group for the thesis.

#### **2.3.5. Gottdiener and Feagin: The Socio-spatial Approach**

This approach has been the works of Gottdiener and Feagin. According to Feagin and Gottdiener, the base of metropolitan growth is the real estate. Furthermore, state interventions are the principal factors of the metropolitan change. (Gottdiener, 1994)

Feagin (1987) examines Houston oil industry within the capital switching approach of Harvey. However, he indicates that there is a little flow of capital to the second cycle of the capital from oil industry. Consequently, he cannot determine a flow of capital related to any over-accumulation in the first cycle of the capital.

According to Feagin (1983), real estate sector is formed by both individual actors and financial flow.

Gottdeiner (1977) specifies that structure and agency relationship are fundamental in order to understand the real estate area. The most fundamental finding is that the real purpose of people invested into property is to protect their income, not to invest for the shelter.

The structure and agency approach of Gottdiener is important for the theoretical approach of the thesis. Moreover, Feagin claims that although there is no capital flow from first cycle of the capital to second cycle, the investments of real estate increase. Balaban (2008) has emphasized in his thesis that the increasing in the construction sector between the years 1980 and 1994 years is not counter-cyclical.

#### **2.4. Towards a New Approach: Relationality of Rent, Property, Capital and the State**

In “Critique of Gotha and Erfurt Programme”, Marx states that the means of labor are the monopoly of landowners and capitalist. By borrowing from “*Internationale*” Marx (2002, 25) points out that “*means of labor*” is the “*monopoly of sources of life*”. Therefore, land is a mean of labor. Land can be an exchange value without having a labor-time in it. However, land has not an exchange value character by itself. In order that use value becomes an exchange value, it has to include useful labor and access to the market. Although, land has not a labor time in it, land can be an exchange value because of being a mean of labor. In this respect, land departs from other commodities in respect to this feature. We accept that the rent is an appropriation which is paid to landowners by capitalist as a specific form of surplus value in our theoretical framework. Therefore, rent should be analyzed in the frame of capital analysis.

We, here, will present a new approach with regard to the transformation of urban space.

In today’s capitalist urbanization conditions, rent mingles with interest and profit terms. Difference between capitalist and landowner classes has been blurred. Landed property is a victory against feudalism for bourgeoisie. However, difference between these two classes is not as clear as it used to be. Capitalist class has a tendency towards increase its land property. Both capitalists and landowners invest their capital in urban land,

specifically on housing for future interests. Landowners and capitalist class interlace each other. However, we will consider the capitalist class and landowners not merely in terms of economics in the thesis. Real estate field and capital switching theory are insufficient in order to understand the urban renewal projects. Landowners and capitalist classes are interest groups which have organic relationship with the political power. They provide it to power.

According to Molotch (1976), there have been capitalist and landowner classes<sup>2</sup> which have possession of means of labor. This is a general acceptance for our theoretical frame. Rent is conceptualized in relation in the basis of relationship between those two classes. On the other hand, rent has to be discussed in a basis of class conflicts frame. Landowner class gets the rent from not only capitalist class but also directly from the part of the surplus value as wages paid to labour class through the reproduction of labor. Thereby, landowner class appropriates a part of surplus value from both capitalist and labor classes.

Unlike Molotch, we define the concept of “local elites” as quasi- capitalist landowner interest group which works on different urban renewal areas in various ways. This interest group is a rentier group which makes the political power retain. Although this interest group seems like operating in local level, the real root of this interest group must be sought in the mechanism of political power.

As working classes do not have any lands or means of production, it is called as “working class”. Interests of working class and capitalist and landowner classes conflict in urban land. Working class in metropolitan cities such as Istanbul, Ankara and Izmir are propertyless in terms of housing ownership. City is internalized as a use value instead of exchange value in terms of working class because urban lands on which they build their squatter houses do not take place in the market from the their point of view. The fact that the urban land has a use value for them is a dialectical expression of their point of view which may be defined as they do not consider this value of land as an exchange value. Moreover, the commodity should be in circulation in market for getting an exchange value. Urban land on which they have their houses is not for that purpose in terms of squatter owners. At this point, the state and its power become a part of this process. In

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<sup>2</sup> Molotch (1976) defines it as “local elites”

case this significant urban land is not in circulation, the state uses its power for having these lands get into circulation in the market. This power is built legally, socially, spatial and economically. In here, with the power of private property of the means of production, landowners and capitalists take possession of a part of the land of squatter house through prejudicing the political power of state in favor of themselves via real estate partnerships. While the state cooperates with capitalists and landowners in the meaning of using its political power, state also compete with these classes with the desire of appropriation of a part of surplus value. In capitalist mode of production, the class which cannot benefit from state power is the working class. In such a case, urban lands and squatter areas where have a use value for working classes get into a transformation process.

In here, the role of state is more comprehensive than the functionalism defined by Harvey. Both capital and land- based interest appropriate the surplus value. Therefore, there is a contradiction between capital and land- based interest. However, the state intervenes directly to the urban space in order to solve this contradiction. In other words, the state implements the urban renewal projects in urban space. However, the direct interventions of the state create a new contradiction formation. Thereby, classes have been in a conflict in urban space. The intervention of the state is in favor of the capitalist and landowner classes. Working class loses its acquisitions in the new contradiction created by the intervention of the state. From this point of view, the state creates an alliance between capitalist and landowners classes against to working class.

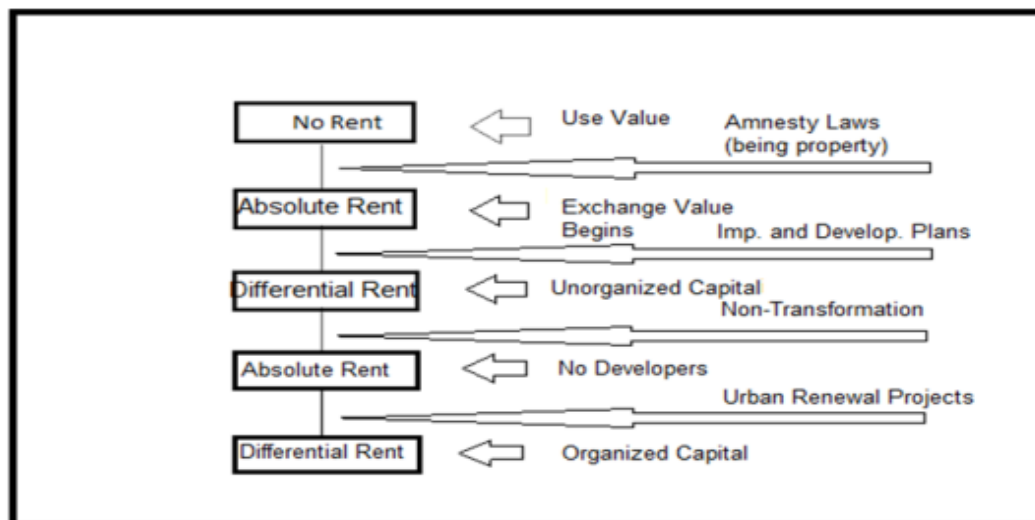
Moreover, between two cycles of capital, the state does not function as financier and guarantor in order to get a part of surplus value in large-scaled urban renewal projects. This tendency of rent having a significant role in capital accumulation makes the state as stakeholder in urban transformation processes. The state and its institutions appropriate a part of surplus value created through urban renewal projects. The state becomes a market actor via its institutions. In this sense, the state appropriating a part of surplus value is in competition and friendship relation with landowners and capitalists. Along urbanization process of Turkey after 2003, municipalities will be analyzed in detail.

In this thesis, urban renewal projects are significant in terms of manifesting the neoliberalism as a hegemonic project. Neoliberalism, as a hegemonic project, should be theorized in terms of altering the state power. Hegemony requires the consent and the



force mechanisms. While consent is created by the hand of political power, force is created by the state power. When the urban renewal projects are examined in terms of the owners of the squatter houses, we can easily grasp that the political power runs the consent mechanism and the force mechanisms together. Therefore, we can claim that the political power replaces the state power in terms of force mechanism.

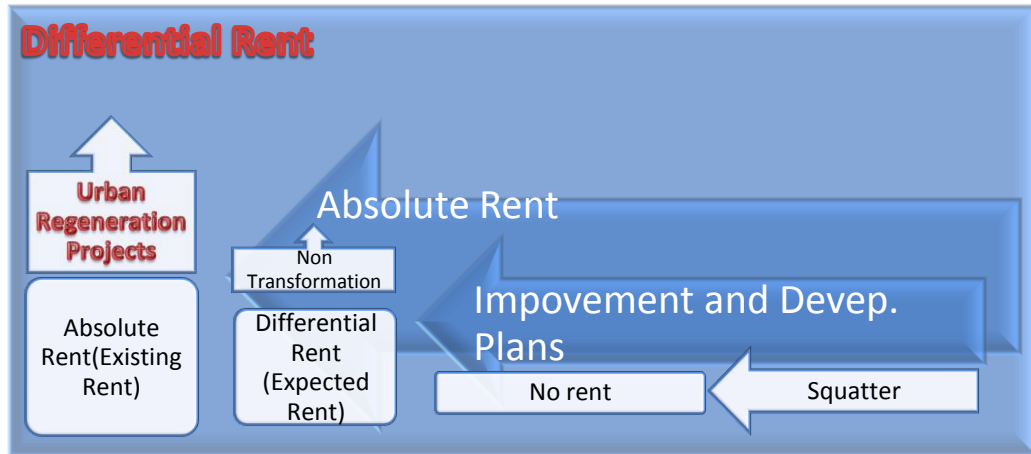
After 1980, through transformations via improvement plans, owners of squatter houses partially get political power in this respect. New government founded after military intervention in order that opportunist approach should continue. Amnesty laws were effectuated as election bribe, so owners of squatter houses got share from the rent. After 2003, through urban renewal projects, owners of squatter houses have been able to obtain a very few share of rent as the state used its political power for increasing share of landowners and capitalists. While title deed (tapu) owners could get limited rents, ones without a title deed did not get any share from the rent in return for their lands. After amnesty law enacted in 1984, improvement plans started to be implemented and transformation carried out by unorganized developer in the areas nearby city center. One of our cases in this thesis is that kind of area. Transformation has been continuing by unorganized developer in some urban spaces. While a part of the urban space is transformed through improvement plans, the other part of urban space has been developed by urban renewal projects recently. In this sense, squatter areas have a critical role for comparing the areas transformed through improvement plans and urban renewal projects in the thesis.



**Chart 2.1. Rent Transfers in Turkish Cities post-1980**

Absolute rent is formed by monopoly of private property on land. Differential rent, however, is defined as productivity of capital through processing various capital volumes in different urban lands. Rent theory of Marx is based on dialectical relation between exchange and use value. Through our new approach, it can be claimed that rent theory should be based on landed property institution and social relations. In other words, meanings of absolute rent (in conjunction with monopoly rent) and differential rent differs in terms of property term. Absolute rent is direct result of landed property. It is the share from surplus value paid by capitalist to landowner. However, differential rent can be explained through different productivity of capital on various lands.

There is an existing rent created through previous improvement plans in these urban renewal areas. This existing rent represents actual absolute rent. Urban space where capital creates rent has been determined as urban renewal area recently. Previous plans are avoided and land is re-structured with a different capital volume. Shortly, the difference between the previous improvement plans and urban renewal project is the change in profile of capitalist who will construct the area. Therefore, changing capital volume can be explained by means of differential rent of Marx. Guaranteeing existing rent as future rent is provided by the mediation role of the state. "Structural necessity" which is stated by Keskinok (1997, 83) will contribute to this new approach with monopoly rent. In these areas, the state undertakes infrastructure investments which private capital cannot undertake. In case the state does not undertake these investments, it is not possible for capital creating differential rent. It should be considered as transferring of state's monopolistic power to private sector. In other words, capitalist cannot invest into urban space without infrastructure opportunities. Consequently, state has various roles; 1.intervention to space in order to solve the contradiction between land-based interest and capital. 2. Using its power for landowners and capitalist class



**Chart 2. 2. Rent Creation Process in Turkey post-1980**

Rent is a way for reproduction of the capital. In our day, together with neoliberalism, bank interest is determined by the international finance capital switching and economic parameters in certain geographies. In geographies where production decreases, difference between import and export increases. Countries which have low export incomes have to get external borrowings with a high annual interest. Herewith, hot money flow increases, accordingly the state provides credit opportunities with a lower interest to internal market. Increase in money supply decreases annual interest rates and this decrease in rates results in increase in rent because landowners always tend to gain the same annual rent through banking his capital. Yet, if average annual interest is low, landowners may sell their lands with a higher price. In capitalist urbanization dynamics, finance is functional for reproduction of the capital. Namely, rent supports reproduction of the capital via interest. Rent is transformed into capital again by landowners as part of surplus value.

## **CHAPTER III**

### **3. LEGISLATIVE AND INSTITUTIONAL HISTORY OF TRANSFORMATION AFTER 1980 IN TURKEY**

After 1980, together with changes in world's capitalist system, certain changes also emerged in urbanization processes of Turkey. Series of changes which are well-matched with the new production mode are imposed to former legal and administrative structure. Soon after military intervention in 1980, new urban laws were added to agenda. First of all, new regulation was prepared for amnesty laws of squatter areas and legalization of squatters. Following this amnesty laws, new development law, expropriation laws, laws for re-structuring institutional structure of municipalities and laws for mass housing projects were designated.

New regulations make municipalities into different institutionalized structures. In addition, establishment of Mass Housing Administration of Turkey was also taken into agenda. Authority of Mass Housing Administration was re-structured and extended through these changes in mass housing law.

Urban transformation is the most controversial issue of the post 2003 period. Laws which are enacted in this period deactivated planning institution. Then project-based approaches replace the planning institution. After 2003, legal and institutional regulations were actually based on urban renewal. Similarly, laws of local authorities were modified in this period. Municipalities and provincial local administrations were re-structured and urban renewal implementation was included in laws of municipality.

### **3.1. On the Changing Role of State: From Deregulatory Actor to Market Actor**

#### **3.1.1. The Role of the State on Rent Creation**

In “The Urban Question” capital and the processes of state are discussed as main causes of urban change (Cited in Keskinok 1997, 33). According to Keskinok, state activities can be divided into two which are “1. Directly related to urban space and 2. Indirectly related (national or regional space) to urban space”(1997, 77-78).

Urban planning is defined as regular means. Keskinok (1997) discuss the land and housing policy under the ad hoc policies. He states that land and housing policy structurally limits the (re)production of urban space. However, he also states that state’s action or inaction will lead to different urban consequences.

In certain historical circumstance, state interventions are significant for spatial changes. Private real estate market generally cannot be able to prepare necessary conditions for rent creation (Feagin, Cited in Weber 2002, 523). Necessary conditions should be arranged for the real estate capital to invest. Planning cannot be able to attract attentions of market actors to real estate field in all historical circumstances. For example, between 1987 and 1990, although all plans were prepared for investments, transformation could not be realized in Ankara. Since the state did not guarantee existing rents and future rents to the market actors, urban spatial transformation did not start. At the same time, the state must equilibrate reactions against this urban spatial change. When some of the actors were not satisfied with their conditions in transformation, they resisted against the urban renewal projects. Then, the state used its legal and political power to develop such an equilibrium for rent creation.

In transformation model via improvement plans, when local people living in squatter houses obtained a share from rent, there would be no grassroots reactions. Municipalities also do not react against transformation process as their share from taxes and registration fees increase. Similarly, unorganized capitalist developers, as being transforming actor of this period, do not react due to the increase in construction works. At the first stage of urban transformation, the state constituted the improvement plans and could be able to equilibrate its legal and political power.

However, urban renewal projects have led to some negative consequences for owners of squatter houses and property owners after the year 2003. There emerged some sort of an economic loss for people living in these areas when compared with their previous development rights. Now, local authorities do not resist against the urban transformation because municipalities have become influential actors in urban transformation and they have found a new area offering them new interests. In central level, Mass Housing Administration became the authorized institution on public treasury lands and started to act like a company of the state. However, interests of Mass Housing Administration should not be considered as the interests of the state. On the contrary, the power of the state and the political power are overlapping. To sum up, the state is “successful” in creating rent through urban renewal projects, but unsuccessful in equilibrating its political power.

Main interventions of the state can be listed as improvement plans, amnesty laws, establishment of Mass Housing Administration and its empowering and Development Law 3194. With this law, the structure of planning institution was given to local level from central level and local authorities had obtained power of planning. Planning system was decentralized and fragmented.

### **3.1.2. Planning and Neo-liberalism as a Hegemonic Project**

Keskinok (1997, 82) defines planning as a way of decision making that transforms social and political problems into technical problems. Planning rationalizes the conflicts within the economic structure. But this process itself creates some conflicting consequences. Planning is a process establishing a structure between short and long term needs.

Keskinok (1997, 83) criticizes the instrumentalist approach in its assumptions that there is a priori neutrality of planning process. He also discusses that instrumental approach is class deterministic and this approach gives the state an excellent rationality. Such an approach ignores impacts of planning decisions. On the other hand, instrumentalists emphasize structural position of the state against other classes of the society. Due to the “structural necessity”, state has some sort of autonomy against dominant classes. Therefore, capitalism needs the state planning to survive. In the last instance the effects of the state action are omitted from framework.

That is, although state planning is a device used for the long term reproduction of the capitalist mode of production. It carries its own contradictions. Because ‘to deal with the obstacles blocking the extended reproduction of the system, planning must be co-extensive with the system’ and however ‘such a scope for planning would so limit capitalist hegemony as to transform it (Fainstein and Fainstein cited in Keskinok, 84).

However, in here, critical question that should be asked is that in what level planning is included within the system or in what level planning can be able to transform the system? This question can only be answered when its relation with legal system could be defined. Planning by itself is not a process; it is a process that can only be realized conjunction with the legal system. Decision makers can re-structure planning within the existing economic system in line with its power of law-making and the controlling legal system. In systems where the main structure monitoring law-maker is controlled by political power instead of the state, it is impossible that planning shapes the system. So as to discuss whether planning has a power of transforming the system, it should be specified whether or not planning is an intervention of the state instead of political power. Instrumentalist and structuralist reductionism can be criticized when considering the planning arisen from the state power. In this sense, planning is a political process. In neoliberal period, planning cannot appear as an activity of the state. Planning took its legitimacy from political processes not from the state itself.

Today, in Turkey, urban renewal process is seen on the basis of laws. Considering that these laws are prepared by elected people, it can be claimed that citizens reacts against urban renewal when the government revises laws in an undesired way. However, what we should consider is how decision makers consider the neoliberal way of looking. Normally, when governments regulate laws which are not supported by society, governments meet with difficulties in being elected again. In neoliberal era, though rent is not shared for public interest and by low-income classes, poor people are supported with cash and in-kind supports, as quasi-social welfare, during election periods. This distribution mode should be considered as the distribution mode of neoliberal era.

In addition, neoliberalism, as a hegemonic project, is concentrated on the consent of people and force used by political power. The ones having political powers use planning as a means for the survival of their own powers. The planning that gains its legitimacy from politics rather than the state power is the most significant means of political power

in this respect. The political power that achieves consent mechanisms from the planning provides the continuity of force mechanisms through law. Thus, the spatial organization which political power needs is achieved. This spatial organization is a way of constructing a new power. As a result the newly constructed power led to the emergence of political power instead of the power of the state. Therefore, neoliberalism can be evaluated as a hegemonic project and the urban renewal projects can be seen as the way of spatial organization of this hegemony.

### **3.2. Turkey Urbanization Seizing to Rent and Property**

Neoliberalism has manifested itself in the beginnings of 1980s in Turkey. The prominent features of this period can be stated as such: deregulatory roles of the state in production and built environment, rising of privatizations, losing of labor acquisitions and removing the obstacles of capital entrance to national borders. In this period, economic precautions were taken and adjustments were made in Turkey. However, neoliberalism has recently been the real form of capitalist growth in Turkey. In our study, as we indicated above, neoliberalism is a hegemonic and an ideological project constituted economically, socially and politically. Neoliberal ideology idealizes a market purged from state interferences. However, the fascination of neoliberal ideology is the effect of illusion conceived between the state and the market.

In the capitalist mode of production, cities are the critical geographies for neoliberalism. Peck and Tickell (2002, 383) inquired a process- based analysis of neoliberalization. They state that “like globalization, neoliberalism should be understood as a process, not end-state. By the same token, it is also contradictory, it tends to provoke counter-tendencies, and it exists in historically and geographically contingent forms.” For them, neoliberalization experiences internal shifts with regard to its institutional form, political rationality, and its economic and social consequences.

On the basis of Peck and Tickell, the author of study asserts that the experience of neoliberalization reveals same shifts regarding the state interferences in Turkey. In the period between 1980 and 1993, the state was the regulatory instrument for the functioning of market and the capital. But especially post 2003 period, the state has been an authoritarian one in social and economic life and state more directly interfered to



production of urban space in the period of early 1990 (Weber, 2002) which is similar to post 2003 period of urbanization experienced in Turkey.

In this part we will discuss periodic shift of neoliberalism with regard to its effect in urban space of Turkey. As Moody emphasized “there is rather blatant disjuncture between the ideology of neoliberalism and its everyday political operations and societal effects” (Cited in Brenner and Theodore, 2002, 352). We accept that though neoliberalism has the same ideological facet in various geographies, it has different social practices and effects in different geographies. Its practices differ from social, political and economic background of given geographies. We introduce; neoliberalism should be called **late neoliberalism in effects** in urban context of Turkey. In other words, 1970’s neoliberalism which is named “proto-neoliberalism”, (Peck and Tickell, 2002) penetrated in Turkey in early 1980s by means of the military intervention to democracy. In a similar way, 1990s’ “roll-out neoliberalism” penetrated in Turkey in early 2000’s due to the reshaping of the state power in 1990s.

The main reason of the tardy penetration of neoliberalism in terms of its effects in the urban context is the authoritarian attitude of political power rather than authoritarian attitude of the state. It should be considered that authoritarianism is not the reinforcement of state’s centrist structure. On the contrary, the centrist structure of the state has been weakened increasingly, and the nation-state has been eroded. The reason of the tardy penetration of neoliberalism to Turkey in terms of its effects is the centrist structure of the state in 1960’s and the resistance of the rising leftist movements against the neoliberal transformation until the ends of 1970s.

In this part we will explore the urbanization of Turkey by means of **late neoliberalism in effects** concept by using its tardy and harsh character seizing to rent and property. Due to the tardiness of neoliberalism, once it penetrates to urban space it has become harsh and aggressive. It was late in 1980s’ penetration; however, it was not harsh as much as post 2003 penetration. Crucially, in first instance, neoliberalism transforms the urban space by seizing some part of rent and grassroots’ properties. In post 2003, especially government’s reregulation in favor of the capitalist class and the state institutions with the effects of tardiness, neoliberalism has been tyrannical and noncompliant. Unlike initial period of neoliberalism, the fact that rent and property are seized by the capitalists and the

landowner classes and the role of certain state institutions are our main arguments in this part of the study. These arguments are the indicators of the neoliberalism seizing to rent and property

### **3.2.1. Cities: Urbanization in Neoliberal Era**

Cities are the spatial moments of neoliberalism for the capitalist growth. Inter-locality competition and place marketing rules the spatiality of cities today. Brenner and Theodore (2002, 368 ) introduced the “actually existing neoliberalism” by emphasizing the inherited frameworks of local, regional or national context by indicating;

We would argue that patterns of neoliberal localization in any national or local context can be understood adequately only through an exploration of their complex, contested interactions with inherited national and local regulatory landscapes.

Capitalist uneven development is created through removing time and space obstacles of the capital. Penetration way and level of capital differentiates in different geographies. For this reason, these differences in the practices of neoliberalism are related to its impacts on the nation-state. Whereupon, in 1970s, in the nation-states where there are powerful statist structures, practices of neoliberalism in urban areas would be more difficult than others. In some geographies, such as in Turkey, due to military and political enforcements, resistance of nation-state was broken and penetration of neoliberalism would be easier. Therefore, in special geographies like Turkey, neoliberalism shifts periodically.

Role of urban planning is also differentiated in the urbanization in neoliberal era. There is some sort of a similarity between eroding the planning institution and the nation-state. Through eliminating the nation-state barriers for capital, planning rules of this state should also be eliminated. Keskinok (2006, 163) states;

In terms of urban and regional planning of nation-state, this competition between cities is stimulated by “localization”; ‘flexible zoning’, environmental protection and improvements bending against the rules of ‘strict zoning’.

Urban renewal projects, as projects for marketing cities, are unprincipled urban projects in terms of attracting the local and international capitals. New Mamak Urban Renewal Project, considered as the world's biggest urban renewal project, is the product of urban competitiveness process

Through eliminating the nation-state barrier, the conflicts between the capital and the working classes have become apparent in urban space. After 2003, in urban renewal projects, resistance points of society are the lost points of the nation-state. After 1980, the fact that there would be no resistance of society during preparation and implementation processes of improvement plans is an indicator of that planning is still being used as a mean of the nation-state in the first periods of transformation in neoliberal era. So, when did neoliberalism emerge in cities or when did the nation-state start to be eliminated? In Turkey, neoliberal transformation in public administration started to be seen at the beginning of 2000s. Legal regulations in local administration brought into force for eliminating the nation-state together with public administration reform. In this respect, establishment of "*Regional Development Agencies*" established as an exceptional type in public administration. The overlap in the periods of public administration reform and differentiation of production of built environment includes a historicity which predicts the period when the nation-state has been eliminated.

However, today, namely in Turkey of 2011, neoliberalism has took a different shape. 2008 crises might be considered as a beginning of the restructuring period of the capital. During the period between 2008 and 2009, there would be a decrease in money flow in Turkey. This period would be the result of international capital flows. In this period, large capital flow from any geography to another has posed some problems. Therefore, nowadays, period of capital crises has shortened. Crises started to emerge in shorter periods of time. The movement of the capital from the first cycle to the second has occurred in shorter periods and easier than the previous ones. Liquidity problem could be solved more easily. However, the fact that these problems could be solved in shorter periods cannot be considered as a success of the capitalism. 2008 global finance crisis seems being the first crisis carrying this feature. Boratav indicates the liquidity of finance capital in short period in Turkey; while 72 billion dollar foreign capital flowed into

Turkey between 2007 and 2008, 9 billion dollar between 2008 and 2009 and 37 billion dollar between 2009 and 2010 entered (Boratav<sup>3</sup>)

In the cities of this period, it is possible to evaluate that international institutions will have a regulatory and supervisor role instead of the market due to this high flow of capital between regions. After 2008, together with the crisis, neoliberalism has taken a different form. It is obvious that regulatory actors of this period are the international finance institutions such as IMF and World Bank.

### **3.2.2. New Discourse of Neo-Liberalism**

The advertisement of the New Mamak Urban Renewal Project is made by the slogan of “The Biggest Urban Renewal Project in the World”. It is emphasized that there will be created “modern”, “developed” and “peaceful” urban space. It is said that “modern housing” will be constructed by destroying 15.000 squatter houses.

Melih Gökçek, the mayor of Ankara Metropolitan Municipality, states that;

“We construct modern and healthy buildings with 2 lift having 8 person capacities in each bloc, central heating system, double bathroom in all house, parquet paved floor, diaphone system... They specify that the unplanned and unplanned structuring on the surroundings of the capital city is disappearing with the applied urban renewal projects and they remind that although there is improvement plan in the region of Mamak one of the oldest settlement in capital city, these plans cannot be completed in accordance with the concept of urbanism of the region because of the squatter houses in the pavement and infrastructure. They declared that, in accordance with the concept of urbanism of the 21<sup>st</sup> century, Mamak district will be renewed as developed and peaceful settlement that has planned structuring, strong pavement and infrastructure, 60 % of whose are converted into the green and recreational area, and that provide employment in the region with new working areas”<sup>4</sup>.

Does this affirmative emphasis really reveal the real image of New Mamak Urban Renewal Project? It can be answered only by examining the new discourses of neoliberalism. When neoliberal discourse is accepted as “right” itself on the level of perception, it uses the way of affirmation and euphemism. This euphemism is considered as the way of converting the negative characteristics of phenomenon to the positive.

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<sup>3</sup> [www.sol.org.tr](http://www.sol.org.tr) accessed 26.12.2010

<sup>4</sup> [www.haber3.com](http://www.haber3.com) at 27th January, 2011; accessed at 31st January, 2011

However, it uses the method of showing the most negative characteristics of phenomenon as the most positively unlike distortion method in the sense it is known. Social problems experienced in the New Mamak Urban Renewal Area have been felt mostly by people living in this area. The other parts of the society or social groups who have not been subjected to the urban renewal, perceives it only within the neoliberal discourse. It is perceived that squatter houses are as crummy, old, poor, in other words negatively, and multi-storied apartment houses are as new, appropriate to live, and modern.

