

VIOLATION OF HOUSING RIGHTS VIA STATE,
AS A CASE OF AKTAŞ NEIGHBOURHOOD, ALTINDAĞ

A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
OF
MIDDLE EAST TECHNICAL UNIVERSITY

BY

ESENGÜL DANIŞAN

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF MASTER OF SCIENCE
IN
THE PROGRAM OF URBAN POLICY PLANNING AND LOCAL GOVERNMENTS

DECEMBER 2012

Approval of the Graduate School of Social Sciences

Prof. Dr. Meliha ALTUNIŞIK
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of Master of Science.

Assoc. Prof. Dr. Çağatay KESKİNOĞ
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Science.

Prof. Dr. Melih Ersoy
Supervisor

Examining Committee Members

Prof. Dr. Melih ERSOY (METU, CRP)

Assoc. Prof. Nil UZUN DURUÖZ (METU, CRP)

Assist. Prof. Dr. Osman BALABAN (METU, CRP)

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last name : Esengöl, DANIŞAN

Signature :

ABSTRACT

VIOLATION OF HOUSING RIGHTS VIA STATE; AS A CASE OF AKTAŞ NEIGHBOURHOOD, ALTINDAĞ

Danıřan, Esengöl

M.S., Department of Urban Policy Planning and Local Governments

Supervisor: Prof. Dr. Melih Ersoy

December 2012, 148 pages

Housing policy has always been a critical issue of urbanisation in the history of Turkey. Different time periods, different housing provisions emerged and also different agents have played role in housing market. Moreover, the urban poor have found the solution in illegal houses, and the way people and authorities approach to these illegal houses called ‘*gecekondu*’ have changed from time to time. Generally, the main intention is to get rid of these ‘*gecekondu*’ settlements either by improving or transforming them. In this thesis, different agents’ implementation principles on ‘*gecekondu*’ transformation are discussed, and an analysis of losers and winners of ‘*gecekondu*’ transformations has been made. ‘*Gecekondu*’ transformation implementer ‘*yap-satıcı*’, which largely dominated the transformations in ‘*gecekondu*’ settlements in 1980s-1990s, and HDA (Housing Development Administration), which has played the major role in ‘*gecekondu*’ transformation projects since 2000s through legal arrangements, are chosen for comparing. Furthermore, urban rent transfer which emerged after ‘*gecekondu*’ transformation differ with respect to the active agent depending on this transfer outcomes of ‘*gecekondu*’ transformation. The main aim of this thesis is to discuss these differences in a historical context.

Keywords: implementation principles, ‘*gecekondu*’ transformation, ‘*yap-satıcı*’, HDA, losers and winners.

ÖZ

DEVLET ELİYLE KONUT HAKKI İHLALLERİ; AKTAŞ MAHALLESİ ÖRNEĞİ, ALTINDAĞ

Danışan, Esengül

Yüksek Lisans, Kentsel Politika Planlaması ve Yerel Yönetimler Ana Bilim Dalı

Tez Yöneticisi: Prof. Dr. Melih Ersoy

Aralık 2012, 148 sayfa

Türkiye'nin kentleşme tarihinde konut politikaları her zaman kritik bir konu olmuştur. Farklı dönemlerde farklı konut sunumları ve bu sunumları sağlayan farklı aktörler ortaya çıkmıştır. Buna ek olarak kent yoksulları yasal olmayan yollardan konut sorunlarına '*gecekondu*' ile çözüm bulmuşlardır ve '*gecekondu*'ya geliştirilen tavır dönemin koşullarına göre değişiklik göstermiştir fakat genel olarak, asıl niyet '*gecekondu*' yerleşmelerini geliştirmek ya da dönüştürmek olmuştur. Bu tezde, farklı aktörlerin '*gecekondu*' dönüşümünde uyguladıkları ilkeler tartışılmış ve bu uygulamalar sonucu ortaya çıkan kazananlar ve kaybedenler analizi yapılmıştır. 1980-1990 yılları arasında '*gecekondu*' dönüşümündeki baş aktör '*yap-satçı*' iken 2000li yıllarla birlikte yapılan yasal düzenlemelerin de büyük etkisiyle '*gecekondu*' dönüşümlerinde Toplu Konut İdaresi (TOKİ) baş aktör olmuştur. Bu tezin amacı bu iki aktörü uygulama esasları doğrultusunda kıyaslamaktır. Buna ek olarak, '*gecekondu*' dönüşümünden sonra ortaya çıkan kentsel rantın kime aktarıldığı da bu aktörlerin değişimine bağlı olarak değişiklik göstermekte ve bu da kazananın ya da kaybedenin farklılaşmasına sebep olmaktadır. Tezin asıl amacı bu değişimleri tarihsel bir süreç içerisinde tartışabilmektir.

Keywords: uygulama esasları, '*gecekondu*' dönüşümü, '*yap-satçı*', TOKİ, kazananlar ve kaybedenler.

To My Parents,
Hatice and Metin Danışan

ACKNOWLEDGMENTS

The author wishes to express her deepest gratitude to her supervisor Prof. Dr. Melih Ersoy for his guidance, advice, criticism, encouragements and insight throughout the research.

The author would also like to express her appreciation to the examining committee members Assoc. Prof. Nil Uzun and Assist. Prof. Dr. Osman Balaban.

During the field research, they never leave me alone and rest of my life I believe in they will always be with me, not only physically but also spiritually, I am grateful to Onur elik, Mustafa Beyazıt iekli and Emine Merve nder.

For technical supports special thanks to my firends Emel Ermen, Osman Trkoėlu and our family friends Mehmet Ali Ycekaya, Nuran Balcı and Sevim Aksoy.

I would like to express sincere appreciation and special thanks to my friends Ezgi Altay, Hlya Yorulmaz, Nadiye Aksakal, Necdet Yıldız and, İpek amlı for their encouragements, suggestions, supports and comments. I would like to express special thanks to my manager at Turkish Electricity Transmission Company Dilek Keskin, for her motivation and encouragement.

For “*thesis fellowship*” special thanks to Hande Ceylan for all laughing, whining, sulking, drinking, rolling on grass and all special moments that I could not fit in text.

Finally, I would like to express my deepest appreciation to my mummy Hatice, my daddy Metin, my brothers Kadir and Burak for their endless love, faith, patience and, motivation throughout this study and every stage of my life.

TABLE OF CONTENTS

PLAGIARISM	iii
ABSTRACT.....	iv
ÖZ	v
DEDICATION	vi
ACKNOWLEDGMENTS	vii
TABLE OF CONTENTS.....	viii
LIST OF TABLES	xi
LIST OF FIGURES	xii
LIST OF ABBREVIATIONS	xiii
CHAPTER	
I. INTRODUCTION	1
I.I. Scope, Aims, Hypothesis and Structure of Thesis	3
I.II. Research Methodology	5
II. THEORETICAL FRAMEWORK	8
II.I. The Use Value, Exchange Value and Labour Theory of Value.....	8
II.II. The Use Value and Exchange Value of Land and Improvements	9
II.III. Use Value and Exchange Value According to the Perspective of Different Agents in Housing Market	10
II.IV. Rent and the Allocation of Urban Land to Use.....	11
II.V. A Brief Conclusion about the Relation between Urban Transformation, Use Value- Exchange Value- Labour Theory of Value and Land Rent.....	13
III. HOUSING POLICY	15
III.I. Introduction to Housing and Social Housing Question	15
III.I.I. Different Housing Concerns.....	16
III.I.II. Issues in Social Housing Policy	18
III.II. Marxist Critiques of Housing Question and Housing Policy	18

III.III. Overview of the Social Housing Sector in Europe	20
III.III.I. Social Housing Policy in UK in Historical Context	21
III.III.II. Social Housing Policy in Netherlands in Historical Context	24
III.IV. Social Housing Policy in Turkey in Historical Context.....	26
IV. ‘YAP-SATÇI’ HOUSING PROVISION	30
IV.I. Historical Background of ‘Yap-satıcı’ Housing Provision.....	30
IV.II. The Features of ‘Yap-satıcı’ Model	34
IV.III. Quality of Housing	37
IV. IV. Implementation Principles of ‘Yap-satıcı’	39
IV.V. The Problems of ‘Yap-satıcı’ Housing Production Model in Historical Context	41
V. HOUSING DEVELOPMENT ADMINISTRATION (HDA), as a STATE’S INSTRUMENT of INTERVENTION with URBAN SPACE.....	42
V.I. Historical Background of HDA	42
V.II. Legal Arrangements on HDA.....	43
V.III. Different Policies of HDA	48
V.IV. Partnerships of HDA.....	58
VI. THE CASE of AKTAŞ NEIGHBOURHOOD, ALTINDAĞ	63
VI.I. Research Methods and Framework of Field Research	63
VI.II. The Historical Context of ‘Gecekondu’ Settlement in Ankara especially in Altındağ	66
VI.III. Socio-Economic Conditions and the Spatial Analysis of Aktaş Neighbourhood...	68
VI.IV. Implementation Principles of the Project	78
VI.V. Losers and Winners in the Process of Improvement of ‘Gecekondu’	90
VI.V.I. From ‘Gecekondu’ to Apartment Blocks.....	91
VI.V.II. From ‘Gecekondu’ to High Rise HDA Blocks.....	92
VII. CONCLUSION	104
VII.I. Conclusion: Violation of Housing Rights via State	104
VII.II. Policy Proposals.....	108

REFERENCES	113
------------------	-----

APPENDICES

A.Semi-Structured Interview Questions While Using Field Research	119
B. Features of Interviewees.....	121
C.I. Legal Arrangements on Housing Development Administration.....	126
C.II. Some Key Milestones in English Social Housing	144
C.III. Five Key Milestones in Dutch Social Housing	145
D. Tez Fotokopi İzin Formu	147

LIST OF TABLES

TABLES

Table III.I. Public spending on housing, UK, 1976-2000.....	24
Table V.I. List of Laws and Regulations Examined	43
Table V.II. Shares of different programmes in the provision of housing by HDA.....	49
Table VI.II. Losers and winners of UTPs	101

LIST OF FIGURES

FIGURES

Figure IV.I The process of ‘ <i>yap-satıcı</i> ’ housing production model.....	33
Figure IV.II An example of housing produced by ‘ <i>yap-satıcı</i> ’ in Aktaş Neighbourhood	38
Figure IV.III. An image showing intersection between HDA Social Housing and Aktaş ‘ <i>Gecekondu</i> ’ Settlement.....	69
Figure VI.IV. An image showing the barriers between HDA Houses and ‘ <i>Gecekondu</i> ’ Settlement	70
Figure VI.V. An image showing ‘ <i>gecekondu</i> ’ settlement in Aktaş Neighbourhood	74
Figure VI.VI. Municipality's coal aid	77
Figure VI.VIII. An image showing intersection of I. Phase of HDA Social Housing and Aktaş ‘ <i>Gecekondu</i> ’ Settlement.....	81
Figure VI.IX. An image showing I. Phase of HDA Social Housing and Bentderesi Street .	83
Figure VI.X. The Development Plan of Aktaş Neighbourhood which is implemented in UTP	84

LIST OF ABBREVIATIONS

HDA	Housing Development Administration
TOKİ	Toplu Konut İdaresi
TÜİK	Türkiye İstatistik Kurumu
UTP	Urban Transformation Project
BDDK	Banking Regulation and Supervision Agency
EPPY	Emlak Real Estate Marketing, Construction, Project Management and Trading Co. Inc.
GEDAŞ	Real Estate Appraisal Valuation Co. Inc.
KİPTAŞ	Istanbul Housing Reconstruction Plan Industry and Trade Inc.
PPP	Public Private Partnership
R&D	Research & Development
REIT	Real Estate Investment Trust
TOBAŞ	Metropolitan Municipality Construction, Real Estate and Project Co.Inc.

CHAPTER I

INTRODUCTION

In the history of urbanisation in Turkey, '*gecekondu*'¹ settlements and housing policies have been always controversial issues and the approaches to '*gecekondu*' settlements have changed from time to time depending on socio-spatial and economic relations as well as housing policies. In the historical context, not only the urbanisation of Turkey, but also the economic system can be divided into three periods² and these periods directly have influence on '*gecekondu*' settlements and housing policies.

According to the classification of Şengül (2009), the period between 1930 and 1950 is defined as the “urbanisation of the nation-state”. During this period, the main aim of the state was to create a national unity and an identity, which could not be achieved without the creation of an urban space. Republican ideology had an influence on urbanisation. On the other hand, state control policy showed itself in housing policies. At that time, Emlak and Eytam Banks were established to provide housing and also housing benefits were offered to civil servants. However, the state could not meet the increasing housing demands. Thus, the mid1930s were characterised by shanty '*gecekondu*' emergences (Türel, 1986).

To the classification of Şengül (2009), the period between 1950 and 1980 is called “the urbanisation of labour” with the development of “import-substituting industrialisation”. In this period, a massive migration from rural to urban came into existence. However, despite the rapid urbanisation, the state did not change its minimalist policy. The state didnot tend to make an investment in housing sector since its policy was to try to develop the industrial sector. Moreover, since there were many other sectors which were much more profitable, large scale builders did not make any investment in this sector. Therefore, small scale house

¹ Gecekondu, which is substandard housing and lacking in tenure security, is constructed illegally on public or private land. In this study intentionally '*gecekondu*' is chosen to use due to its peculiarity to Turkish cases instead of similar usages in the literature such as squatter or slum.

² These three periods belong to Şengül's classification. In this thesis this classification coincides with the changes of housing policies and of course urbanization history. So it is preferred to use to explain the changes of economic and socio-spatial.

builders known as ‘*yap-satıcı*’³ were the main agents of housing sector. However, their products were not affordable for everyone. Thus, as a solution to the housing problem of the urban poor, the number of ‘*gecekondu*’ settlements increased. In this period, the most significant urban transformation was the transformation of vacant urban periphery into ‘*gecekondu*’ settlements and the government’s efforts to prevent, clear and improve these ‘*gecekondu*’ settlements. By the end of this period, ‘*gecekondu*’ settlements had been transformed depending on the improvement plans of ‘*yap-satıcı*’. In ‘*yap-satıcı*’ housing provision, ‘*gecekondu*’ owners were given a considerable share from the rental in the new building.

According to the classification of Şengül (2009), the period after 1980 is defined as the “urbanisation of the capital” via “export-oriented growth model”. Turning from import-substituting industrialisation to export-oriented growth model led to the radical redefinition of the relations between the first and the second circuits of capital accumulation, which are the centres of urbanisation dynamics. In this period, the significance of industrial investment was decrease and not only the state but also the private sector tended towards the second circuit of capital. As the result of housing policies developed to provide housing for low-and middle income groups, Housing Development Administration (HDA) was established. However, at first, it was not very effective. Until 1990s, ‘*yap-satıcı*’ was also effective on ‘*gecekondu*’ transformation on a single plot and building new apartment blocks. Nevertheless, in 2000s, big construction firms and state started to invest large amounts of capital in urban space in order to have a share from the urban rent. In 2000s, HDA was granted extensive authority by legal arrangements and the state started to have an active role in urban space, especially in huge urban transformation projects (UTPs).

During the second and the third periods (1950-1980, 1980-currently), urban transformation projects performed by different agents depended on the economy policy of the state, since housing policies have significant effects on the transformation of the urban space. Up until 2000s, most ‘*gecekondu*’ settlements were transformed by ‘*yap-satıcı*’ and land rent was shared considerably between ‘*yap-satıcı*’ and ‘*gecekondu*’ owners. In this way, as stated

³‘*Yap-satıcı*’ is the small entrepreneur who builds and sells flats of buildings. As stated by Türel (1998); “‘*yap-satıcı*’, meaning builder and seller, produce multi-story apartment housing usually on single plots of land.” In this study ‘*yap-satıcı*’ is intentionally chosen due to its peculiarity to Turkish cases instead of similar usages in the literature such as individual small scale developer, small-scale build and seller or contractors. Another significant reason using ‘*yap-satıcı*’ in this thesis is contractors are divided into two groups; working for government/private sector and self-employed. First group has the contracting certificate and generally working for government or private sector. Second is ‘*yap-satıcı*’ group. This group doesnot have to any contracting certificate and they work individually.

Tekeli, through '*gecekondu*' amnesty laws and '*gecekondu*' transformations, the main concern was to give insurance to '*gecekondu*' settlers in urban life by legalising their '*gecekondu*' and giving share to them from the created urban land rent. Through this insurance, the infrastructure of '*gecekondu*' settlements developed. However, these developments led to commercialised '*gecekondu*' construction. '*Gecekondu*' gained new meanings such as being an instrument of investment that provided urban land rent, which was not really deserved by '*gecekondu*' settlers (2006).

2000s can be defined as the years of low income groups' housing provision. For the first time, the central authority, via HDA, started to promote projects for the low income groups. Large scale '*gecekondu*' settlements were considered as urban transformation projects (UTP).