Neoliberal discourse devises itself economically, socially and politically and penetrates to these fields in different formations. It penetrates to the expression of welfare, richness and abundance in economy, equality and justice in social field, democracy and liberty in political field. In other words, this is an expression using the liberty when it establishes an authoritarian structure; highlighting the welfare when it causes poverty, and complimenting the justice when it increases injustice. Each doctrine, when establishing itself, constructs a discourse at the same time. Moreover, when neo-liberalism constructs itself, it reveals itself with a new discourse. This discourse is called as euphemism. For instance, in the urban renewal areas, when it is caused people being poorer, it is specified that the working opportunities will increase. When people living there are exposed to the displacement, it is said that it will be given the shelter to everyone. When it constructs unqualified houses, it is specified that modern house will be constructed. However, this expression is a form of euphemism more than the distortion.

### **3.2.3. Seizing to Property and Rent in Origin**

The basic differences between the urban renewal and the previous forms of transformations are their approaches to property and to rent. In this study the absolute rent refers to the rent created by private property whereas the differential rent refers to the rent created by the form of the capital processing in the urban land. Absolute rent in the previous renewal projects in Turkey has been floating in the market, due to the intervention to the property ownership structure. The market mechanism has affected the distribution of the absolute rent. On the other hand, transformation of land was left to the developers in the differential rent. These developers have been unorganized capitalists.

Absolute rent, in today's urban renewal model, is not floated, but it is transferred to the actors that are determined by seizing the property with direct control and legal mechanisms. On the contrary, differential rent, in today's urban renewal model, is the most effective rent form because capital volume identifies how the rent creation differs by developing the urban land. If an urban area is not determined as a renewal area, unorganized developers construct the area. Therefore, high level of rent cannot be created.

### **3.3. Legal Regulations between 1980 and 2002**

Significant legal regulations of this period are mostly related with unauthorized building problem. Within the scope of economic decisions taken in January 24<sup>th</sup> of 1980, new regulations came into power. On the basis of these economic decisions, the basic idea was to remove the obstacles for rent creation and provide movement of capital from production to finance economics. In this chapter, squatter amnesty laws and mass housing administration will be discussed.

#### **3.3.1. Squatter Amnesty Laws and Improvement Plans**

After military invention unauthorized buildings constructed before June 2<sup>th</sup> of 1981 were released via National Security Notice numbered 181. With the Law<sup>5</sup> 2805 enacted in 1983, squatter houses constructed before January 1<sup>th</sup> of 1983 were released, too.

This law was followed by the Law 2891<sup>6</sup> prepared before the first local elections enacted in 1984. Together with this amnesty law, all unlicensed constructions were registered and legalized. However, together with the following Law 3290<sup>7</sup> enacted in 1986, all unlicensed constructions were released. Buildings were categorized into two; conserved and demolished, and the buildings would be conserved were also grouped in two; buildings would be conserved and conserved with regeneration. Through this law, "certified private technical offices" were established to be authorized for determination and evaluation of squatter houses.

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<sup>5</sup> Official gazette dated 21.3.1983

<sup>6</sup> Law numbered 2981, Official gazette dated 8.3.1984

<sup>7</sup> Law numbered 3290, Official gazette dated 7.6.1986

Squatter houses which were constructed on landed property of other persons were registered through making agreements between owners of land and squatter house. In case they could not agree, land was expropriated and sold to owner of squatter house by municipalities.

Residential usage license given by 11<sup>th</sup> Article to owners of buildings should be conserved. The ones which should be conserved with regeneration will get residential license under certain conditions. Another reform of this law is the creation of term of title deed allocation. This law provided that people who can get title deed allocation should not have any land appropriate for construction within the borders of the municipality. Difference of this law from other amnesty law is that it includes all buildings. The Law 2981 included both squatter houses and un-registered buildings in development plans.

With the law 3290 enacted in 1986, title deed allocation were given for unregistered buildings. Additionally, non-residential buildings were included in this law. At the same time, with the 12<sup>th</sup> Article of this law, it was simplified that areas under squatting risk could be zoned for construction without considering the social and technical infrastructure standards stated in the development Law 3194.

The Law 3366<sup>8</sup> enacted in 1987 promoted the implementation of Law 3290. Through this law, in areas where improvement plans or cadastral plans are prepared, regulations were realized so as to make titles given to squatter owners directly. Through the Law 3414<sup>9</sup> enacted in 1988, the statement in 34<sup>th</sup> Article of Squatter Law 775 about restraining selling of the assigning land of squatter houses was changed. The restriction year was decreased from 20 years to 10 years. Herewith, squatter houses were included in the market mechanism by means of being sold or purchased like registered landed property in housing sector.

These laws should be argued in terms of urban rents and urban land stock. As a result of populist approaches of politicians, squatter houses became a tool for creating land stock and rent with amnesty laws. Starting from the Law 2805, scope of these amnesty laws

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<sup>8</sup> Law numbered 3366, Official gazette dated 26.5.1987

<sup>9</sup> Law numbered 3414, Official gazette dated 11.3.1988

was extended. Squatters became an exchange value through permission of being sold and purchased. During the implementation process of amnesty laws, squatter houses were the mean of creating rent; however, today; it was transformed into a form of seizing the rent instead of creating it. From the end of 1980 to now, there is no disconnection or discontinuity. Laws continued each other, modified according to economic conditions of that day and created urban transformation approach of today's. In this day, the fact that existing amnesty laws does not include the squatter houses of poor or migrated people shows that there is a significant change in creating urban rent and seizing it through prepared urban renewal laws. Rents are seized by political interest groups and capital power holders instead of people living in these squatter areas. As well, way of seizing rent is not realized indirectly as stated in the laws; it is realized through seizing and transferring property that is the origin of the rent.

### **3.3.2. Establishing of Mass Housing Administration**

After 1980, other important legal regulations were the laws for mass housing production. The first law oriented to mass housing production was the Mass Housing Law 2478 enacted in 1981. Through this law, it is aimed to create a fund supporting the mass housing production for government. With this aim, "Public Housing Fund" was created within Turkey Land Bank. With this law, "Mass Housing High Commission" and "Provincial Mass Housing Commissions" were established. Main responsibility of this high commission constituted by one state minister and 12 ministers was to determine mass housing areas and credits would be given.

With the Law 2985 enacted in, Mass Housing Law 2478 was abolished. With the Law 2985, in addition to General Administrative Board, Mass Housing and Public Administration Directorate were established. With this law, "Public Housing Fund" was changed into "Mass Housing Fund" and all saving of the fund was transferred into new fund. According to this law, maximum 25% of shares taken from squatter houses constructed on treasury lands were transferred into this fund. Previous fund was taken from Land Bank (Emlak Bankası) and new fund was created within Central Bank.

In 1990, this institution was divided into two with Delegated Legislations: Mass Housing Administration and Public Partnership Administration. In 1993, Mass Housing Fund was transferred into general budget. With the Law 4684 enacted in 2001, Mass Housing Fund



was revoked. All assets of Land Bank were also transferred to Mass Housing Administration.

With the mass housing regulation enacted in 1997, provisions about usage of mass housing fund and credits for mass housing construction were clarified.

It is understood from legal arrangements enacted before 2002 that Mass Housing Administration was mostly focused on housing finance and credit distribution. Comprehensive changes were realized in laws stating duties and authorities of Mass Housing Administration after 2002 and it took new shape. Legal regulations enacted after 2002 will be discussed under the heading “Legal regulations post 2002”.

### **3.4. Legal Regulations post 2002**

Turkey met urban renewal projects during the period after 2003. After the economic crises of the year 2001, new economic policies such as strict monetary policies and floating exchange rate system were defined. After this period, hot cash inflow would be created into the market. After this crisis, government resigned and Justice and Development Party (JDP) came into power. New legal regulations were enacted after entrance of international capital and IMF to Turkey and the way for using capital in built environment would be precipitated. Following this period, new laws were enacted for changing structures of local administrations. Therefore, mass housing administration and urban renewal implementations were supported.

#### **3.4.1. Introducing the Legislation of Urban Renewal**

The first attempt for urban renewal was “Urban Renewal Law Draft” prepared by Ministry of Public Works and Settlement in 2004. According to this draft, in line with sustainable urban development principle, main aim was to create new settlements and cheap land so as to clearing off, improving and regeneration the urban space. In the report of Chamber of City Planners<sup>10</sup>, it was defined that there was no need for making a new law for urban renewal. It should be considered as a policy. In the same report, it was discussed that clearing off, improving and regeneration terms may bring into disorder in planning hierarchy. Renewal, through sub-scale plans would create partial approach to

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<sup>10</sup> [www.spo.org.tr](http://www.spo.org.tr) accessed 17.01.2011

this process. The fact that this law draft seems like an indefinite amnesty is another discussion of this report.

In this sense, the first legal regulation was “North Entrance of Ankara Urban Renewal Project Law 5104” enacted in 2004. What made this law different was its being location based transformation law. With regard to this law, planning and approving authority was given to Ankara Metropolitan Municipality; however, approval of the plan scaled 1/5000 was given to Ministry of Public Works and Settlement. However, following this, with the 1<sup>st</sup> Article of Law 5481 enacted in 2006, authorization of preparing urban plans in all scales was given to Ankara Metropolitan Municipality. Intended for enforcing this law, in 2006 a by-law<sup>11</sup> was enacted for realization of this law by prime ministry and all unregistered buildings constructed before January 1<sup>st</sup> were included by this regulation. Thus, stakeholders could only get one house for each 400 meter square of lands. Although this regulation included local-specific amnesty, it would also create a way for seizing property within the renewal area because Laws 2981, 3290 and 3366 were not taken into consideration and all rights of squatter owners were extorted. According to this law, renewal became a project without regarding planning process. Therefore, this regulation and Law 5105 prepared by Ministry of Public Works and Settlement would be nothing but a physical rehabilitation of squatter areas.

So as to conserve worn-out urban patterns with rehabilitation, Law 5366<sup>12</sup> enacted in 2005 was prepared: “Law on Conservation by Renewing and Utilization by Rehabilitation of Decayed Historical and Cultural Heritage”. What actually aimed by this law was conservation of worn-out urban patterns through restoration. In second article of this law, selection of such areas was defined but scientific criteria of this selection were not specified. In addition, in this law rehabilitation process was not defined as a planning process but as a project-based process. Considering this law, selection authority of such areas would be given to municipal councils and approval power to council of ministers. Furthermore, it was also defined that Mass Housing Administration will be authorized for construction. Project concept was defined instead of planning. This law was an indicator

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<sup>11</sup> Gazete Official Gazette dated 14.04.2006

<sup>12</sup> [www.tbmm.gov.tr](http://www.tbmm.gov.tr) accessed 17.01.2011

of the approach that the basic aim is not to restore and conserve urban patterns but to consider historical urban areas as urban renewal areas.

It is seen that through the law enacted in 2006 and named “Law for Renewal Areas”, actual aim is to include all planned and unplanned urban and rural areas. With the 3<sup>rd</sup> Article of draft law<sup>13</sup> about urban renewal areas prepared in 2009, “development plan for renewal” concept was defined. With this definition, a new plan type not taking part in planning hierarchy was specified in the way how it will be integrated with other plans. “Development plan for renewal” term was tried to be defined with the regulation called “Law Draft for Renewal Areas” in 2010.

#### **3.4.2. Article 73<sup>rd</sup> of Municipality Law**

In addition to laws specific for renewal, urban renewal was also encouraged and supported by other changes with institutional legislation. In 73<sup>rd</sup> Article of Municipal Law, changes regarding urban renewal were discussed in 2009 and enacted in 2010. This change refers to integration of urban renewal draft law into municipal law. With 73<sup>rd</sup> Article, authorization of determination of the urban renewal areas was given to metropolitan municipalities. Through this article, urban areas without considering its registration condition would be regarded as urban renewal areas by municipal councils. Through this authorization given to municipal councils, the Law 3194 was repealed; due to the fact that municipal councils would be authorized for transforming all urban areas without considering any master plan. Besides, with these changes, it was also understood that municipal councils would be authorized to prepare or revise plans for urban renewal areas; however, there was no specification for approval of these plans. These changes imposed restrictions on property rights of people. It is obvious that through this process, all rights given by the Laws 2981, 3290 and 3366 were revoked and property right that is a constitutional right was restricted by municipalities without any public interest. With regard to amnesty laws, all possessions on properties of those who have development rights were completely conjured away. It was also clarified that all construction rights in urban renewal project areas were given to municipalities. Except of education and health institutions, all public real estate was transferred to municipalities. According to 73<sup>rd</sup> Article, all legal powers of areas in project area were taken. Such areas can be selected as

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<sup>13</sup> [www.basbakanlik.gov.tr](http://www.basbakanlik.gov.tr) accessed 17.01.2011

an urban renewal area regarding reasons such as earthquake risk or restoration of urban pattern.

### **3.4.3. Legislative Acts on Mass Housing Administration**

Mass Housing Administration (TOKİ), as an institutional actor of urban renewal, has also had some changes after 2002. With regard to latest regulations, Mass Housing Administration would be the main and major actor of urban renewal.

Changes about Mass Housing Administration after 2002 should be discussed chronologically. Basically, Mass Housing Administration focused on dwelling production before 2002.

Authorization of the administration was extended and Mass Housing Administration got the powers of preparing and approving the plans.

With laws enacted in 2002<sup>14</sup> and 2003<sup>15</sup>, Mass Housing Administration had the opportunity of crediting for cooperatives and establishing mass housing for earthquake in Afyon, Seferihisar and Pülümür. In 2003, “Public Procurement Law 4964”<sup>16</sup> was changed. According to 39<sup>th</sup> Article of the Law 4964, the fact of Mass Housing Administration could put out to tender without considering property, planning, expropriation, land procurement and implementation was ensured. Within the same year, through the 4<sup>th</sup> Article of the Law 4966, Mass Housing Administration had the rights of establishing a company for housing and taking in partnership. Ways for developing profit-oriented and foreign projects were precipitated. All treasury lands disposed to Mass Housing Administration costless. This law would be legal basis of making Mass Housing Administration the major actor of housing sector. In reference to this law, major actor of urban renewal would become Mass Housing Administration with its power on treasury lands. This law is a milestone for re-structuring Mass Housing Administration.

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<sup>14</sup> Law 4767 - Official Gazette dated 03.07.2002

<sup>15</sup> Law 4864 – Official Gazette dated 06.06.2003

<sup>16</sup> Official Gazette dated 06.06.2003

With the Law 5162<sup>17</sup> enacted in 2004, Mass Housing Administration was authorized for preparing plan and revising plans for renewal areas. These plans should be approved by municipality and governorship, but in case they are not approved within 3 months plans could be gone in effect. Republican People's Party (RPP) appealed to action for nullity of this article, but constitutional court did not nullify. With the same article, Mass Housing Administration was authorized for expropriation and got the right for going in partnership with finance institutions. This law, therefore, would be a very crucial change in terms of planning authorization and distribution.

The Law 5273 enacted in 2004 would be very important for strengthening Mass Housing Administration. "General Directorate of Building Land Office" was closed down and its authorization was transferred to Mass Housing Administration. MHA would become the unique authorized institution for dwelling and land productions. All treasury lands within the project development area were assigned to Mass Housing Administration.

All powers of "Ministry of Public Works and Settlement" stated in the Squatter Law 775 were assigned to Mass Housing Administration within the Law 5609<sup>18</sup>. Mass Housing Administration additionally would become authorized for determining borders of plan for squatter areas. With this law, power of preparing improvement plans was given to municipalities under the control of Mass Housing Administration. Furthermore, it was also defined that municipalities should get permission for sale of lands from Mass Housing Administration. Planning and implementation power in the squatter areas, outside of municipal borders, were given to Mass Housing Administration and also it was stated that treasury lands in this area would be transferred costless.

With the Law 5793<sup>19</sup> enacted in 2008, planning authorization of Mass Housing Administration was extended. Authorization regarding planning and revising plans was also given to Mass Housing Administration. Having said that, plans that were not approved by municipalities and governorship within 3 months would come into force and they would be non-contestable. With this law, Mass Housing Administration got

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<sup>17</sup> Official Gazette dated 12.05.2004

<sup>18</sup> Official Gazette

<sup>19</sup> Official Gazette dated 06.08.2008

authorization of all construction projects of ministries. Moreover, it was ensured that debts of public institutions to Mass Housing Administration might be discharged through transferring treasury lands to Mass Housing Administration.

With regard to law prepared in 2009, it was ensured that Mass Housing Administration and its partner company would never be responsible for obligations rising from assets or agreements of Turkey Land Bank. According to Law 6009 enacted in 2010, in case landed property were within urban renewal and development areas, Mass Housing Administration would be given priority for handing over it.

### **3.5. Assessment of Legal Regulations: The Changing Essence of Legal Regulations**

It is understood from legal changes that there are great differences in understanding and approach behind legal arrangements enacted before and after 2002. Although amnesty laws were prepared by populist policies in terms of rent distribution, it can be claimed that period before 2002 is more equitable in terms of social justice.

When structures of municipalities and Mass Housing Administration are discussed, after 2002, it is seen that there is a common approach of excluding large number of local poor population living in squatter areas in distribution of services and rent.

The article 73 of Municipal Law, in this sense, is the major indicator of violating the rights of local people. Regarding the fact that the article of a law creates such an extensive negative social impact, it is seen that social indicators were not considered in legal regulations enacted after 2002. In one sense, this is a legal arrangement that makes local people living in squatter areas displaced, creates rent and leaves public and society out of rent distribution. When it is considered that the laws are enacted for arranging social life and supporting the power of state, and at the same time providing social justice, it can be easily understood from the Article 73 of Municipal Law how neoliberalism establishing its hegemonic project. Şengül<sup>20</sup> calls this law as “urban authoritativeness law” and analyzed this law as such:

On the other hand, we should indicate that methods pushing the legal limits for preparation and implementation of large-scaled projects are not unique to Turkey.

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<sup>20</sup> [www.birgun.net](http://www.birgun.net) accessed 20.01.2011

Sandercock, the crackerjack, emphasizes ‘for fast track mega projects, governments are shorting existing planning processes and creates “special exceptions” for getting these projects away from public auditing and democratic politics.

In this section of the study, changes emerged in the structures of Mass Housing Administration and municipalities after 2002 are going to be discussed. With legal regulations, structures of Mass Housing Administration and municipalities have been changed. These changes are going to be discussed on the basis of differentiated built environment production activities of Mass Housing Administration and urban renewal projects of municipalities.

There have been many changes in “Mass Housing Law” after 2002. Mass Housing Administration left its activities of raising housing credits for cooperatives and housing contractors and it started to produce them directly. Mass Housing Administration gave up the housing production for low-income families. Especially, within the period after 2003, it focused on fund raising projects of profit-oriented luxury housing. After 2007, it was seen that Mass Housing Administration have become an institution losing money, using credit and getting into debt day by day. On the other hand, municipalities were re-structured with the new law enacted in 2004. With this new law, municipalities were considered as if private companies. Especially metropolitan municipalities have become main actors in planning and implementation of urban renewal projects. In this section, we will also discuss urban renewal activities of Ankara Metropolitan Municipality that have powers and responsibilities on case study areas.

### **3.5.1 Municipalities**

Other institutions whose structures were re-shaped through legal arrangements are municipalities. “Metropolitan Municipality Law Numbered 5216” was enacted in 2004 and “Municipal Law Numbered 5393” was enacted in 2005. These laws- in conjunction with “New Public Management” approach- were prepared with considering “localization” focus. According to 26<sup>th</sup> Article of 5216 and 70<sup>th</sup> Article of 5393, municipalities have gained some rights on establishing commercial companies. With these articles, municipalities have gained power of implementing urban renewal activities. In the implementations of urban renewal projects, governance of municipalities has been opened to private companies. In urban renewal areas, properties were handed over by public

power but have not been used for public interest. Transferring property from municipalities to companies established by municipalities resulted in unlawful property transfer. This was also against property rights stated in constitution and principles of civil law.

Furthermore, with the 69<sup>th</sup> Article of the Law Numbered 5393, it was stated that municipalities can establish enterprises for land and housing productions. Through this, municipalities had effects on urban rent creation and property relations.

With the change realized in 2010 in 73<sup>rd</sup> Article of Municipal Law Numbered 5393, hegemony of municipalities is empowered in urban renewal processes and planning institution is bypassed. This article seems to be a law within a law.

Thus, in order to understand this institutional change in municipalities, urban renewal projects of Ankara Metropolitan Municipality should be analyzed.

36.778 squatter houses were taken into consideration for urban renewal in the projects developed by Ankara Metropolitan Municipality between 2005 and 2007. Totally, in 30.000 hectares of land, 45 urban transformation projects have been declared.<sup>21</sup> Some of these projects were not included the buildings on the land. Ankara Metropolitan Municipality has declared 18 different fund raising and luxury housing project. Within this scope, totally in an area of 2 billion meter squares, construction of 14.000 luxury houses is still in implementation process.<sup>22</sup>

**Table 3.1Ankara Metropolitan Municipality squatting urban renewal projects (realized between 2005 and 2007**

Project	Area (ha)	# of squatter houses
Northern Ankara	11	6760
<b>New Mamak<sup>23</sup></b>	<b>940</b>	<b>14.000</b>
50. yıl	106	1400

<sup>21</sup> Some sources asserted that 55 urban renewal projects have been promulgated by the end of the 2009

<sup>22</sup> [www.ankara.bel.tr](http://www.ankara.bel.tr) accessed 28.01.2011

<sup>23</sup> Case study



İmrahor	3560	500
Mühye Güneypark	177	1200
Atıfbey Hıdırlıktepe	116	3680
Yakupabdal-Karataş	3600	2000
Şirindere	13,7	150
İsmetpaşa	13	338
Kuzey Ankara Girişi	1066	2950
Ulus Historical City Center.	210	3800
<b>Total</b>	<b>9812,7 ha</b>	<b>36778</b>

**Table 3.1.(continued)**

*Source: Ankara Metropolitan Municipality*

It is expected that Ankara Metropolitan Municipality and Mass Housing Administration will produce more than 150.000 units of houses and 60.000 of these houses will be constructed within New Mamak Urban Renewal Project area.

District municipalities also has right of developing urban renewal projects with the approval of metropolitan municipality. In Mamak district, where our case area is located, apart from New Mamak Urban Renewal Project Area, there are also other renewal projects in squatter areas. It is stated that 13 urban renewal projects will be implemented until the year 2023.<sup>24</sup>

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<sup>24</sup> [www.mamak.gov.tr](http://www.mamak.gov.tr) – municipality activity report

## **CHAPTER IV**

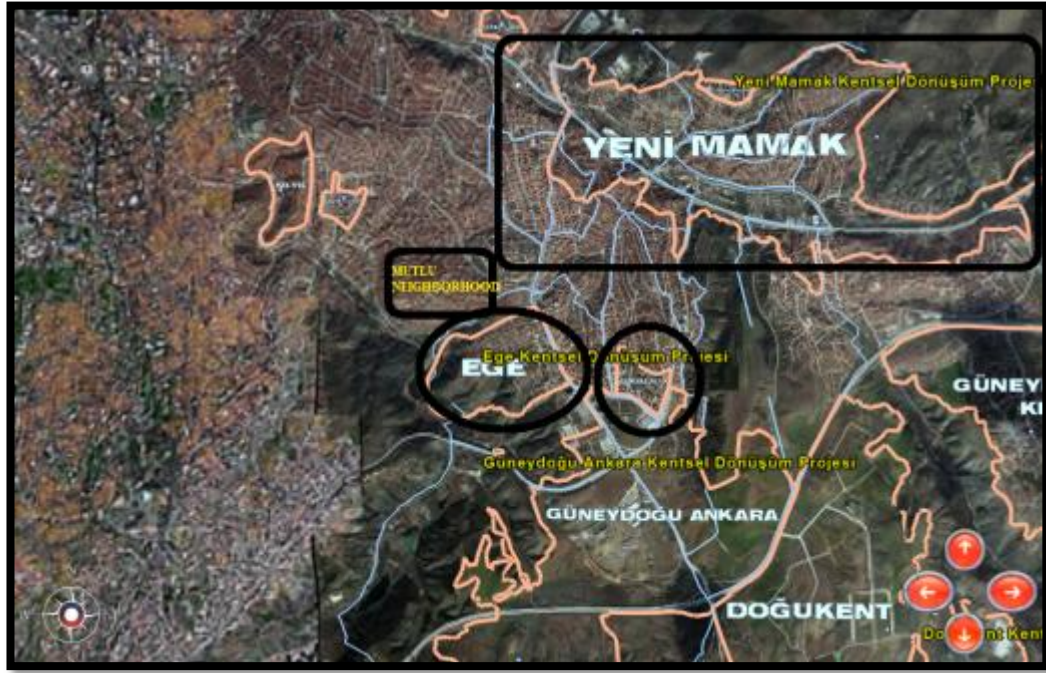
### **4. TWO DIFFERENT MOMENTS OF URBAN TRANSFORMATION IN ANKARA: MAMAK AND İLKER**

#### **4.1. Introduction**

In this chapter a major analysis will be presented. The major analysis will focus on the Mamak District and Dikmen İlker Neighborhood. Different urban renewal projects in Mamak will be analyzed. Another case is Dikmen İlker Neighborhood transformed through improvement plan. In this chapter, constitutively, property transfer and rent mechanisms of these areas transformed through two different models, which are improvement plans and urban renewal projects, will be discussed.

Process of transferring public or private lands is significant for the analysis. Therefore land transfers between public institutions, transfers to persons from public institutions will be analyzed under the light of interviews.

For this aim, different urban renewal projects and Mutlu Neighborhood transformed through improvement plan in Mamak will underlie the frame of case study. Each urban renewal project of Mamak is exposed different implementations. In order to clarify development rights of squatter owners in relation to renewal models, İlker Neighborhood will be analyzed as an example of transformation through improvement plans. A pattern for İlker Neighborhood will be developed by considering how many flats each owner could get for their lands. And regarding this pattern, their shares from rent will be compared with the shares of squatter owners in New Mamak Urban Renewal Project area. The difference among development rights of squatter owners in accordance with the transformation process of İlker Neighborhood improvement plan and New Mamak Urban Renewal Project will be calculated statistically.



**Figure 4.1. Urban Renewal Projects of Case Study**

Source: [www.mamak.gov.tr](http://www.mamak.gov.tr) City Surf Software

Results of depth interviews carried out in urban renewal areas with the owners of squatter houses, representatives of urban social movements against urban renewal, mukhtarships, political parties representatives and the results of questionnaire conducted by owners of squatter houses who deal an agreement with developers in improvement plan area will be discussed.

#### **4.2. Urban Transformation in Ankara**

Illegal housing and squatter areas are the basic characteristic of urbanization of Turkey. Especially, the process between the years 1950 and 1980 defined as “urbanization of labor” (Şengül, 2001). Unauthorized building has created the urbanization dynamics of metropolitan cities of Turkey. In the early 1980s, with neoliberal policies, legal regulations have granted an amnesty to squatter houses and unregistered buildings. In this sense, the period after 1980 can be considered as a breakpoint of urbanization of Turkey. Şengül (2001) defines this period as “urbanization of capital”. Although, it seems like that the basic aim of this process is to rehabilitate physical conditions of squatter areas, squatter areas were transformed as socially and economically. In this period, improvement plans started to be prepared for squatter areas. After 1990, these plans were implemented in some squatter areas. Although improvement plans were prepared for

certain squatter areas, they would not be transformed spatially. According to improvement plans prepared between the year 1987 and 1990, for especially squatter areas along the urban periphery, were not able to transform due to some reasons such as recessions in construction sector, topographical problems and low level of increase of rent. After 1990, urban renewal projects have started in Ankara. Although urban transformation models affects today's urban transformation process, they should be considered in different contexts. As AKP (Justice and Development Party) came to power, new legal regulations were enacted in 2002 and neoliberal transformation process has started in cities. This process has been going on, but its realization has changed after the global economic crisis in 2008.