However, through the intervention of the state via HDA in the housing market beyond social projects, the focus shifted to land rent, which was transferred to HDA, local governments and private sector. In addition, while the agents changed in this period, urban transformation policies also turned from the idea of renewal, which is to concentrate on clearance and building-up, to regeneration, which focuses both on the physical and the socio-economic transformation. Therefore, the policies with regard to urban regeneration also changed from top-down renewal policies to bottom-up regeneration policies (Roberts&Sykes, 1999). These changes affected '*gecekondu*' owners most. In the urban transformation process, especially in 2000s, there has been a great amount of violation of housing rights.

1.1. Scope, Aims, Hypothesis and Structure of Thesis

This study investigates different agents' implementations on Aktaş Neighbourhood UTP in Altındağ. Gaining more value with the growth of Ankara city, this neighbourhood was announced as UTP area by Altındağ Municipality and HDA in 2005. Although the implementation process was granted to HDA, in this thesis the case study based on the '*yap-satçı*' indept interviews, a comparison has been made between the practices of HDA and previous '*yap-satçı*' implementations by regarding the features of different time periods of which are choosen as second (1950-1980) and third (after 1980s especially 2000s).

In general, the main aim of this thesis is to discuss the different agents and processes in housing provision, which have been active on different periods of '*gecekondu*'

transformation. In the history of housing provision in Turkey, '*yap-satçı*' and HDA have been significant agents in different times. Moreover, these agents have been parts of different urban transformation models, and their implementations obviously differ from each other. In this thesis, the results of these different implementations are also discussed for understand the winners and losers of UTPs more clearly.

The hypothesis of this thesis is based on the this fact; while the '*gecekondu*' transformation, which is held by '*yap-satçı*', development rights is shared between '*yap-satçı*' and '*gecekondu*' owner, with the intervention of the state in urban space, HDA started to play an important role in '*gecekondu*' transformations, and urban land rent is transferred to HDA, municipality and big construction firms with large amounts of capital. However, in these transfers, only urban land rent and the exchange value of houses which are built on '*gecekondu*' settlements are considered. The use value of a house, on the other hand, is ignored. In other words, mainly the exchange value of a house has been emphasised in the policies of the authority. From point of this fact, the hypothesis of this thesis is that by UTPs which are held via HDA the housing rights of '*gecekondu*' settlers are violated.

For arguing these issues, the study is divided into six chapters. Chapter I is a general introduction, about the urbanisation history of Turkey and gecekondu issue as a housing provision, which lays out the problem, aim and hypothesis with references to '*gecekondu*' transformation process. In Chapter II, the theoretical framework is formed based on the relations between the use value-exchange value-labour value and land rent. To do this, use value and exchange value are first discussed in Marxist view, then in relation to land improvements and perspectives of different agents in the housing market. Finally, rent is conceptualised for discussing the relations with the land rent which creates after '*gecekondu*' transformation processes and the property relations which changed after same processes clearly. In Chapter III, housing policy, especially in developed countries, is analysed and as an example, experiments conducted in the UK and Netherland are given to provide an understanding of how developed countries cope with housing problem, particularly in the case of social housing. Then, the housing policies of Turkey are marked for comparing between the experiments of UK and Netherland. In the same chapter, Marxist critiques of housing problem and housing policy are discussed for revealing that housing problem has to be solved because of reproducing capitalism itself again. Especially making whole people homeowner with debt is a strategical onset for compelling them obeying the system's rules not only that time but also now. **In Chapter IV**, '*yap-satçı*' housing provision is presented in

a historical context. Features, implementation principles also problems of housing provision are discussed based not only on a theoretical frame but also field research, indept-interview held with ‘*yap-satçı*’. In Chapter V, HDA is analysed. Especially its institutional development and legal arrangements, different policies, partnerships and finance system on ‘*gecekondu*’ transformation projects are discussed. The details of legal arrangements are given into appendix part. Chapter VI is the case study which includes the interviews conducted in field research area. First, the research methods and the framework of field research area are analysed. Then, ‘*gecekondu*’ settlements in Ankara, especially in Altındağ, are given in a historical context. Next, socio-economic conditions and spatial analysis of Aktaş neighbourhood are discussed. Finally, implementation principles of UTP are investigated. Based on these implementation results, losers and winners of UTP are given. In Chapter VII, the summary of the study and evaluation of the research are presented. Furthermore, as a controversial issue, violation of housing rights is discussed. Then policy suggestions which are propounded for preventing violation of housing rights of ‘*gecekondu*’ settlers are discussed. These solutions to the problem of gecekondu settlements in Turkey and social housing are evaluated with reference to the similar applications concerning in the World especially the examples of developed contries.

I.II. Research Methodology

To reach this thesis aims and goals, and to answer the questions raised above it is significant to make clear the way used to construct a strong research strategy and a methodological structure. Hence, in this part methodological discussions are presented.

Firstly, for research strategy, retroductive strategy is choosen and used. This strategy is summarized by Blaikie (2007) as;

“To explain observable phenomena, appropriate structures and mechanisms have to be discovered. However, if these structures and mechanisms is unavailable to observation, a model of them is constructed. This model helps to explain phenomena. Moreover, this model is tested. If these tests are successful, structures and mechanisms are believed. Lastly, whole process may be repeated for explaining the structures and mechanisms.”

This study, hypothetical model could be established by the help of observations and experiments. Moreover, to determine the structures and mechanisms which affect the Aktaş

Neighbourhood's residents retroductive research strategy is necessary. On the other hand, abductive research strategy also is used for evaluating and discoursing of 'gecekondü' settlers' assertions. To Blaikie (2007; 89), "*this research strategy involves constructing theories that are derived from social actors' language, meanings and accounts in the context of everyday activities.*" The significance of abductive research strategy for this study is to reach the situation of 'gecekondü' settlers against central and local authorities' by discovering their everyday life praxis before and after UTP. In Chapter VI in detail, their everyday life praxes and the changes that is brought by UTP and also its meanings try to give via interviewees held with them.

In briefly, as a research strategy, the combination of retroductive and abductive strategies is tried to use.

On the other hand, the position of the researcher could not be defines as "on", "with" or "for" the researched but "inside learner" which means the researcher uses her/his personal experiences for understanding and interpreting what is going on and also research participants help researcher understand how they conceptualize and understand that part of their social world of interest to the researcher (Blaikie, 2007). By this way, not only observable but also embedded dynamics of 'gecekondü' settlements are explained.

Critical realism is the main research paradigm that feeds this study and methodological assumptions not only ontological but also epistemological levels are accepted. The main feature of critical realism of Bashkar is to be a middle way between Positivism and Hermeneutics (Blaikie, 2007). To him, social objects could be studied scientifically as social objects (cited in Blaikie, 2007). Moreover, in Bashkar's understanding positivism considers that reality is only at empirical level but to him reality is stratified unlike positivism.

Ontologically, idealist and realist are the two categories. In this study, the depth realist ontology which consists of three levels of reality: the empirical, the actual and the real, is embraced since observable phenomena with reference to underlying structures and mechanisms could be explained (Blaikie, 2007; 16).

As a component of critical realist paradigm, epistemologically neo-realism is suitable for this research since it rejects explanation patterns of empiricism but establishing regularities, or constant conjunctions, within phenomena or between events (Blaikie, 2007).

The process of critical realism is similar with the process research and contextualization of this study. To Healy&Perry (2000), critical realism not only qualitative methodologies but also quantitative methodologies are used and so it is appropriate for this study's research strategy.

Moreover, interpretivism is another paradigm which is applied to this study. To Blaikie (2007) "*the study of social phenomena requires an understanding of the social worlds that people inhabit, which they have already interpreted by the meanings they produce and reproduce as a necessary part of their everyday activities together*" (pg. 124). There is a handicap in this stage since double interpretations could be occurred, however as stated before social phenomena have to be studied from the "inside". Especially during field research for this study, all the assertions are critically evaluated.

These are all the basic paths that guide this study to collect and evaluate data throughout the thesis.

CHAPTER II

THEORETICAL FRAMEWORK

II.I. The Use Value, Exchange Value and Labour Theory of Value

To Smith (1776, cited in Harvey 1973), *value* has two different meanings. One of them is the utility of the object which is called value in use. The other is the power of purchasing other goods which is called value in exchange. The things which have no value in exchange usually have the greatest value in use. On the other hand, those which have no value in use mostly have the greatest value in exchange.

In the 19th century, the distinction between use value and exchange value was a critical concern for political economists. According to Jevons (1871), use value corresponds to “total utility” but exchange value does “the ratio of exchange” (Harvey, 1973).

Nevertheless, Marx (1970) asserts that extend of use value emerges during the consumption process while the same use value is different for different people, and adds that the combination of use value and exchange value constitute the commodity. In other words, a commodity has use value for its owner but it is also a physical depository for exchange value.

Whatever the social form of wealth is, use value always constitutes its content and this content is irrelevant with the social form, which means that the use value does not represent the social aspects of production. Use value is directly subsistence equipment. On the other hand, this subsistence equipment is concrete labour (Marx, 1970).

Marx suggested that if different commodities represent the same exchange value, the represented labour is also seen as the same. Thus, the individual characteristics of the workers are obliterated and they represent the same homogeneous social labour. That is, *“labour which creates exchange value is thus abstract general labour.”*

The labour theory of value was propounded firstly by Smith, and developed by Ricardo, while Marx also contributed to the theory (Günaydın, 2009). Smith and Ricardo assumed

that the more labour is used in the process of commodity production, the more valueable the commodity becomes. Marx criticised this approach calling attention to the fact that different workers have different working capacity. For example, there are two workers who try to finish a work. While one of them is very quick, the other is slow. Consequently, the quick one finishes this work in two hours, whereas the other finishes in five hours. Then, is the commodity produced by the slow one more valueable than the commodity produced by the quick worker? To question this conflicting phenomenon, Marx developed the notion of socially necessary labour time. In this respect, each mode of production depending on its dynamics has different socially necessary labour-time. For example it is totally different from each other socially necessary labour-time of the way of producing something the traditional way and modern way since the technology is different. And these changes effect on the exchange value of goods since the decrease of socially necessary labour-time will be reduced not the use value but the exchange value.

II.II. The Use Value and Exchange Value of Land and Improvements

According to Harvey (1973), land and improvements are not ordinary commodities but they are commodities since their use and exchange values have a special condition. The features of land and the improvements which make those features special are

- Fix /Absolute location grants privilege to the owner of the land and through improvements, especially by the institutionalisation of private property, this privilege has gained significance,
- No individual can do without land and improvements,
- Although they are constantly in use, land and improvements rarely take the form of commodity. Especially in the rental sector of housing market, land and improvements take on the commodity form more frequently,
- Land is permanent, so in capitalist economy the owner of property has use and exchange value not only now but also in the future,
- Use extends over a period of time but market exchange arises instantly in time,
- Land has numerous different uses which are not exclusive for the user. For example, a house provides shelter, private space, status, enhancing wealth, a relative location.

Use value of a house varies from person to person. Each individual and group determines the use value differently.

II.III. Use Value and Exchange Value According to the Perspective of Different Agents in Housing Market

Occupiers of housing (owner occupiers and renters): According to Harvey (1973), this group is to consume different facets of housing depending on their desires and needs. Even if the occupiers are the owners of housing, their basic instinct is use value. Moreover, exchange value is considered as capital. On the other hand, for renters there is only use value since exchange value goes to the land owners. However, independent from owner occupiers and renters, their concerns are the same: by spending exchange value, to procure use value.

Landlords: to Harvey (1973), their target is exchange value. They have two strategies: first, to purchase a property and rent it to obtain an income. The second strategy is using the property as mortgage financing. In this kind of purchase, rent of property is used for mortgage. As a consequence, land owners can increase the net worth.

Estate agents: As pointed out by Harvey (1973), estate agents are in housing market to obtain exchange value. They do not contribute to the use value. Their aim is to make profit by getting a commission through buying and selling.

Developers/constructors: They are in the housing market by creating new use value for others in order to create exchange value for themselves (Harvey, 1973). However, the process of construction of housing is expensive since purchasing of land and its preparation requires a considerable capital. In this respect, especially the process of redevelopment and rehabilitation are to their benefit.

Financial Institutions: They have a significant role in housing market. For Harvey (1973) the resources of banks, insurance companies and other financial institutions are used by the financing of owner-occupancy, landlord operations, development and new construction. That is, by financing opportunities to create use value, financial institutions gain exchange value.

Government Institutions: When the consumers of housing could not attain use value, government institutions interfere in housing market through political process (Harvey, 1973). A direct interference social housing is the example of this situation. On the other hand, there

are also indirect interferences⁴ like tax exemptions or supporting construction sector by annihilating the risks.

II.IV. Rent and the Allocation of Urban Land to Use

In urban land use theory, rental concept has a critical position as the distribution of this created rent on urban land which is considered to be a commodity, causes lots of social phenomena. To Ertürk (1997), the process of the creation and distribution of urban rent is based on the political process rather than socio-economic process.

Classical political economists argue that both use value and exchange value of a commodity are evaluated by the labour-time (Ertürk, 1997). On the other hand, according to Marx (1998; 104);

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

According to Marx rent can arise in a variety of ways depending on the dominant mode of production, and under the capitalist mode of production there are three kinds of rent (Harvey, 1973);

Monopoly Rent: According to Marx, *“it arises because it is possible to charge a monopoly price “determined by the purchaser’s eagerness to buy and ability to pay, independent of the price determined by the general price of production as well as by the value of the product.”*(cited in Harvey, 1973; 179). Marx stated that this form of rent is crucial for urban rent. Especially in densely populated areas house and land rent could be explained by its existence. On the other hand, it is not so important for agricultural land (he distinguishes between agricultural land and urban land in the context of rent). That is, rent is the worth for landlord not because of his labour but because of private property.

Differential Rent: Ricardo bandied about this form of rent based on the agricultural land. However, Marx made a different interpretation. According to him, *“it arises out of differential in fertility with diminishing returns to successive inputs of labour and capital.”*(cited in Harvey 1973; 180).

⁴ Detailed information on this issue is given in the next chapter.

To Ricardo, the most productive lands which are limited are opened to cultivation for agricultural production since the growth of population increases the demand of agricultural product. In this case the less productive lands are needed to use in agricultural production. Thus, the production cost differs from unit land depending on fertility. In the perfect competition in the market there will be one unique price. This form of rent arises due to the scarcity of fertile land (Ertürk, 1997).

Marx criticises Ricardo since Ricardo analysis the rent “*as if landed property did not exist and as if land possessed original and indestructible powers when it is clearly a condition of and not a force in production.*”(cited in Harvey, 1973;180). Marx accepts the existence of differential rents. Differential rent could not enter into production cost, since it arises from excess profit of some producer’s advantageous situation and this excess profit in the form of rent is transferred to landlords. That is, differences in fertility are very important but Marx indicated in Capital III that “*differential rent can arise irrespective of whether cultivation is extended from rich to poor soils or vice versa*” (cited in Harvey, 1973; 180). Also, differential rent and diminishing returns could not only exist by the differential application of capital and labour since relative location is already an advantage.

The main aim of Marx is to show how soil becomes different in rent independent from its being agricultural or urban land. Different from Ricardo, Marx tries to imply this form of rent in urban land. In the final analysis, in *Capital III* Marx “*combines all elements and shows how various combinations of soils in different locations with different characteristics exploited in different sequences with different quantities of capital can give rise to various patterns of differential rent.*” (cited in Harvey, 1973; 180). As a matter of fact, the significant thing for this thesis is to adapt this form of rent to explain the housing market. In the *Theories of Surplus Values* Marx insisted that the situation is a decisive factor for the differential rent while it determined the ground rent on houses. In conclusion, differential rent gains meaning in a relative space which depends on productive capacity of land and transport cost relationship. However, in Marxist thought the capitalist mode of production in the context of the institution of private property creates differential rent (Harvey, 1973).

Absolute Rent: This form of rent was developed by Marx, though Ricardo denied the existence of it. The concept was developed by Harvey (1973). Absolute rent causes a rise in monopoly price and that is the difference between absolute rent and monopoly rent. On the other hand, absolute rent is distinguished from differential rent in that ‘capitalist mode of

production could not destroy the institution of private property, since its existence is based on the private ownership, thus continuing the legal basis of its own existence, capitalism consents to pay rent. This rent is to be involved in the expenditures of production.’

There are two different approaches to this form of rent. One of them is neoclassical economist. Neoclassical economists explain the absolute rent by the scarcity of land which depends on the increases in population but the stability of urban land. And landlords gain much more rent (Ertürk, 1997). The other is the Marxist approach. Marx attempts to explain this form of rent by conceptualising private property.

II.V. A Brief Conclusion about the Relation between Urban Transformation, Use Value- Exchange Value- Labour Theory of Value and Land Rent

In this chapter, the theoretical frame and the conceptual approaches of the thesis are tried to argue by correlating with urban transformation, use value- exchange value- labour theory of value and land rent each other for understanding case study clearly.