#### **4.2.1. The Implementation of Improvement Plans in Ankara**

Improvement plans firstly appeared in the literature in 1980s after amnesty laws was enacted. Informally, legalization of squatter houses might be considered as an intervention of economic liberalism to cities spatially. Increase of rent is aimed for including squatter areas into urban land market and having investments of capital in squatter areas. The first amnesty law for squatter houses was enacted in 1983. With this law, squatter areas were legalized and construction of new squatter houses was forbidden. Through the Laws 1984 enacted in 1981 and Law 3290, squatter areas were categorized as ones to be conserved, improved and out of scope of law. Squatter houses constructed before 10.11.1985 were included by the Law 2981. Squatter houses were not demolished as politicians expect to get votes of people living there. Even, urban services such as electricity, water etc. were supplied for the squatters. "Improvement Plan" was firstly defined in the Law 2805. Though basic aim was considered as improvement of unhealthy squatter areas, aim was to create legal urban land and housing zones. However, it is difficult to assert these plans are actually development plans because there is no obligation to comply with the urban social and technical infrastructure standards in these plans. Additionally, improvement plans are designed as a legal mean for solving property problems for capital accumulation. So far as the Law 2981, title deed allocation were given to owners of squatter houses before preparing improvement plans. The reason was to cope with property problems in implementation process. Maximum 400 meter squares of land were assigned for each squatter owner. Based on these improvement plans, three and four-storied buildings were permitted. The aim was to make all squatter owners have

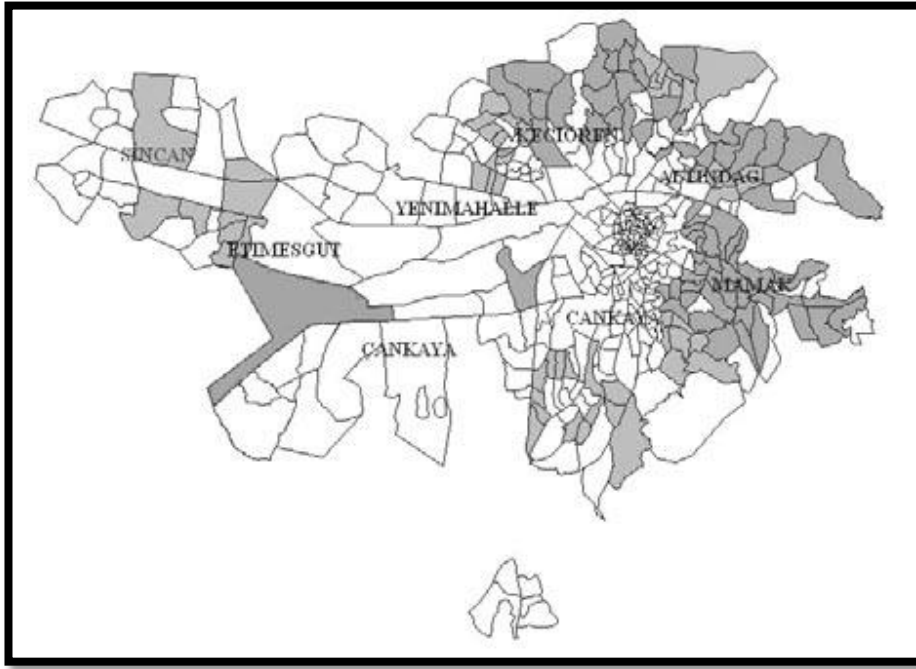
one dwelling in the plan area. In respect to this aim, these amnesty laws can be considered as specially-designed. Apart from the approach of classical decision maker, planning phenomenon started to be considered distinctly in terms of this law.

**Table 4.1. The Percentage of Gecekondu Population with Approved Improvement Plans in Total Urban Population**

Name of District	Total Urban Population		Existing Gecekondu Population with Improvement Plans		% Of Squatter Pop. in Total Urban Pop.	
	1985	1990	1985	1990	1985	1990
Altındağ	403.781	417.616	140.862	137.239	34.9	32.9
Çankaya	665.128	712.304	149.945	238.268	22.5	33.5
Etimesgut	-	69.960	-	57.896	-	82.8
Keçiören	433.559	523.891	148.234	155.065	34.2	29.6
Mamak	371.904	400.733	203.353	118.050	57.4	29.5
Yenimahalle	360.573	343.951	215.196	10.502	59.7	3.1
<b>Total</b>	2234945	2468455	859575	719163	38.4	29.1

Source: *Büyükşehir Sat, 1997; 2007*

Ankara Metropolitan Municipality and district municipalities prepared improvement plans for squatter areas through the Law 3030. Between the years 1987 and 1992, throughout Ankara, improvement and development plans of 74, 6% of all squatter areas were prepared and approved (Özdemir, 1998). By 1996 all improvement plans of all districts was prepared and approved.



**Figure 4.2. Improvement Plans in Ankara**

*Source: Büyükgöçmen Sat, 2007*

**Table 4.2: Improvement and Development Plans implemented on the basis of Districts of Ankara**

	Total Squatter Area (ha)	Imp. Plan Area (ha)	Rate (%)
<b>Altındağ</b>	3034	850	28
<b>Çankaya</b>	2171	1385	64
<b>Etimesgut</b>	368	368	100
<b>Keçiören</b>	1970	1785	91
<b>Mamak</b>	4147	4147	100
<b>Sincan</b>	9	9	100
<b>Yenimahalle</b>	957	957	100
<b>TOTAL</b>	<b>12.656</b>	<b>9686</b>	<b>76,5</b>

*Source: Metropolitan Municipality of Ankara, The report of Development Office, 2000(Cited in Özdemir 2003)*

Within a short period, the fact that most of these plans are realized is an indicator of rent expectations. At the same time, as municipalities care for votes of people living there, those plans were implemented precipitately. However, these plans were not prepared in accordance with master plans decisions. Those plans, which were prepared with politic

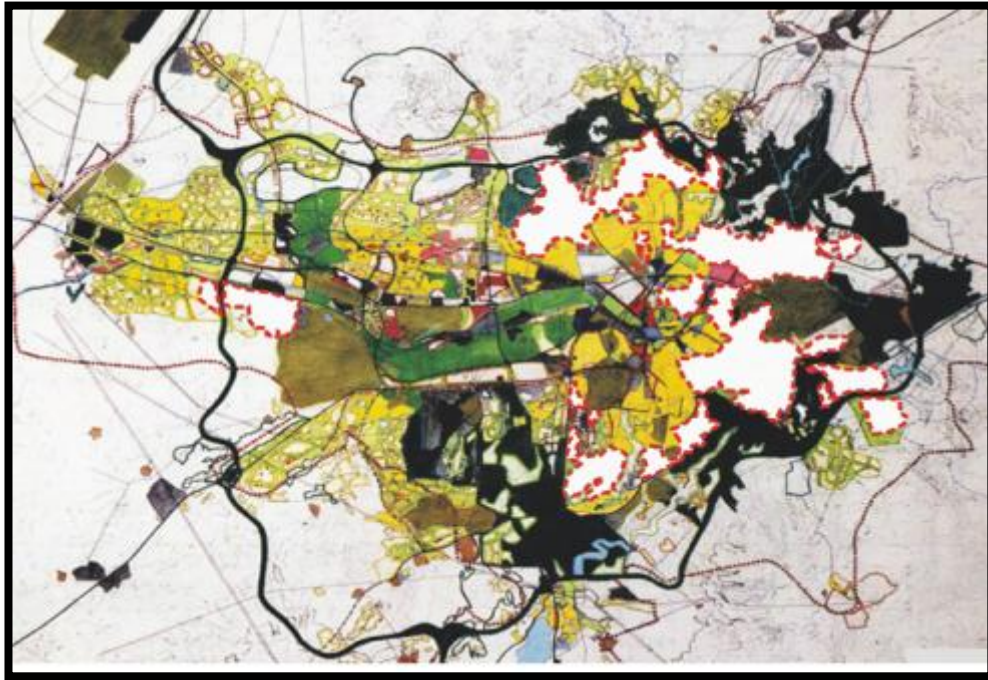
concern and without comprehensive planning approach, made master plan decisions impossible to be implemented in urban space (Özdemir, 2003).

Ankara municipalities planned 10.272 hectares of housing zone within the scope of improvement plans between 1985 and 1993. It was decided with this plans that in these squatter areas more than 2 million people would live. Without any justification, populist and speculative approach was observed (Altaban, 1998, 64).

With improvement plans most advantageous parts of Ankara were transformed by entrepreneurs. At the ends of 1980s, Dikmen and Portakal Çiçeği Projects, in this sense, can be considered as projects prepared within the scope of different models but finally realized by municipality with private sector partnership (Uzun, 2006). In these projects, government assumed the entrepreneur role similar with Thatcher model. After 1990, in the process of development of urban lands, all urban lands were planned for construction with pressures of organized entrepreneurs (Şenyapılı, 1998, 315).

From this point of view, Dikmen and Portakal Çiçeği Projects can be considered as a basis of today's urban renewal projects. In other words, even though today's urban renewal process and improvement planning process realized after 1980, these two processes can be considered as interactive and resulting each other. In Ankara, improvement plans had quantitative impacts at first, and then with renewal projects qualitative differentiation was assured.

Improvement plans and their implementations should be evaluated in terms of districts shortly. Implementations in Çankaya and Etimesgut where improvement plans were implemented can be considered "successful". Because transformation in these areas started after preparation of improvement plans. On the other hand, districts like Keçioren, Mamak, and Altındağ are considered as "unsuccessful".



**Figure 4.3. Areas of the improvement plans, produced after 1984, within the land-use of map of Ankara 1993**

*Source: Çalışkan 2004, 192*

As a result, with improvement plans;

Firms with big capital could overcome the property structure obstacles with their politic and financial powers and get construction affairs in most advantageous squatter areas of city center. Small entrepreneurs got construction of squatter areas less advantaged than city center. These entrepreneurs started to construct 4 or 5-storied buildings on the jointly owned parcels of squatter owners. “In disadvantaged squatter areas, owners of squatter houses constructed their small-scaled family houses with their own savings or waited for small-scaled entrepreneurs” (Şenyapılı, 1998, 313).

With improvement plans, property structure has been changed. Through this way, political power brings increase of the rent. Basic characteristic of these plans are to intervene to property structure and create increase of rent by production of dwelling and land.

Tekeli (1998, 23) stated that beyond the securing squatters, amnesty laws brings a way for constructing apartments on parcels of squatter owners and allow them to obtain share from the rent creation. However, transfers of public and treasury lands to private



property, in the long term, proved that the rent was shared by capitalists but not by squatter owners. Eventually, urban lands lost their public characteristics and become property of private. This process did not make owners of squatter houses get richer. Main reasons of squatter amnesties are to create financial resource for workers living in squatter areas so as to compensate decrease in real wages of working class and become a solution for expected crisis.

#### **4.2.2. Large Scale Urban Renewal Projects for Rent and Property Transfer in Cases**

Within the context of the case study, “New Mamak Urban Renewal Project” and “4<sup>th</sup> and 5<sup>th</sup> Part of Dikmen Urban Renewal Project” in İlker Neighborhood are the large-scaled urban renewal projects. These areas can be considered as special urban areas in terms of land transfers, creating rent through land transfers. Both of them are places where the state has over-intervention. Although it seems market shapes the process, rent mechanisms has political and ideological tendencies in these areas where the state has intervention.

The rent creation is the basic characteristic of the large scaled urban renewal projects. The motivations of these kinds of urban projects are to make urban land gain value and urban rent creation. Although these projects seem like market-led projects, they are actually state-led. Existing rent and future rent in these areas may sometimes bring risks that the market does not take. Swyngedouw et al. (2002) state that despite the rhetoric of market-led investments, state is the leading actor in the process. State gives guarantee of getting the future rent for market actors that could not get a share from the existing rent due to of exiguity of existing rent. In such projects, existing rent is always lower than the future rent.

In other words, who will appropriate the rent created in the area will be the market actors. As seen in New Mamak Urban Renewal Project, existing rents are not as high as expected by market yet. The reason why project is realized by municipality is because of exiguous of rent. Municipality attempting for the future rents acts as a guarantor in the market. Rent in New Mamak Urban Renewal Project is exiguous yet, but in 4<sup>th</sup> and 5<sup>th</sup> Part of Dikmen Project, it is difficult to claim that rent is exiguous. A settler from Dikmen states that; “*Land prices increased from 300TL to 1900 TL.*”

Large-scaled urban renewal projects mostly bring economic polarization together with. When real estate and land market starts to get interested in these large scaled projects, prices also starts to raise speculatively. For this reason, process displacement starts. People who are displaced as a result of these projects re-shape the labor market and cause an economic regeneration. Process in large-scaled urban renewal projects in Ankara was an indicator of this situation. When Northern Ankara Urban Renewal Project has started to be implemented, a high number of people over 1500 lost their place. In New Mamak Urban Renewal Project, 10.000 of nearly 23.000 households considered as occupants or they would not have enough size of land for obtaining a dwelling. Therefore, they were forced to move out of the project area. As a result of these projects households forced to move out re-structures labor market and at the same time creates an economic regeneration.

On the other hand, when it is considered that large-scaled urban renewal projects are real-estate based, the public rents is transferred to the private sector. As Swyngedouw et al conclude (2002, 572) “there is a flow of capital from the public to private sector via the built environment, often without mediation by means of socially targeted policies or instruments”.

Regarding approximately average land size needed for a dwelling acquisition of property owners used to live in project areas that transformed by improvement plans in Dikmen İlker, number of houses which people get acquisition rights may from New Mamak Urban Renewal Project may get through improvement plans will be calculated and difference in rent of these two models will be presented.

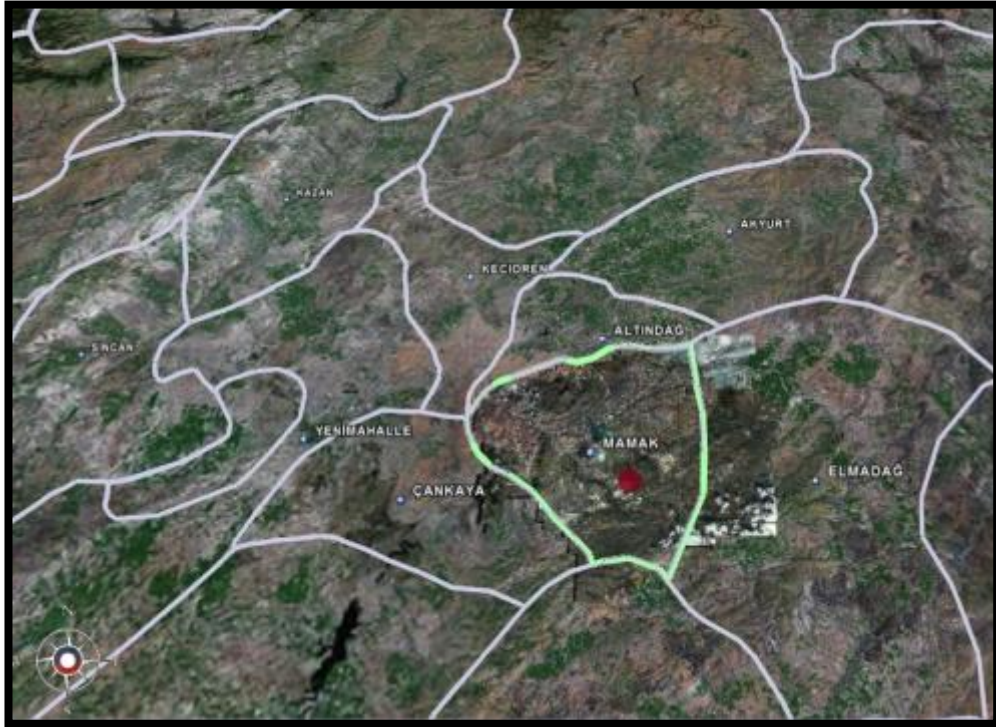
### **4.3. Case Studies**

Case study is based on urban renewal projects in Mamak and Mutlu Neighborhood. In this section, the fact that Mamak district has different unique aspects in terms of urban transformation will be discussed through analyzing different urban renewal projects and improvement plans. In order to create a comparative perspective, interviews conducted in areas of improvement plan Dikmen İlker Neighborhood will be analyzed. Main objective of this chapter is to discuss improvement plans started to be implemented after 1987 and today's transformation process of Mamak in terms of decrease of development rights of squatter owners.

Difference of development rights of squatter owners between two transformation models are shared by other actors. This sharing becomes possible through the state's interventions but municipalities manage the process. Political power formation creates impacts on urban lands in various ways. Therefore, public lands or development rights of squatter owners given through improvement plans are transferred to other actors. From the standpoint of specifying basic components of this process, depth interviews will be used.

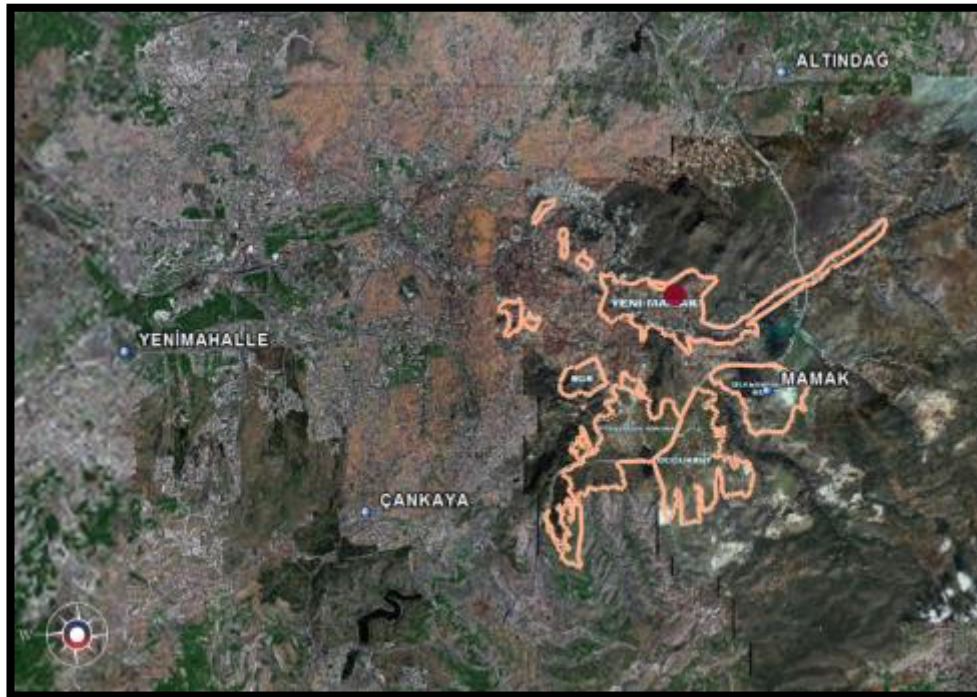
#### **4.3.1. Mamak as an Outburst Moment of Urban Transformation**

Considering 2023 Ankara Master Plan, Mamak district is within east planning region. East planning region is the most problematic area of the city in terms of socio-economic and physical thresholds. At the same time, this region is the least developed region of the Ankara city socio-economically. According to 2023 Ankara Master Plan, “East Planning Corridor” plan, along the Samsun road axis, is defined as a project overcoming social exclusions, economic inequalities through precautions and implementations. (Ankara 2023 Master Plan Report, 513)



**Figure 4.4. Mamak and other districts of Ankara**

It is understood that East Planning corridor overlaps with planning area of New Mamak Urban Renewal Project. Therefore, it is obvious that New Mamak Urban Renewal Project is the main spine of east planning corridor. it will be discussed in the following arguments whether or not this plan copes with social exclusions and economic inequalities.



**Figure 4.5. New Mamak Urban Renewal Project and other renewal areas**



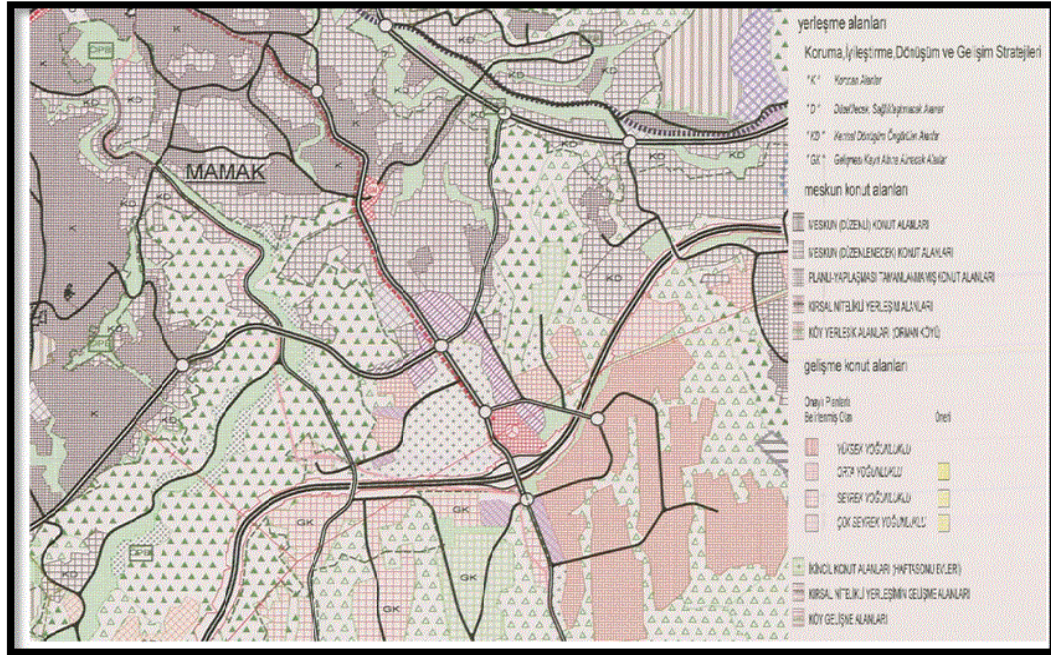
**Figure 4.6. Urban Renewal Projects in Mamak**

Within the east planning region, most of buildings situated in Mamak District. The reason is that, there are squatter areas that could not be transformed in the region. Although Mamak District covers half of the total population of Çankaya district, there are more buildings in Mamak than Çankaya (2023 Ankara Master Plan Report, 629). Mayor of Mamak Municipality stated that there are 58.000 squatter houses by 2010.

In 2023 Master Plan, Mamak has been considered as the most problematic district of Ankara. Additionally, Master plan specifies that population has been increasing in the district and this district should not be transformed through improvement plans.

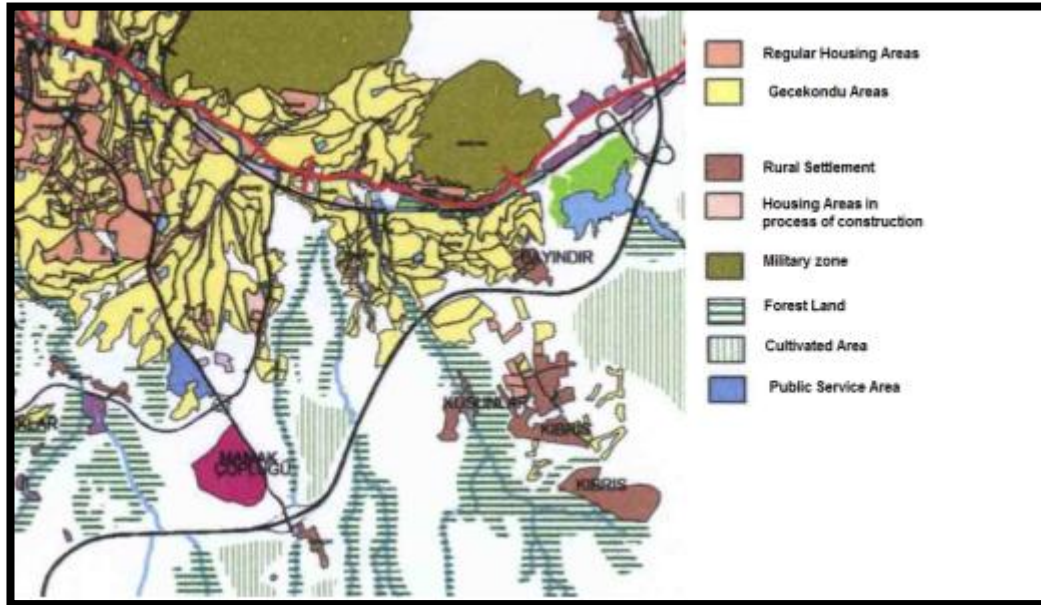
While on the one hand, it has a vital importance to leave the approach of improvement planning through developing social plan areas without considering socio-economic aspects of transformation in squatter areas where real conflicts of the city emerge, socio-economic problems are seen and developed unequally. On the other hand it is so crucial to revise plans developed by municipalities of cities or districts including overestimated population projections.





**Figure 4.7: Residential Areas of Mamak in 2023 Ankara Master Plan**

*Source: 2023 Ankara Master Plan*



**Figure 4.8. Land Use of Mamak in 2005**

*Source: 2023 Ankara Master Plan Report*

Although improvement plans of Mamak district were prepared, it is one of the districts where transformation could not start. This non-transformation phenomenon for many years is considered as a policy in today's urban renewal process. Areas which were not

able to be transformed through improvement plans would become the basic feature of political rent distribution. These non-transformed areas were determined as urban renewal areas. Political projects are aimed through urban renewal projects taken into agenda.

Q: Improvement plans were prepared for Mamak, but for 20 years transformation could not start. In the last 5-6 years, a rapid transformation has started. What is the reason in your opinion?

A: The reason is the land transfers. When these lands were transferred to some people, transformation has started.

It is obvious that, transformation has started after land transfers and the transfers were realized between some people and institutions. Especially, it is not a coincidence that IKEA, Metro Gross market and the biggest shopping mall of Ankara took place in this area. Urban planner states;

In order to encourage the investments in that region, IKEA and Metro Gross market took place there. Towers will also take place. Then we will wait and see how the region will develop in time.

It was also claimed that these international companies obtained these lands when they were so cheap from their real owners. As these real owners were not informed about the prepared plan of the region, they transferred their lands to these companies with cheap prices. However, it is also understood that these companies were aware of the plan. Moreover, it is also seen that these companies requested for revision in the plan. Lands in improvement plans, however, were transferred to people who do not have rights to be handed over.

Another reason of rapid transformation of Mamak in the last 3-4 years is that cheap lands adjacent to city center are limited. Although development in Ankara was planned along the west axis, distance from city center is a problem for investors. Existence of non-transformed squatter areas in Mamak and its adjacency to the city center would be a pressure for transformation. Today, extensive land stock in Mamak has created a different transformation moment when compared with other parts of the Ankara city. Thus, it may be a mistake to explain this differentiated transformation process with capital accumulation. The way of understanding the transformation of Mamak is to specify all political and ideological features of the process. A real estate agency defines as:

Namely, in here most of the local people are left-winger, and mostly Alewi. In Keçiören, Sincan or Yenikent, there is no problem in the process, but here policy has impacts.

In this respect, in terms of urban transformation attitude, Mamak district has a different characteristic when compared with experiences of other districts and previous improvement plans.

In Mamak, there are some urban renewals areas in which do not include squatter or illegal housings. In these areas, lands were distributed by considering political interests. They were included in the renewal projects through handing over these lands. Güneybayındır and Kırısköyü Urban Renewal Projects are expressed as such political renewal projects. Urban Planner of Mamak Municipality states:

Kıbrıs and Güneybayındır plans are development plans. There are not squatter in these areas. We prepared the plans scaled 1/5000 and 1/1000 by a private company similar with İmrahor Plan. There wasn't an improvement plan for that area limited with forestry areas. Due to need for new housing areas, we wanted to have this area developed. Dump site is also the place where rehabilitation starts. With aim of starting renewal, we let the company prepare the plans scaled 1/5000 and 1/1000. Namely most of these developed areas were actually determined for Ankara Metropolitan Municipality.

On the other hand, it is possible not to claim the same for improvement plans in Çankaya-Dikmen, because in Dikmen soon after preparation of improvement plans transformation has started. However, by reason of non-transformed land stock, Mamak district has been considered as the “shining star” of Ankara in recently. Therefore, Mamak has a different characteristic when compared with the other districts in terms of urban renewal. In other words, Mamak should be considered an outburst moment in urban transformation after 2003. We should discuss the urban renewal projects in Mamak in order to understand the process of the last years and how it became an outburst moment.

#### **4.3.2. Improvement Plans in Mamak**

First improvement plan was approved in 1989 in Mamak district. Mamak municipality started planning in 1987 and land use plans were finalized through determining the squatter houses. Planning process was finalized in 1995. Then, municipal council decided to revise improvement plan and increase height restrictions for local elections of 1999. However, it can be considered that the aim is to increase rent and provide appropriate



conditions for urban renewal projects instead of supporting transformation through improvement plans. Urban planner from Mamak Municipality states;

Squatter areas are also within the scope of the Law 2981. It aims improving an existing urban pattern. All plans were prepared on the improvement basis and only approved by the municipal council in line with 2981. Now, urban renewal projects are all based on improvement plans.

It is stated in interviews that transformation through improvement plans in General Zeki Doğan, Tuzluçayır, Ekin and Mutlu Neighborhood has started. However, in other neighborhoods, transformation has started after 1990. Improvement plan of Derbent neighborhood was approved in 1995. After 1990, construction has started in first 3 planned areas. Each area is composed of 6 neighborhoods and totally in 3 areas transformation has started in 18 neighborhoods. However transformation was limited. Urban planner states;

Within the first five years, plans of other areas where squatter houses were located were approved, but were able to be implemented after 5 years. Nearly in 80-90% of Mamak, implementation has not started. All areas would have improvement plans, but the process took 20 years. If improvement plans are not appropriate for topographical characteristics of the area and if there appears some problems on property, it is not approved at the beginning and construction cannot start on the area.

In neighborhoods like Hüseyingazi, Derbent, Dostlar, Araplar, Köstence, Kayaş and Yeşilbayır, due to their topographical characteristics, appropriate plans could not be developed. The reason was technical incompetence of the municipality. While preparing these plans, technical studies were not analyzed and transportation plan was not considered while preparing the plans. Urban planner states;

Transformation was not seen in these areas. Why? Let's check their topography! Transportation plan was not prepared regarding the topography. Therefore, roads could not be constructed. Many problems emerged. We had technical studies again and specified the retaining walls.

Old dumpsite of the city along the İmrahor valley in the area between Mutlu and Ege Neighborhoods is an area where is not reclaimed as a construction area in improvement plans. Following this, some areas are zoned for housing by Ankara Metropolitan Municipality by considering observational geologic etudes. However, the municipality requested squatter owners to meet the expense of geological etudes themselves. Therefore, transformation was not able to start in these areas. Planner states;

Apart from these areas, other parts were the areas defined in improvement plans. They were specified as forestry areas, and construction was restricted in these areas. Ankara Metropolitan Municipality has geological studies done for the areas where development is restricted in improvement plans of Mamak. But local people could not get organized. These areas used to be restricted but not development has started. Municipality says local people should have their own geologic studies but it is not possible, because there are areas so large. As municipality requested such studies, people do not tend to develop area.

**Table 4.3. Improvement Plans for Mamak in the period of 1984-1989**

Neighborhood	Improvement Plan				
	Date	Pop.	Area (ha)	Density (P/Ha)	Change in density (%)
Şafaktepe	1989	816	4	204	37
Gülveren B.Üstü	1989	17750	71	250	10
Aşık Veysel Peyami Safa Kazım Orbay Gen.Zeki Doğan Mutlu	1989	27368 17105 11010 38253 <b>59090</b>	88 55 36 123 <b>190</b>	311 311 311 311 <b>311</b>	185
Natoyolu Koop-Samsun Dev. Yolu Arası	1989	13280	83	160	171
Üreğil Yeşilbayır Şahapgürler K.Kayaş Bayındır Kusunlar	1989	<b>64645</b>	<b>119</b> <b>125</b> <b>63</b> <b>125</b> <b>169</b> <b>543</b>	<b>160</b>	<b>700</b>
Tuzlucaıyır Çağlayan Şahintepe Misket	1989	52000	31 96 25 60	267	105
Derbent Dostlar Araplar	1989	<b>47250</b>	<b>135</b>	<b>350</b>	<b>373</b>
Durali Alç Dutluk Cengizhan F.Korutürk	1989	<b>64200</b>	<b>312</b>	<b>200</b>	<b>127</b>
Yatık Musluk Gülseren	1989	42600	123	346	151
<b>Total</b>		<b>455553</b>	<b>2576</b>	<b>177</b>	<b>136</b>

Source: *Büyüköçmen Sat 1997, 2007 (Cited in Tuçaltan, 2008)*

**Table 4.4. Improvement Plans for Mamak in the period of 1990-1996**

Neighborhood	Improvement Plan				
	Date	Pop.	Area (ha)	Density (P/Ha)	Change in density (%)
<b>Ekin</b>	1990	20000	88	227	714
<b>Ş. Cengiz Topel</b>	1990	57484	92.6	621	320
<b>Türküzü Akdere</b>					
<b>Derbent</b>	<b>1995</b>	<b>10000</b>	<b>21.0</b>	<b>476</b>	<b>474</b>
<b>Y. Kartaltepe</b>	1990	10856	30.6	355	188
<b>Kartaltepe</b>		11049	23.0	481	
<b>Harman</b>		12520	36.9	340	
<b>Hürel</b>		5077	15.8	320	
<b>Ege</b>	<b>1990</b>	<b>50325</b>	<b>305</b>	<b>165</b>	<b>210</b>
<b>Boğaziçi</b>		17500	50	200	
<b>Şirintepe</b>		24500	70	200	
<b>Hüseyingazi</b>	1990	10955	41.7	176	121
<b>Alpağaç</b>		11957	42.9	159	
<b>Bahçeleriçi</b>		6346	81.2	155	
<b>Karaağaç</b>		8483	68.0	96	
<b>Total</b>		257052	966.7	266	288

Source: *Büyüköçmen Sat 1997, 2007 (Cited in Tuçaltan, 2008)*

It was stated that improvement plans were in line with development planning techniques and requested standards were considered. However, when analyzing the plans it is obvious that standards were not fulfilled. When plans prepared for some neighborhoods were analyzed, it is seen that plan of the area between Natoyolu and Samsun Road some of the standards were considered and they are appropriate for the planning standards. On the contrary, the area where standards are not taken into consideration is the Yatikmusluk and Gulseren Neighborhoods. In Şafaktepe Neighborhood, education area and green area per capita is approximately appropriate for development plan standards. However, when we evaluate the total value of the district, per capita education area is 1,2 meter square, health area is 0,13 meter square, socio-cultural area is 0,08 meter square, green area is 1,2 meter square, trading area is 1 meter square and technical infrastructure area is 0,5 meter square (Büyüköçmen Sat, 77). According to Law 3194, these ratios are under the expected standards. However, urban planner claims that these ratios are appropriate for the standards requested in the law.

While we're developing and revising these plans, development plan standards requested in the law were taken into consideration. Namely, we did not aimed to conserve existing pattern, we aimed improvement but not on the same transportation network. We tried to have standards in social infrastructure. We mostly keep mosques, parks in existing areas. Additionally, we defined private property areas as housing areas. We tried to keep all standards.



**Figure 4.9. Patterns of Improvement Plan Area of Mamak Mutlu Neighborhood**

#### **4.3.3. New Mamak Urban Renewal Project**

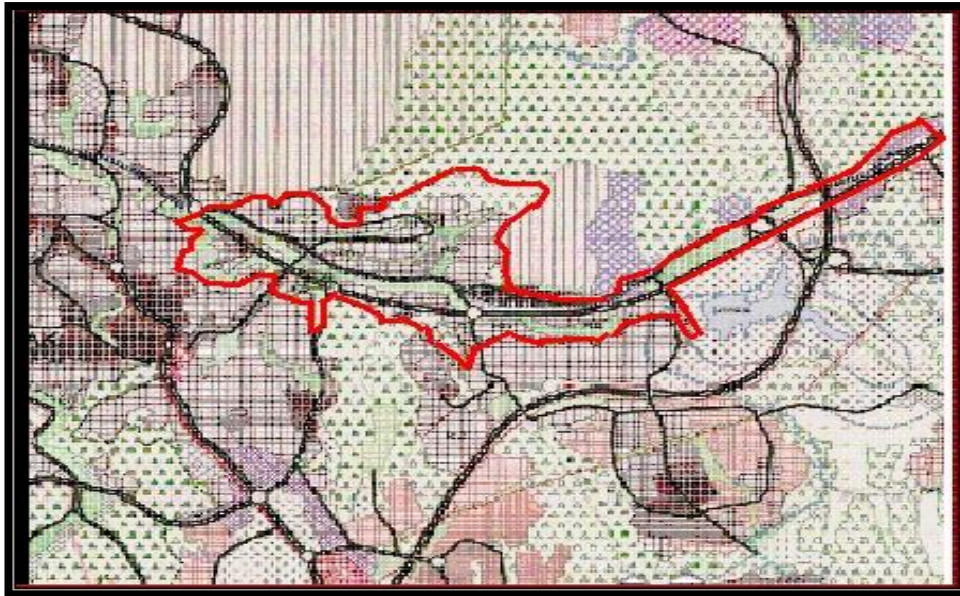
According to legal regulations in Turkey, both metropolitan and district municipalities can promulgate urban renewal projects. New Mamak Urban Renewal Project is implemented by Ankara Metropolitan Municipality. This project includes a squatter area of 940 hectares having improvement plans already prepared. Along the north side of Samsun road, Derbent, Dostlar, Araplar, Köstence, Tepecik, Büyükkayaş Neighborhoods and along the south side of Samsun road Küçükkayaş, Yeşilbayır and Şahap Gürlar, Üreğil, Fahrikorutürk, Şirintepe, Dutluk, Misket Neighborhoods are the squatter areas having improvement plans but were not able to be transformed.



**Figure 4.10. The Neighborhoods in New Mamak Urban Renewal Project**

*Source: 1/1000 development plan report*

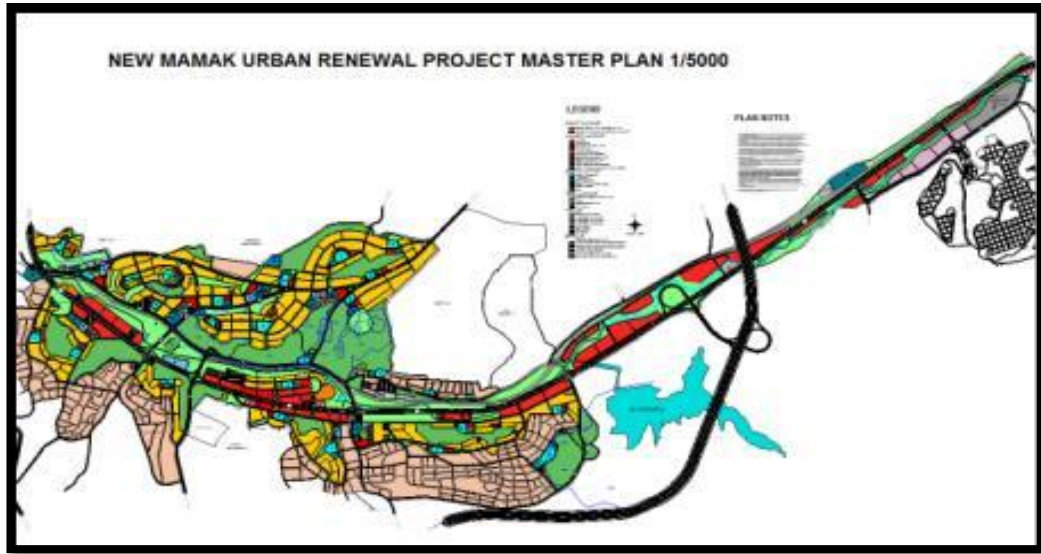
These areas are promulgated as urban renewal areas by Ankara Metropolitan Municipality in 14.09.2005. Within this project, approximately 56.000 people live in 14.000 buildings (1/1000 development plan report).



**Figure 4.11. The borders of New Mamak Urban Renewal Projects in 1/25.000Ankara Master Plan 2023**

*Source: Mamak Municipality Plan Report*





**Figure 4.12. 1/5000 development plan of New Mamak Urban Renewal Project**

*Source: Mamak Municipality Plan Report*

According to this project, plan of each neighborhood is defined in New Mamak-Samsun Road Urban Renewal Project Analysis Report as follows:

**Derbent;** North area of existing railway specified as housing area developed and north side of Samsun road within the borders of neighborhood stated as housing area and urban commercial area will be developed. The area between North and South housing areas is planned as green area (valley area and stream bed).

**Dostlar;** There exists a developed housing area at the north side and the area between the south side of the neighborhood and developed housing area is planned as green area.

**Araplar;** North side of the neighborhood is kept as green area and the area between green area and existing railway is planned as housing area will be developed.

**Köstence;** Area at north and east border (valley area and stream bed) is defined as green area and north part of existing railway is planned as housing area will be developed. Additionally, there is a developed housing area at the east side of the planned housing area.

**Tepecik;** Whole area of the neighborhood is planned as housing area.

**Büyükkayaş;** The area between north border of the neighborhood and railway is planned as housing area and west part of the area between existing railway and planned area is selected for public institutions and east part is for urban commercial

area. The area between these two areas (valley area and stream bed) is planned as green area.

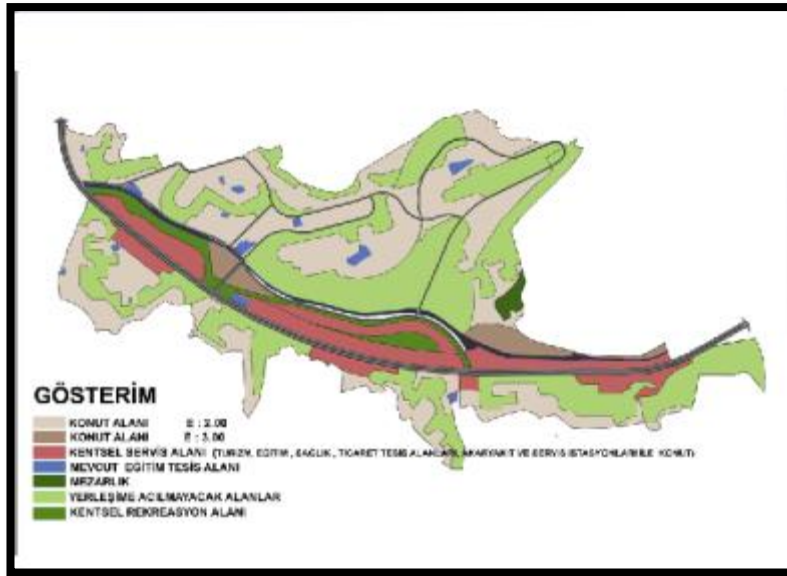
**Küçükkayaş, Yeşilbayındır and Şahap Gürler;** Whole area is planned as housing area.

**Üreğil;** Area along the Samsun road border of the neighborhood, west and east border areas are planned as housing area. Other areas (valley area and stream bed) are defined as green areas.

**Fahri Korutürk;** West side of the neighborhood border is planned as housing area and the east side is planned as green area (valley area and stream bed).

**Dutluk;** Part of the neighborhood nearby the Samsun Road is developed housing area and south part of this area is planned as housing area. Green area (valley area and stream bed) is planned along the border side of Şirintepe neighborhood.

**Şirintepe;** Part of the neighborhood within the urban renewal project area is planned as housing area.



**Figure 4.13. New Mamak Urban Renewal Project Urban Design Project**

*Source: New Mamak Urban Renewal Analysis Report by Öncü Kentsel Dönüşüm*



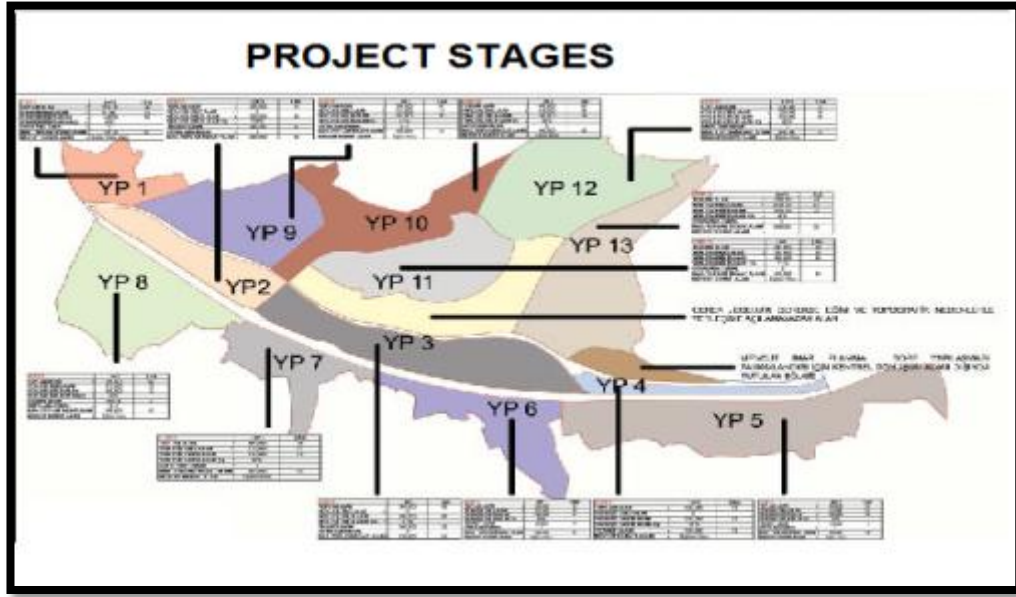
**Figure 4.14. Squatters in New Mamak Urban Renewal Project Area**

Source: Derived from [www.mamak.bel.tr](http://www.mamak.bel.tr) city surf software

The project has 13 stages. The first 4 stage includes the nearly 10 km length valley area. Following this, the project will be implemented in the neighborhoods at south part of the region. Finally, north side will be developed. However, staging was modified and 12<sup>th</sup> and 13<sup>th</sup> stages of the project were cancelled. Urban planner of Mamak Municipality states;

In case they have title deed allocation, municipality gave appropriate place for the owners who could not make agreement. This is the reason of staging. At the beginning, all parts of the urban renewal project were approved as north and south stages. Following this, they announced that the project would be implemented in 13 stages. Now, with the latest council decision 12<sup>th</sup> and 13<sup>th</sup> stages were canceled and 11 stages were remained. Along with making agreement with owners of squatter houses, 1/5000 scaled development plan is prepared. For example, 6<sup>th</sup> Stage was Derbent. In order to implement this stage, all people living in this area should accept the plan, and then squatter houses are demolished following agreeing with the construction company. Construction starts and those people move to another area. This is the process.





**Figure 4.15. Stages of New Mamak Urban Renewal Project**

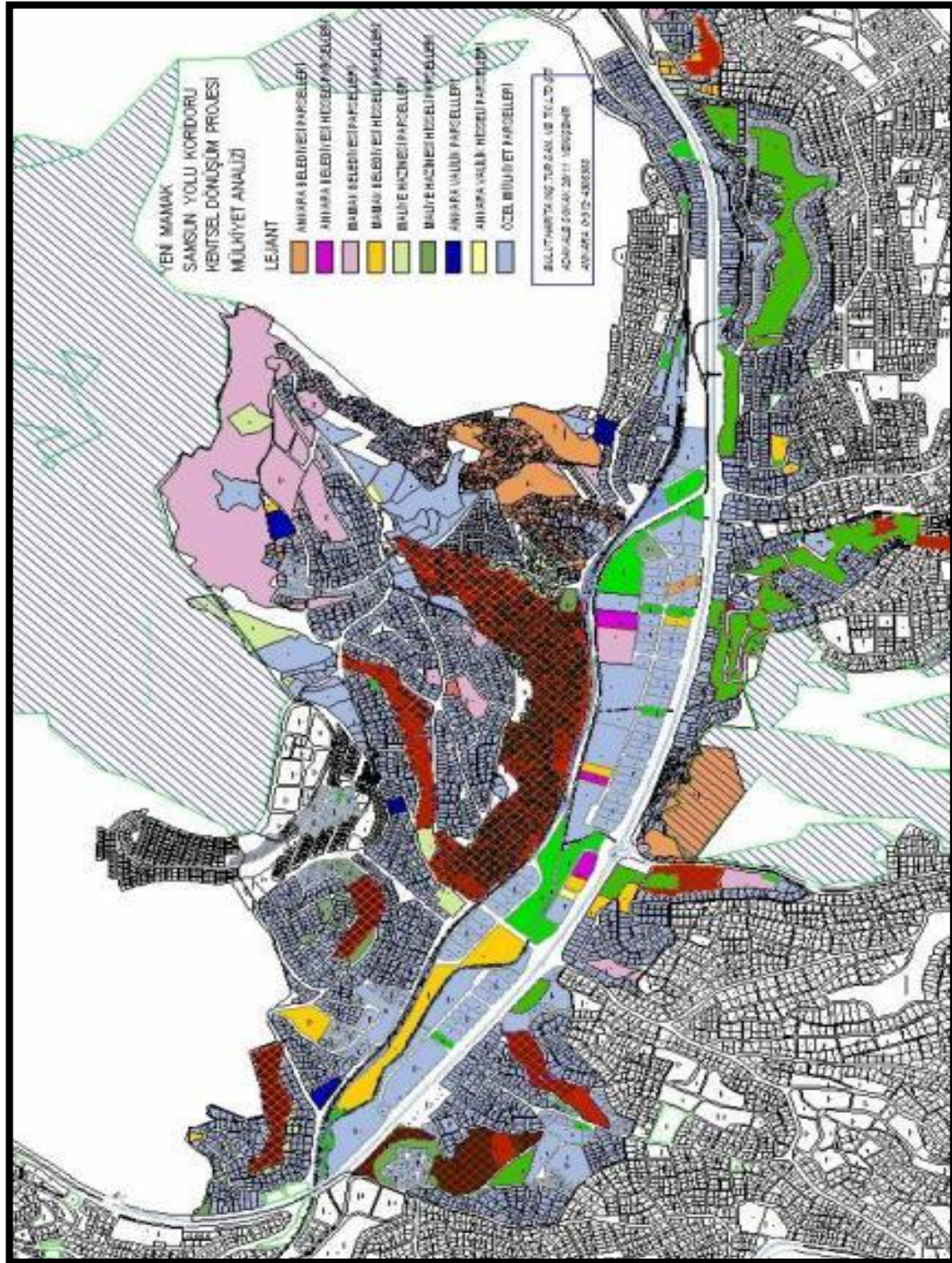
*Source: New Mamak Urban Renewal Analysis Report by Öncü Kentsel Dönüşüm*

#### **4.3.3.1. Property Structure of the Project**

We should discuss property structure and ownership pattern of the area in order to analyze rent and property transfers in the project that is the basic problematic of this study.

In the project area, there are lands owned by Ministry of Finance, Ankara Metropolitan Municipality, Mamak Municipality and private. It is crucial how ownership of these lands will change after the project implemented, how it will be transferred and from who to whom and how these institutions and private property owners will manage this transfer in rent creation.

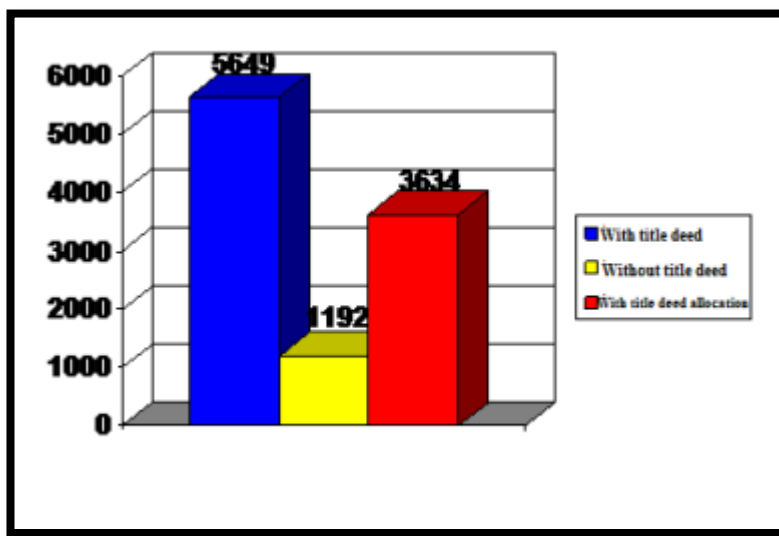
Within the renewal area, 4.297.947 m<sup>2</sup> of land is private property, 485.008 m<sup>2</sup> is fully owned by Ministry of Finance, 181.694 m<sup>2</sup> of land is jointly owned property of Ministry of Finance, 251.857 m<sup>2</sup> is fully owned by Ankara Metropolitan Municipality, 96.414 m<sup>2</sup> of land is jointly owned property of Ankara Metropolitan Municipality, 596.662 m<sup>2</sup> of land is fully owned by Mamak Municipality and 529989 m<sup>2</sup> of land is jointly owned property of Mamak Municipality (1/1000 development plan report). Mamak Municipality is the institutions having property of most of the lands.



**Figure 4.16. Property Analysis of New Mamak Urban Renewal Project**  
*Source: New Mamak Urban Renewal 1/1000 scaled development plan report*

There are 5649 buildings having title deed and 3634 buildings having title deed allocation in the project area. Owners of 1192 squatter houses have such kind of documents as they were not included in the amnesty law. Only 175 of 13580 buildings in the project have

construction licenses. As the project area is a squatter area, most of these buildings are single storied. Totally, there are 11220 single storied, 1693 two storied, 221 three storied and 71 four storied buildings. There are 9121 owners and 2152 tenants in the project region. Within the project area, there are also 35 mosques, 12 schools, 10 gas stations, 3 LPG stations, 19 public buildings, 25 commercial buildings, 19 NGO buildings. Additionally, there also exists breed factory, pipe factory, brick factory, marble factory, concrete factory, glazer factory, flour factory, paper factory, auto gallery and road side restaurants (1/1000 development plan report).



**Chart 4.1. The registration status of Squatters**

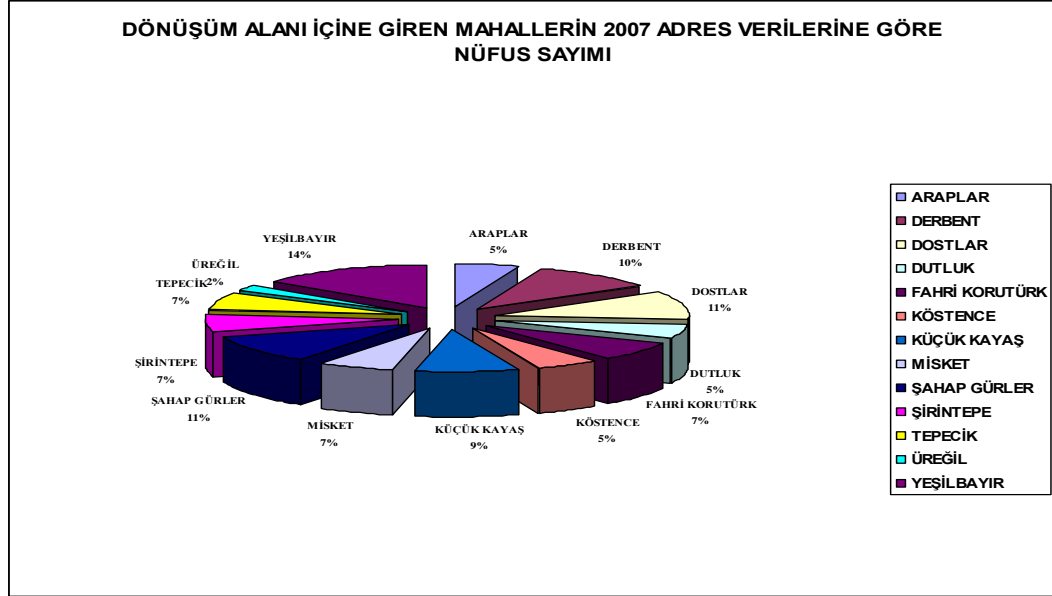
*Source: New Mamak Urban Renewal 1/1000 scaled development plan report*

According to 1/1000 development plan and urban design project, 196 hectares of 940 hectares of land is planned as special project area situated at the north side of the project area. In the other areas, there will be housing area in 450 hectares of land. Floor area ratio in housing area was determined as 2.00 and 3.00.

#### **4.3.3.2. Socio-Economic and Demographic Structure of the Project Area**

Nearly 56.000 people live in the project area. The most crowded neighborhood is Yeşilbayır neighborhood having 14% of total population, and the least crowded one is Dutluk neighborhood having 5% share of total population. “When analyzing the household size within the New Mamak Urban Renewal Project Area, it is seen that there are 752, 2 households having density of 1, 2568 having density of 2, 4117 having density of 3, 6813 having density of 4, 4786 having density of 5, 2231 having density of 6, 924

having density of 7, 387 having density of 8, 183 having density of 9 and 193 having density of 10” (1/1000 Development plan report).