Rent is considered to be a simple payment to the owners of property, but it involves with different socio-economic relations in the capitalist mode of production. Rent could be understood through social circumstances and the acceptance of the prerequisite that urban space could be absolute, relative and relational or both of three may depend on the circumstances of time. In this condition, the concepts of time and space become very significant. For this thesis giving the advantages of landowners, absolute rent has significancy since gecekondu settlements are not transformed until convenient conditions come into existence like value increase of it. And for developing holistic approach, absolute rent could not be argued without neither monopoly rent nor differential rent. Moreover the urban transformation processes could not be understood enough without them.

On the other hand to Harvey (1973), rent is a notion of exchange value which is set aside for the land and property owner. Exchange value is relevant to use value and labour theory of value, which is determined socially. They have a dialectical relationship. The mode of production effects on labour time of value and indirectly exchange value and use value. In this thesis most of argues base on the changes mode of production and so changes the socially necessary labour time and exchange value and use value.

General approach is if use determines value, rent is a reasonable allocative device in capitalist production pattern. However, if exchange determines value, speculation and scarcity occur. Social policy frequently supports the first, and tries to discourage the second. That is, rent could only exist by being dependent on circumstances. Moreover in the mode of capitalist production there is a technological progress reduces the socially necessary labour time so the value of good will not decrease but the exchange value will. However, especially in social housing sector despite serial and cheap production, exchange value exceeds urban poors in Turkey. Developed countries have tried to create solutions social housing problems for years. Their experience has based on the consturtion balance between use value-exchange value- labour theory of value and land rent so next chapter UK and Netherland examples are tried to argue.

CHAPTER III

HOUSING POLICY

III.I. Introduction to Housing and Social Housing Question

Housing as a basic human right has been among the major challenges to governments for years, although housing patterns and perspectives about these patterns change from country to country, depending on different national housing traditions. Besides being a valuable asset, housing has economic, social, cultural and personal significance. According to Carsten & Hugh-John (1995; i), *“houses are much more than physical structures. This is obvious when we think about what makes a house a home”*. Moreover, Burnett states (1978; 3), *“although houses are physical structures, homes are cultural, social and economic institutions”*.

On the other hand social housing policies are significant issue for countries. This chapter main aim is to give an overview of the social housing in Europe and Turkey for making comparative analysis these two different examples. However, in each example there will not be detailed description but key attributes for understanding major trends. In Europe two countries are chosen UK and Netherland which have a tradition of governments treating housing as an element of social policy. Since, housing policy for low income groups is accepted as social policy by most academicians. Pickvance (1999) marked that housing policy is not simply a response to housing need, underlining the fact that the changes in the social, economic and cultural patterns affect the process of housing and in the long term, they directly affect housing policies. But, in Turkey social housing policy has been always complicated issue, from time to time governments prefer to interfere in social housing sector. However, most of the time they choose to opt out and leave this issue the market conditions.

In Europe the percentage of social housing as housing stock ranges from a high of 35% in the Netherlands to a low of 4% (after mass privatisation) in Hungary (Hills, 2007). The gap between the countries' social housing stocks percentages is based on the privatisation and demolishing social units.

In different countries social houses are served for different groups like single-parent families, the elderly, the poor, low-waged working families, and the middle classes. There is a wide range of income groups depending on the features of country. Moreover, housing providers and funding are not the same all countries.

Rents are another significant issue. To set social rents in best way, there is not any agreement. Generally they are determined by tenants' incomes which have disadvantages because of not including provider costs and not taking into account affordability and segregation. Moreover, especially in recent years, the gap between inexpensive social rented sector and expensive owner-occupied sector increases dramatically to the detriment of social rented sector. And this is valid across Europe independently the original role of the social sector in each country.

To arguing these issues briefly two European countries are chosen as examples, Netherlands and UK. The reason of choosing Netherlands as an example is its highest percentage in social housing. On the other hand the reason of choosing UK as an example is first measures for housing questions were provided in this country because of its being first capitalist country in the world.

But before arguing policies of countries, housing concerns and issues in social housing policy are discussed firstly. Since housing is significant as it is fixed in one space, expensive to produce, and it needs long lifetimes (Harsman & Quigley, 1990).

III.I.I. Different Housing Concerns

Patterns of Tenure refers to the legal relationship between the household and dwelling. It is one of the most significant variables of a housing policy. Every country depending on its housing policy and socio-economic system has a different housing tenure. Esping-Andersen (1990) stated that there are three distinct regimes of welfare systems: social-democratic welfare states, corporatist welfare states and liberal welfare states and patterns of tenure. These three regimes differ from each other. The first group is based on the equality of minimum needs. The second is willing to replace the market as a provider of welfare, while the last one is based on the limited benefit for low-income and it is seen among those regimes that are owner-occupied (Esping-Andersen cited in Balchin 1996). What is more, Kemeny (1995) attempted to explain the distribution of tenure as the relatively social

housing that is based on unitary rental and dualist systems. Unitary rental systems refer to social and private renting integrated into social-democratic and corporatist states. On the other hand, in dualist systems, the state controls and residualises the socially-rented sector to protect renting from competition (cited in Balchin, 1996).

In Western Europe housing tenure varies in terms of private rented sector, social rented sector, owner-occupation, homelessness and squatting.

In Turkey, housing tenure varies in terms of private rented sector, public rented sector, owner-occupation and gecekondü.

Housing Stock, Demand and Supply: existing housing stock depending on its quality-quantity and usage-efficiency requires different policies. Housing demand is related with the size of population which has influent resources of housing production. Moreover, in order to cope with different housing problems and develop better housing policies it is crucial to understand the housing demand behaviour. Housing demand could vary with respect to housing tenure arrangements, housing finance arrangement and government attitude. Housing supply focuses on the different aspects of housing, ranging from different policies like construction of new housing, the redevelopment of existing housing, and so on. For example, the high level of private housing supply creates gecekondü phenomenon.

Housing Mode of Production; creates different agents in housing provision based on the different socio-economic aspects. For example, in import-substitute economy model, there is an attempt to solve the problem of housing production in small scale with small capital. However, in free-market mechanism, especially with neo-liberal economy policies, housing production is based on large scale with large capital and the technology that is used is different.

Housing Finance; *“Housing finance brings together complex and multi-sector issues that are driven by constantly changing local features, such as a country’s legal environment or culture, economic make up, regulatory environment, or political system”* (Chiquier and Lea, 2009; xxx). To solve the housing problem, every country has its own housing finance system which depends on that country’s socio-economic conditions and political regimes.

III.I.II. Issues in Social Housing Policy

With their housing policies, governments try to make housing more affordable, accessible and qualified.

Affordability is defined as being “in line with local needs and priorities...[and wanted] to see better links between supply and demand at the local level, higher standards of quality, design and efficiency, and better integration of social and private sector housing”(DETR/DSS,2000 cited Balchin& Rhoden in 2002). By housing policies, the main aim is to provide decent housing not only in the owner-occupied sector but also in rented sector, especially when rent control is to be kept below rent levels, particularly in social housing. Moreover, what is aimed here the affordability of a reasonable quality of housing to offer to first-time buyers, low-income groups, the homeless and tenants.

Accessibility can be understood in relation to the capacity of offering houses depending on where people wish to live, by creating sustainable communities. Also, independent from socio-economic positions, there is an attempt to make housing rights accessible for everyone.

Quality has to do with the consideration that the urban poor can not afford quality housing. If housing policy is considered as a simply housing need, it can be offered anyway. However, because it is a social policy, in housing policy there is an attempt to offer a reasonable quality of housing for everyone. Since for the standardisation of building environment and raising the quality of physical appearance and developing spatiality, housing-related aspects can also be enhanced.

III.II. Marxist Critiques of Housing Question and Housing Policy

Urban space has been reproduced and transformed as it witnessed to the conflicts and struggles mentioned here. In this context, the struggle over the urban space can be understood as the struggle for power. Controlling the urban space requires the struggle for power, while all kinds of struggle for power need a strategy to control the urban space (Şengül, 2009). Therefore, it is vital that all social groups who want to protect or change the relations of power have control over the urban space (Lefebvre, Poulantzas, cited Şengül in 2009).

In this respect, Engels criticises housing policy as it is reproduced in different forms. According to Engels (1992; 10), housing question is, *“housing shortage is the peculiar intensification of the bad housing conditions of the workers as the result of the sudden rush of population to, the big towns; a colossal increase in rents, a still further aggravation of overcrowding in the individual houses, and, for some, the impossibility of finding a place to live in at all.”* and he adds; *“but one thing is certain: there are already in existence sufficient buildings for dwellings in the big towns to remedy immediately any real “housing shortage,” given rational utilization of them. This can naturally only take place by the expropriation of the present owners and by quartering in their houses the homeless or those workers excessively overcrowded in their former houses. Immediately the proletariat has conquered political power such a measure dictated in the public interests will be just as easy to carry out as other expropriations and billetings are by the existing state.”*

Otherwise there is housing shortage because the value of big modern city centres increases while existing buildings do not fit to the changed circumstances. They have to be transformed for other usages, as in the case of worker housing in the city centre. This tendency was exploited by Bonapartism through its Haussmann in Paris, and this spirit spreaded abroad in London, Manchester and Liverpool, Berlin and Vienna. Consequently, the workers were obliged to move to the outskirts of cities. For this reason, housing problem affected working class more than any other classes.

To solve the housing problem, Proudhon⁵ and Bourgeoisie offered different solutions. Proudhon favours a return to the traditional mode of production. To Engels(1997; 16) Proudhonism is *“an aversion to the industrial revolution, and the desire, sometimes overtly, sometimes covertly expressed, to drive the whole of modern industry out of the temple, steam engines, mechanical looms and the rest of the swindle, and to return to the old, respectable hand labour.”*

Proudhon thought that housing problem could be solved when each worker owned his own home. He proposed that tenants should be turned into purchasers through repayment system. When a tenant finishes repayment, he will be homeowner.

On the other hand, Bourgeoisie tries to solve housing question as *“modern natural science has proved that the so called “poor districts” in which the workers are crowded together are the breeding places of all those epidemics which from time to time afflict our towns. Cholera,*

⁵ Pierre Joseph Proudhon, socialist anarchist.

typhus, typhoid fever, small-pox and other ravaging diseases spread their germs in the pestilential air and the poisoned water of these working-class quarters according to bourgeoisie we have safely arrived again on firm ground, and have here to examine what the capitalists and other philanthropists have actually done to solve the housing question.”(Engels, 1997; 24).

In other words, the Bourgeoisie wants to solve the housing problem not out of charity but for protection from illness. Moreover, being a homeowner, workers will be a part of the capitalist system by losing their proletarian character. For that very reason, Engels criticised this and added, “*give them their own houses, chain them once again to the soil and you break their power of resistance to the wage cutting of the factory owners*”(1997; 29). For this reason, the capital system does not want to solve the housing problem even if it could. The solutions that are offered cannot solve problems but produce them. Capitalist mode of production can find a solution neither to housing question nor to any other social questions which directly affect workers.

III.III. Overview of the Social Housing Sector in Europe

The definition of social housing across Europe differs country to country depending on the profiles of the social housing stocks. Each country the target groups, served social housing, show a change. Target groups could be very poor, low-waged working families, middle classes, single-parent families, or the elderly. Some countries have been determined income limit for households who wish to live in social housing.

Moreover, in Europe there is a key term; “very social housing” which is served for the most vulnerable for example homeless people, ex-psychiatric patients, ex-addicts and female victims of domestic violence.

Although the significance of social sector housing has been a decline in output over the last two decades, the majority of countries are still building them. Moreover, some countries (e.g: Germany, Hungary) there is no longer government subsidy, but it works with local initiatives. On the other hand, privatisation is the most significant obstacle that prevents the enhancing social housing sector. For example the UK it is allowed social housing sold for decades, however Denmark are only now taking tentative first steps. Moreover, the UK tenants have a right to purchase while the Netherlands landlords can decide whether or not

they wish to sell. On the other hand, the private sector involves willingly or not in the provision of social housing much more than past and the interference of government has been decreased dramatically by limiting subsidies.

For understanding different implementations about social housing policy in Europe, two countries the UK and the Netherland are choosen.

III.III.I. Social Housing Policy in UK in Historical Context

In UK, four categories of tenure exist: owner-occupiers, private tenants, council tenants, housing association tenants. The last two categories are related to social tenants. Different housing tenures and housing policy of the UK are discussed in three different periods which are dominated by different economic frames.

Up to 1939,

In the nineteenth century, independent of the state, building a society emerged as a self-help solution to housing conditions, by people who earned enough to be able to save. However, it could not be a widely used solution to housing provision because only a small minority with high incomes was able to save. Although governments did not provide financial support, they established a regulatory framework. That is, nineteenth century was a period of *laissez-faire*, *laissez-passer*. In the economic sphere, the market was supposed to work best with minimal state involvement (Pickvance, 1999). Moreover, property owners were antagonistic toward the state intervention. Therefore, there was minimum governmental interference in the running localities. This situation was due to the right to vote, which was only given to the property owners, and property owners were able to control the local policy. Until 1840s, when cholera struck, they did nothing for urban sanitation and urban infrastructure. In the second half of the century, local councils regulated the new and the existing housing in their areas with facilities like powers to set minimum standarts of lighting, ventilation, sanitation, and structural stability in new houses. On the other hand, they had the power to close and destroy the houses that were unfit for humans. In 1890s, councils were allowed to build working-class houses but with the effect of *laissez-faire* and *laissez-passer* ideology, this legislation could not pass as mandatory. Instead the law was permissive, which means, it depended on councils' wish. However, in 1870s, with the increasing political strength of the

working class, the right to vote was given to working class men. Until 1919, a new direction in the housing policy did not occur.

In the late nineteenth century and early twentieth century, the state intervention in housing became more acceptable and three main types of state intervention occurred in housing.

State regulation, mostly of private sector activity, referred to concerning overcrowding and the closure of unfit housing, building standards, rent controls and the regulation of building society.

In state subsidization, state provides financial support to private actors.

Direct provision is provision as council housing.

Postwar,

In this period, housing policy changed depending on the political parties' priorities such as winning votes. There were three housing tenures; owner-occupation, private renting and council renting.

Council Housing: From 1945 housing policy was shaped around reconstruction, and council housing played a significant role. Reconstruction emerged through massive gecekondular clearance programmes and the building of council houses which consisted of high-rise blocks. Until 1977/8, council housing share increased. Council housing was offered to the urban poor who could not afford housing in the private housing market with housing benefits, rent control which was based on the original building cost, not the current value.

In 1972, with the Housing Finance Act arrangement subsidies paid on council housing were reduced. With this, the aim was to increase rents to the level of private-sector rent as the rent of council houses was found very low by the government. This implementation caused the households in the council housing to turn into private rented or owner-occupied housing. Eventually, in 1980s the right to buy council housing was given through the policy introduced by Conservative government. In addition to this policy, reducing subsidies and increasing rents in the council sector were introduced in order to make council housing less attractive.

Owner-occupation: Owner-occupation tenure was increased strongly in this time period. There are two counter-arguments: providing a hedge against inflation and the natural desire for possession (Saunders). Saunders' argument is totally related to the nature of human being, defined as selfish and the master of nature, which is the presupposition of capitalism.

Private Renting; in the late 1980s, government introduced new policies such as new types of tenancy which gave tenants fewer rights.

Moreover, housing association as a non-profit organisation provides rented housing to groups with particular needs. The government supported them for keeping rents below certain levels for low-income groups. On the other hand, there was a considerable increase in homelessness and a number of government responses to it.

The present, The late 1980s and the early 1990s mortgage arrears grew dramatically because of the rise in interest rates and also increase in unemployment. However, by the late 1990s confidence in rising house prices returned. Also, throughout this period, interest rates decreased and this made mortgage cheaper and housing more affordable.

In this period, two recent developments in government policy existed: key worker housing and housing market renewal (1983 government supported private sector transformation). Because high housing demand caused high housing costs, workers could not find affordable housing. Key worker housing emerged as a solution offering affordable housing. However, this solution was offered only to workers who were in public service.

In 2002, the areas which were vacant, deteriorating, or abandoning were announced as new housing built areas and the government budgeted for housing market renewal fund.

In summary, until the rise of the working class as a political actor, housing need found minimal response. After the war, 1918 council housing emerged. In 1950s, political parties supported not only council housing but also owner-occupied housing. After 1970s, Conservative government withdrew its support from council housing and focused on owner-occupation. In 1977, Labour government introduced Homelessness Act. However, in the 1980s, the traditional meaning of council housing changed and it started to be sold to tenants. By the 1990s, housing policy was partly social and partly market provision. In 2002, renewal projects started to gain importance.