**Chart 4.2. Population of Neighborhoods in New Mamak Urban Renewal Projects by 2007 census**

Source: Turkish Statistical Institute

**Table 4.5: The range of Population by Gender and Labor Force by 2007**

	Population			Employment		Unemployed		Out of Labor Force	
	Total	Male	Female	Male	Female	Male	Female	Male	Female
ARAPLAR	1940	971	969	622	66	54	20	295	883
DERBENT	8462	4167	4295	2350	348	395	197	1422	3750
DOSTLAR	8345	4152	4193	2311	351	487	174	1354	3667
DUTLUK	4207	2092	2115	1148	174	230	80	714	1861
FAHRİ KORUTÜRK	5846	2904	2942	1471	253	461	205	971	2484
KAYAŞ	3631	1793	1838	1035	185	148	71	610	1582
KÖSTENCE	4293	2159	2134	1291	159	205	47	663	1928
KÜÇÜKKAYAŞ	6472	3212	3260	1915	176	267	91	1030	2993
MİSKET	4633	2235	2398	1330	204	159	94	746	2100
ŞAHAP GÜRLER	7312	3652	3660	2082	194	397	127	1173	3339
ŞİRİNTEPE	4350	2128	2222	1142	257	247	151	739	1814
TEPECİK	5289	2554	2735	1534	315	192	122	828	2298
ÜREĞİL	1763	903	860	528	51	89	42	286	767
YEŞİLBAYIR	9217	4631	4586	2921	269	351	111	1359	4206

Source: Turkish Statistical Institute



According to improvement plan of the area approved in 1989, when population densities are analyzed, it is seen that density of Üreğil, Yeşilbayır, Şahap Gürlar Küçükkayaş and Bayındır Neighborhoods is increased from 20P/Ha to 160 P/Ha. In the improvement plan of Derbent, Dostlar and Araplar Neighborhoods, population density is approximately increased from 73 P/Ha to 350 P/Ha.

**Table 4.6. Population Density Change through Improvement Plans**

Neighborhood	Density 1985 (P/Ha)	Density after Improvement Plans (P/Ha)	Change in density (%)
Üreğil Yeşilbayır Şahapgürlar K.Kayaş Bayındır Kusunlar	20	160	<b>700</b>
Derbent Dostlar Araplar	76 97 40	350	<b>373</b>
Dutluk F.Korutürk	88	200	<b>127</b>
<b>Total</b>	75	177	136

*Source: Büyükgöçmen Sat,2007*

The claim on that improvement plans will increase the density of neighborhoods considered as a way of justification of urban renewal projects is controversial because population density of these neighborhoods is quite low. Transformation through improvement plans is not something requested by owners of squatter houses all the time. Interviewees states that these people have struggled for living there for 30-40 years. They developed a unique neighborhood pattern and a way of living in that squatter area. They are not willing to change their pattern unless they are exposed to political pressure for renewal. Therefore, it is completely spatial reductionism to justify the urban renewal projects. It is nothing but elite conservatism and the justification for gentrification. Basic aims of such an approach are to displace the people and gentrifying the area. On the other hand, such kind of gentrification should not be defined solely spatially, but also with political and ideological aspects of these spatial changes.



**Figure 4.17. Photos from New Mamak Urban Renewal Project Area**  
*Source: Personal Archive*

In the context of New Mamak Urban Renewal Project today, the agreement has been signed with about 3,400 squatter owners. In the context of agreement, 1657 squatter houses were demolished. The owners of the demolished squatter houses were placed in Eserkent municipality lodging in the north of Derbent Neighborhood. Eserkent lodging has 2 + 1 and 1 + 1 houses. The interviewees emphasized that the crowded families have been sentenced to live in housing units 1 + 1. The municipality gives 250 TL monthly

housing allowance to the squatter owners who cannot be placed in the lodging. However, minimum amount of housing rent in Ankara is between 400-500 TL.

Within the interviews conducted in the region, the owners of the demolished squatter houses states that they do not know when the project will end, and it is not certain that from which part of project the houses will be given to them, and they expressed that they feel regret of the deal with the municipality. In addition, with the agreements of municipal, debris fees paid to the owners of the squatter houses. It is said that the municipality paid very high fees for the debris to those who deal immediately after the declaration of the project, and get them agree. A settler from Dostlar Neighborhood states;

Often squatter is not reinforced concrete buildings. 50 percent of fees for the debris, for example, are not concrete reinforced. Most of them are brick. Most of them won the lottery. They have been paid high fees for the debris. The former has been paid 30.000- 40.000 TL, but latter has been paid 15.000-20.000 TL. In other words, the better ones have been paid less. And now, they are paying lower fees for the debris. It has been reduced.

Ankara Metropolitan Municipality implements New Mamak Urban Renewal Project. Urban renewal projects which metropolitan municipality implements in the boundaries of Mamak district, has been interpreted by Mamak Municipality as rent creation of metropolitan municipality. For this reason, it has been stated that the urban renewal projects which are applied by the metropolitan municipality go to court. Urban planner from Mamak Municipality states that;

In our renewal projects development rights could not be increased, the Metropolitan Municipality already makes it because Metropolitan Municipality is more flexible in its own renewal projects. So, there is a profit, a rent here ... So, people go to court for this reason. All plans of metropolitan municipality have been canceled. You see the New Mamak Urban Renewal Project has been cancelled. They do not accept the consensus and practical calculations. The owners are saying that 'my land was included in the improvement plan. If they would give permission to me, I could have dealt with the constructor; it would be more profitable for me'.

It is emphasized that, according to article 73 of the Municipal Law, Ankara Metropolitan Municipality is acting without resorting to the opinion of the district municipality. And planner states;

If the metropolitan municipality had not included this area in the context of the urban renewal project, we would implement it neighborhood by neighborhood like we implemented in Ege Urban Renewal... We would study on it; we would create solutions under the name of transformation part by part, not totally as they think. But the Metropolitan Municipality says that in the context of Law 5216, 'I can make decision for the all urban renewal projects. I will implement this project to the whole region; I will arrange the eastern corridor.' It has been bounded due to the reversing a judgment

Almost all lawsuits resulted in favor of the settlers. The project has been stopped several times as a result of lawsuits; but with the decision of the municipal council, they are all approved again by doing small revision. Some of the settlers winning trials are opted out of the project.

Since the decisions of the municipal council were in a violation of the property rights of squatter owners, there were lots of lawsuits. In the decisions of the municipal council, it is stated that a deal could not be made with the ones having title deed in improvement plan less than 100 squatter meters and less than 167 square matters out of improvement plan. There are totally 10,172 squatter houses in the project. The municipality will provide housing to a total of 9716 persons in the area. In addition, the vast majority of squatter owners become indebted to the municipality. A settler from Dostlar Neighborhood states;

For example, my house has the title deed allocation. It was realized in the time of Turgut Özal. My plot is 400 square meters. If it is demolished, it will make me indebted maybe of 12.000-13.000 TL, and will give 3 + 1 units of housing. Municipality is indebted in case of title deed allocation.

I will be given the housing, but how will it realized? It will make me indebted in the whole of my life. For example, I can turn to bank take money. What if I would get money from bank or the state make me indebted? It is the same; there is no difference between them. I'll pay a debt in my whole life. How the poor can pay 50.000-60.000 TL.

Municipality has the power to terminate the housing agreement unilaterally, if the debt is not paid. The number of settlers that would be the flat owner will be very low. In this regard, New Mamak Urban Renewal project displaces the owner of the squatter houses.

In addition, another critical article of the decision of the municipal council is related to expropriation of landed property in the area. It is stated that the lands would be expropriated if the squatter house owners avoids compromise and if they do not transfer their squatter houses to the municipality. A settler from Dostlar Neighborhood states;



The Metropolitan Municipality says that; the houses that I address will be demolished. So, who are you? They do not recognize laws any longer. We will be forced to give. How can he demolish here if I do not demolish? There is no such a law in Turkey. He says that I am an occupier. He is forcing. I cannot resist to you. You are taking my squatter house by force, by hitting me, by sending me police, soldier and gendarme. So, is not it being an occupier? We will strive not to give them, but if he would send polices and soldiers, we will be forced to give

The decision has been taken about passing into other hands of land. The lands of the owners of the squatter houses could be bartered to the lands which are in the boundaries of another district. With this decision, in the boundaries of Mamak District, Ankara Metropolitan Municipality wants to use the lands that have been obtained according to Law 2981, related to the New Mamak Urban Project. However, this exchange is against the Law 2981.

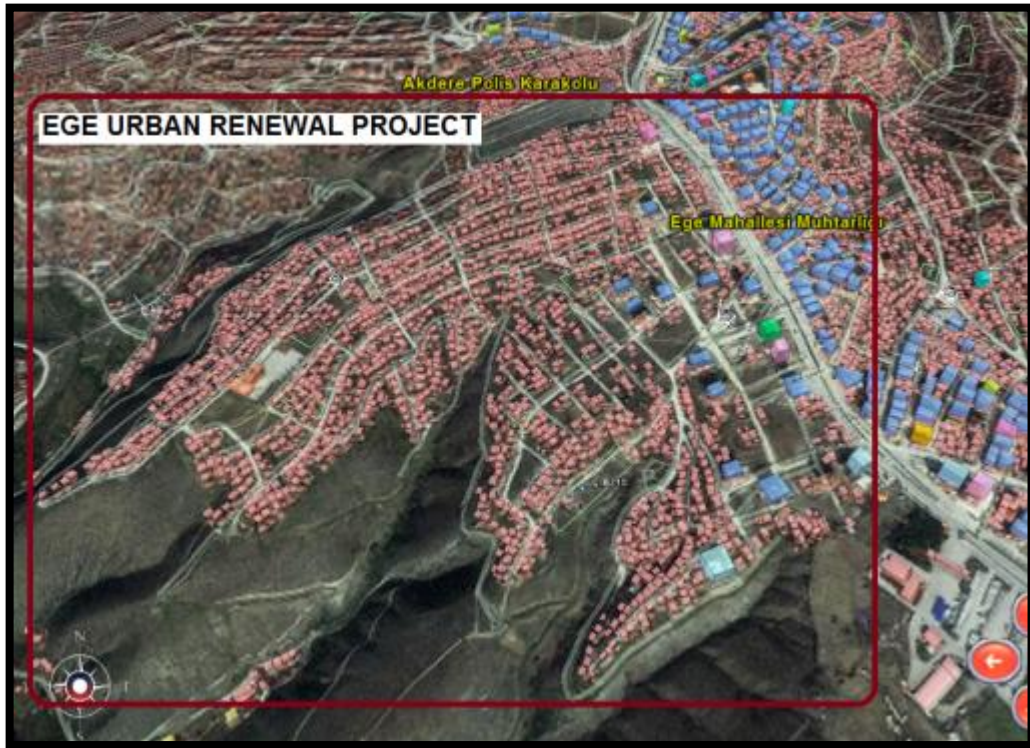
Another decision is that, there would not be a housing agreement for the new plots generated though land division in order to prevent the increase in the number of housing. This decision indicates that municipality creates a profit based project.

#### **4.4.2. Ege Urban Renewal Project**

Ege Urban Renewal Project is completely different from New Mamak Urban Renewal Project with regard to the implementation conditions. Although Ege Neighborhood has also improvement plan approved in 1989, it is determined as urban renewal project area. Similarly, transformation could not start through this improvement plan. Urban planner participated in preparation process of improvement plan states that the reason why it is not able to transform is not just because of topography or property structure. For this reason, transformation dynamics and non-transformation phenomenon of Ege neighborhood is different from New Mamak Urban Renewal Project. This project covers an area starting from Natoyolu Street to İğnelidere Public Forest Area. Total project area is 225 hectares.



**Figure 4.18: Location of Ege Urban Renewal Project Area in Mamak**  
Source: City Surf Software from Mamak Municipality



**Figure 4.19. Ege Urban Renewal Project Area**  
Source: City Surf Software from Mamak Municipality



**Figure 4.20. Views from Ege Urban Renewal Project Area**

*Source: Personal Archive*

Another difference between Ege Urban Renewal Project and New Mamak Urban Renewal Project is that implementing public institutions differ in these projects. Ege Urban Renewal Project is implemented by Mamak Municipality. This project is the first urban renewal project of Mamak Municipality. When implementation tools are analyzed, this project is quite different from New Mamak Urban Renewal Project. Ege Urban Renewal Project differs in terms of the way of creating and distributing rent. Namely, Ege Urban Renewal Project is a revised version of improvement plans. In implementation process, Mamak Municipality does not prefer making agreements for flat with owners of squatter houses and let them make agreements with developers they choose individually. In New Mamak Urban Renewal Project, Ankara Metropolitan Municipality has a very different implementation method. In Urban Renewal Project developed by Ankara Metropolitan Municipality, municipality got the lands from owners of squatter houses via

making agreements. In Ege Urban Renewal Project, in this respect, owners of squatter houses do not have extensive negative reactions.



**Figure 4.21. Squatters in Ege Urban Renewal Project and İğdelidere State Foresty**

*Source: Personel Archive*



**Figure 4.22. A view from new apartment blocks and squatters**

*Source: Personel Archive*

According to Law 2981 and Law 3290, Ege Urban Renewal Project is based on plans developed through revising of improvement plans. However, in urban renewal project block based planning is implemented instead of parcel-based planning. In addition, instead of plot ratio (KAKS) floor area ratio is defined as 1.70. Maximum height is 27,50 meters for commercial area and it is not limited for housing blocks. In the urban renewal project nearly 2000 meter square parcels were developed. In this way this, it became possible to construct higher buildings. Urban planner participated to preparation process of these plans states that there would not be any increase in development rights for the owners of squatter houses.

Namely, in this example, it is not easy to say that this increase in development rights related on urban renewal. I do not believe this, because it is something extra in the process. If you consider deepness, those people obtain floors under the first floor. Finally four storied building may increased to 8-storied building. They are using floor area ratio. When you calculate, it is 1.80. In other parcels, when development starts, all 4-storied buildings increase to 5-6 floors.



The same approach is also stated by city planner in Ankara Metropolitan Municipality.

According to urban planner of Mamak Municipality, there was no increase in development rights of owners of squatter houses. Although it is stated that there is no increase in floor amounts or rent, when it is analyzed in detail there is a rent transfer in the area. Ege Urban Renewal Project area has a sloping topography from Natoyolu Street toward İğdelidere Public Forest Area. In case there would be transformation via improvement plans, owners of squatter houses situated in sloping area would have rights of nearly 1.80 floor area ratios. Thus, the axis along Natoyolu Street transformed as housing over the shop. If improvement plans would be implemented, plot ratio would be 1.60 and they would be developed as 4-storied. Moreover, there would be no commercial use in the area. In other words, in this sense, although urban renewal project does not change the development rights of squatter owners situated in the sloping area, it creates an advantage for the land owners along the Natoyolu Street.



**Figure 4.23. Views on Natoyolu Street (Mixed use commercial housing)**

*Source: Personal Archive*

The reason of rent increases is stated by the urban planner. As Ankara Metropolitan Municipality has many parcels within the area of Ege Urban Renewal Project, the municipality requested for development of urban renewal project in the Ege Neighborhood. In this way, it could increase the rent on these lands.

Additionally, it is stated by the interviewees living in the Ege Neighborhood that Mayor of Ankara Metropolitan Municipality restrained urban renewal project in Ege Neighborhood. A settler from Ege Neighborhood states

Miss Nesile is previous mukhtar of this neighborhood. She used to make a petition in those days, but none of us heard about this petition. They made lists in the mukhtarships and collected 670 votes for these fake signatures. She takes this list to Melih Gökçek, Mayor of Ankara Metropolitan Municipality. They disrupted this process together. This development should already be finalized 10 years ago. However, Melih Gökçek stood up to this urban renewal. After İsmail Değerli, mayor from CHP (Republican People's Party) has left, following mayor Gazi Şahin has continued to do the same implementations.

In one sense, this was due to the fact that Metropolitan Municipality did not allow the transformation and getting a higher share from created rent. There would be a strategy developed in Ege Neighborhood based on non-transformation of the area. It is impossible to claim that there would be public participation in taking decision of urban renewal. Settlers state that they acceded for transformation through improvement plans.

If plot ratio was 4 storied, development would already be finalized, when compared with other regions. We were already acceded for the previous plan, because 40 households live in one apartment. Previously, it was 15. Retired people like me cannot live in such apartments. As it is said new developed buildings will have central heating system. How this system will be developed? It is an advantage for contractors, but not for us. If it would not be central, I may use as much as I want. After renewal, most people sold their houses. Other people came and settled down. However, if plot ratio would be 4 storied, people would not sell their houses and move to other districts. Actually four people settle down in these houses. Developer started to construct villas and selling them with the price of 300.000-400.000 TL.

In interviews, it is stated that lands in Ege Urban Renewal Project was shared between municipality and its groups. Also it is claimed that it is realized 10 years ago.

M: Therefore you should apply to municipal commission. They know the process. They purchased these lands 10 years ago. There is no land owned by anyone.

Ege Urban Renewal Project differs from New Mamak Urban Renewal Project in terms of increases in land and housing prices. As real estate prices increased 100% within one year, prices of lands extremely increased. It is stated that there is no land for sale now; because their prices increase day by day. Especially, international companies such as Metro Gross market and IKEA taking place were accepted as the basic reason of increase in real estate prices. It is also claimed that people buying houses in this area do not aim housing but investing for future. With this feature, this area can be considered as rentable area for investors and landowners. A real estate agency states;

As IKEA and Metro Gross market came here, prices increased, but especially when IKEA took place prices increased extremely. Prices of some buildings increased from 125.000 to 225.000 TL and there is no empty house...price of one meter square of land was 750 or 1000 TL. Now, prices of lands increase nearly 10-20 times... We have some houses for sale. Every month prices increase 5.000 TL. If the price is 130.000 today, it will be 135.000 in the following month. Namely, it is not possible to wait for 6-7 months, prices are changing every month.

An owner of real estate agency states that Ege Urban Renewal Project is an initiative for creating rent for the future in Mamak. Rent shared by owners of squatter houses will be shared by other actors in the future through bigger rent projects and real rent will be created after 5 years.

When it is thought, this line is for small fishes but there is fishnet in deep. When it will appear? Maybe 5 years later... Big fishes are not hungry the aim is to make those small fishes food for big ones. They try to keep big fishes, and they will succeed.

Municipalities increase price of their lands. Although price of municipalities' land should be under the market prices, the current value is higher than market prices. The reason is that owners of squatter houses have to buy these lands as they want to make construction agreements. It is obvious that municipalities want to get share from the rent. A developer states;

Now, here municipality sells the lands with the highest prices. Municipality became monopolized. However, as you cannot start construction without buying lands of the municipality in the parcel.

#### 4.4.3. Durali Alıç Urban Renewal Project

Durali Alıç Neighborhood Urban Renewal Project is completely different from other two projects. The area was declared as urban renewal area through revisions on 2 parcels owned by Mamak Municipality. Base plan is not the improvement plan. Municipal service area and green area were declared as urban renewal project with revisions of the plan. Durali Alıç Urban Renewal Project is implemented by Mamak Municipality and covers 28, 5 hectares of lands. Urban planner states;

Durali Alıç Urban Renewal area used to be defined as municipal service area, green area in the plan or there was no plan for some parts. There is no improvement in that area, it was empty. The plan scaled 1/5000 was prepared for the area and it was approved. Then 1/1000 plan was prepared. There is floor area ratio instead of plot ratio.



Figure 4.24. Durali Alıç Urban Renewal Project Area

As an urban renewal project, this project may be considered as the preliminary moment of rent creation in Mamak. Lands within the project area are owned by Mamak Municipality and there is no building on these lands. Therefore development was able to start easily. This project is developed by the municipality with the expectation of rent in the future.



The project area was extended through including squatter areas around the parcels which are owned by the municipality and cooperatives. The project includes properties of the municipality, owners of squatter houses and the cooperatives. Project is implemented different from other urban renewal projects. A real estate agency states that one of the cooperatives in which project includes was established 42 years ago and has 357 members. Due to it could not be developed within many years, cooperative members wanted to participate the project.



**Figure 4.25. A View from Durali Alıç Urban Renewal Project**

At the beginning the project included 800 houses, but then number of houses was increased to 1200. Together with this increase in rent, housing area was enlarged and it became a housing project including nearly 2500 houses. Previous mayor of Mamak Municipality stated that 20.000 people would live in this project area. It was also understood from statements of previous mayor Gazi Şahin that this project was planned as an election investment. Şahin states;

After finalizing Durali Alıç Urban Renewal Project, 20.000 people will live there. With its sport centers, car parks, this area became a big housing area. There will be a tower as large as Antares shopping center. It will include all activities included in Antares. If I will be elected again, this region will be the largest living area in Mamak<sup>25</sup>.

Durali Alıç Urban Renewal Project may be considered as the first step of creating rent in Mamak. Although IKEA, Metro Gross Market and shopping center taking place in this area is a result of Durali Alıç Urban Renewal Project, it is also obvious that these

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<sup>25</sup> [www.haberler.com](http://www.haberler.com) 13.03.2008

companies get those lands from landowners with very low prices before the preparing of plan process. An agency says; “I don’t think that Metro Gross market and IKEA paid for these lands”.

It is also claimed that IKEA and Metro Gross Market Companies is encouraged to take place in this area by the certain developers which have lands in this area.

It was specified that Ceylan Construction Company has many lands in the area and handed over some lands to these international companies without requesting any payment. A real estate agency states that;

Actually, Ceylan Construction Company has the highest share in the area. They got these land 20-25 years ago. They gave lands to these international companies, and through this handing over, prices of their lands increased from 10 TL to 1000 TL. They did not lose any money.

#### **4.3.4. Mutlu Neighborhood Improvement Plan**

In this study, it will be very effective to clarify the urban transformation practice in Mutlu Neighborhood that was one of the neighborhoods transformed through improvement plans. The reason of choosing this neighborhood is to develop a pattern for existing situation of a neighborhood transformed through amnesty laws after 1980s. Mutlu Neighborhood having improvement plans in 1989 is a neighborhood transformed without revisions in the developed plan. Mutlu neighborhood became a squatter area as some people migrating from central Anatolia to this area after 1950. After amnesty law, it was determined in improvement plans that these squatter areas were located on privately owned land. Therefore, landowners could not use their lands and owners of these squatter houses could not get the rights of the lands they have their houses on. However, as stated in c clauses of 9<sup>th</sup> Article of the Law 2981, within the period of agreements between owners of lands and squatter houses, if they apply for getting rights, land may be given to owners of the houses. As they miss application period, due to property problems could not be solved in many years, those lands were not able to be transformed. In 1996, Ankara Metropolitan Municipality stated to implement Kutlu-Mutlu Project and expropriate these lands in accordance with 3<sup>rd</sup> and 4<sup>th</sup> clauses of the 9<sup>th</sup> Article of the Law 2981. Expropriation has finalized in 2002 and nearly 118.593 meter square of lands was expropriated. However, as a result of filed claims, it was judged that expropriation right was owned by Mamak Municipality and 54.860 meter square of lands was handed over to

Mamak Municipality. Metropolitan Municipality assigned 63.733 meter square of lands got through expropriation to owners of squatting houses after being paid for the land.

According to the report prepared by Head of Department of Real Estate and Expropriation, considering the Law 2981, these lands were assigned to people who do not own any squatter houses in the region. Thus, in interviews conducted in the neighborhood, it is stated that application of owners of squatter houses for having these lands assigned to them was dismissed. It was also claimed that Metropolitan Municipality handed over these expropriated lands to Mamak Municipality to let those lands being transferred to owners of squatter houses.

#### **4.3.4.1. A Case for Mutlu Neighborhood**



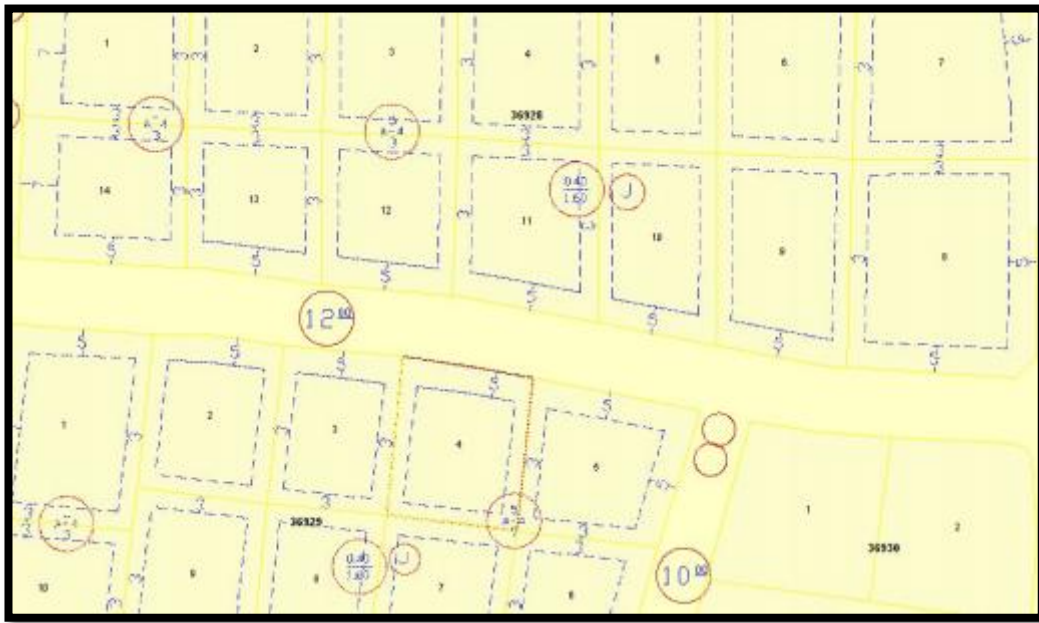
**Figure 4.26. A part of base map and improvement plan in Mutlu Neighborhood**

In case studies, in-depth interviews were conducted within a part of Mutlu Neighborhood where development is still continuing. In the plot numbered 36929 and parcel numbered 4, the existing situation will be analyzed through explanations of owners of squatter houses. Owner of the squatter houses D is the only shareholder in the parcel numbered 5. On the other hand, A, B and C owners are shareholder in parcel numbered 4. This parcel is totally 707 meter square. Additionally, Ankara Metropolitan Municipality has also a share of 220 meter square of land in the parcel numbered 4. Moreover, there is also

another shareholder having 5 meter square of land in the same parcel as the 18<sup>th</sup> Article was implemented there. Owners of A squatter house did not construct their houses by themselves; they purchased it from the person who got the house having title deed from the first owner who constructed it. Totally, they share of 255 meter square of land. B squatter house was constructed in 1979 and included in the amnesty law. First of all, they got the title deed allocation for the land of 400 meter square but within the process of getting title deed, they could get 220 meter square of land. Owner of C squatter house constructed the basis of his house in 1978 but constructed the house in 1986 completely. Therefore, this owner was not included in the amnesty law. Owner of B squatter house could not get some part of his land in the process of getting title deed as C house was situated on that area. Mamak Municipality requested owner of B to sell 20 meter square of his lands to owner of C squatter house so as to finalize the process of getting title deed. By this way, owner of C squatter houses became a shareholder in that parcel as he got 20 meter square of land.

Owner of D squatter houses wants to make an agreement with a contractor by making a construction contract on floor basis. However, so as to get construction permit, B and C squatter houses should pull down their construction in this area. Owner of D offered to owners of A, B and C to purchase shares of the municipality in parcel 4 and make an agreement with the contractor, but owner of C did not accept this offer as he thinks he would get a few share in this land. As a result of this, requested from Mamak Municipality to have this land owned by Mamak Municipality handed over to them in accordance with 17<sup>th</sup> Article of the Law 3194. As owner of C raised an objection for this handing over stating that this land was owned by Metropolitan Municipality, Mamak Municipality could not hand over this land to owners of A and B. Ankara Metropolitan Municipality states in application documents that it cannot sell these lands as they will transfer them to Mamak Municipality. At the same time, owner of C squatter houses applied to Ankara Metropolitan Municipality so as to get included in the Law 2981 and stated that he constructed his house before 1986 and therefore although he did not apply within the requested period, the municipality should have records of that unregistered house and in accordance with determinations done by the municipality before 07.12.1987 and the Law 2981, he claimed that he was also a share holder. However, both municipalities did not reply his application. Together with this, both municipalities states that the other municipality has rights on this land because Ankara Metropolitan

Municipality handed over these lands in Mutlu Neighborhood to Mamak Municipality considering the Law 2981 so as to make them be transferred to right owners. However, Mamak Municipality did not transfer them by stating that those lands were not handed over yet. Owners of A and B avoided filing a claim for elimination of joint ownership (izale-i şuyu). Because handing over of this land through elimination of joint ownership (izale-i şuyu) will be done by auction as they do not have enough financial power. Therefore, they think that their shares may be taken by another people with very low prices.



**Figure 4.27. Part of Improvement Plan for Mutlu Neighborhood Case**

Contractor also states that joint owners avoid filling a claim for elimination of joint ownership (izale-i şuyu) in such situations:

A: They are ending up in court, they don't want.

Q: For example, there are some people having small shares such as 20-30 square meters. They do not want to give their shares.

A: However share holders solve this problem by themselves. If they file a claim, it will take a year. Also they will pay for the lawyer and etc. Instead of paying for the court, they prefer paying in this way... Those people want an optimum price for the land. Finally, they say enough and give the money will be paid to the court or lawyer to those people...but the contractor does not pay by himself.

Within the same period, owner of D send a warning to owners of B and C through notary and requested them to demolish their squatter houses within 5 days. However, owners of B and C did not demolish within 5 days. Owner of D states that he would file a claim, but as he knows that the claim will take minimum 2 years, he did not filed a claim yet.

In the previous sections, Kutlu-Mutlu Project of Ankara Metropolitan Municipality was introduced. Those lands could not be handed over the ones who could not be share holders as claimed by Ankara Metropolitan Municipality. These lands were tried to be issue of land transfers. Furthermore, it is not certain which municipality has property of these lands. Therefore owners of squatter houses do not know which municipality they should apply.

As it is understood, expropriation project in Kutlu-Mutlu neighborhood implemented by Ankara Metropolitan Municipality is not successful. Therefore, transformation is still continuing in many parcels with difficulties. It is known that metropolitan municipality has many shares in Mutlu neighborhood; however, the municipality claims that those lands were already handed over to owners of squatter houses on privately owned lands and those could not have right in accordance with amnesty laws. However, as it is seen in the case study, most of these lands are still property of Ankara Metropolitan Municipality. The reason why both of these municipalities do not want to hand over those lands to squatter owners is that they will lose 2/3 of their expected income because, according to the Law 2981, in case the value stated by the owner of squatter houses is higher than 2/3 of the value stated in accordance with expropriation law, they will be sold with the price stated by the owners of squatter houses.

Moreover, we should discuss meetings of A and B with the contractor of the parcel numbered 4 so as to develop a pattern. In this parcel, the contractor can build up a 5-storied apartment. That means he can construct 15 houses. The contractor states that he can only give 40% of houses to shareholders. Therefore, he said that he would get 9 houses and give 6 houses to shareholders. In a land of 700 meter square, it is enough to own 116 meter square of land for getting one houses.

#### **4.4. Urban Land Policy in Urban Transformation: Urban Land Transfers as a Source of Rent Creation**

In areas transformed through improvement plans, development rights of squatter owners are above ones who obtain through urban renewal projects. Therefore in urban renewal projects, squatter owners relatively had a smaller share of urban rent. What actually causes this differentiation is not the decrease in total urban rent but its being shared by other actors. On the contrary, rent creation of today's transformation is above the former one because composition of organic capital increased in the investments of fixed capital. In other words, more qualified and organized investment groups started to invest to urban space. So, how can we explain the decrease in rent share of squatter owners? Who shares this part of rent? Why share of squatter owners decreases although total urban rent increases? In this section, these questions will be answered.

In districts like Mamak where urban transformation has been realized, the way of appropriation of rent is to transfers of urban lands. Therefore, in order to explain the rent, transfers of lands from institutions to institutions, from institutions to some groups and persons to persons will be discussed.

##### **4.4.1. Which is a Policy? : Transformation or Non-Transformation**

Çankaya, Yenimahalle, Etimesgut, Mamak, Altındağ and Keçiören are the districts where improvement plans were implemented in Ankara. Çankaya and Etimesgut plans were implemented soon after preparation and nearly all squatter areas are transformed. However, it is unsatisfactory to explain their dynamics in terms of topographic or property disadvantages of Mamak, Keçiören and Altındağ as they are the district which could not be the primary focus of transformation. Additionally, problematic of non-transformation is used as a policy for non-transforming areas.

Dikmen-İlker Neighborhood started to be transformed soon after preparation of improvement plans. However, in squatter areas of Mamak, although improvement plans of these areas were prepared in 1989, those areas were not able to transform similarly. Considering this non-transformation phenomenon as a physical or location based fact results in spatial reductionism. The difference between areas having improvement plans within the same city should be explained by economic, political and ideological facts. On the other hand, implementations and approaches to improvement plans of local authorities also have impact on this transformation dynamics or non-transformation phenomenon.

After amnesty of squatter houses, transformation via improvement plans in Çankaya Dikmen district has been considered as a policy. However, in Mamak the non-transformation phenomenon would be adopted as a policy to creation of future rents. Moreover, that the urban renewal projects have been realized recently is a kind of policy supporting today's transformation.

#### **4.4.1.1. Is Non-transformation for Political Power?**

In Ankara, the period of intensive improvement planning is between the years 1987 and 1990. However, most of these plans could not force the transformation of those areas. Between the years 1990 and 1995, apartment blocks were increased in the plans and it resulted in transformation to certain extent. In districts like Mamak and Altındağ, transformation could not start after 2003. Urban renewal projects were introduced and implemented.

With the law 2981, apart from squatter areas of Çankaya and Etimesgut, other districts having improvement plans could not be transformed. Transformation of squatter areas in Keçiören, Mamak and Altındağ was not able to start through improvement plans. In Ankara, districts having improvement plans are Yenimahalle, Mamak, Keçiören, Çankaya, Altındağ and Etimesgut. Almost in all of these districts, there are squatter areas that have not been transformed yet. However, in Çankaya and Etimesgut districts almost all squatter areas were transformed (Tuçaltan 2008, 67). In districts like Altındağ and Mamak where squatter houses are intensely located, excluding some neighborhoods having appropriate locations for transformation through improvement plans, there have not seen any transformation. When we look at the Ankara city, areas located on the south and west parts were transformed. Squatter areas along the north and east axis could not be transformed. Etimesgut with its being close to Eskişehir and İstanbul roads and Çankaya with its being close to Atatürk Boulevard would have advantages and transformed (Tuçaltan, 2008, 67).

Main reasons why some squatter areas were not able to be transformed through improvement plans are exiguous of development rights, fragmented structure of property and the topography (Tuçaltan, 2008, 61- 64). In addition, improvement plan has also impact on the non-transformation phenomenon. An urban planner from Mamak Municipality also discusses that;



If topography is appropriate and developed plan enables, construction started...there should be a certain investment plan, but in Mamak I've never seen such a plan. These areas are included in our investment program, as mayoralty instructed. In this region, there should be acceleration for transformation. What can we do for this? Improvement plan cannot be implemented. Therefore, we had to have small-scaled urban renewal projects

Moreover, another reason why squatter areas are not be able to transform is that municipalities do not care the problems of squatter areas. As stated in interviews in Mamak Municipality, the fact that improvement plans were prepared without considering property pattern technically, would be another obstacle for transformation process. Right holders could get lands not within their own cadastral parcels but from the nearest parcels. In the process of making agreement with developer, the requirement of having the land appropriate for construction so as to get construction permit cannot be satisfied by the squatter owners generally.

In parcels where there is a problem in property condition or jointly owned with municipality, as municipality does not prefer selling its lands to squatter owners, those lands could not get appropriate for construction. As an interviewee states, although he applied many times for purchasing the land owned by municipality in his parcel, Ankara Metropolitan Municipality did not agree on selling its own land and explained that Çankaya Municipality confiscates on this parcel. In the second application in the year 1998, Ankara Metropolitan Municipality claimed that improvement plans has not finalized yet and they did not handed over this land from the treasury, yet. At the same time, interviewee also states that in the application in the year 2011, he learns that there is barter between Ankara Metropolitan Municipality and Mamak Municipality; however, conveyancing has not finalized yet. Urban planner of Mamak Municipality declares that lands owned by Ankara Metropolitan Municipality within the improvement plan of Mamak District will be exchanged with the lands owned by Mamak Municipality within the New Mamak Urban Renewal Project areas. Urban planner states that;

If we give those lands to them, they will hand over their shares in Mutlu Neighborhood to us. It is not a new issue. All institutions like ASKİ and the Treasury exchange the lands. When you ask for a land to hand over, they ask for another land to exchange. When we want to make a revision in plan where there is water reservoir, ASKİ asks for a land to barter. Then, you get the chance of plan revision.

As it is seen from these interviews, local authorities have large scaled lands in squatter areas which are not able to be transformed by improvement plans. In most times, they refused selling their lands to shareholders and did not let these areas be in construction. Local people of New Mamak Urban Renewal Project state that municipality does not allow the area be transformed through improvement plans. They states;

Let me tell you the story of this area. The story is that Mr. Gökçek is fooling around. These lands are in improvement plans, privately title owned. These people have paid their taxes for many years, waiting for construction. Just at that moment, contractors tried to develop this area, but Mr. Gökçek did not give permission to them.

I know the number of many households living here and the names of their owners. He did not give permission to constructors. To his surprise, he developed a project for this area, and under the name of mass housing project. He aimed at creating rent for himself....6 or 7 years ago, a constructor gave four apartment flats and one shop to the owner of this building given for 780 m<sup>2</sup> of land. I'm living here for 5 years. Now, Gökçek wants to give one and half apartment flats for the same land. This is the present situation now. Gökçek stopped people developing this area as he was planning to implement another project for this area. They did not give building permit; therefore local people could not make agreements with contractors. My father also has a house 300 meter far from here, on 370 m<sup>2</sup> of land. At that time, contractor offered 2 apartment flats for that land but my father didn't accept. We tried to agree on exchanging for 3 apartment houses, but as municipality didn't give building permit the contractor changed his mind and gave up. The municipality did this just for preventing contractors make agreement with owners of squatter houses. This is what he thinks; he tries to gross owners out. That would happen actually: most owners grossed out and sell their houses to municipality.

On the other hand, land exchanges between two municipalities should also be investigated jurally. In order to accelerate the urban renewal projects, the lands of Ankara Metropolitan Municipality in improvement plans transferred to urban renewal projects.

**The fact that transformation was not able to start via improvement plans took a new political and ideological shape through urban renewal projects. In this sense, non-transformed squatter areas started to be considered as places of interest of political power. For municipalities the way of having political power is to keep the lands in non-transformed areas.**

#### **4.4.1.2. Is Transformation for Political Power?**

It is obvious that non-transformation is a policy. However, in districts like Çankaya and Etimesgut where improvement plans were implemented in 1990s and finalized their transformation at the beginning of 2000s, transformation was used as a political power. Related with unique structure of districts, transformation and non-transformation were differentiated in terms of political power. While this fact appears as non-transformation in Mamak, it appears as transformation in Dikmen. In here, main question is whether it is a choice for local authorities wanting transformation of areas or not. As stated before, non-transformation of Mamak is an advantage for Ankara Metropolitan Municipality. Therefore, non-transformation is not a conscious or preferred action of the municipality or other actors. After 2000, as urban renewal projects came into agenda, non-transformation fact is accepted as an unintended policy. As land for new developments is limited in nearby city center of Ankara, Mamak district that was out of city center before became a center for new development. In other words, non-transformation based on being distant from city center, topographic obstacles and planning techniques would become a primacy parameter as a result of urban land scarcity.

At the beginning of 1990s, in Dikmen that is closer to city center than Mamak, transformation has started just after improvement plans. This transformation, under the conditions of that period, continued in a way creating interests of political populism. Owners of nearly all squatter houses benefited from amnesty law and had their houses register with a title deed. Soon after, through contractors each of squatter owners had minimum 1 or 2 apartment houses.

After 1980 military intervention first general election was 1983. Anavatan Party (ANAP) that is a center-right party came into power with 45% vote ratio. The first local election was in March, 1984. With the Law 2981 accepted 1 month before the election, ANAP won the election firstly and lastly in Çankaya District (apart from 1984 election, social-democrat parties won elections in Çankaya district). CHP (Republican People's Party) that was the leader in the previous local election with a vote ratio of 68% lost a certain number of votes. Surely, the Law 2981 would be effective factor for the success of ANAP in Çankaya district. Therefore, amnesty laws and improvement plans can be considered as a tool for political power.

Urban renewal projects are the clues of that transformation is considered as a policy after 2003. Squatter areas which were not be transformed through improvement were determined as urban renewal projects. First urban renewal implementations have started after 2005. However, before these urban renewal projects come into agenda, it is seen that these renewal projects are internalized by local authorities and the state. When urban renewal projects are about to be developed, areas having improvement plans were not let to be transformed. After preparing legal basis of urban renewal, transformation was accepted as a policy. People living in the New Mamak Urban Renewal project defines this situation as follows:

Urban renewal has started above the road, but in below. When permission was given to contractors for the area below the road, people started to make agreements with the contractors. Nearly, 20-25 buildings were constructed in that area, therefore urban renewal could not start in this area, as it is mostly seen in undeveloped areas. In the areas, where contractors do not show interest, urban renewal has started. Therefore, local people could not have anything to say. In case contractors had constructed any buildings along the road from the Mamak center, urban renewal would not be started here. Along the road, there are many buildings above, but no buildings below. Therefore, the area below the road would take attention of the state for urban renewal.

#### **4.4.2. Amnesty Law No 2981 and Deciphering of Implementation of Improvement Plans**

Implementation process of improvement plans is not commonly known in academic researches. The process of implementation of amnesty law, determination and evaluation of squatters by certificated private technical offices, responsibilities of municipalities and implementations should be investigated in detail.

With the amnesty Law 2981, owners of squatter houses had to apply to Certificated Private Technical Offices, and following it, had to apply to municipalities for evaluation issues. It is obvious that Certificated Private Technical Offices could not do their duties. Interviewee stated that he applied to Certificated Private Technical Office in 1986, and then could not follow up his application. In the Law 2981, it is stated that even, in case owners of squatter houses did not apply; determination and evaluation process of squatters should be followed by municipalities. Local people interviewed in Mutlu Neighborhood applied to municipality to clarify that he was also a shareholder in reference with the Law 2981; his application was rejected as there was no determination or evaluation certificate prepared by the municipality. It is also obvious that the

certificated private technical office which he applied to did not send his legal documents to municipality after closing of the office. Additionally, it was also specified that municipality did not follow up process that it was responsible for. For this reason, there are many owners of squatter houses that started to build up their houses before 10.11.1985 in the area of improvement plan but could not take their title deed.

Similar situation is also seen in State Council decisions. An owner of squatter house stated that he had a squatter house constructed in 1983. He applied to municipality to get his title deed as a right holder. In regard to rejection of the municipality, he made a counterclaim. Administrative Court decided to get an expertise survey for determination of construction date of the house and confirmed that it was constructed in 1983. Hereby, it was decided that complainant was a right holder. However, respondent institution filed an appeal to State Council. The State Council reversed the judgment propounding that there is no application to municipality before 07.12.1987, any electricity or water bill or even unlicensed construction document.

As it is seen from this process that certificated technical offices and municipalities did not meet the requirements and tasks stated in the Law 2981. Although they were right holders, many owners of squatter houses could not take title deed. Municipalities obliged to share holders of the parcel to sell lands of 1 meter square to owners of squatter houses who could not avail from the amnesty law. Finally, as they would become share holders in that parcel, their houses were not destroyed.

It is stated by a urban planner from Mamak Municipality that plans of Mamak are prepared in line with the techniques of development plans instead of improvement plans. Although there is no provision for improvement plans to follow up social and infrastructure standards of development plans, Improvement plans were in such standards. In such a squatter area, using the technique of development plans resulted in assigning a land for owners of some squatter houses out of the cadastral parcel on which they have their houses.

Namely, most of our improvement plans are like development plans. This is what you understand when you see the plans. There is no road narrower than 7 meters. This differentiates from Istanbul. Development rights increased to 4 storied from 3 storied. Therefore our plans are like development plans, different from the implementation in Demetevler. Our calculations in the plans are based on standards of development plans.

Mostly in all parcels, there are lands owned by municipality. According to the Law 2981 that is different from the Law 3290, squatter owners who are applied to certificated private technical offices but not finalize their determination and evaluation processes applied to court in order to get their title deed. However, as a result of actions taken for such a plan, it was determined by the court that although owners were stated as shareholders, they cannot take their title deed for the squatter houses situated within the parcels owned by other shareholders.

Moreover, in improvement plans developed in reference to c clause of 10<sup>th</sup> Article of the Law 2981, cadastral structure was not taken into consideration in these plans. As a result, most buildings were located between 2 parcels. Such details in planning technique were passed to court in most times. Concluding such cases in the long and appealing against prevent contractors being entrepreneurs in these regions. The area of Ege Urban Renewal Project in Mamak was one of the areas where improvement plan was developed before. Through declaring this area as an urban renewal area, later on, construction has started on block basis Instead of *site ratio* (TAKS) and *plot ratio* (KAKS). Floor Area Ratio was determined. Maximum height ( $H_{max}$ ) was not limited and transformation was realized. As the urban planner of Mamak Municipality states:

Instead plot ratio (KAKS), Floor Area Ratio (Emsal) was given. Minimum land area was increased from 600 m<sup>2</sup> to 2000 m<sup>2</sup>. This would be extra benefit of the project but nothing else. Maximum height was un-defined. But, contractors have already known this. Number of houses was divided into 100 m<sup>2</sup>. By this way, number of houses was also defined. However, this method did not bring any advantages different from the previous plan, it is completely the same.

#### **4.4.3. Urban Land Transfers in Urban Transformation**

Political and ideological aspects of transformation process having effective impacts on transformation results in urban land transfers very often in rapid transformation in cities. Urban land transfers are seen both between actors and public institutions. In fact, there is no legal basis of these land transfers. Especially, there seem land transfers and exchanges oriented to gaining political advantages.

In improvement plans, lands owned by municipalities, treasury or General Directorate of Foundations could be exchanged with zoned lands according to the Law 3194. However, lands in improvement plan area, according to the Law 2981, were transferred from

Finance Ministry to municipalities so as to be assigned to squatter house owners. In the c clause of 10<sup>th</sup> Article of the Law 2981, it was stated that lands owned by treasury would be transferred to municipalities to be used for this aim. Thus, in case there would not be any application for amnesty law, municipalities mostly could have these lands barter and transfer. This is not a legal act, actually. In such case, these lands should be registered to finance ministry sua sponte.

In interviews, it was understood that there would be such agreements between Ankara Metropolitan Municipality and Mamak Municipality. Ankara Metropolitan Municipality decided to transfer its jointly owned lands in parcels of improvement plan to Mamak Municipality and in return decided to get lands in New Mamak Urban Renewal Project area owned by Mamak Municipality. This is an exchange agreement, but there is no document given to us showing how this exchange has realized. Topographical engineer declares that these lands will be exchanged all together. According to c clause of 17<sup>th</sup> Article of the development Law 3194, municipalities should firstly sell the lands to the share holders in the parcels within the improvement plan. If these shareholders do not tend to buy these lands, they can sell it through tender offer. In this case, it cannot be legal actions to barter these lands without letting these shareholders buy them. With regard to Law of Obligations, lands will be bartered should be equal to each other. Value of both lands should be calculated. However, municipalities try to barter their lands through changing their lands in different parcels as a whole.

Additionally, it is against the planning principles to barter lands in improvement plan owned by municipality with lands in a planning area having different techniques, value and aim because improvement plans are social qualified plans as it was stated in some court decisions<sup>26</sup>. The aim of amnesty law is to make low-income people own a house.

On the other hand, through the act of council of Ankara Metropolitan Municipality enacted in 13.09.2010 and numbered 2580, Ankara Metropolitan Municipality delegated his authorization stated in the 69<sup>th</sup> Article of Municipal Law. According to 69<sup>th</sup> Article, municipalities can transfer lands to low-income people living in municipal borders, having no dwelling or land for building a house. But, according to another legislation

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<sup>26</sup> The decision 1990/131 of 6. Administrative Court of Ankara

prepared by Ministry of the Interior and Ministry of Public Works and Settlement, this authorization was given to Metropolitan Municipalities. Ankara Metropolitan Municipality delegated this authorization to Mamak Municipality. According decision;

There are many citizens having squatter houses especially without the borders of urban renewal areas within the borders of our region, but as they do not have title deed allocation, they cannot get title deed. So as to help these citizens and solve their problems, our municipality cannot transfer any of its lands despite it aims to transfer. So as to negotiate and help these citizens, on condition to be used within the borders of Mamak Municipality, it was voted and decided by the majority of votes to delegate authority stated in the 69<sup>th</sup> Article of Municipal Law to Mamak Municipality.

Through this delegation of authority, the interviewee, one of the low-income people having no house or land, applied to municipality but he could not any land to be transferred to him by the municipality.

This delegation of authority by the Metropolitan Municipality is an indicator of the aim for giving all initiatives of all lands within Mamak District to Mamak Municipality. This delegation is a controversial decision according to administrative law because there is not any hierarchical relation but distribution of duty between Metropolitan municipality and district municipalities. According to the Law 2981, other lands transferred to Mamak Municipality were the lands on which squatter houses were located. In reference to decision of Metropolitan Municipality Council enacted in 01.07.2010 and numbered 1092 and 1093 these lands were delegated to Mamak Municipality. it is obvious that delegation of authorities and urban land transfer between institutions are the motivation for rent creation and property transfer.

#### **4.4.4. Creation a Real Estate Market: Urban Land Transfer as a Way of Rent Creation**

In a city, urban transformation process is a principal for urban land transfer. A real estate market has been created through the rise in value. In this market, there are many actors such as local authorities, state institutions, owners of squatter houses, developers, real estate agencies, land mafia, other interest groups etc. In an urban area, rent is created in many ways. Rent is created mostly through giving development rights with plans, raising development rights and revisions in development plans. However, state and public property lands would be subject to be private property through improvement plans.



Moreover, a large amount of urban lands started to be transferred. Treasury lands were transferred to municipalities so as to be delegated to owners of squatter houses. Thus, these lands transferred to municipalities were not delegated to squatter owners all the time. Most lands are still property of municipalities. It gives political power to municipalities as usual. In the interview conducted, it is stated that nearly in all parcels of Mutlu Neighborhood Mamak Municipality has shares. Ministry of Finance delegating lands to municipalities after 1985 did not prefer transferring land to municipalities in urban transformation practices. Urban planner in Mamak municipality states that:

Until now, Ministry of Finance was transferring but now it did not want. Ministry requests people apply to them instead of municipalities. Local people are applying to ministry and trying to get land from them. Namely, every institution became wiser.

The competition between urban lands sometimes legally and sometimes not legally is more important than land transfer between public institutions is. The head of Dikmen Housing Right Office and Dikmen Halkevi officer states that a real estate corporation purchases lands from owners of squatter houses in 4<sup>th</sup> and 5<sup>th</sup> Stage Dikmen Projects and purchases lands from squatter of New Mamak Urban Renewal Project area and Güneypark 902 Parcel. As a consequence of that, Melih Gökçek sued against this corporation. Then, he learnt that this corporation was supported by a public officer. Mayor of Ankara Metropolitan Municipality was troubled with this land transfers and held a press conference. In this conference, he stated that there would be land corruption of 25 trillion. At the same time, this would be another type of brokerage action.

To the question of whether there was a certain record of selling prices, Gökçek said; ‘there is not a certain record but there is a rumor. In this context, we heard that there would be land transfer valued at 25 trillion’. Journalists asked whether he knows names of people purchased these lands and the Mayor stated; ‘there are some elite people, I cannot give any name, but there is a land transfer to interesting people.’<sup>27</sup>

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<sup>27</sup> <http://www.yapiborsa.com/default.asp?page=haber&id=41498> March 28, 2011

However, in the lawsuit the court decided that there is no need for taking legal proceeding and refused.

There is a claim that in this urban renewal area Metropolitan Municipality gives prices lower than its actual values to right owners whose lands are not large enough for purchasing a house. Herein, Corporation started to purchase and valued the lands of these owners with a price higher than the price Metropolitan Municipality stated. With this purpose, ads were put on the newspapers. Following these ads, “highly reputable state institution” having a large land in the region gave its land to this real estate company instead of the municipality as the company gave a higher price. Therefore, municipality filed a criminal complaint against this company in Public Prosecutor of Ankara.<sup>28</sup>

A settler from Dikmen states that it is plundering of lands in such urban renewal area. He also states that rent was shared between executives of municipalities, public institutions, shareholders, land mafia and international companies.

Similarly, there also would be land transfers in Mamak district. A relative of political actor and a leader of a political party had 10 decares of land transferred to him in return for establishing a health center in the municipal borders. Interviewee living in Mamak stated that this political person and his wife have parcels numbered between 900 and 1000 in the 1<sup>st</sup> and 2<sup>nd</sup> region of Mamak, 1<sup>st</sup> and 3<sup>rd</sup> region of Çankaya and Altındağ Districts. It was also claimed that partners of these people are congregants.

Another way of urban land transfers is selling of lands in divided parcels of municipalities to real persons. According to c clause of 17<sup>th</sup> Article of “Development Law 3194”, municipalities have rights of selling lands in divided parcels appropriate for private construction. However, municipalities have to sell these lands to other shareholders in this parcel. If these shareholders do not tend to buy these lands, municipality can sell these lands to demanders according to public tender law.

In Ege neighborhood, in interviews with a settler and a real estate agency, these lands were sold to other people without informing other shareholders of these parcels. Normally, municipality should make a selling notification to other shareholders. Thus, it was stated that municipality did not notify to these shareholders or made this notification

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<sup>28</sup> <http://www.arkitera.com/h39736-yargidan-gokceke-global-bir-ders.html> March 28, 2011

in a way that these shareholders could not get informed. Therefore, municipalities tender for these lands without informing shareholders and delegated them to other people.

A settler from Ege Neighborhood; “In our parcel, there are 8-10 shareholders. Each time we applied to municipality, we see different names as shareholders”.

A Real Estate agency states;

For example, they made a notification to mukhtarships. Local people applied to mukhtarships to get information, but mukhtarships stated that they had no information. On the other hand, municipality stated that they have notified. This resulted in selling to whomever municipality wanted.

Similarly, it is stated that lands having squatter houses on are sold through public tender by Ministry of Finance in Ege Urban Renewal Project area. A former delegate of CHP (Republican People’s Party) and an owner of squatter house in Ege Urban Renewal Project states;

There are many houses below Metehan School. People have land title deed allocation. Municipalities try to sell 100 meter square of land for 50.000-60.000 TL. A few days before, a man came and asked me whether any contractor requested these lands or not. I learned from him that he purchased a land where there are 40-50 squatter houses through a tender. They are not handing over these lands to people living in the region for many years. Instead, they sold them to other people. One meter square of land is 600 TL in this area.

Even, it is stated that these lands are to be sold to the same people all the time. However, nobody living in the area knows the names of these people.

#### **4.5. Design of Survey for Dikmen - İlker Neighborhood**

As a basis, this survey has a mean towards a determination of the average land amount for obtaining a flat in terms the squatter owners. However, the average land amount depends on the number of the joint owners of the land. Therefore, in order to determine the average land amount, some quantitative data analysis is required.

The universe of our survey is the owners of the squatter houses who obtained the apartment flat in İlker neighborhood by having a construction agreement for flat. A total of 30 pieces of survey were conducted in the neighborhood. 27 of them were regarded as

valid, while 3 of them were regarded as invalid. The first part of the analysis is designed to understand the process pre-transformation. The second part of the analysis is designed to determine the dependent variables which are the factors influence the number of the flats obtained by squatter owners, and also to determine average land amount which is necessary for obtaining 1 flat.

The dependent and independent variables on the second part of the analysis;

<u>Independent Variables</u>	<u>Dependent Variables</u>
The number of obtaining houses	Portion of land
	Number of joint owners in land

We examined the different forms of the transformation in Mamak district. However, it is necessary to conduct a questionnaire in a transformed area through improvement plan in order to compare the qualitative and quantitative data set which we obtain. Therefore we need quantitative data set. This is significant in terms of comparing the development rights of the squatter owners in accordance with the urban improvement plan and the urban renewal projects. In addition, this comparison is important in determining the average land amount which is necessary for obtaining a flat in the improvement plans. Therefore, this is significant to determine the decreasing of development rights after the urban renewal project for the squatter owners. In the urban the average amount of the land which is needed to obtain a flat is above improvement plans. Accordingly, the number of flats which squatter owners obtain is under the improvement plans. To create a pattern from İlker Neighborhood transformed through improvement plan would provide unique argument for comparison.