Table III.I. Public spending on housing, UK, 1976-2000

	Current	Gross capital	Capital receipts	Net capital	Housing total		Mortgage interest relief
					Benefits	Spending	
	a	b	c	d	e	f	g
1976/7	5,292	12,504	1,152	11,352	2,947	17,314	4,659
1981/2	3,960	6,277	2,387	3,889	4,087	12,399	4,569
1986/7	2,321	6,988	3,748	3,250	5,974	12,063	7,218
1991/2	1,406	7,795	2,658	5,138	8,513	15,342	6,823
1996/7	-115	4,996	2,279	2,717	12,423	15,267	2,634
1999/2000	n.a.	n.a.	n.a.	n.a.	10,645	13,165	1,429

(Source; Pickvance, 1999)

a: the decline in subsidies on existing social housing

b: the fall in social house building

c: the rise and fall of receipts from the sale of social housebuilding

d: the net cost of social house-building to the public purse

e: growth of spending on housing benefits

g: the rise and fall of mortgage interest relief

n.a.: not applicable

III.III.II. Social Housing Policy in Netherlands in Historical Context

Netherlands' housing market is dominated by social housing. Of a total of 6.8 million dwellings in 2005, some 2.4 million were social rented dwellings (Elsinga&Wassenberg, 2007). They belongs to housing associations which act on a commercial basis to meeting general housing need for those people who are not able to reach decent housing themselves. And so, they are able to operate in a very flexible way which is the center of much of the current discussion in the Netherlands. On the other hand as social housing municipality owns dwellings even tiny number in comparison with housing associations. 35% of the total housing stock belongs to housing associations and 11% does private rented sector and 54% does owner occupied which means over three-quarters of all tenants rent a dwelling from a housing association (Elsinga&Wassenberg, 2007). Moreover, all municipalities and provinces contain a significant amount of social housing. For example Rotterdam and Amsterdam about 55% of all dwellings are social rented.

Although there is social owner occupation which refers inexpensive owner-occupied houses, in the Netherlands, the term 'social housing' generally means rented housing. On the other hand, it is choosing a position which fills the gap between cheap social renting and expensive owner occupation.

The Provision of Social Housing

The legal base of social housing is Housing Act 1901 which describes the responsibilities and duties of housing associations. In 2001, the most recent version of The Social Rented Sector Management Order came into force and according to this law housing associations have six duties:

- *“to house those people who are not able to find an appropriate dwelling themselves*
 - *to maintain decent-quality dwellings*
 - *to consult with their tenants*
 - *to run their financial affairs responsibly*
 - *to contribute to liveable neighbourhoods (added in 1997)*
 - *to provide housing (but not care) for the elderly and handicapped (added in 2001)”*
- (Elsinga&Wassenberg, 2007; 134).

Housing Association

The Ministry of Housing supervises housing associations. Although many housing associations and municipalities never have formal agreements, housing associations have to sign performance agreements with the local government(s) where they operate, covering development of housing stock, neighbourhood liveability, and allocation rules.

Housing associations, focusing on their role as social entrepreneurs, have been financially independent since 1995, with the effect of deregulation of the social rental sector however they still require approval under the terms of the Housing Act. On the other hand, subsidies are made by the government to housing associations no longer given to them and also the loans. Their financial management depends on the rents and sale of properties mostly. However, government has the right to intervention both sectors and social rented sector by limiting the rent increase.

The Inhabitants of Social Housing

The general features of inhabitants of social housing differently average households are, being older, living in smaller households, having lower incomes, being less likely to be in

employment and more likely to be on benefit, being more likely to be of non-Dutch origin, and living in smaller houses.

Rents in Social Sector Compared with Private Sector

Although, it is not easy to measure the difference between social housing rents and free market housing rents, it could be said that social's are lower than private's. Rents have been controlled since WWII but with the announcing housing allowance in 1975, rents have been allowed to move slowly market levels. Moreover, rents for 95% of the total rental stock are still regulated by setting a maximum annual percentage rent increase for existing contracts, as well as a maximum rent level for new contracts.

III.IV. Social Housing Policy in Turkey in Historical Context

In Turkey, land development and housing production always have a dual structure as legal and illegal depending on the approach of government. Until 1980s, government played a role as regulator instead of intervention in housing production market. Moreover, main policy of government gravitated to industrialization and small producers interested in housing production market. On the other hand after 1980s, government started to play an active role as not only investor but also regulator in housing production market. Furthermore, the social housing policy in Turkey is never clear, so 'gecekondu' settlements exists (Turk&Altes, 2010). In this part the general overview of housing production models of different terms are discussed for preparing a substructure other parts especially IV and V parts that are given detailed information about 'yap-satçı' and HDA.

In 1930s there was individual housing provision. In the mid-1930s, building cooperatives' housing provision emerged. Especially **after 1950s**, in Ankara this form of housing provision produced significant housing. At the end of 1950s and **the begininng 1960s** 'Yap-satçı' Housing Provision became widespread. **With 1970s** mass housing corporations' production, building cooperative associations' and local administrations' housing provision started to develop (Tekeli, 2009). **In 1980s** HDA was established. These types of housing provisions served in planned areas. However, these houses were not available for all classes in the society. Therefore, the state did not have any housing policy for urban poors. Thus, illegal solutions emerged. Individual gecekondu housing and semi-organised gecekondu housing constituted gecekondu settlements.

Table III.II. Housing Provision Types in Turkey

The Housing Types Serving to Planned-Areas	Individual Housing Provision
	Building Cooperatives' Housing Provision
	Developers' Housing Provision (' <i>Yap-satçı</i> ' and large-capital builders)
	Mass Housing Corporations' Provision
	Building Cooperative Associations' Local Administrations' Housing Provision
The Housing Types Serving to Unauthorized Settlements	Individual Squatter Provision
	Semi-organized Squatter Provision

Source: Tekeli, 1996

The approaches of these gecekondu settlements have changed from time to time. Sometimes, popular attempt was to legalize them, but later a new trend showed up, aiming at destructing or improving them. As stated by Türel (1972), the government policies on gecekondu housing are: the demolition of the established gecekondu, improvement of gecekondu and settlements, controlling the establishment self-help housing within predetermined plans and channels. On the other hand, according to Keyder (1999), to strengthen their own positions and guarantee votes, politicians preferred to give priority to create these gecekondu settlements and maintain popular support. Clientelistic relations developed the informal appropriation of land (cited in Davis, 2007). As the housing policy in the UK is discussed in previous part, it is emphasised that the policy for working class houses became a significant issue when the working class had the right of vote. In Aktaş Neighbourhood, the right to vote serves the purpose of current government since the ratio of vote is higher although gecekondu owners complain about the implications of Municipality and HDA.

On the other hand, this process is not one-sided. Gecekondu owners also developed a certain attitude towards it, depending on their situation. If they had enough savings, they would transform their gecekondu into small-scale family apartment, however, if not, they would

prefer to wait for the land rent to increase to the levels that would attract small-scale build-and-sellers (Şenyapılı&Türel, 1996).

Most gecekondu settlements especially in the city centre, which means rentable areas, gained legality by Laws No: 2981 and 3290 and by the improvement plans construction development rights have been transferred to gecekondu owners and yap-satıcı. Since this period the state preferred to solve the gecekondu settlement problems with yap- satıcı who gave considerable share to gecekondu owners.

However, the current trend, especially in 2000s, was to announce massive urban transformation projects, the ideal of which are defined as; “*comprehensive and integrated vision and action which leads to the resolution of urban problems and which seeks to bring about a lasting improvement in the economic, physical, social and environmental condition of an area that has been subject to change*” by Roberts and Sykes (1999, 17), by the participation of HDA and Municipality or large scale firms which are partnership of HDA generally.

Table III.III. The evaluation of housing policy

Phase and Approximate Dates	Focus of Attention	Major Instruments Used
After Declaration New Republic- 1930s-1960s	Growth of population, rapid urbanisation especially for Ankara There was not low-income housing policies of the state	Individual housing provision and reorganized this provision as modernist line by state
Modernisation and urban growth:1960s-1970s	Physical planning and production of shelter by public agency Limited low-income housing policies of the state (state intervention of space is so limited since import-substituting industrialization and for economic growth housing was not so significant. Housing policy for middle-income groups and the civil servants.	Blueprint planning: direct construction (apartment blocks, core houses) Main issue; eradication of informal settlements

Table III.III. (continued)

Redistribution with Growth/Basic Needs: mid 1970s-mid 1980s	State support to self help ownership on a project-by-project basis.	Recognition of informal sector; gecekondu upgrading and sites-and-services; subsidies to land and housing
The Enabling Approach/Urban Management Late 1980s-early 1990s	Securing an enabling framework for action by people, the private sector and markets	Public/private partnership; community participation; land assembly and housing finance; capacity-building Redevelopment gecekondu settlements
Sustainable Urban Development mid 1990s Onwards	Holistic planning to balance efficiency, equity and sustainability	As above, with more emphasis on environmental management and poverty-alleviation
After 2000s	Fragmented urban planning with UTPs. Luxury urban projects	

Source; Ergüden, 2001

This part aims to give an overview of the social housing sector in Europe and in Turkey. General patterns, significant stonemiles and future policy are tried to discusse. The main goal is not to provide detailed description of the sector in every country but to give information different implementation of every countries and use them while policy suggestions.

And next two chapters, different two actors of housing production sector in Turkey ‘*yap-satçı*’ and HDA will be clarified for understanding the implementation of small petty capitalist and the state.

CHAPTER IV

‘YAP-SATÇI’ HOUSING PROVISION

IV.I. Historical Background of *‘Yap-satçı’* Housing Provision

As stated before the period between 1950 and 1980 is called “the urbanisation of labour” with the development of “import-substituting industrialisation” (Şengül, 2009). In this period, a massive migration from rural to urban came into existence. With the expansion of urban population, need for housing and public building also increased. However, low level of capital accumulation and insufficient public and private resources hindered the meeting of such requirements of property development. In order to reach a satisfactory level of production, to raise capital, produce buildings, and to reallocate the rights on the developed property, innovative methods were developed. Households, landowners, developers and other intermediaries collaborated informally or semi-formally to minimize housing production cost during 1940s and early 1950s. Within the period of 10-15 years, it was adopted throughout the country. Especially in 1960s, with import-substituting industrialization, several new forms of property relations were thus devised to overcome the constraints imposed on development by resource insufficiencies since neither the state nor large capital was in construction sector. With low rates of capital accumulation and investment capacities, and also with very modest scales of entrepreneurial efforts and with little public leadership or guidance, significant expansion of the housing stock was achieved (Balamir, 1996).

In this process, different housing production models have emerged in the construction sector of developing countries depending, on the one hand, on the differentiation of industrial power, and on the other, the income level of householders and housing demand, which were based on the determination of the state’s policies as mentioned before.

The domination of *‘yap-satçı’* housing production model (Figure IV.I) emerged under the conditions of insufficient finance which is the specific feature of this form of provision (Türel, 1998). In that period, big/ large corporatist capital was not interested in the housing sector since the capital accumulation and circulation speed of the capital was low. Moreover,

housing sector was not so profitable compared to other enterprise alternatives for large capital. Furthermore, housing sector was left to small scale house builder with their small capital. The significant feature of '*yap-satıcı*' is to involve all the operations in the process, from provision of land to planning, marketing and implementing stage of building housing.

At an interview a '*yap-satıcı*' YS1 described the '*yap-satıcı*' as

'*Yap-satıcı*', who takes out a policy himself, not only builds his own blocks but also has the freedom of selling these blocks to whoever he wants. I have to supply all the material, labor, equipment and the services necessary for the construction of the project. But if I want, I can hire specialized subcontractors to do all or portions of the construction work. For example, last year I was so busy, I gave some minor works like parquet floor to a subcontractor but the construction belongs to me since I am *yap-satıcı*. On the other hand, is there anything proving that I am *yap-satıcı*, is there any registration? While I was a taxi-driver, I had to have chamber registration. In construction sector anyone who wants to enter into the sector can enter. Actually, HDA is an example of '*yap-satıcı*' and so is Sinpaş⁶, the only difference between them and me is the size of the capital and official dealing.

At another interview with a '*yap-satıcı*', YS2 stated about '*yap-satıcı*',

'*Yap-satıcı*' means the person making his deal with the flat on land basis. After finishing the constuction, implementation is based on the revenue sharing model. While during the construction phase the payments is based on the barter method which means instead of paying money to a construction foreman, at the end of the construction, giving a flat to him.

In 1950s, '*yap-satıcı*' housing production model started to play an active role in the housing production process. Especially in 1954, with the rapid increase of population a parallel process of increasing in land price emerged, so the legal arrangements enabling ownership fragmentation were enacted. The most significant effect of implementation of ownership fragmentation was the increasing of *yap-satıcı*'s share in housing production sector.

Until 1970s, '*yap-satıcı*' housing production model was the leader of the housing market and it completed the process of destroying and building in the prestigious area of the city. However, local governments could not develop new lands for housing. Under these circumstances, private sector had to move to suburban areas, though it was not possible for small capital. Also moving to suburban areas in large scale needs significant demand. Therefore, the second half of the 1970s with the effect of rapid inflation made real estate market more attractive for large capital beyond '*yap-satıcı*', and mass housing corporatives

⁶ Sinpaş is a real estate investment company. Nowadays it is one of the most significant REI in the field. He gives it as an example since most people know this trade from advertisements etc.

emerged. The share of these corporatives was inconsiderable in total housing supply at that time. However, in the logic of capitalist system this share would increase rapidly. Moreover, the state has established its own public housing administration and it gave extensive authority.

In 1980s, on the one hand housing cooperatives organised with pioneering local governments to construct huge urban space, other hand large companies entered the housing construction sector. However, these processes could not meet the housing demand of lower-income groups and consequently '*gecekondu*' construction would be transformed into a partially organised process. The aim of preventing '*gecekondu*' construction could not be achieved but the redevelopment of '*gecekondu*' buildings emerged as a new approach. Especially, the initial period of post 1980, '*yap-satçı*' housing production model was the main actor of transformation process of '*gecekondu*' areas since there was a scarcity of vacant land which could not be accessible by *yap-satçı*. With the redevelopment of individual land plots, transformation process started, and this process was largely conducted through improvement plans of '*yap-satçı*' until the late 1990s (Yılmaz, 2011). However, since 2000s transformation processes have started to be considered for large '*gecekondu*' areas, and the '*yap-satçı*' housing production model share has decreased. The transformation of large '*gecekondu*' areas requires large capital. Therefore, the share of mass housing corporations, especially HDA, increased rapidly. An interviewee YS1 stated about this issue;

The best thing that I've ever done is, storing material. That is, I invested capital in construction materials and finished all works during market stagnation. After the market boom, I sold all the flats and I made profit. Now, the market is very active and construction materials are too expensive. Under these circumstances, as *yap-satçı*, we lose our competitive power against big companies, especially HDA.

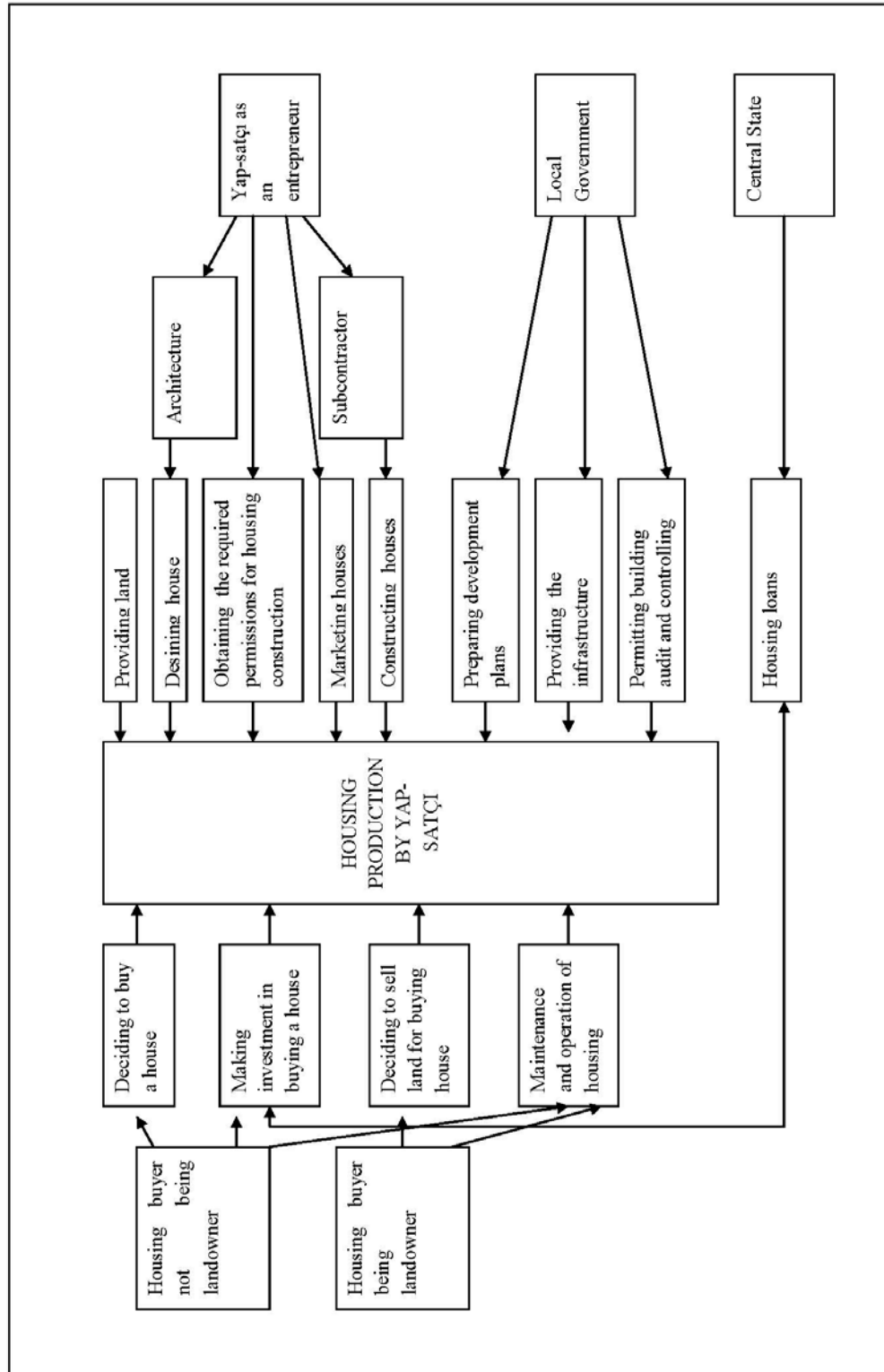


Figure IV.I The process of 'yap-satıcı' housing production model

Source: Tekeli, 2009

This change has not only affected housing producers but also ‘*gecekondu*’ owners who had the power to negotiate with ‘*yap-satıcı*’. With this change, ‘*gecekondu*’ owners do not have the right to negotiate any more; they have to submit whatever HDA does.