#### **4.5.1. The Analysis for Pre - Transformation**

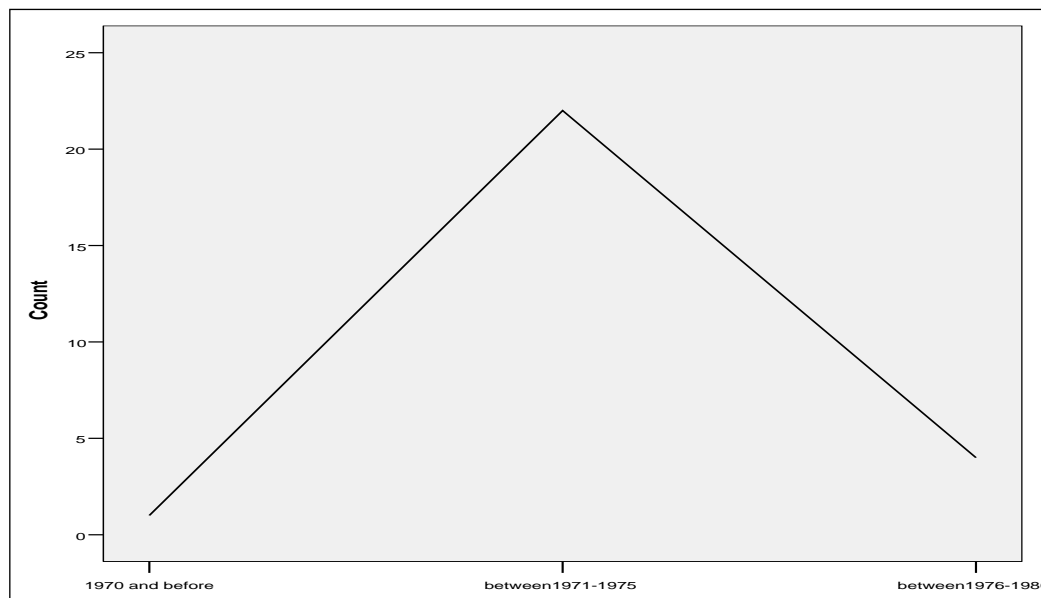
Improvement plan of İlker Neighborhood was prepared in the years 1991. It covers an area of approximately 11 hectares. According to our study, the first settlements have been among in the years 1960 - 1970 in this district. 75 % of those who migrated to Ankara between the years 1961 - 1970, had built their squatter houses between the years 1971 - 1975. 8.3 % of families migrated to Ankara between the years 1961 - 1970 were first settled in Dikmen by building squatter houses. During the same period, 33.3 % of those who migrated to Ankara first settled in Dikmen, but after then have built their squatter

houses in İlker district. Given the conditions of the period, the squatter districts formed Dikmen, it can be seen that the people first settled in Ankara were a tenant in squatter houses in Dikmen. The ratio of the people, migrated to Ankara in the same period and built their squatter houses in İlker district between 1971 and 1975, is 41.7 %. The first settlement of them in Ankara is not the Dikmen district.

It can be seen that 93.3 % of those, who migrated to Ankara after 1971 – 1980, were directly settled in the İlker district and built their squatter houses. 6, 7 % of those built their squatter houses in İlker district, but they did not settle in İlker district. However, they started to live in İlker district just after the year 1980.

As a result, for the people migrated to Ankara in 1961 – 1970, İlker district is not a settlement where they built their squatter houses directly.

The years of 1950 – 1980, Turkey urbanization is considered as the urbanization of labor (Şengül 2001). In this period in İlker district, between the years 1971 - 1975 the construction of squatter houses have accelerated. According to the analysis results, 81.5 % of the settlers of the squatter area have built squatter houses between the years 1971 – 1975. The construction of the squatter houses has decreased between the years 1976 – 1980.



**Chart 4.3. Constructing year of gecekondus by the years**

When looking at the distribution of the current job status of the settler 81.5 % of the settlers are working - class. 18.5 % of the settlers are self – employed. However, they state that they have been workers when they settle in the area.

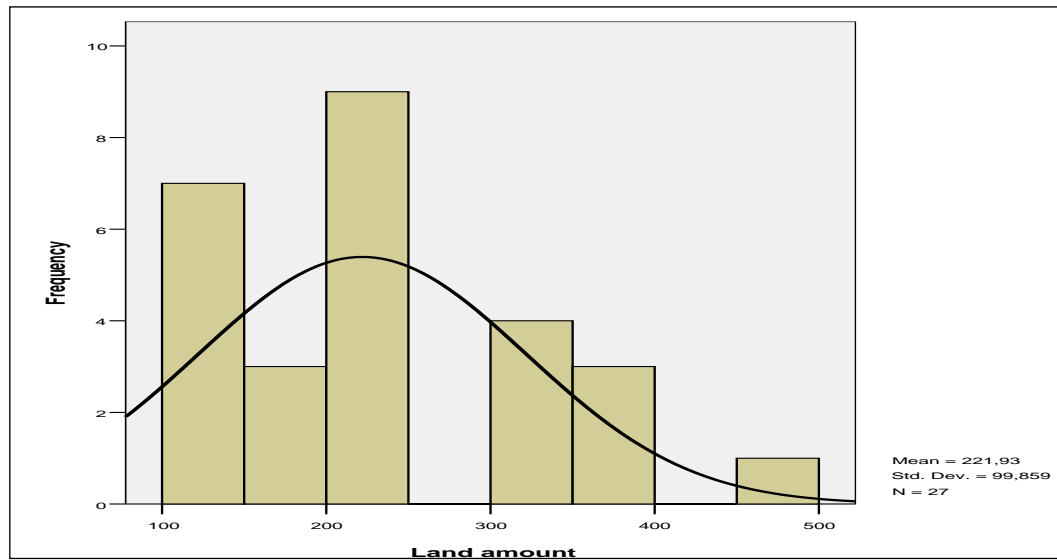
The way of obtaining land varies in İlker district. It is obvious that that the major parts of the lands are purchased as joint - owner. 70.4 % of the lands of the squatter area has been purchased as jointly owned. The ratio of the squatter house that has been built on the treasury land is 3.7 %. The ratio of those who have bought the squatter house from someone else is 18.5 %. The ratio of those who have bought the land from someone else without title deed is 3.7 %. Clearly it could be seen that the squatter houses in İlker district have been built on the lands that have been bought from someone else.

And also it could be understood that the squatter houses in İlker district were built on the jointly owned lands as against the development by-laws. According article 10 / b of Law 2981, the squatter houses have been determined which have been built against the development by- law on the jointly owned lands. These lands have been assigned by considering the amount of shares and the active usage status.

#### **4.5.2. Analysis for post – Transformation**

**Table:4 .7. The frequency table of the land amount of squatter owners**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 101 - 200 m2	10	37.0	37.0	37.0
201 - 300 m2	9	33.3	33.3	70.4
301 - 400 m2	8	29.6	29.6	100.0
Total	27	100.0	100.0	



**Chart 4.4. The Standard Deviation and Mean of Land Amount**

**Table 4 .8. The standard deviation and mean of land amount**

N	Valid	27
	Missing	0
Mean		221.93
Std. Deviation		99.859
Minimum		105
Maximum		480

There are no major differences between the sizes of the lands. There is not anybody that has less than 105 square meters of lands. The ratio of those who have 101 - 200 square meters of plots is 37 %, and the ratio of those who have 201 - 300 square meters of lands is 33, 3 %, and the ratio of having 301 - 400 square meters of lands is 29, 6 %.

The average size of the lands is 221, 93 square meters. The smallest land size is 105 square meters; the largest land size is 480 square meters. The average land size is 221.93 square meters, and the distortion to right side of the histogram indicates that the plots have been assigned by considering the active usage status of the squatter owners.

**Table 4.9. The frequency table of number of joint owners**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid only my own parcel	2	7.4	7.4	7.4
2	3	11.1	11.1	18.5
3	8	29.6	29.6	48.1
4	12	44.4	44.4	92.6
5 and more	2	7.4	7.4	100.0
Total	27	100.0	100.0	

**Table 4.10. The means of land amount by number of joint owners**

Number of joint owners in land	Mean	N	Maximum	Minimum
only my own parcel	420.00	2	480	360
2	300.00	3	380	210
3	220.50	8	360	110
4	172.08	12	330	105
5 and more	211.50	2	303	120
Total	221.93	27	480	105

The parcels are all jointly owned because they have been formed through the improvement plan according to the amnesty law. The nearest average amount of lands to the cumulative average size of lands could be seen in 3 jointly owned parcels. Therefore the average size of improvement plan parcels is calculated as  $3 \times 220 = 660$  square meters. The largest size of them is  $5 \times 211 = 1055$  square meters. However, the ratio of the 4 jointly owned parcels is 44 %. The ratio of the 3 – share holders parcels is 29.6 %. Therefore, it is obvious that lands have the fragmented structure in Dikmen – İlker Neighborhood.

**Table 4.11. Contracting time with developer**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 4 – 6 years ago	2	7.4	7.4	7.4
7 - 9 years ago	7	25.9	25.9	33.3
10 - 12 years ago	13	48.1	48.1	81.5
13 years and before	5	18.5	18.5	100.0
Total	27	100.0	100.0	



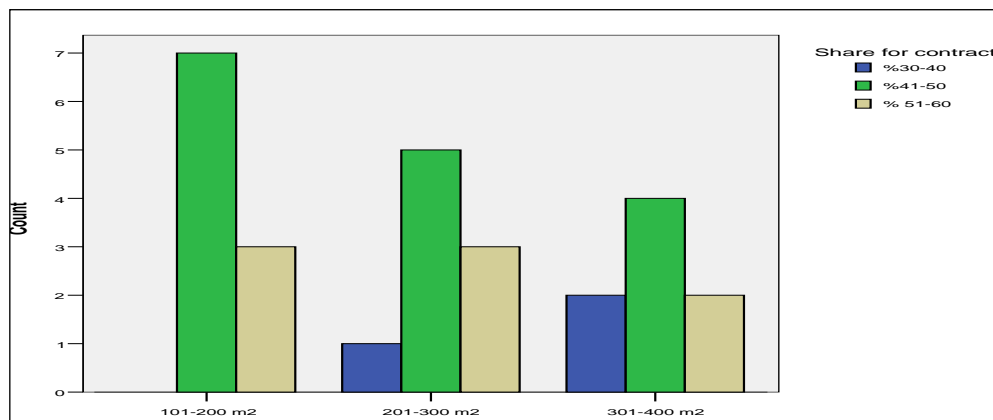
When the dates of the agreements between squatter owners and the contractor are examined, it can easily be seen that the 48.1 % of the agreements have been signed 10 – 12 years ago. In addition, the ratio of those who deal with the developer 7 – 9 years ago is 25, 9 %. The ratio of those who deal with the contractor 13 years ago is 18.5 %. According to our analysis, the intensive construction and the transformation period is between the years 1999 - 2001. 2007 is the year when the urban transformation was almost completed.

**Table 4.12.Share for contract and contracting time with developer Crosstabulation**

			Contracting time with developer				Total
			4-6 years ago	7-9 years ago	10-12 years ago	13 years and before	
Share for contract	%30-40	Count	1	1	1	0	3
		% within Share for contract	33,3%	33,3%	33,3%	,0%	100,0%
		% within Contracting time with developer	50,0%	14,3%	7,7%	,0%	11,1%
		% of Total	3,7%	3,7%	3,7%	,0%	11,1%
	%41-50	Count	1	2	9	4	16
		% within Share for contract	6,3%	12,5%	56,3%	25,0%	100,0%
		% within Contracting time with developer	50,0%	28,6%	69,2%	80,0%	59,3%
		% of Total	3,7%	7,4%	33,3%	14,8%	59,3%
	% 51-60	Count	0	4	3	1	8
		% within Share for contract	,0%	50,0%	37,5%	12,5%	100,0%
		% within Contracting time with developer	,0%	57,1%	23,1%	20,0%	29,6%
		% of Total	,0%	14,8%	11,1%	3,7%	29,6%

The owners of the squatter houses have transformed their parcels into apartment blocks by dealing with the contractor. In these agreements, the owners of the squatter houses made agreements in varying ratio between 30 % and 60 %. In 59.3 % of these

agreements, the owners of the squatter houses received a ratio varying 41 – 50 %. However, when we look at the agreement rates according to the years of the agreements, 20 % of the owner of the squatter houses received a share of the rate of 51 – 60 % 13 years ago. This ratio would reach to the ratio of 23.1 % in the agreements signed 10 – 12 years ago, and would reach to the ratio of 57.1 % in the agreements signed 7 – 9 years ago. Gradually increasing proportion of squatter house owners indicates the increasing rents in the area. 4 - 6 years ago, however, it could be seen that there were no agreements in a rate of 51 – 60 %. The reason for this situation is that, almost all of the most advantageous parcels have been transformed between the years of 1999 – 2004. In the agreements, 13 years ago and before, there were no dealings in the ratio of 30 – 40 %.



**Chart 4.5. The frequency of the ratio of contracting by land amount**

Looking at the distribution of land according to the size of the lands in the agreements, it could be seen that dealing ratio of the 70 % of the owners of the amount of 101 – 200 square meters varies between 41 % and 50 %. There is no dealing in the ratios between 30 % and 40 %. The 66.7 % of them who dealt for 30 % - 40 % have 301 – 400 square meters lands. As we it has been seen, the amount of land for one shareholder decreases, the ratio that contractor give to joint-owners increases. The reason why the ratio increases is because of the difficulty of the agreement.

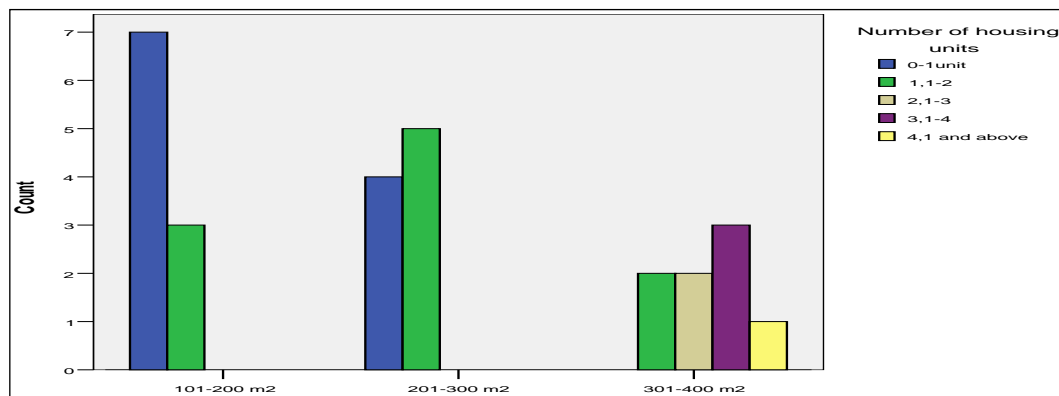
**Table 4.13. The frequency table of number of housing units obtained by squatter owners**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 0 - 1unit	11	40.7	40.7	40.7
1,1 - 2	10	37.0	37.0	77.8
2,1 - 3	2	7.4	7.4	85.2
3,1 - 4	3	11.1	11.1	96.3
4,1 and above	1	3.7	3.7	100.0
Total	27	100.0	100.0	

According to our analysis, the owners who obtain flat between 0-1 flat is 40,7. 37 % obtained between 1,1 - 2 flats. It is obvious that there is not an unjust enrichment for the majority of squatter owners because 77.8 % of the squatter owners obtain less than 2 flats.

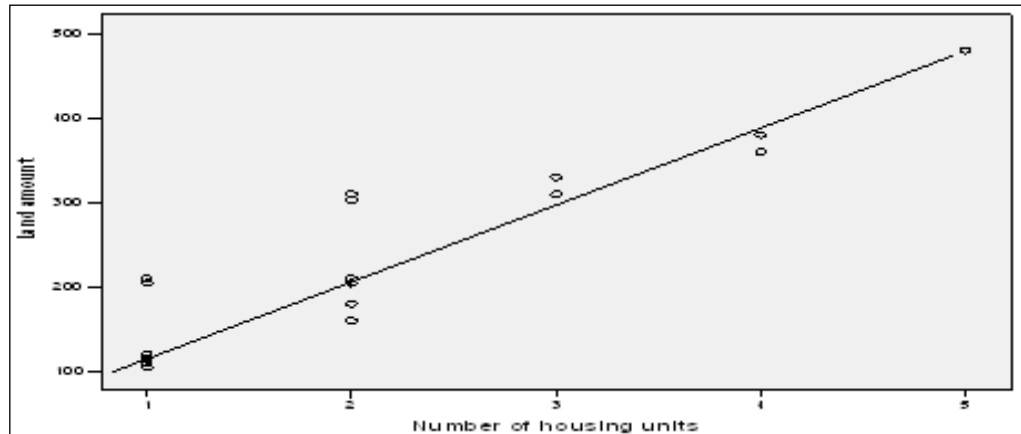
**Table 4.14. Number of housing units obtained by squatter owners by land amount**

			Number of housing units					Total
			0-1unit	1,1-2	2,1-3	3,1-4	4,1 and above	
Land Amount	101-200	Count	7	3	0	0	0	10
	m2	% within Portion of land	70,0%	30,0%	,0%	,0%	,0%	100,0 %
		% of Total	25,9%	11,1%	,0%	,0%	,0%	37,0%
	201-300	Count	4	5	0	0	0	9
	m2	% within Portion of land	44,4%	55,6%	,0%	,0%	,0%	100,0 %
		% of Total	14,8%	18,5%	,0%	,0%	,0%	33,3%
	301-400	Count	0	2	2	3	1	8
	m2	% within Portion of land	,0%	25,0%	25,0%	37,5%	12,5%	100,0 %
		% of Total	,0%	7,4%	7,4%	11,1%	3,7%	29,6%
Total			11	10	2	3	1	27
			40,7%	37,0%	7,4%	11,1%	3,7%	100,0 %
			40,7%	37,0%	7,4%	11,1%	3,7%	100,0 %



**Chart 4.6. Number of housing units obtained by squatter owners by land amount**

When analyzing the number of the obtained flat according to the size of land, 70 % of those who have 101 - 200 square meters land obtained between 0 – 1 flat. 30 % of them obtained 1 – 2 flats. 44.4 % of those who have 200 - 300 square meters lands obtained 0 - 1 flat. 55, 6 % of them acquired 1 - 2 flats. 50 % of the owners having land between 301 and 400 square meters obtained more than 3 housing.



**Chart 4.7. The scatter of number of housing**

**Table 4.15. The correlations between land amount and number of housing unit obtained by squatter owners**

		Land amount	Number of housing units
Land amount	Pearson Correlation	1	,896**
	Sig. (2-tailed)		,000
	N	27	27
Number of housing units	Pearson Correlation	,896**	1
	Sig. (2-tailed)	,000	
	N	27	27

\*\*. Correlation is significant at the 0.01 level (2-tailed).

There is a very strong positive linear relationship between the land amount and the number of obtained housing unit. In other words, as the amount of land increases, the number of obtained housing also increases.

However, it is needed to be examined if the number of obtained housing depends on variability of the number of joint owners in the parcel, or not.

**Table 4.16. The correlations between land amount and number of housing unit obtained by squatter owners**

		Number of housing units	Number of joint owners in land
Number of housing units	Pearson Correlation	1	-,648**
	Sig. (2-tailed)		,000
	N	27	27
Number of joint owners in land	Pearson Correlation	-,648**	1
	Sig. (2-tailed)	,000	
	N	27	27

\*\*. Correlation is significant at the 0.01 level (2-tailed).

When analyzing changes in the number of housing obtained by the number of joint owners in the parcels, we can assert that there is a strong negative correlation between them. In other words, as the amount of the joint owners of the parcel increases, the number of obtained housing decreases.

However, the change in the number of obtained housing by the number of joint owners and by the amount of land should be examined;

**Table 4.17. Number of housing and the land amount crosstabulation**

Number of joint owners in land				Number of housing units					Total
				0-1unit	1,1-2	2,1-3	3,1-4	4,1 and above	
only my own parcel	Portion of land	301-400 m2	Count				1	1	2
			% within Portion of land				50.0%	50.0%	100.0%
			% of Total				50.0%	50.0%	100.0%
	Total	Count				1	1	2	
			% within Portion of land				50.0%	50.0%	100.0%
			% of Total				50.0%	50.0%	100.0%
2	Portion of land	201-300 m2	Count	1		0	0		1
			% within Portion of land	100.0%		.0%	.0%		100.0%
			% of Total	33.3%		.0%	.0%		33.3%
	301-400 m2	Count	0		1	1		2	
		% within Portion of land	.0%		50.0%	50.0%		100.0%	
		% of Total	.0%		33.3%	33.3%		66.7%	
	Total	Count	1		1	1		3	
		% within Portion of land	33.3%		33.3%	33.3%		100.0%	
		% of Total	33.3%		33.3%	33.3%		100.0%	
	3	Portion of land	101-200 m2	Count	1	1		0	
% within Portion of land				50.0%	50.0%		.0%		100.0%
% of Total				12.5%	12.5%		.0%		25.0%
201-300 m2		Count	1	3		0		4	
		% within Portion of land	25.0%	75.0%		.0%		100.0%	
		% of Total	12.5%	37.5%		.0%		50.0%	
301-400 m2		Count	0	1		1		2	
		% within Portion of land	.0%	50.0%		50.0%		100.0%	
		% of Total	.0%	12.5%		12.5%		25.0%	
Total		Count	2	5		1		8	
		% within Portion of land	25.0%	62.5%		12.5%		100.0%	
		% of Total	25.0%	62.5%		12.5%		100.0%	
4	Portion of land	101-200 m2	Count	5	2	0			7
			% within Portion of land	71.4%	28.6%	.0%			100.0%
			% of Total	41.7%	16.7%	.0%			58.3%
	201-300 m2	Count	2	2	0			4	
		% within Portion of land	50.0%	50.0%	.0%			100.0%	
		% of Total	16.7%	16.7%	.0%			33.3%	
	301-400 m2	Count	0	0	1			1	
		% within Portion of land	.0%	.0%	100.0%			100.0%	
		% of Total	.0%	.0%	8.3%			8.3%	
	Total	Count	7	4	1			12	
		% within Portion of land	58.3%	33.3%	8.3%			100.0%	
		% of Total	58.3%	33.3%	8.3%			100.0%	
5 and more	Portion of land	101-200 m2	Count	1	0				1
			% within Portion of land	100.0%	.0%				100.0%
			% of Total	50.0%	.0%				50.0%
	301-400 m2	Count	0	1				1	
		% within Portion of land	.0%	100.0%				100.0%	
		% of Total	.0%	50.0%				50.0%	
Total	Count	1	1				2		
	% within Portion of land	50.0%	50.0%				100.0%		
	% of Total	50.0%	50.0%				100.0%		

As the number of joint owners in the parcel increases, the number of obtained housing reduces when the amount of land is held as constant. In other words, when the owners of 300- 400 square meters of lands of having 4 joint owners acquiring 2.1 – 3 units of flat, the owner of 300 – 400 square meters of lands of having only one owner acquired more than 4 units of flat. In other words, the number of the obtained housing varies depending on the size of the land and on the number of joint owners of the parcel.

We can understand by doing regression analysis whether the number of obtained housing depends on the number of the joint owners and depends on the size of the land, or not.

#### Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.904(a)	.817	.802	.509

a Predictors: (Constant), Number of joint owners in land, Land amount

#### ANOVA<sup>b</sup>

Model	Sum of Squares	df	Mean Square	F	Sig.
1 Regression	27,778	2	13,889	53,577	,000 <sup>a</sup>
Residual	6,222	24	,259		
Total	34,000	26			

a. Predictors: (Constant), Number of joint owners in land, Land amount

b. Dependent Variable: Number of housing units

In our multiple regression analysis the size of the land and the number of joint owners have the effects of 81 % on the number of obtained housing, which is our dependent variable. Therefore, in the parcels having more joint owners, the average amount of land which is necessary to obtain 1 flat has varied in the parcels having various numbers of joint owners. Therefore, the average size of the land which is necessary to obtain one unit of housing according to the number of joint owners should be calculated.

**Table 4.18. Means of the land amount of joint owners in the parcels by the number of housing obtained by squatter owners**

Number of housing units	Number of joint	Mean	N	Maximum	Minimum
0-1unit	2	210.00	1	210	210
	3	157.50	2	205	110
	4	139.29	7	210	105
	5 and more	120.00	1	120	120
	Total	147.27	11	210	105
1,1-2	3	217.80	5	310	160
	4	190.00	4	210	160
	5 and more	303.00	1	303	303
	Total	215.20	10	310	160
2,1-3	2	310.00	1	310	310
	4	330.00	1	330	330
	Total	320.00	2	330	310
3,1-4	only my own parcel	360.00	1	360	360
	2	380.00	1	380	380
	3	360.00	1	360	360
	Total	366.67	3	380	360
4,1 and above	only my own parcel	480.00	1	480	480
	Total	480.00	1	480	480
Total	only my own parcel	420.00	2	480	360
	2	300.00	3	380	210
	3	220.50	8	360	110
	4	172.08	12	330	105
	5 and more	211.50	2	303	120
	Total	221.93	27	480	105

According to our analysis, the average amount of the land which is necessary to obtain one unit of housing reduces as the number of joint owners of land increases. In a parcel having 2 joint owners, the average amount is 210 square meters which is needed to obtain 0-1 unit of housing. This amount is 157.57 square meters for the land having 3 joint owners, 139.39 square meters for the land having 4 joint owners, 120 square meters for the land having 5 or more joint owners. The average amount of land which is necessary to obtain 0-1 unit of housing is 147.27 square meters. However, the average amount of land which is necessary to obtain 1 unit of housing is 156 square meters.

Understandably, when the number of joint owners in the parcel increases, the smaller size of land owners would be in an advantageous position. In fact, the number of joint owners in parcel increases, the rent of the joint owners having large size of land reduces. The result of this situation is; in urban renewal projects, all the plots in the area are being handled by local government, and the lands totally are becoming subject for the



construction contract. So in a sense, a very large amount of urban land would be obtained by the local government and of all the initiatives for urban renewal projects would be on the local administration. In other words, the collection of parcels in the hands of local authorities is the way increasing the rent. Therefore, if the main aim of urban renewal projects was to create regular livable urban environments; urban renewal projects could be implemented without getting lands from the owners of squatter houses. Ege urban renewal project is a project with less attention to local government in terms of rent creation because lands will not be take possession of by the local authority in the urban renewal project in Ege Neighborhood.

According to our analysis, the average amount of land (156 meter square), which is needed for an 1 housing, will be used to calculate the decrease number of housing depending on the development rights of the squatter owners in the New Mamak Urban Renewal Project.

#### **4.6. Development Right Difference between Improvement Plan and Urban Renewal Project in Terms of Squatter Owners**

In this chapter, a calculation will be conducted to indicate the difference among development rights of squatter owners in improvement plans and urban renewal projects. As stated before, New Mamak Urban Renewal Project area also had an improvement plan. We will indicate what would be the development rights of squatter owners in case this area would be transformed through improvement plans and what is happening in urban renewal projects.

We should calculate the number of houses obtained by squatter owners in improvement plans and urban renewal projects. In order to calculate this, we have to develop a pattern through an area transformed by improvement plans before. This pattern will be developed with questionnaire conducted in İlker neighborhood. In improvement plans urban space is transformed parcel by parcel. Namely, 3-4 joint owners in a parcel come together and deal with a contractor. In these deal, the contractor gets a share of 60%. In other words, if the parcel is 700 meter square, when site ratio (TAKS) is 0, 40 and plot ratio (KAKS) is 1, 60, a 4-storied apartment block can be constructed on 280 meter square of land. In improvement plans, if the parcel is slopped, extra floors can be obtained due to the difference of plane. In this case, total construction area increases to approximately 1, 80

plot ratio. Through improvement plans, nearly owners of all squatter houses can have housing without getting into debt. According to results of interviews with the contractor owners of squatter houses could get one 100 meter square house for each 120 meter square of lands. Even the owners of 15-20 meter square of lands could get one houses from the base floor through bargaining in order to start the construction all share holders should approve and consent. The contractor and owners of big shares mostly avoided to file a claim for 'elimination of joint ownership' (izale-i şuyu) so as to prevent the project taking too much time. Each shareholder renounced from some of their shares and let owners of small shares have housing. In interview conducted in Ege Neighborhood, the contractor states that people living in these squatter houses are poor and in case of a claim for elimination of joint ownership, they cannot get that parcel by themselves through a public tender. Therefore, he specifies that shareholders avoid filing a claim. In Ege neighborhood, only one claim was filed and there was no such a claim before. Today, similar situations are experienced in Mutlu neighborhood transformed through improvement plans.

Therefore, in New Mamak Urban Renewal Project, we can claim that squatter owners having lands less than 100 meters square might have housing in case the area would be transformed through improvement plans. In calculations, it will be estimated that people having lands less than 100 meters square will own one 80 meter square house.

We should analyze how many housing units are obtained by owners of title deed and title deed allocation in New Mamak Urban Renewal Project through developed housing program.