The interviewees E1, E3 and K6 stated about HDA vs ‘*yap-satıcı*’:

HDA does not give any information about its projects. It does whatever it wants. If you have a ‘*gecekondu*’ in this area, you will take only what HDA gives you. Moreover, you will not object to your share.

We prefer ‘*yap-satıcı*’ to HDA. At least a flat could not be given to ‘*gecekondu*’ owners. However, HDA debits you even if your land’s size is bigger than 500 m². Moreover, this ‘*gecekondu*’ is not mine. If it is demolished, I will go back to my hometown, Erzurum.

If HDA gives me a flat on the floor I want, I will leave this ‘*gecekondu*’ immediately. But HDA does not negotiate with us. It offers a deal. Whether you accept it or not does not make any difference.

IV.II. The Features of ‘*Yap-satıcı*’ Model

In this way of housing supply, most functions about housing construction belong to ‘*yap-satıcı*’. All functions from provision of land, designing house, and from marketing to completing are dealt by ‘*yap-satıcı*’ who is specialising in this field. The features of ‘*yap-satıcı*’ are;

- The basic feature of a ‘*yap-satıcı*’ is that he is a small-scale builder and seller as stated before. The economic capital of ‘*yap-satıcı*’ is not so significant; he could be called a small entrepreneur. ‘*Yap-satıcı*’ was the main actor in the housing market while housing market was not so profitable for big entrepreneurs. For them, during that term the turnover of capital was not only very low in housing market but also per profitability level of capital accumulation was very low. Furthermore, the housing market developed depending on the scopes of small capital.
- In the ‘*yap-satıcı*’ housing production model the main actor of construction is the master builder, a foreman who is responsible for almost stages. Moreover, an architect or an engineer has to work as the construction supervisor (şantiye şefi) but this obligation is fulfilled only on paper. ‘*Yap-satıcı*’ rents an architect’s/engineer’s diploma and pays some money. (S)he does not know anything about ‘*yap-satıcı*’’s work.

An interviewee YS1 stated about this issue;

My master builder does everything. How do I pay his money? We made a deal when this construction started. After construction finished, I will give him 2 flats. Moreover, my friend's wife is an architect. I rent her diploma for 2 years and per year I pay her 15 thousand Turkish Liras⁷ (=8296\$ and =6504£). She does not interfere with any work. She only signs the documents.

So there is not much academic approach, this makes low quality of housing.

- The origins of '*yap-satçı*' are based on two different disciplines: one of them is professionalists like architects or civil engineers. They use their professions with small capital for entering into this sector. Other is the people who are informally trained in construction and have small capital. At first, they work for others and make money in this process. Later, they become the boss of their own business (Tekeli, 2009).
- After saving enough money, they launch out '*yap-sat*'. If they are successful and earn enough money, they enter a new business area which is more profitable. Nevertheless, if an entrepreneur spends a long time in construction work, it means he could not be successful in this work.
- '*Yap-satçı*' model is based on having minimum initial capital. Generally, '*yap-satçı*' is not the owner of land, but he constructs the building on someone else's land. This land can be a vacant area in the city as it can also be a parcel the development rights of which are increased. '*Yap-satçı*' gains a construction right on land by giving a flat to the land owner. That is, the land owner gives his own land for construction, but '*yap-satçı*' gives him flats depending on the deal. This arrangement provides the small capitalist three types of benefits. One of them is that there is no need for capital to provide land. The other is that the cost of land is paid with the cost of housing and the demand for housing is created in the beginning. Nevertheless, the most significant conflict can be observed between '*yap-satçı*' and landowner. The location and the size of the land are determinative in the deal. If the land is on a very valueable district, approximately 60 percentages of houses will be given to the landowner.

⁷ On October, 2012, 1 USD is approximately 1.808 TL and 1 EUR 2.306 TL.

- The process of '*yap-satıcı*' housing production model was compatible with the features of demand since turnover and repayment processes spread through the construction's beginning and end. Turnover and repayment at the beginning of the construction made it easy to pay. Consequently, the negative effects of inflation on the buyers were prevented. On the other hand, after the construction finished, '*yap-satıcı*' paid the price of land by selling the houses which belonged to him. This made him more independent from the capital and his constant capital investment did not need to be huge. Therefore, need for bank credit was very little. Nevertheless, '*yap-satıcı*' produces houses in the inflationary environment, so he refers to selling houses when his money starts to decrease. Thus, the later he sells the more money he gains and the need for capital is minimized while the portion of profitability is increased. That is, '*yap-satıcı*' housing production process emerged and developed as a harmonious process of lack of capital accumulation and the resources which were allocated for housing purchase loans (Türel, 1986).
- In this model of supply, rental housing is produced more since there are two types of buyers. One of them is the landowner, who will have more than a house. He will use one of them while giving the rest for rent. The other is housing buyers who are not landowners. They have two tendencies: making investment or being a homeowner.
- This process is restricted to apartment blocks: it does not go beyond the scale of small entrepreneur. Therefore it is not only closed to advanced technology applications but also advances in a very slow pace. Moreover, the high cost of lands causes the production of houses with high cost.

An interviewee, YS1, said that

We only build apartments which are neither mass housing nor housing estate. These blocks do not change the vision of these places. Our blocks could not change the quality of physical life, since '*gecekondu*' has insufficient capacity and poor quality. Our apartments are better than '*gecekondu*'. However, these apartments could not enhance life standards. I mean, the profile of the settlers could not be changed. After finishing our projects, '*gecekondu*' settlers continue to live here. New comers are not totally different from '*gecekondu*' settlers in terms of socio-economic conditions.

IV.III. Quality of Housing

In this process, the quality of housing is another interesting point. The relationship between the architect and the user does not constitute the design process since usually after the construction starts, houses are sold (Tekeli, 2009). Therefore, the main intent of design is to increase the exchange value of the house rather than increasing the use value of it. For this reason, market conditions dominate the design process. On the other hand, in the redevelopment of ‘*gecekondu*’ areas, there is no site selection phase as it takes place in the same area. However, not only the quality of ‘*gecekondu*’ houses but also the ‘*gecekondu*’ settlement area is important. As stated by Davis (2004; 122), “*slums begin with bad geology*”. And by the redevelopment projects this bad geology is reproduced again and again. After the redevelopment projects, the only thing changing is the quality of housing which is generally better than ‘*gecekondu*’ and socio-economic features of residents.

The interviewee YS1 stressed about this issue:

Negotiation will continue until the end of the construction. ‘*Gecekondu*’ owners want to intervene even with the colour of the parquet. I use good quality materials. If I want to hold onto this job, I have to work systematically. On the other hand, materials which are used by HDA are sold in Rüzgârlı⁸. You know what this means? HDA uses the cheapest material in this sector. Besides, HDA pays for what? The interesting thing is that ‘*gecekondu*’ owner cannot question HDA. Nevertheless, HDA does not deal with a single ‘*gecekondu*’, but large ‘*gecekondu*’ areas are transformed by HDA and there are housing units with school, mosque, playground, etc. Therefore, the appearance of the neighbourhood changes also. However, one single apartment could not change anything but the ‘*gecekondu*’. You only change the ‘*gecekondu*’ to apartment.

⁸ Rüzgârlı Sokak known colloquially as Rüzgârlı is the street in Ulus in which a wide array of construction materials could be easily and cheaply found. Moreover, these construction materials’ quality shows a change. It could be found the cheapest materials so most of ‘*yap-satçı*’ buys the materials from Rüzgârlı. YS1 stressed that as a small capitalist he doesn’t use the cheap materials but HDA as a big capitalist use the cheapest material and no one objects to this situation.

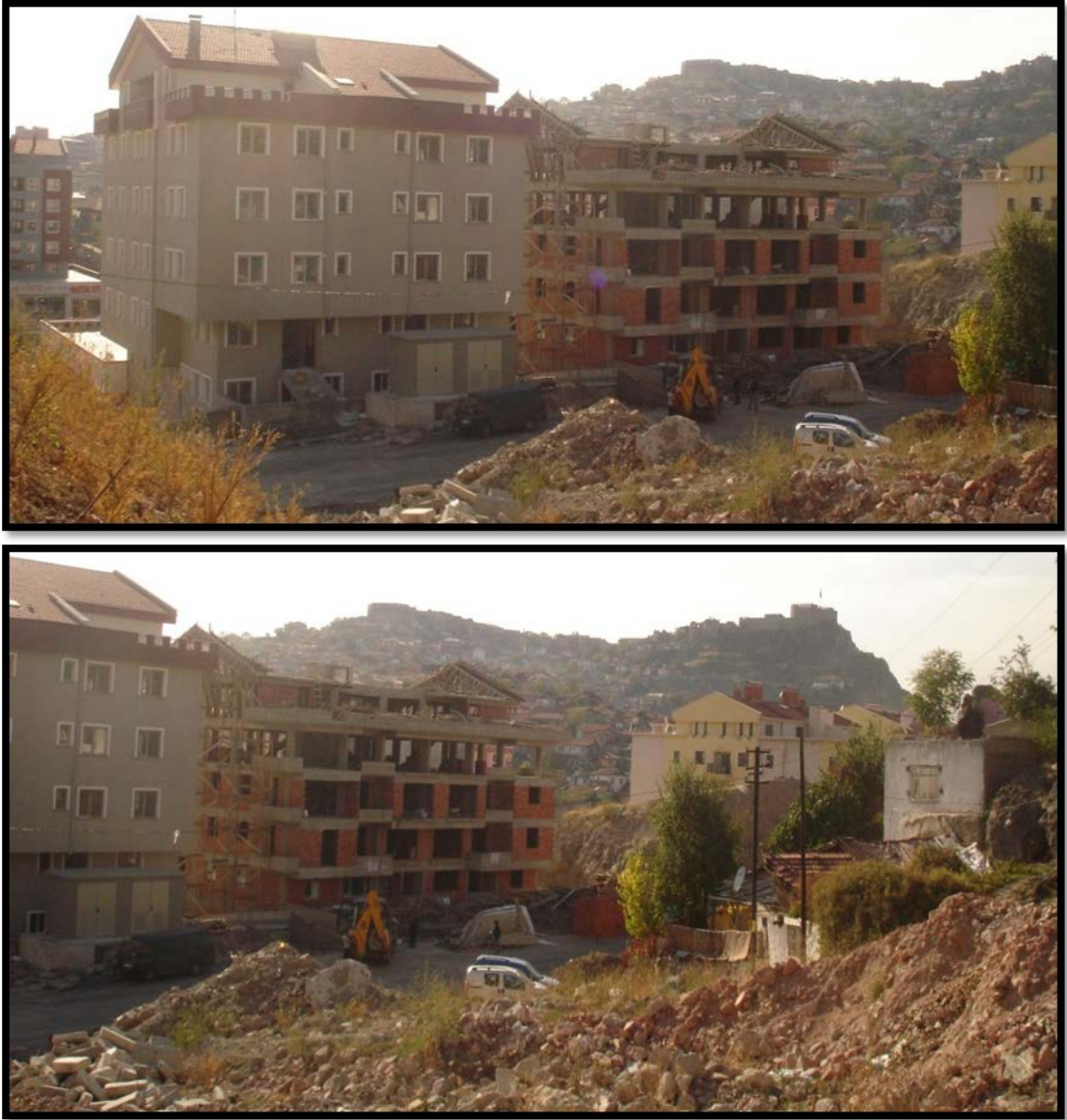


Figure IV.II An example of housing produced by ‘*yap-satıcı*’ in Aktaş Neighbourhood

Source: Personal Archive, 2011

Moreover, the quality of housing is not a major concern in this model since there are not any public authorities or any other mechanisms which control the projects, and the legal basis of such kind of control is uncertain. Municipalities control the projects in terms of the law number 3194 and give their approval reluctantly. If there is a possibility of disapproval, ‘*yap-satıcı*’ has two different precautionary projects. One of them, which is regular, is applying to municipality for approval. Thus, this project is called municipality project. At the same time, there is a real one that the ‘*yap-satıcı*’ actually wants to implement. After the project barrier is crossed, there is another legal obligation which is finding an engineer of record (fenni mesul) who is responsible for the construction’s technical problems. Except for

the duties of engineer of record, a new position is created: Person in Charge of Technical Implementation (Teknik Uygulama Sorumlusu, TUS) who covers other technical issues. However, they do not cause the difficulties that affect the projects. That is, project-project control-construction-construction control mechanism does not replace the construction process.

IV. IV. Implementation Principles of ‘Yap-satçı’

As mentioned before, ‘yap-satçı’ and ‘gecekondu’ owner have an agreement before the construction. In this part, the main aim is to clarify the nature of this agreement. However, when the case in this thesis is considered, there is not any concrete information as the transformation of this area is directly offered to HDA and the development plans were prepared considering the whole area and HDA implementations. Nonetheless, before Aktaş Neighbourhood was announced as a transformation area, there were some negotiations between ‘gecekondu’ owners and ‘yap-satçı’ about the redevelopment though it did not occur. Therefore, during the interviews the ‘gecekondu’ owners’ and ‘yap-satçı’ questions were asked to understand especially these agreements.

At the interview YS1 summarized the general agreement process like this;

According to the improvement plans, the municipality establishes regulations that if you take this area as a block base hmax is unlimited however, if you prefer parcel base then hmax is maximum 4 floors, for example. I do not have enough saving for plot, so I take parcel. That is, the block is a maximum 4 floors building. Altındağ Municipality told us to get into a partnership. However in construction sector there are not any partnerships since in this sector bribe, bargain and stealing VAT (value added tax) are very common. Inputs and outputs are not so clear. Therefore, nobody trusts anyone. Most of the money is paid for material, labour and municipality, anyway. Why should I pay the municipality more? Because of electricity, water, sanitary sewerage, the expense is too high. Although without a fight there is no possible partnership, for the transformation of Aktaş Neighbourhood, 5 ‘yap-satçı’, we came together for a partnership. Then what happened? They did not give it to us. What did we do? For a month as ‘yap-satçı’ we did not take out a policy.

YS2 compared options while he worked as ‘yap-satçı’ and now. According to him;

The more capital, the more power. This is the motto of construction sector in this era. If you have money, you will offer lots of options like rental, purchase, etc. That is, you can offer different alternatives to right owners. Moreover, right owners have to accept one of alternatives since you do not give them bargain change. Most particularly, if HDA is the stakeholder, ‘gecekondu’ owners do not have a right to negotiate. They have to accept whatever HDA offers. On the other hand, HDA has the power expropriation.

Thus, to compare concrete data, this question was asked to ‘*yap-satıcı*’,

Hypothetically, if Altındağ Municipality dealt with you, what would you offer to ‘*gecekondu*’ owners?

YS1 said that

At first, it needs to be understood that HDA is already exempt from lots of taxes and subsistences. Moreover, there is no limitation of hmax. HDA gains from demand. It churns out. Therefore, I could not compete with it. It constructs buildings and no one calls it to account. Moreover, it produces buildings the cost of which is so below the market value but it sells houses in the market value. If expenses are taken into consideration, the sale price of HDA is too high. On the other hand, if this area was given to me, 170 m² would be the minimum size of land that could be given to a housing unit for ‘*gecekondu*’ owners. Maybe this size could increase depending on expenses. When we understood this area was given to HDA, we interviewed with ‘*gecekondu*’ owners and offered them more share than HDA did. However, that was not realistic. Moreover, we generally paid the rent of ‘*gecekondu*’ owners depending on the contract. But in these conditions HDA treats like a ‘*yap-satıcı*’. The aim of making everyone a homeowner conflicts with these implications. If I did, it would not matter since I would not have any claims that making everyone a homeowner.

Another interesting point is the contract which is signed between ‘*yap-satıcı*’ and ‘*gecekondu*’ owner. Housing benefit is based on this contract. Different consequences occur depending on different contracts. Actually, ‘*yap-satıcı*’ could not offer lots of alternatives but stakeholders have to be clear about the contract. Especially fragmental lands are a big deal since there are lots of stakeholders, which cause difficulties to deal with.

YS1 stressed this issue;

After compromising the municipality, I have to compromise the ‘*gecekondu*’ owner. And the main negotiation starts. If (s)he does not accept your offer, nothing can be done. You have to compromise, but you can not accept whatever (s)he wants. You need to compromise. At this point some tricks enter into the deal. For example, another ‘*yap-satıcı*’ who knows you negotiate with the ‘*gecekondu*’ owner offers fewer shares than you do, as he is interested in ‘*gecekondu*’ housing. After this negotiation, ‘*gecekondu*’ owner wants to compromise with you. These are the tricks of this work.

Nevertheless, Altındağ Municipality propounds different reasons why this area is given to HDA for transformation. The main reason is security. On the other hand, according to YS1 this is not the main reason. To him, in the last 15 years, all arrangements have been done to give an advantage to HDA over other entrepreneurs⁹.

⁹ Detailed information and the interview is given in Chapter VI, while discussing the implementation principles of HDA in this UTP.

IV.V. The Problems of ‘Yap-satıcı’ Housing Production Model in Historical Context

Although it was not realistic, the goal of ‘yap-satıcı’ application was to make all families homeowners. People who lived in legal houses constituted the half of the total population in Ankara and other metropolises. Before 1980s, the investment in housing would enable one not only to get rental fee but also increase in value above the inflation rate. The houses which were bought by workers working abroad reached large numbers. In addition, 50 percent of the houses constructed by ‘yap-satıcı’ were the property of land owners (Türel, 1986). Housing credits were not only so low, but also provided a small portion of the cost of housing. Thus, the only chance for middle income groups was to be tenants. It can not be said that the policy of making all families home owners reached its goal, and real estate property was to be a significant investment tool as it is now.

The process of ‘yap-sat’ generally offered houses for middle and high income groups in the central districts of the cities. Families who did not meet the prerequisites for using bank credit and didn’t have a regular income either could not buy or rent these houses. Therefore, the number of ‘gecekondu’ increased rapidly.

The production of apartment blocks through the process of ‘yap-sat’ caused the increase of land rent and the share of land cost increased the total housing cost.

Although the state had adopted the property ownership as a housing policy since the first years of the republic, an integral part of this policy, the sufficient amount of housing credits could not be obtained until 1990s. Furthermore, in 1980s ‘yap-satıcı’ had already preferred to be the agents of redevelopment of ‘gecekondu’ areas due to its profits. On the other hand with 2000s the share of yap-satıcı in redevelopment of gecekondu settlements has shrunk by the urban transformation projects which are hold by HDA. Next chapter the main aim of establishing HDA, and the institutional development of it will be discussed for comparing two different ‘yap-sat’ models of one is private sector; ‘yap-satıcı’ and the other is public sector; HDA.

CHAPTER V

HOUSING DEVELOPMENT ADMINISTRATION (HDA), as a STATE'S INSTRUMENT of INTERVENTION with URBAN SPACE

V.I. Historical Background of HDA

As stated before the period after 1980s is defined as the “urbanisation of the capital” via “export-oriented growth model” (Şengül, 2009). Turning from import-substituting industrialisation to export-oriented growth model led to the radical redefinition of the relations between the first and the second circuits of capital accumulation, which are the centres of urbanisation dynamics. In this period, not only state but also big/large corporatist capital starts to play an active role on construction sector since it is much more profitable sector than before. On the other hand housing supply for low-and middle income groups was still a big deal. To offer available, accessible and affordable housing for the ever-increasing populations of the urban settlements, HDA was found and in financing housing sector its fund has gained significancy. On the other hand it is not only financier in housing sector but also developer produced housing units to low-and middle income groups. Its fund was offered cheap credits to developers, construction firms, ‘*yap-satçı*’, and cooperatives. Moreover someone who wanted to buy houses also benefited from this fund. According to Türel (1996) between 1984 and 1995 95.296 individual credits and 836.975 mass housing credits were supplied through the Mass Housing Fund (cited Balaban in 2008; 100). Furthermore as stated Türel (1996), between 1984 and 1995 34.233 housing units were constructed by administration and during the same years 28.553 units also completed (cited Balaban in 2008; 102).

In other words the post-1980 period the regulatory and interventionist roles of state started to increase and HDA was the instrument of these roles. Moreover they increased with the changes on legal and institutional aspects of the planning and urban development system in Turkey. The aim of founding HDA started to change in time. Especially during post-2000s period, HDA is being authority all construction issues.

For this thesis, Urban Transformation Projects and the authority of HDA about this issue is so significant. During post-2000s period, HDA is being the authority on UTPs by legislative and institutional changes. Up to 2000s, ‘gecekondu’ transformations were done by ‘yap-satçı’ one by one. Since then ‘gecekondu’ settlements have been introduced as UTPs by HDA. The share of ‘yap-satçı’ on ‘gecekondu’ transformation has decreases dramatically and there exists an unfair competiton between ‘yap-satçı’ and HDA not only in respect capital size but also legislative and institutional capacity.

V.II. Legal Arrangements on HDA

Post-2000s a new approach was developed towards low income housing. HDA started to finance and promote projects for the low income groups by announcing ‘gecekondu’ settlements as UTP area. This means, under ‘gecekondu’ transformation projects it tried to challenge the ‘gecekondu’ phenomenon. And this part provides general information¹⁰ about HDA and an evaluation of the legal arrangements that make HDA the only authority in construction sector, especially in ‘gecekondu’ transformation.

The key propositions of this part are;

- Legal and institutional framework of HDA,
- Changes and modifications made in the legal and institutional framework of HDA
- Some other changes made in the legal and institutional frameworks of any institution which are (in)directly related to the authority of HDA

The whole laws and regulations on HDA are given below;

Table V.II. List of Laws and Regulations Examined

Years	Financial	Land Supply	Risk Management	Urban Planning Practice	Instituonal	Construction
1981	Law No. 2487, The Mass Housing Fund					

¹⁰ Detailed information about legal arrangements on HDA is given in Appendix CI. Although this part is an attempt to explain all legal arrangements of HDA, the main issue of this thesis is to reveal the authority of HDA on gecekondu transformation and the process of its becoming the single authority in this area.

Table V.I. (continued)

1984					Law No. 2985 Housing Development Administratio n	
1990					Executive orders 412 and 414	
2000					Article 6 of Law No. 4568 Law On Amendment to Eliminate Funds	
2001		Article 5 of Law No. 4698 Law on Amendment to Building Land Office Law and Establishing Undersecretariat of Housing			Article 7 Law No. 4684 Transfer Protocol about Emlak Bank	
2002	Directive Reference to Usage of HDA's Resources					

Table V.I. (continued)

2003	Law No.4767 and Law No.4864 Law on Amendment to Some Laws	Law No. 4964 Law on Amendment to the Public Procurement Law		Law No. 5006 Law on Amendments to Urban Development Law (No. 3194),	Law No.4864 Law on Amendment to Some Laws Law No. 4966 Law on Amendment to Some Laws and to the Decree on the Duties and Organization of Ministry of Public Works and Settlement	
2004		Law No.5273 Law on Amendment to Land Office Law (No. 1164) and to Housing Development Administration Law (No. 2985) and on the Abolishment of General Directorate of Land Office	Law No. 5229 and Law No. 5234 dated 17.06.2004 Law on Amendment to Some Laws and Some Decree Laws	Law No. 5104 Law on an Urban Regeneration Project Within Northern Periphery of Ankara Law No.5162 Law on Amendment to Housing Development Administration Law (No. 2985)		
2005				Article 73 of Law No.5393 Municipality Law No.5366 Law on Conservation by Renewing and Utilization by Rehabilitation of Decayed Historical and Cultural Heritage		

Table V.I. (continued)

2006				Law No. 5481 Law on Amendment to the Law on an Urban Regeneration Project within Northern Periphery of Ankara (No. 5104)		Law No.5492 Additional Paragraph on Law No. 2985 Mass Housing Law
2007	Law No.5582 Law on Amendment to Several Laws Concerning The Mortgage System				Law No.5609 Law on Amendment to the Gecekondü Act (No. 775)	
2008	Law No. 5793 Law on Amendment to Public Finance Management and Control Law and Some Laws and Some Decree Laws					
2010				Law No.5998 Law on Amendment to the Article 73 of Law No. 5396, Municipality Law		
2012			Law No. 6306 the Transformation of Area Being under the Risk of Disaster			

By analysing these regulations made in the legal and institutional framework, it could be seen obviously that HDA has started to work as a company after these regulations. The main concern of this thesis is to compare '*yap-satıcı*' and HDA. Especially in this part it is proved that legal arrangements have made HDA much more powerful than '*yap-satıcı*' and in housing market and HDA becomes the only power.

An epilogue to legislative actions;

From 1981 to 2012, there have been 65 Laws approved concerning the current planning system. 56 out of 65 are new laws which bring new legislative provisions to an existing law or to the constitution. These 56 laws brought new provisions to HDA like the authority of planning, urban development, housing production, and land policy after natural disasters as earthquake or flood, luxury housing production and so forth.

These legislative actions are criticised not only by the academics in the fields of planning, architecture and engineering, but also by corporate organisations, because while the new legal arrangements do not provide any solutions to the existing problems within housing issue and they lead to new problems. Moreover, the applications of HDA create an unfair competition with regards to architects, planners and '*yap-satıcı*'. One of the examples of these unfair applications is given below;

HDA uses public land without any cost of producing housing and is also exempt from all legal procedures. Consequently, the houses produced by HDA are much cheaper than any others. Therefore, contractors or any others cannot compete with HDA. Moreover, HDA has a typical project using tunnel mould for whole mass housing projects independent from the features of the city. Architects who work for HDA design a housing project and HDA uses it everywhere. That is, there is no need for a new design. Thus, HDA avoids from paying for the labour of architects.

After all the legislative arrangements, an institution named HDA which works neither as public institution nor private corporation comes into being. As Tekeli (2009) stated, no matter how strong it is, an institution is not given an extensive authority which determines the whole urbanisation of the state. Even if the institution has the authority, decision-making mechanism can not continue this way.

Consequently,

- The power of HDA is increased with these legal and institutional arrangements.
- The duties of HDA are not restricted to the production of housing. From the provision of urban land to producing profit-oriented projects, authority in lots of projects has been given to HDA.
- As stated by Balaban (2009), the scope of HDA's actions and its functions were extended in such a way as to cover the production of housing for disaster survivors in disaster zones and preparation and implementation of profit-oriented projects, development of projects to improve 'gecekondur' settlements, and so on.
- The authority given to HDA especially on plan preparation causes the fragmental approaches of current planning system, which is the tool of producing public property.
- All in all, all around the world and especially in Europe by the effect of subsidiarity principle, local governments are active units on urban policy and the authority is given to them. Although the urban experiences of Turkey and Europe are totally different from each other and the comparison is not possible, in Turkey, there are antipodean implications. The authority is given to central government and with the last legal arrangements, local governments are dependent on the central government.
- It can be said that state has a more active role in the housing market.
- As stated by Keskinok (2006), the answer to the question how global capital is pulled to local space is making the planning system more flexible and legal system more unspoilt, which allows the circulation of the capital without boundaries. On the contrary, as Hall (1981) argued; *"most individual urban problems should be considered in the context of the metropolitan area, region or nation in which they occur, and it is clear that the nature and impact of such problems can change considerably over time"* (cited in Roberts and Sykes, 1999). In Turkey, the main aim is to provide the integration of global capital. Thus, it makes urban planning more flexible and accumulates the capital independently from legal regulations.

V.III. Different Policies of HDA

The policies of HDA were shaped by the purpose and the applicability which are defined in the Mass Housing Law No.2985 and Article 1 as:

"This Law governs satisfaction of housing needs, drafting of guidelines and procedures that apply to housing builders, development of machinery and equipment through the agency of

industrial construction techniques adaptive to national circumstances and materials, and supporting to be provided by the State.”

(www.toki.gov.tr/english/MASSHOUSINGLAW.pdf).

The administration defines its mission as;

“To offers hope to millions of Turkish citizens who would not otherwise have an opportunity to own their home, or live in a neighborhood with modern schools, business areas, hospitals, mosques and libraries.”

(<http://www.toki.gov.tr/english/hda.asp>)

The administration defines its strategy as;

“To create low and medium income social housing, facilities and infrastructure. HDA will also revitalize blighted neighborhoods, restore and reconstruct buildings of historic importance and create the infrastructure for rural areas and provide housing, infrastructure and social facilities for the victims of disasters.” (<http://www.toki.gov.tr/english/hda.asp>)

The administration defines its vision as;

“To create a model framework for quality low-cost housing; prevent real estate speculation that might use low-quality materials in the construction of low-margin housing; produce housing for regions in Turkey where the private sector is not active; offer low and middle income groups the opportunity to finance their own homes, offer rural housing opportunities that decrease the pressure on the migration to urban areas; collaborate with local municipalities to create urban renewal projects; and create financial opportunities to finance social housing projects such as innovative income sharing projects with the private sector” (<http://www.toki.gov.tr/english/hda.asp>)

Table V.III. Shares of different programmes in the provision of housing by HDA

	Total	%
Total Dwelling Units	400.846	100
Low-Middle Income	188.014	46,9
Low Income	95.740	23,9
‘Gecekondu’ Transformation	47.086	11,7
Agriculture	3.588	0,9
Disaster Housing	9.910	2,5

Table V.II. (continued)

Revenue Sharing	56.508	14,1
Social Facilities (Including Education, Culture, and Health Services with Commercial Center)	1.986	0,5

Source: toki.gov.tr. 2012

In this context, the policies of HDA could not be listed as follows;

Housing Production on HDA's Lands for the Low and Middle Income Groups

The aim of mass housing law and HDA is to solve the question of acquiring houses in a liveable and planned environment. In this context, the target group of HDA comprises of low and middle-income families who are not able to own a housing unit within the existing market conditions in Turkey. To achieve this aim, HDA has adopted a model -providing mortgage loans- with long maturities and low yield for the beneficiaries of the projects.

Through this method, the construction period starts after the selling of the housing units. Then the contractors receive the quotations in this direction and the cost of the houses is determined. While determining the sales price of each housing unit, the cost of land, off-site and plot infrastructure, social facilities and technical services are taken into account. Depending on the income statue of the target groups, 10%-40% of the cost of the house is initially collected as a down payment. The rest of the cost is paid from 75 to 240 months. Monthly repayments are indexed to the wage increase in the public sector in every six months, which means HDA puts a type of "dual-indexed" credit system in operation. However, the bank credits have the constant payment all through the maturity.

The property right of the housing units remain on HDA until they are finished since it is acting as a "guarantor" for the repayments of the project. Depending on the target groups' income and saving patterns, HDA organises a repayment plan. Repayment cannot be spreaded throughout long terms like 20-25 years with affordable monthly payment alternatives.

The construction of the housing units is completed in 14 months. Contractors insure the housing units during the construction, and after construction HDA does.

In general, this social housing is applied by workers and civil servants. Nevertheless, every citizen who does not own his/her house has a right to apply.

The physical conditions of social houses¹¹ in terms of housing area are neither too good nor too bad. Small social houses which are produced for low income groups consist of 45-55 m² and 65-75m² of housing areas. On the other hand, some housing units produced are in sizes between 80-120m².

Land Development

Recent changes of law;

Undersecretariat of Housing was repealed on 31.07.2003 according to Law No. 4966 and its affiliates HDA and General Directorate Of Building Land Office, dated 12.8.2003 Prime Minister's Decree, were attached to The Ministry of Public Works and Settlement. Latter, Law No. 5273, on 15.01.2004 with the approval of the President they attached to the Prime Ministry. And HDA became the only competent authority in land development. By these changes, HDA could expropriate for land development, make zoning/development plans for public housing areas and also HDA has the authority to sell the land.

The duty of Selection of Housing Sites, Expropriation and Cadastre (Amended Law dated 12.05.2004 and numbered 5162 / article 2) is described as;

“Mass housing sites shall be selected by governorships within the frameworks of the principles to be laid down by the Board of Mass Housing and Public Partnership. These sites may be nationalized by the Directorate General of Land Plot Office, where deemed necessary. Guidelines as regards performance of cadastre works and preparation of housing plans for Mass Housing sites shall be established by Board of Mass Housing and Public Partnership.” (<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>)

These are the duties of HDA about land development according the Mass Housing Law No. 2985 and the last changes are

- To supply plots of land for mass housing areas

¹¹ Which is better, gecekondü or social house? In chapter VI, this issue is tried to argue from the perspectives of ‘gecekondü’ settlers.