### Housing Program in New Mamak Urban Renewal Project

Owners of lands with title deed;

- For each 200 meters square of land, a house with 80 meters square
- For each 250 meters square of land, a house with 100 meters square
- For each 300 meter square of land, a house with 120 meter square

Owners of lands with title deed, not registered, having cadastral lands;

- For each 333,3 meter square of land, a house with 80 meter square
- For each 416,6 meter square of land, a house with 100 meter square
- For each 500 meter square of land, a house with 120 meter square

<b><u>Cadastral Property (m2)</u></b>	<b><u>Program (housing m2)</u></b>
0- 167	0
167 – 333	1x80
333 – 416	1x100
416 – 500	1x120
500 – 916	1x120 + 1x100
916 – 1.000	2x120
1.000 – 1.416	2x120 + 1x100
1.416 – 1.500	3x120
1.500 – 1.916	3x120 + 1x100

<b><u>Registered Property m2</u></b>	<b><u>Program (housing m2)</u></b>
0-100	0
100 – 200	1x80
200 – 250	1x100
250 – 300	1x120
300 – 550	1x120 + 1x100
550 – 600	2x120
600 – 850	2x120 + 1x100
850- 900	3x120
900 – 1.150	3x120 + 1x100

- For each 400 meter square of land having title deed allocation, a house with 100 meter square will be given.

Number of squatter owners and their land amounts in the project areas is given in the following tables;

**Table 4.19. The housing program for the land of squatter owners in improvement plan**

<b>Lands in improvement plan (m<sup>2</sup>)</b>	<b>Number of Owners</b>	<b>Housing Program</b>	<b>80m<sup>2</sup></b>	<b>100m<sup>2</sup></b>	<b>120m<sup>2</sup></b>
<b>0-100</b>	<b>5,905</b>	0	0	0	0
<b>100.01 - 200</b>	3,158	1x80	3,158	0	0
<b>200.01 - 225</b>	514	1x80	514	0	0
<b>225,01-250</b>	371	1x100	0	371	0
<b>250,01-275</b>	347	1x100	0	347	0
<b>275,01-300</b>	324	1x120	0	0	324
<b>300,01-425</b>	678	1x120	0	0	678
<b>425,01-550</b>	232	1x120 + 1x100	0	232	232
<b>550,01-575</b>	74	1x120 + 1x100	0	74	74
<b>575,01-600</b>	268	2x120	0	0	536
<b>600,01-725</b>	174	2x120	0	0	348
<b>725,01-850</b>	71	2x120 + 1x100	0	71	142
<b>850,01-875</b>	5	2x120 + 1x100	0	5	10
<b>875,01-900</b>	2	3 x 120	0	0	6
<b>900,01-1000</b>	13	3 x 120	0	0	39
<b>1000+</b>	117	3 x 120 +	0	0	351
<b>Total</b>	<b>12,253</b>		<b>3672</b>	<b>1100</b>	<b>2740</b>

*Source: Mamak Municipality*

**Table 4.20. The housing program for the lands of squatter owners in cadastral parcels**

<b>Cadastral parcels</b>	<b>Numbers of Owners</b>	<b>Housing Program</b>	<b>80m2</b>	<b>100m2</b>	<b>120m2</b>
<b>0-167</b>	4,267	0	0	0	0
<b>167,01-333</b>	1,960	1x80	1,960	0	0
<b>333,01-375</b>	221	1x80	221	0	0
<b>375,01-416</b>	189	1x100	0	189	0
<b>416,01-458</b>	106	1x100	0	106	0
<b>458,01-500</b>	137	1x120	0	0	137
<b>500,01-708</b>	261	1x120	0	0	261
<b>708,01-916</b>	91	1x120 + 1x100	0	91	91
<b>916,01-958</b>	30	1x120 + 1x100	0	30	30
<b>958,01-1000</b>	31	2x120	0	0	62
<b>1000,01-1208</b>	46	2x120	0	0	92
<b>1208,01-1416</b>	38	2x120 + 1x100	0	38	76
<b>1416,01-1458</b>	10	2x120 + 1x100	0	10	20
<b>1458,01-1500</b>	8	3 x 120	0	0	24
<b>1500,01-1667</b>	22	3 x 120	0	0	66
<b>1667,01+</b>	218	3 x 120 +			654
<b>Total</b>	<b>7,635</b>		<b>2181</b>	<b>464</b>	<b>1513</b>

Source: Mamak Municipality

**Table 4.21. The total housing for the lands of squatter owners given through urban renewal project**

	Number of owners	Number of owners getting dwelling	Number of owners not getting dwelling	Number of housing		
				80m2	100m2	120m2
<b>For land in Improvement plan</b>	7635	3368	4267	3672	1100	2740
<b>For Cadastral parcels</b>	12253	6348	5905	2181	464	1513
<b>With title deed allocation</b>	3900	3003	897		3003	
<b>Total</b>	19888	9716	10172	5853	3467	4253
				Total 14673 unit dwelling		

Within the project, nearly owners of 1192 squatter houses are considered as occupants and therefore houses developed by TOKI (Mass Housing Administration) in Mamak Kusunlar are given by indebting. 5% of debris fee was deducted from their indebts.

#### **4.6.1. If the Area Would Transform Through Improvement Plans**

**However, how many houses could these squatter owners get in case the area would be transformed through improvement plans by making agreements for constructing the apartment blocks?**

In order to calculate it, we will create a pattern for transformation through improvement plans in Dikmen İlker Neighborhood. In accordance with this pattern, owners of each squatter within development area could have a house. **The land amount which is necessary in order to obtain one flat is approximately 156 square meters.** Regarding results of interviews in Mutlu and Ege Neighborhood, owners of squatter houses having 0-100 meter square of land can obtain housing. From this point, first of all calculation will be done for owners of lands in development plan in New Mamak Urban Renewal Area.

**Table 4.22. The Number of housing for lands in plan in case of transformation through improvement plan**

<b>Lands in development plan (m<sup>2</sup>)<sup>29</sup></b>	<b>Number of Owners<sup>30</sup></b>	<b>Approximate Parcel<sup>31</sup></b>	<b>80m<sup>2</sup></b>	<b>100m<sup>2</sup></b>
<b>0-100</b>	5,905	50	1892	0
<b>100.01 - 200</b>	3,158	150	0	3036
<b>200.01 - 225</b>	514	212,5	0	700
<b>225,01-250</b>	371	237,5	0	564
<b>250,01-275</b>	347	262,5	0	583
<b>275,01-300</b>	324	287,5	0	597
<b>300,01-425</b>	678	367,5	0	1597
<b>425,01-550</b>	232	487,5	0	725
<b>550,01-575</b>	74	562,5	0	266
<b>575,01-600</b>	268	587,2	0	1009
<b>600,01-725</b>	174	662,5	0	738
<b>725,01-850</b>	71	787,5	0	358
<b>850,01-875</b>	5	862,5	0	27
<b>875,01-900</b>	2	887,5	0	11
<b>900,01-1000</b>	13	950	0	79
<b>1000+</b>	117	1100	0	825
<b>Total</b>	<b>12,253</b>		<b>1982</b>	<b>11115</b>
			<b>Total 13007 dwelling units</b>	

We can implement the same calculation way for cadastral parcels. However, what we should consider here is that these cadastral parcels should not be within development plan area. In case that development plan is implemented for these parcels, 40% of each parcel

<sup>29</sup> Data gathered from Mamak Municipality.

<sup>30</sup> Data gathered from Mamak Municipality.

<sup>31</sup> Approximate parcel size is estimated value.

will be seized by municipality as Arrangement Partnership Share (APS)<sup>32</sup> . According to this;

**Table 4.23. The Number of housing for lands in cadastral parcels in case of transformation through improvement plan**

<b>Lands in Cadastral parcels<sup>33</sup></b>	<b>Numbers of Owners<sup>34</sup></b>	<b>Approximate Parcel Size<sup>35</sup></b>	<b>Share left after APS<sup>36</sup></b>	<b>80m2</b>	<b>100m2</b>
<b>0-167</b>	4,267	84	50	1367	0
<b>167,01-333</b>	1,960	250	150	0	1884
<b>333,01-375</b>	221	354	212,4	0	300
<b>375,01-416</b>	189	396	237,6	0	287
<b>416,01-458</b>	106	437	262,2	0	178
<b>458,01-500</b>	137	479	287,4	0	252
<b>500,01-708</b>	261	604	362,4	0	606
<b>708,01-916</b>	91	812	487,2	0	284
<b>916,01-958</b>	30	937	562,2	0	108
<b>958,01-1000</b>	31	979	587,4	0	116
<b>1000,01-1208</b>	46	1104	662,4	0	195
<b>1208,01-1416</b>	38	1312	787,2	0	191
<b>1416,01-1458</b>	10	1437	862,2	0	55
<b>1458,01-1500</b>	8	1479	887,4	0	45

<sup>32</sup> According to 2nd clause of 18th Article of Development Law numbered 3194, “In distribution of land and parcels being arranged by municipalities or governorships, it can be though increase in value of enough amount of land through arrangement can be considered meeting the need for Arrangement Partnership Share. However, in accordance with this article, given APS cannot be higher than 40% of the total land.”

<sup>33</sup> Data gathered from Mamak Municipality.

<sup>34</sup> Data gathered from Mamak Municipality.

<sup>35</sup> Approximate parcel size is estimated value.

<sup>36</sup> As land size left after APS is similar with the approximate values given in the above table clarifies that municipality uses the same method that is used in this calculation.



1500,01-1667	22	1584	950,4	0	134
1667,01+	218	1700	1020		1425
<b>Total</b>	7,635			1367	6060
				<b>Total 7427 Dwelling Units</b>	

**Table 4.23.(continued)**

Moreover, there are 3900 people having title deed allocation document. Within improvement plans, owners having title deed allocation can also get title deed and make agreements with contractors. Therefore, we should calculate the number of housing for title deed allocation owners.

**Table 4.24. The Number of housing for lands of title deed allocation in case of transformation through improvement plan**

	Number of title deed	Approximate parcel (m2)	Share excluding DOP (m2)	100m2
<b>Owners with title deed allocation</b>	3900	400	280	5500

According to calculations, squatter owners in this area would be included in improvement plans, totally there would be;

Registered – Having title deed: **13.007 houses**

Cadastral title deed: **7427 houses**

Having title deed allocation document: **5500 houses**

Totally, there would be 25934 houses constructed. However, in transformation through urban renewal project, share holders would have 15570 houses from 60000 houses constructed in the area. Main supporter of urban renewal project may argue this calculation as:

1. Transformation through improvement plan is impossible for this area, because some of these squatter houses are within unpermitted area. All parts of the area are not appropriate for settlement. So what will owners of squatter houses situated in unpermitted area do?
2. Improvement plans developed without considering topography. Therefore, it is impossible to implement these plans.
3. In the area, in case 25934 houses are given to squatter owners, municipality cannot get enough income for developing infrastructure, because Ankara Metropolitan Municipality will create financial source for infrastructure through selling some of developed houses in the area.
4. Owners of squatter houses will become richer unfairly.

As it is understood from the calculations, in case that development rights given through improvement plan are kept in transformation process, people living in the area can benefit from the project. As a result of urban and political populism, in case rights given to owners of squatter houses are kept, it is impossible for big capital owners get share from the rent creation in the area because half of created rent in the area are given to owners of squatter houses and the other half is given to unorganized developers. The main difference between urban renewal projects and improvement plans is who develops the area. The other difference is who makes agreement with the developer as landowners. While, in improvement plans squatter owners make agreements with the developer in the urban renewal projects Ankara Metropolitan Municipality made agreements with the developers. Similarly, the developer transforming is unorganized developer in improvement plans, but organized developers in urban renewal projects. Therefore, it is obvious which actors seize the rents and development rights of squatter owners.

## CHAPTER V

### 5. CONCLUSION

Within the rent and property transfers, the thesis examined the difference of development rights between the squatter owners in transformed areas through urban renewal projects and improvement plans.

Urban renewal projects are the direct intervention of the state on urban land in terms of solving contradictions between capital and land-based interest. Although it seems that this intervention, at the final analysis, creates the reconciliation, it becomes the source of new contradiction between the classes in urban space. This new contradiction manifests itself socially, politically and ideologically in the urban space. Urban landownership structure is changed by means of this intervention of the state. Most of squatter owners lose their lands. This surplus of lands is appropriated by the actors who reproduce the political power. It is an interest group among the capital and the landowner classes. It can be comprehended through *mediation*. In other words, the difference between capitalist and landowner class has been uncertain. In this sense, landowner class is not the owners of squatter but this *interest group*.

Decreases in the development rights cannot be explained solely by means of the urban rent. Therefore, the development rights of the squatter owners in different urban renewal projects in Mamak were analyzed. Moreover, the development rights of squatter owners were calculated statistically within Dikmen-İlker Neighborhood transformed through the improvement plan. According to this calculation, the decreases in the development rights of the squatter owners within New Mamak Urban Renewal Project were examined. It was determined who shared the surplus of the development rights, and to which actors the surplus of development rights transferred. The transfer formation is not merely an economic phenomenon. In Mamak, which was not able to transform in many years, it is necessary that dynamics of transformation and non – transformation phenomenon should be investigated in the ideological and political realms. It is obvious that transformation

dynamics and non-transformation phenomenon are used as a mean of political power in different periods by the local authorities.

Since the squatter areas were not in the urban land market, the improvement plans led them convert to exchange value from the use value. Consequently, squatter areas enter the market mechanism. However, the urban renewal projects have been used as a tool for the interest of the new political power.

New Mamak Urban Renewal Project and the other similar urban renewal projects are the spatial organization form of the replacing a new political reason substituted for the state power. The formation of the state has been equalized with the political one. Thereby projects can be statutory but legitimate. The difference between being statutory and being legitimate is related to the replacement of the state reason with the political reason. Therefore, it can be declared the illegalization of judicial system. The implementation of article 73 of the Law 5393, which regulates the urban renewal project, is statutory but judiciary. The criticisms about urban renewal projects and the resistance should be in terms of urbanism principles, not in terms of the legality of the implementation or those who lose their property. Individual resistance to project, surely, will be able to create opposition to urban renewal projects and there will be certain acquisitions. However, the ultimate form of the struggle should be on the basis of urbanism principles.

The improvement plans, within the scope of the squatter amnesty laws after 1980 can be considered as a mean of intervention of a new political regime to urban space. Immediately after the military intervention, urban space has been interfered by the power of Anavatan Party at the central level. In this regard, improvement plans can be considered as a policy at the central level. Such an intervention to urban space is a recently constructed state intervention rather than the intervention of a political party or a political reason. In this sense, the liberalism, the basic orientation of state, manifests itself at the urban space as implementations like deregulation, freedom, marketing or privatization. However, neoliberal-oriented new political formation converts the existence of liberal implementations to over-regulative formations at the urban space. In this sense, neoliberal policies are not de-regulative, conversely, a chain of over-regulative policies. However, the difference between this over-regulative structure and the statist regulatory

policies is that over regulative structure contains an unlawful power at the hegemonic level.

How the political structure constructs itself? Every new political regime constructs itself with a new discourse and the spatial organization. Whether a revolutionary process exists or not the new political powers are required to remove the traces of the former regimes. This is a historical phenomenon. The traces of the former regimes are generally the spatial and discursive. Construction of a new discourse is essential for the construction of the neo-liberal regime. The construction of this discourse in urban area is developed through "qualified urban environments", "livable city" rhetoric. The urban renewal projects precisely are based on this discourse. In contrast, the squatter houses, their owners, and the urban poor are pointed out as "those who makes the city bad and unlivable". It is expressed that they should be displaced from the city by means of this rhetoric.

Moreover, the new political structure brings its own capital power holders. A new form of capital which reproduces the urban space is constructed within this process. In fact, the construction of a new discourse produces its own capitalist power holders in the new regime. In urban renewal projects, developers and the other groups which are close to the municipality have organic bonds with the new political structure. These groups can be defined as quasi- landowner capitalist interest group, not as local rentier.

After these meta-narratives, we have to introduce the findings which support the meta-narratives of our thesis.

In the analysis based on the hypothesis of our thesis, the change in the structure of land ownership in squatter areas has been determined. According to our analysis, the number of joint owners who took place on an urban land and the urban rent are inversely proportional. In other words, in improvement plans, as the number of joint owner increases in a parcel, the average amount of land which is necessary to obtain one dwelling decreases. Therefore, small landowners take much more advantage from this rent. It is possible to define this situation as the **decreasing tendency of rent** due to the different levels of various fragmentation of landownership.

The basic hypothesis of the thesis, which is that the development rights of squatter owners given through improvement plan above the development rights of urban renewal projects, has been proven with statistical calculations. Squatter owners have been able to obtain one apartment flat approximately for each 156 meter square of land through improvement plans. In New Mamak Urban Renewal Project, although owners of squatter houses would have totally 26.000 houses through improvement plans, they could have 15000 houses through urban renewal project. Approximately 11.000 houses were transferred to the municipality and some groups in alliance with the municipality. Moreover, construction companies undertaking the transformation of the project area would have totally 25.000 houses under these conditions. Existing and future rent is shared not by owners of squatter houses, but municipality and by some groups in alliance with the municipality. From this point of view, urban renewal project model is defective in terms of urban policy. An alternative urban transformation model should be developed in terms of urban policy. Furthermore, development rights of squatter owners given through improvement plans should be protected. Urban renewal projects have many failures regarding fragmented land. Small land owners who have advantages in improvement plans in terms of obtaining flats cannot benefit from the rent creation in urban renewal projects. Approximately 10.000 of totally 20.000 share holders lose their squatter within the project.

Urban renewal projects are the conversion of the landownership structure. In our case study, we examined how the urban lands pass into other hands in different urban renewal projects. Before an area is declared as urban renewal project, the urban lands in this area are appropriated by some groups. In the phase of the decision of the urban renewal project; urban lands are appropriated by local capitalists and political interest groups. The sharing process is conducted by the institutions. There is an alliance between the capitalist groups and the decision makers of the institutional structures at the stage of the idea of urban renewal. This kind of alliance is basically political oriented because local capitalist groups and political interest groups have the power to do the necessary political orientation to the institutional structures which are in the hands of the political power. These institutions need economically strong political milieus which can hold them in the same position again. Therefore, urban rents are shared to them. Defining the urban renewal as the conversion of the landownership structure has a meaning other than an

economic reductionism. Passing into other hand of lands is political and ideological re-production of capital and land- based interest. The political powers create their own rentier groups.

Urban renewal projects are promulgated in the areas in which the ownership structures have not been converted yet. In other words, the urban renewal projects are declared in the urban space of which distribution has not been completed yet. At the same time, the lands which are surrounded by the urban renewal areas accelerate the promulgation of the urban renewal. Durali Alıç Urban Renewal Project was designed by this way. Durali Alıç Urban Renewal Project is justified as a project to accelerate the urban investments in Mamak. However, with a carefully examine, the lands between Natoyolu Street and Doğukent Boulevard were taken possession by the different capitalist groups within this project. With this project which looks like a simple dwelling production implementation and which was realized on the municipal lands, the whole lands passed into the hands of various capitalist groups. Some of them are the international capitalists. On the contrary, Ege Urban Renewal Project has a different aim. There is still a rent which is shared by squatter residents in Ege Urban Renewal Project. However, the project creates rents in the vicinity. The aim of New Mamak Urban Renewal Project can be considered as the creation of future rents.

The urban renewal projects are not only the projects considering merely the rent, but also the projects of creation of new political mechanisms. Harvey's capital switching theory cannot be approved by urban renewal projects implemented in Mamak. There is no transformation in Mamak in the process of flow of capital from the production and to built environment or vice versa. It is not correct to correlate the two phenomenons positively or negatively. It is difficult to explain the transformation in Mamak by the switches of capital. Such an explanation, which ignores the political, social, and the ideological domains, means the abstraction of the economic sphere from the political one.

What are the new political mechanisms? Mamak municipality is a municipality in the power of social democratic parties between the years 1989-1999. The improvement plans are prepared and put into implementation in this period. Urban transformation has not appeared in this period. However, with the power of the rightist parties since 2003, squatter areas started to be considered as crucial areas in terms of rent creation. From the

year 2003 to the present, there is a case of transformation through the rent projects and populist urban policies of the rightist parties. The assistance served to the poor squatter areas with pseudo-social welfare in the election period is a way of getting the consent of those living in squatter houses. Today, there is a resistance to the rightist parties due to the urban renewal projects in Mamak. This reaction is a sign of the defeat of the rightist parties that would be experienced in future local elections. The processes of transformation in Mamak are intended to provide the continuity of the mechanism of consent. Therefore, a new political rent group has been created in Mamak.

Urban renewal projects provoke the collapse of social policy and public policy. The improvement plans can be considered as the public policy of the new regime of 1980s. However, this public policy is nothing but superficial and defective ones. At the same time, it is a mean for intervention to urban space as a populist public policy. It is the way of the creation of the consent mechanism as a superficial public policy. However in the neoliberal period, this superficial public policy is solved. In other words, the former form of urban poverty has been dissolved; a new form of urban poverty has been defining. This new urban poverty is established on propertylessness. As a use value, squatter houses which provide the urban poor's housing need for decades have been destroyed, the urban poor is dispossessed in the spatial sense. In this sense, a new form of urban poverty is tried to be distinguished from the spatial references. With no spatial references, it is very difficult to assume the state power for the labor. The urban renewal project model in this form is a spatial strategy to restrain the working class from being an alternative to assuming the power.

As a result, we analyzed the relationship between capital and land-based interest in order to understand the urban renewal projects. It is impossible to understand the process of the urban transformation in Mamak within Harvey's capital switching theory. The theory of Gottdiener is also deficient for Mamak case because it is difficult to assert that the actors having been involved in the real estate field for the purpose of the revenue protection is nothing but economical reductionism for an urban space like Mamak. The real dynamics need to be searched in the political and ideological sphere of real estate market.



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- 18-Dostlar Mukhtarship
- 19- Mr. Mustafa, settler in Derbent Neighborhood

## APPENDIX A

### QUESTIONARE FORM FOR İLKER NEIGHBORHOOD

1-İşiniz nedir?

- 1() İşçi
- 2() Memur
- 3() Kendi işi
- 4() İşçi Emeklisi
- 5() Memur Emeklisi
- 6() Çalışmıyorum

2- Kaç yılından bu yana Ankara'da yaşıyorsunuz?

- 1()1950 ve öncesi
- 2()1951- 60
- 3()1961-70
- 4()1971-80
- 5()1981-90
- 6()1990'dan sonra

3-Ne zamandan beri Dikmen'de oturuyorsunuz?

- 1()1950-1960
- 2()1961-70
- 3()1971-80
- 4()1981-90
- 5()1990 dan sonra

4-Evinizde kaç kişi yaşıyor?

- 1() 3 kişiye kadar
- 2() 4-5
- 3() 6 ve üzeri

5- Evinizde kaç kişi çalışıyor?

- 1() 1 kişi
- 2() 2 kişi
- 3() 3 kişi
- 4() 4 kişi
- 5() 5 ve daha fazla kişi

6- Evinizde asgari ücretli çalışan kaç kişi var?

- 1() Yok
- 2() 1 kişi
- 3() 2 kişi
- 4() 3 kişi
- 5() 4 kişi
- 6() 5 ve daha fazla kişi

7-Gecekonduyunuzu ne zaman yaptınız?

- 1( )1970 ve öncesi
- 2( )1971-1975 arası
- 3( )1976-1980 arası
- 3( )1981- 1985 arası
- 4( )1985 sonrası (yıl belirtiniz).....

8-Gecekondu yaptığınız arsayı nasıl edindiniz?

- 1( )Hazine arazisine doğrudan gecekondu yaptım
- 2( )Tapusuz arsa olarak satın aldım
- 3( )Hisse tapulu olarak aldım
- 4( )Arsayı üzerindeki gecekonduyla beraber başkasından satın aldım
- 5( )Ailemden kaldı
- 6( )Diğer .....

9-Müteahhitte ne zaman anlaştınız?

- 1( ) 1-3 yıl önce
- 2( )4-6 yıl önce
- 3( )7-9 yıl önce
- 4( )10-12 yıl önce
- 5( ) 12 yıl ve daha önce

10- Müteahhidi hangi yolla buldunuz?

- 1( )Müteahhit doğrudan kendisi geldi
- 2( )Tanıdık vasıtasıyla buldum
- 3( )Kendi tanıdığım
- 4( )Aynı mahallede başka bir inşaatı vardı
- 5( )Diğer.....

11- Anlaşma sırasında sorun yaşadınız mı?

- Evet ( )
- Hayır ( )

12-Ne tür bir problem yaşandı?

- 1( )Diğer hissedarlarla problem yaşandı
- 2( )Paylaşım miktarlarında problemi oldu
- 3( )Belediye ve hukuki engeller oldu. Belirtiniz.....
- 4( )Müteahhitte problem yaşandı

13- Anlaşma yaptığınız toplam arsanız ne kadardı? (Miktar belirtiniz.....)

- 1( )0-100 metrekaare
- 2( )100-200
- 3( )200-300
- 4( )300-400

14-Müteahhitte anlaşmanızda hissedarlar olarak payınız ne kadardı?

- 1( )%30-40
- 2( )%41-50
- 3( )%51-60
- 4( )%61-70
- 5( )%70 ve üzeri

15-Müteahhide kaç konut kaldı?

- 1( )1-3
- 2( )4-5
- 3( )6-7
- 4( )8-10
- 5( )11 ve daha fazla

16-Müteahhitle anlaşmadan önce kendi arsanızda kaç gecekondu vardı?

- 1( ) 1
- 2( ) 2
- 3( ) 3
- 4( ) 4 ve üzeri

17. Müteahhitle anlaşmanızda imar parselinde kaç hissedar vardı?

- 1( ) Yalnız kendi parselim
- 2( ) 2
- 3( ) 3
- 4( ) 4
- 5( ) 5 ve üzeri

18-İnşaat ne kadar sürdü?

- 1( ) 0-6 ay
- 2( ) 6 ay- 1 yıl
- 3( ) 1-2 yıl
- 4( ) 2-3 yıl
- 5( ) 4 yıl ve üzeri
- 6( ) Henüz tamamlanmadı

19-Arsanız karşılığında kaç konut aldınız?

- 1( ) 0-1
- 3( ) 1,1 -2 arası
- 4( ) 2,1 ve 3 arası
- 5( ) 3,1 ve 4 arası
- 6( ) 4 ve üzeri

20-Edindiğiniz konutlardan kira geliri elde ediyor musunuz?

- 1 ( ) 200-300 TL
- 2 ( ) 301-400 TL
- 3 ( ) 401-500 TL
- 4 ( ) 501 TL ve üzeri

21-Oturduğunuz konutu satmayı düşünüyor musunuz? Neden?

- 1 ( ) Düşünmüyorum
- 2 ( ) Satıp daha ucuz bir semtten almayı düşünüyorum
- 3 ( ) Borçlarımı ödemek için satacağım
- 4 ( ) Diğer .....

22-Edindiğiniz konutun fiyatının artacağı beklentiniz var mı?

- 1 ( ) Evet
- 2 ( ) Hayır Düşer

23- Şu an başka gecekondu/arsanız var mı?

- 1( ) Evet
- 2( ) Hayır ise **27. soruya geçiniz**

24- Varsa nerede?

- 1( ) Dikmende
- 2( ) Dikmen dışında başka bir semtte
- 3( ) Ankara'nın dışında

25- Gecekondu/ arsanızı yine müteahhide kat karşılığı vermeyi düşünüyor musunuz?

- Evet ( )
- Hayır ( ) ise neden?..... (27. Soruya geçiniz)



26- Aynı müteahhitle mi anlaştırdınız?

1( ) Evet

2( ) Hayır ise neden?

.....

27- Konut edinmek için başka planınız/ kararınız var mı?

1( ) Hayır ( )

2( ) Arsa satın alıp kat karşılığı vermek

3( ) TOKİ'den almak

4( ) Satın almak

5( ) Kooperatife girmek

6( ) Diğer .....

28-Planınız için gerekli parayı nasıl sağlayacaksınız?

1( ) Birikimlerimden

2( ) Yaşadığım evimi satarak

3( ) Diğer evimi satarak

4( ) Borç alarak

5( ) Banka kredisiyle

29-Taşınmayı düşünürseniz Ankara'da başka hangi ilçeye taşınırsınız?

1( ) Keçiören

2( ) Mamak

3( ) Yenimahalle

4( ) Sincan

5( ) Etimesgut

6( ) Diğer .....

30- Şu an başka bir konut daha satın almayı düşünürseniz Ankara'da hangi ilçeden almayı düşünürdünüz?

1( ) Keçiören

2( ) Mamak

3( ) Yenimahalle

4( ) Sincan

5( ) Etimesgut

6( ) Çankaya (Dikmen haricinde)