- To provide land for housing, industry, education, health and tourism, investment and transfer agreements for various public facilities by purchasing land or through other ways.
- To sell, rent and excambe, constitution of servitude, market or selling via state institutions and organizations, planned or not provided land-plot to those who need by consummating the infrastructures totally or partially.
- To get fund from plots of land and infrastructure projects for housing, industry, education, health, tourism investments and state institutions and organizations.
- To expropriate plot or innovations on it which belongs to a legal entity or real persons for housing, industry, education, health, tourism investments and state institutions and organisations.

Transformation of ‘Gecekondur’ Areas

In 2003-2004 by accomplishing legal arrangements¹², HDA as a state actor, for the first time in Turkey, was authorised in the urban transformation project of ‘gecekondur’ settlements in cooperation with local authorities.

The object of UTPs is to reconstruct the *"illegally occupied and underdeveloped (in terms of lacking basic urban services, like adequate water, proper sanitation, transportation etc.) ‘gecekondur’ regions"* through clearing of such regions and to rehabilitate those areas by constructing a modern, livable settlements with the provision of adequate shelter, sanitation, social facilities, better environment quality etc.” Therefore, not only "the illegally occupied ‘gecekondur’ zone" is rehabilitated but also “modern housing units in a vacant area” are planned with the aim of removing the households from ‘gecekondur’ areas.

HDA generally collaborates with local authorities in ‘gecekondur’ housing transformation projects. The first step in this process is the identification of illegally settled regions by local authorities. Next, HDA and local authorities sign a protocol to rennovate those regions through a housing development scheme. To increase the living standards and provide social facilities for ‘gecekondur’ households, municipalities give a different vacant area to HDA. Later, HDA implements the housing development programme, which involves the construction of the housing units. When HDA completes the construction, the transformation area is evacuated and the ownership of the cleared land, which is very valuable in terms of

¹² Details about legal arrangements is given in the previous part.

land rent, is transferred to HDA. This is the common process of UTPs used by HDA. In the process of UTP, there are two different strategies followed. One is to move ‘gecekondu’ households to other HDA houses. In other words, *“HDA constructs modern housing units for the ‘gecekondu’ households on a different vacant area with all the livability conditions, standards and social facilities provided, and on the other hand, municipalities identify the illegally-settled households to be evicted and then clear the occupied land. The cleared land, then, is used by HDA and municipality and regenerated through urban renewal projects, since those ‘gecekondu’ areas are often very valuable in terms of urban rent”* (<http://www.toki.gov.tr/>).

In the second strategy HDA constructs housing units in the same area. Thus, until the construction is completed, the ‘gecekondu’ owners are obliged to take care of themselves since they are not provided with housing benefits or housing.

Revenue Sharing Model

HDA uses this model in most of its projects. This model is based on the Public Private Partnership (PPP). Its main aim is to use the sources and dynamics of private sector and the experience of public sector together, as when the financing needs of the state are taken into consideration, it is hard to invest in social housing market. Therefore, PPP model on the unproductive public lands creates resources for social housing projects which appeal to low-middle income classes. Moreover, using unproductive public lands enlivens the economy.

In Turkey, the purpose of revenue sharing model is

- using the public land in a manner that provides more profit,
- gaining maximum revenue,
- preventing illegal construction,
- creating new residential areas the plans and projects of which are controlled,
- developing new sources for public sector,
- increasing social utility.

How This Model Is Implemented;

The Revenue-Sharing Model is innovative as it attempts to meet the governmental objectives through the existing housing and settlement policies. The target groups are mostly high-

income families and the main aim of HDA is to provide financial funds for the low and middle-income housing projects.

These projects are carried out in collaboration with the private sector (developers and contractors). The revenue of the project is shared between HDA and the shareholder firm. Housing units are produced on lands which belong to HDA. These lands are generally evaluated by HDA as less than their actual market value. Thus, there is an embedded subvention. If these houses are produced by any other special firms, the selling prices will be much more expensive than HDA does. This creates an unfair competition in market.

The project is implemented by a private developer or contractor selected through an open tender which is evaluated according to the basis of revenue ratio offered and the highest revenue offered wins the tender, within the framework of national tender law. The revenue is collected in HDA's account. If the revenue exceeds the estimation, it is shared between HDA and the contractor. On the other hand, if the sales are less than the contractual offer, the estimated total revenue has to be given by the developer.

HDA provides the land to the subject of the tender, while the total probable revenue is going to be offered by the participants. On the basis of revenue ratio offered, the highest revenue offered wins the tender which has been evaluated by HDA. After choosing the shareholder and obtaining land, the project starts as soon as possible. It includes all investment costs, except land cost, as land is provided by HDA. This valuable land, which belongs to HDA or the state, is used for having urban-residential reference, seeking for the best outcome of the development.

Without any delay, legal permission procedure is started, since the project is realised on a public land. HDA's public guarantee makes these projects have high marketing and sales capabilities. Therefore, the selling of the housing units take place at the beginning of the construction period, and the sales revenue starts to be provided at the very beginning of the total investment process.

Briefly, this model, a build-and-sell concept, is based on the revenue rather housing units.

Agricultural Producer-Villages Project

The most important aim of HDA is to prevent '*gecekond*' which is constructed by immigrants who lived in a rural area before. A significant number of the rural population has migrated to urban areas since 1980s. Thus, the solution of '*gecekond*' problem is not only constructing modern housing areas in urban areas but also upgrading the life standards of rural people.

In order to create "model, exemplary" livable rural settlements which have not only physical conditions such as adequate infrastructure but also social and economic facilities as the ones in the city. HDA offers this project to its residents. The project can be adapted depending on socio-economic conditions of the region. The goals of the project can be summarised as creating a model rural settlement, encouraging agricultural production, promoting the settlement in rural areas and preventing migration from rural to urban. To achieve these goals, HDA has two methods. One of them is carried out in partnership with the Ministry of Agriculture. HDA is the project planner and also has the implementation role, whereas the Ministry of Agriculture is the decision maker that identifies the places and the households to benefit from this project according to the related regulations. In the second method, HDA is the decision maker. In other words, HDA plays the role of Ministry of Agriculture in the first method.

Credit Support to Individuals, Cooperatives and Municipalities

Producing modern urban environments, HDA provides not only long term credits but also loans for the housing cooperatives, municipalities, individuals and the members of families who have died while serving the Turkish State, the disabled widows and orphans since 1984. In this mode of housing supply, the housing construction loans are given by HDA, and their terms are specified in regulations issued by HDA. The banks which have branches throughout the country accept and evaluate the applications for loans. Maturity is ranging from 5-10 years. Furthermore, some requirements for new loan applications from people who have not used HDA housing loans before, have been imposed to finalise the constructions of the projects by HDA. In order to determine the areas where housing need is at the critical and urgent levels such as cities devastated in earthquake and under-developed regions, HDA grades the housing projects according to its regions, construction levels,

housing area and the infrastructure of the project. Moreover, to support the projects on preserving the historical constructs and rural architecture, HDA provides credit.

Housing Production in the Disaster Areas

In residential areas damaged by natural disasters, HDA plays a pioneering role promoting and supporting housing activities in locations. Especially by the new arrangements Law No. 4966 on 31.07.2003, HDA would be the legal authority on disaster areas. This law is; *“Building, promoting and supporting construction of housing units as well as social facilities and infrastructures in locations where disasters take place, if considered necessary.”* (www.toki.gov.tr/english/MASSHOUSINGLAW.pdf).

First in 1992 with Erzincan Earthquake the Administration started disaster housing applications. A report published by the World Bank 13 years after the earthquake, indicated that HDA made a positive impact on the city’s residents.

In the mode of production, the administration provides loans for the construction of housing, workplace and the necessary land from the government without cost and credits to finance the building of homes and businesses and cooperatives. HDA also provides buildings that can resist natural disasters like earthquake, by conceptualising the project.

In 2003, after Bingöl Earthquake, HDA indicated that 19 projects and 2857 dwellings are produced as earthquake social housing. Furthermore, within the frame of these projects, a primary school, a high school, a wastewater treatment facility, a multi-purpose hall for municipality, a mosque, and a police station were constructed.

Moreover, conducting its activities in collaboration with the Ministry of Public Works and Settlement and the General Directorate of Disaster Affairs, HDA developed 18,000 disaster housing units in 28 cities during the last eight years (Building Turkey’s Future (2010-2011 pg.21)).

Luxurious Housing Production for the Purpose of Creating Sources for Social Housing Projects

In 2003 by accomplishing legal arrangements of Article 4 of the Law No. 4966, HDA has been authorised the production of luxury housing. This law is; *“Implementing or appointing others to implement profit-oriented projects to ensure sources to the benefit of the Administration.”* (www.toki.gov.tr/english/MASSHOUSINGLAW.pdf).

This profit is used to provide social houses to low-middle income groups.

Migrant Dwellings

If necessary, HDA provides housing for the immigrants who take refuge in the country for political reasons. In 1989, over 300,000's Turkish origin family migrated to Turkey from Bulgaria for sheltering and settling. Immigration Housing Coordinator was established in 1990 with the decision of the Supreme Planning Council. In this context, the Turkish Prime Ministry assigned HDA to manage over 23,495 housing units in 17 provinces and 23 settlement areas in 2004. Furthermore, HDA also provided land to 3,975 immigrants to Turkey via 27 cooperatives.

Restoration of Historically and/or Culturally Important Buildings

Depending on the Law No.2863 Regarding the Protection of Cultural and Natural Heritage; HDA performs activities with the objective of preserving historical and cultural heritage for the future generations, restoring and utilising the heritage and ensuring that urban centres are renovated and inhabited in a healthy manner, and that they do not become out-of-control regions threatening safety and security and are capable of meeting contemporary needs. In this respect, HDA extends loans for maintenance, repair and restoration works for registered immovable cultural heritage, which is owned by real and legal persons who are subject to the private law and that are in need of protection. Thus HDA supports projects geared towards protecting and restoring the historical heritage and regional architecture. It gives priority to projects that are developed to rehabilitate historical urban fabric and that will be implemented under the leadership and coordination of local administrations and similar entities. The loans that are extended in this scope have a term of 10 years and an annual interest rate of 4%, while the repayments are done in fixed monthly installments. As in October, 2009, credits for the restoration of these structures have been used in over 235

projects all over Turkey. From the Black Sea to the Mediterranean, from the Aegean to Cappadocia, HDA strongly supports the projects produced with the efforts to preserve Turkey's remarkable architectural heritage (Building Turkey's Future (2010-2011 pg.54).

International Experience in the Fields of Housing and Human Settlements

HDA has the authority to supply houses not only in Turkey, but also abroad depending on Article 4 of the Law No. 4966 dated 31.07.2003. This law is; *"Developing projects both in Turkey and abroad directly or through the agency of its participations; carrying out or appointing others to carry out applications for housing, infrastructure and social facilities."*

After Pakistan Earthquake, taking a major part in the reconstruction of Muzafferabad, HDA built an administrative building, a building for the local college, a mosque, a conference and exhibition hall, a shopping centre, gymnasium, guest house, two elementary schools, two dormitories and 192 houses. The Administration also helped to modernise the entire city centre through its infrastructure and landscaping projects (Building Turkey's Future (2010-2011 pg.65).

V.IV. Partnerships of HDA

As stated by Roberts and Sykes (1999; 43) *"the ethos of partnership, and multi-agency provision and collaboration, have become the key concepts of the 1990s."* Public and private sector, together with the local communities, are all essential elements of an effective urban regenerating strategy, and so are ordering funding requirements, solving multidimensional and complex nature of urban problems and centralisation of duties and organisations.

HDA has also effective relationships with affiliates and subsidiaries so as to achieve the objectives of housing supply. These are;

Emlak Konut Real Estate Investment Trust-REIT: The origins of Emlak Konut REIT date back to Emlak Bank which managed the government land in order to supply housing for low-middle income groups, developed projects and created public offerings. Emlak Konut REIT has gone through a series of important changes to become Emlak Konut REIT Co. in 2006. Emlak Konut REIT created income sharing projects with private sector and nearly 30.070 housing units were constructed in this period. 39% of Emlak Konut REIT belongs to

HDA and also HDA is a strategic partner in its investment decisions. However, the company is managed mostly by HDA.

Emlak Real Estate Marketing, Construction, Project Management and Trading Co. Inc.(EPPY) : Established in 2001, EPPY, 49% of which belongs to HDA, not only offers a variety of services like project management, real estate marketing, engineering, contracting, administration, management services, trading and consultancy but also participates in various maritime operations.

Metropolitan Municipality Construction, Real Estate and Project Co. Inc. (TOBAŞ): Established in 2004 to serve HDA's urban renewal goals in Ankara. TOBAŞ gives the Greater Ankara Municipality professional advice about substandard housing areas. Especially, it does surveys in the physical area and environment, urban planning, plans for evacuations necessary for the project at hand, offers recommendations for the transformation of 'gecekondu' areas into quality housing projects provided for the common good. North Ankara Entrance Urban Renewal Development Projects was implemented by HDA, which owns 49.9% of TOBAŞ.

Real Estate Appraisal Valuation Co. Inc. (GEDAŞ): Created in 1998, GEDAŞ serves in several fields related to real estate evaluation and appraisal. GEDAŞ basically deals with movables such as properties, machinery, equipment, ships, and so forth, and immovable properties such as vacant lots, buildings, plant values and rental prices. 49% of Real Estate Appraisal's shares belong to HDA.

Vakıf Real Estate Investment Trust Co. Inc.-REIT: Created in 2004, it provides expertise in the real estate market and offers a diversified, low risk portfolio to obtain the highest possible profit margin. 14% of Vakıf Real Estate Investment Trust and the Company belong to HDA.

Vakıf Construction, Restoration and Trade Co. Inc. : To provide expertise and funding for the restoration of Turkey's architectural heritage, it was created under HDA's guidance in 2005. Owners receive support about the historical value of the buildings to be restored as well as engineering and project financing from Vakıf Restoration. HDA controls 50% of Vakıf Restoration's stock. (toki.gov.tr/english/partnerships.asp, 2012).

Bosphorus Housing Service Management Business and Trade. Inc.: HDA is free of charge, having taken over the 1% share of Bosphorus Housing Service Management Business and Trade. Inc. established by İstanbul Housing Reconstruction Plan Industry and Trade Inc. (KİPTAŞ), an affiliate of Istanbul Metropolitan Municipality established in 2008. Bosphorus Housing, a management counseling company, provides management services to satellite cities and major business centres. The company also provides service in the fields of management counseling, financial counseling, legal counseling, supply counseling and housing sales-renting counseling (Building Turkey's Future (2010-2011), pg.31).

V.V. Finance System of HDA on 'Gecekonu' Transformation Projects

After transferring significant authority to HDA, the main source of funding for UTPs is the public sources, although it is claimed that the source of funding for UTPs is based on the cross finance system which means revenue sharing model. The main aim of this model which attempts to achieve producing luxury housing projects, is to take from the rich give to the poor.

As stated before, HDA does not pay for land since 'gecekonu' settlements are on the public land. The construction of housing finance is supplied by revenue of luxury housing projects. Moreover, HDA is exempt from all expenditures while housing production process.

After the construction finishes, right owners are given houses depending on their share and some of them get into debt. The rest of the houses are sold and the beneficiaries become indebted to HDA. Through the repayments which depend on the target groups' income and saving patterns, HDA organises its plan. Monthly repayments are indexed to the wage increase in the public sector in every six months. That is, HDA gives credit to beneficiaries buying houses from HDA. Unless the repayment of credit is finished, although the property rights of housing units belong to the beneficiary HDA could take possession of housing units, which means it acts as a "guarantor" for the repayments of the project. The housing units whose possession is taken is sold to pay for the cost of HDA. In this sense, HDA has its own mortgage system. However, the interest rate of HDA's credit is much below the Bank's. Also, in crisis periods real value of credits' repayment is decreased rapidly. If there is a possibility of early payment, then up to thirty-five percent discount is offered. According to Türel (2009), for these reasons, in this finance system there is an extremely source and

finance loss. On the other hand, all over the world, there is subvention. The important thing is whether this subvention reaches right groups or not.

As the institutional structure of it, HDA is not a financial organisation, so there are not any relations between the legislation of the Capital Market Board and Banking. However, it indicates that HDA works as a financial institution with the last legal arrangements. Moreover, there is no implication over the control mechanism for finance system neither by the Court of Accounts nor the state.

The problems of the finance system of HDA

The finance system of HDA is criticised in terms of the following issues:

- HDA uses cross finance system which means revenue sharing model. It could be thought that the main aim of this model is to take from the rich and give to the poor. However, the result is incompatible with the purpose. If the public sources which have to be reserved for urban poors are used for creating new sources and the priority is given to people who do not need these public sources, they are used in an uneconomic and wasteful way. This situation cannot be reconciled with social justice. HDA has to keep away from the alternating cost, which is very expensive (Keleş, 2009).
- HDA claims that not using the public budget is very profitable. However, as stressed by Türel (2009), there are not any data used to evaluate the profitability of it and also there are not any control mechanisms of finance system. What is more, not using the public budget does not mean not using public sources.
- In the historical context, HDA has been a financial instrument in the privatization process that makes the transformation of real estate property into moveable property possible.
- After 2003, HDA financed and canalized only the construction of housing. However, the sale process does not change and credit and subvention are not only available for low-middle income groups but also for middle-high income groups. That is, the groups that do not need this subvention, benefit from it.
- According to Türel (2009), in these conditions, out of HDA, getting loan for housing finance totally does not make sense since now bank interest rate is approximately

over 1.5 %¹³. If you take bank loan about 20-30 thousands of Turkish Liras with 10 years' warning, the repayment is nearly 800 Turkish Liras per month. This amount is not a significant contribution to buy house unless you buy a house the cost of which is nearly 80-90 thousands of Turkish Liras. While this cost is already so low, the people who buy this house cannot afford to pay 800 Turkish Liras every month. Consequently, HDA is a finance system but a different model.

¹³ This interest rate is updated on 28.07.2012 after some research on different Bank interest rates.

CHAPTER VI

THE CASE of AKTAŞ NEIGHBOURHOOD, ALTINDAĞ

This chapter basically consists of five main parts. The first part explains the research methods and the framework of the field research. The second part lays out the historical context of housing policy and ‘gecekondu’ settlement in Ankara, especially in Altındağ. Next part includes the socio-economic and spatial analysis of Aktaş Neighbourhood and the outcomes of UTP. The fourth part, the implementation principles of UTP are argued and based on these implementation results, and finally the losers and winners of not only this UTP but also ‘gecekondu’ transformation held by ‘yap-satçı’ are determined and dynamics of these two different models are argued in the frame of results of them.

VI.I. Research Methods and Framework of Field Research

In this part, the findings of the field research that is held in Aktaş Neighborhood between September 2011 and May 2012 are issued and evaluated through theoretical discussions. Although, quantitative and qualitative data are used throughout the thesis the basic premises of this study are based on the qualitative data which is gathered during the field research. The data collection is enhanced by in-depth interviews, participant observations and photographs taken at different times, so this thesis is mostly based on the qualitative data. Since as stated by Ley, Rowles and, Seamon positivist methods are not enough to understand and explain human life:

“In the 1970s, humanist geographers began to incorporate ethnographic methods into their research as a reaction to positivist geographers' general lack of concern with the complexities of different people's experiences of everyday social and cultural processes” (cited in Crang&Cook, 1995;5).

Moreover, as stated Crang and Cook (1995; 35) there are two ways which change on gleaning information from conversation while holding interviews. One way is highly structured interviews which *“akin to questionnaire survey in which the researcher asks predetermined questions in a specific order”*. Second way is semi-structured interviews which *“akin to a friendly conversation with no predetermined focus”*. Among these

interviewing formats, semi-structured in-depth interviews were chosen, since questions¹⁴ take shape depending on the features of interviewee¹⁵. On the other hand depending on the general situation of the interview different questions are posed. Moreover for preparing semi-structured questions, the field is visited several times and unplanned interviews are made several times. Sometimes depending on the progress of the study, some interviews are made more than once since significant questions could be missed out.

Briefly, the thesis is formed through qualitative data which has been obtained from in-depth interviews, participant observations and photographs taken at different times and, the data of TİK&HDA&Altındağ Municipality. Furthermore, the data collected from the Greater Metropolitan Municipality of Ankara 2023 Plan Report (2007) are also used. Additionally, comparative method is used to compare different UTP actors' implementations.

In the process of this UTP there are five actors:

- One of them is '*gecekondu*' settlers whose houses are in UTP area and at least in 1 year these houses are going to be demolished.
- Another actor is HDA settlers who are divided into two subcategories: the first category consists of people who lived in '*gecekondu*' before UTP exist, while the second involves people who lived in other places of Ankara.
- The third and the fourth actors are respectively Altındağ Municipality and HDA which are the implementers of this UTP.
- The last one is '*yap-satıcı*'. Although '*yap-satıcı*' is not active on this UTP, for comparing the implementations of two different actors it is determined as actor.

Four of these five actors have been interviewed, with the exception of HDA. 40 people in both HDA houses and '*gecekondu*' settlements are interviewed. 16 of them live in HDA houses while 13 out of 16 previously lived in the '*gecekondu*' in field research and most of them owe a lot of money to HDA. Others came from other places of Ankara such as Mamak, Abidinpaşa and Akdere in order to become a homeowner. The rest of the 40 people have lived in '*gecekondu*' houses since they migrated to Ankara, generally from Erzurum or Kars.

¹⁴ Semi-structured interview questions while using field research are given in Appendix A.

¹⁵ Features of interviewees are given in Appendix B.

The age of the interviewees range from 18 to 65. Interviewees' level of education is not very high in general and when the area of '*gecekondu*' settlement is considered, more than half of the interviewees have a degree of primary school.

Moreover, three people, two of them being city planners and the other the assistant of city manager works for Altındağ Municipality, are interviewed. They give information which covers maps, development plans etc. about this field area and the project.

Furthermore, as an actor of UTP process, 2 '*yap-satıcı*' were interviewed to gain an understanding of the effects of HDA implementation by UTPs. In order to compare '*yap-satıcı*' and HDA and, evaluate the changes of urban rent transfer these interviews are very significant.

Lastly, a real estate agency was interviewed to follow the ownership status of HDA social houses.

With the permission of the participants, some interviews are recorded by tape but their names and surnames were neither asked nor recorded. However, some participants did not accept being recorded via tape, thus these interviews are recorded through the method of note taking by the interviewer.

The interview questions are asked to understand whether after UTP lower income groups could be the owners of HDA social houses or not. Moreover, in '*yap-satıcı*' interviews, the main aim is to understand the basic differences of implementation between HDA and them, and also to evaluate their current situation in the housing market, with a special emphasis on their role in UTPs.

Moreover, there is as a significant phase as the data collection phase which is the evaluation and discussion of the raw data which is held as an output of the interviews. The theoretical discussions held Chapter II and III are the guide of the discussions of Case Study and also Conclusion parts. The discussions on "the use value, exchange value and labour theory of value and rent and the allocation of urban land to use" indicate the the significant dynamics and mechanisms that become effective on the relation between urban space and capital. This relation manifests itself directly on UTPs. Therefore, the whole set of economic positions of different actors are tried to discussed during the following paragraphs with a certain level of

abstraction. To ensure the integrity between theory and practice the part of the field research findings is divided into five subtitles.

On the other hand the discussions on “housing policy and different European Countries’ housing policies beside Turkey’s” show the different geographies and their housing policies. By this debate, the experiments of different countries are asserted. Especially writing “policy proposal” part in Chapter VII these experiments are the guide. Moreover, the classification of different time periods of Turkey’s urbanization history shows the parallelism of UK’s and its experiments could use as a guide. Yap-satıcı and HDA, which are the agents of housing supply and gecekondu transformations, are the agents of these different time periods. For comparing the private sector and public sector in housing supply for low-and middle income groups and understanding what differences occur while state involves in housing sector the investigation of field research is significant but as single without working on ‘yap-satıcı’ HDA and is meaningless. Therefore, as two chapters’ ‘yap-satıcı’ and HDA are researched into.

VI.II. The Historical Context of ‘Gecekondu’ Settlement in Ankara especially in Altındağ

After the declaration of Ankara as the capital of Turkey in 1923, the process of rapid urbanisation and population growth started (Tekeli&Güvenç, 1987). Migration from rural to urban, which started with Ankara, was stimulated by Marshall Plan aid, the modernisation of agriculture, and the growth of import-substitution manufacture. As stressed by Tekeli&Güvenç (1987), in 1927-1950 the rapid urbanisation in Turkey was a little more than the population growth, whereas in Ankara the increase of population was nearly twice more than in the rest of Turkey. In the early years of Ankara as the capital city, nearly all settlements were in Ulus. As stated by Altaban (1987), in 1920s the main settlement was in Kale and Hisar Neighbourhood (physically corresponding to edge of Ankara Castle) in Ulus, since this period Ulus was the centre of Ankara. Besides, around Samanpazarı and Tahtakale there was significant artisan aggregation. After 1923, with the establishment of the Republic, Ankara started to grow not only in respect to the population but also to the area. Although the government wanted to develop Kızılay as the new city centre, the surroundings of Ankara Castle attracted population migrating from Eastern Anatolia since the area still held the position of being the centre. As a result of migration, although there were many attempts to develop Ankara via plans, ‘gecekondu’ settlements occurred around Ulus, because, as

stressed by Keyder (1999), “Kemalist state was prepared neither to build public housing nor to alienate state land to private sector development-instead ‘the vast inertia of populist clientelism prevailed.’ Anatolian migrants were forced to construct their own shanty cities on the outskirts of Ankara and Istanbul in negotiation with local officials, and so the decade 1955-65 became the heroic age of squatting, as the ‘gecekondu’ population soared from 5 percent (250.000 people) to 23 percent (2.2 million) of the total urban population (a percentage that has not shifted significantly since)” (cited in Davis, 2007; 57).

Aktaş Neighbourhood is also one of the ‘gecekondu’ settlement which has developed in the peripheral areas of Ankara, Altındağ since 1950s. According to Altındağ Municipality, this site was not able to transform completely according to being in the periphery of the city and the low attractiveness of the region and the deficiency in the investment in the site by ‘yap-satçı’. Moreover, people living there did not have enough money to regenerate their ‘gecekondu’ houses, so they struggle with their ‘gecekondu’ houses and the fragmented ownership of this land. However, after 2000s the huge part of the city is started to be announced as urban transformation area and in 2005 Aktaş Neighbourhood was announced as UTP area as well. Also, the main reason to announce this area as a transformation area is that as the city spreads outwards, the value of this ‘gecekondu’ settlement increases rapidly.

Aktaş Neighbourhood lies between Bentderesi Street, Plevne Street and, Altındağ Street in Altındağ. Also Bentderesi Street is between the field area and Ankara Castle, which means that the field area is very close to Ankara Castle, and consequently, to Ulus. On the other hand, at the end of Plevne Street, Siteler, a small scale furniture production area, exists.

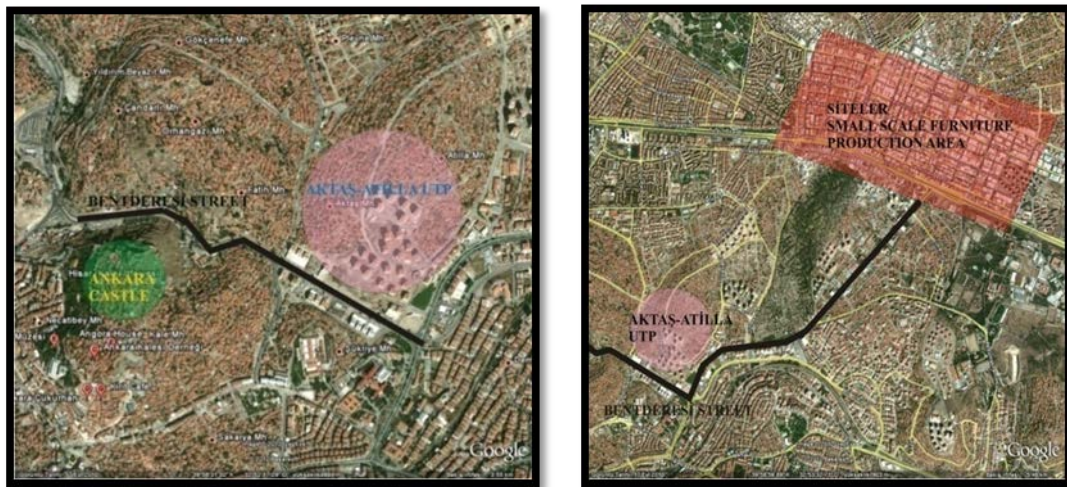


Figure VI.I. Location of Aktaş UTP, Ankara Castle and Siteler
(Source: Google Earth)



Figure VI.II An image showing research area, from view of Ankara Castle

Source: Ankara Development Agency, Regional Plan

VI.III. Socio-Economic Conditions and the Spatial Analysis of Aktaş Neighbourhood

“Social scientists use socio-economic as an umbrella term to cover a wide variety of interrelated social and economic factors that might tend to explain an observed phenomenon, event or set of events (such as war, revolution, political realignment, etc.)”(http://www.pcreview.co.uk).

On the other hand, city planners use socio-economic conditions to understand different spatial patterns since social and economic conditions affect spatial differentiations. As stressed by Castells (1977, 170), *“the differential distribution of income, an expression of the social sanction (positive or negative) of a given kind of work, determines accessibility to the residential space desired, since it is subject to the law of the market.”* Therefore, in this thesis not only the socio-economic analysis of Aktaş ‘gecekondu’ settlement is made, but also the spatial analysis of the area is given.

There is a contradictory relation between the northern and southern parts of Ankara, not only in physical conditions but also with respect to socio-economic standards. As stressed by Şenyapılı (2006) and Güvenç (2001), the city has been divided into two different parts by

Istanbul-Samsun Road and the railway. The northern part of the city is occupied by the lower socio-economic groups who generally migrated from Eastern Anatolia. Aktaş Neighbourhood is in Altındağ Municipality and it shares the features with other places in the northern part of the city.

On the other hand, there is a clash in Aktaş Neighbourhood as well. ‘*Gecekondu*’ part and HDA social houses are the two conflicting parts of the area and there is no intent to enable homogeneity neither by Municipality/HDA nor settlers. Moreover, this separation has been reproduced by urban services. There is an artificial barrier between HDA social houses and ‘*gecekondu*’ part (Figure IV.IV). An interviewee K11 said that;

We could not use this road that connected our ‘*gecekondu*’ with Bentderesi Street due to HDA houses’ barriers. We have to use another road. Also, in HDA social houses there is a playground but our children could not play there, since the people who live there don’t want to be together with us. Everywhere is under construction, I wonder where our children play.

On the other hand, another interviewee, K13 remarked that

HDA administration removed the toys which are in the playground since the ‘*gecekondu*’ settlers stole most of them. We are afraid of them and so we said nothing while they stole the toys and destroyed these barriers.



Figure IV.III. An image showing intersection between HDA Social Housing and Aktaş ‘*Gecekondu*’ Settlement.

(Source: personal archive, 22.10.2011)



Figure VI.IV. An image showing the barriers between HDA Houses and ‘Gecekondu’ Settlement

(Source: personal archive, 21.07.2012)

As stated by Doğan (2001), cities contain in themselves different regions which differ from each other in socio-spatial aspects and show a tendency to become ghettos which consist of extreme welfare and deep poverty, and this makes the social and economical gap in the society greater. However, according to Altındağ Municipality and UTP reports, in 2 or 3 years all ‘gecekondu’ houses in Aktaş Neighbourhood and its surroundings will be replaced by HDA houses and this dichotomy will work itself out.

This dichotomy manifests itself in socio-economic conditions according to indicators. Aktaş Neighbourhood, especially ‘gecekondu’ part, is a place where uneducated population generally reside in according to the results of the interviewees. The data about the educational background in Aktaş Neighbourhood indicates that a majority of the population did not graduate from any school or graduated only from primary school. This proportion is equal to 74 % (TUIK, Census of Population 2000). This data shows a parallelism with the educational level of the interviewees who are ‘gecekondu’ settlers.

However, after 2005, Aktaş Neighbourhood was announced as UTP area and its features started to change since UTP is not only a physical transformation but also a social

transformation. During the field research, it was clearly observed that there are lots of doctors, nurses, teachers etc. residing in Aktaş Neighbourhood in HDA's social houses.

In order to make the economical background of 'gecekondu' settlers in Aktaş Neighbourhood clear, it is useful to point out their economic standards. The labour force in Aktaş signifies that the majority of the population is not in labour force since there is a high number of house wives, retired (wo)men, old people living in their children's 'gecekondu', rentiers and young population (students) in the area. The data of TUIK shows that only 35% of population are in labour force (TUIK, 2000).

Moreover while the distribution of the 'gecekondu' owners' position and occupation are considered, the wages of these people are very low since they are mostly blue-collar workers (TUIK). Therefore, as many interviewees indicated, Aktaş Neighbourhood is a place where low-middle income groups live in.

People who migrated to Altındağ solved their housing problem in an informal way, through 'gecekondu', as mentioned before. Besides, as emphasised by Şengül (2009), these people solved not only their housing problems informally, but also they created an informal sector to solve the unemployment problem. Most people in Aktaş Neighbourhood earn their lives mostly via irregular and informal jobs. Most interviewees are already unemployed. They work wherever they can find. Furthermore, most women's husbands or sons are in jail because of being a part of illegal jobs like robbery, drug dealing etc. An interviewee, E10, who got out of jail 2 years ago, said:

I was a robber, I didn't continue to school after primary school and I could not find a job, especially, I didn't try to find a job. Robbery was the easy part of life. The only things that you must have are being slight of hand and courage. But I was arrested, those days were so hard for me and also for my family. My brother took care of my wife and son. I was the victim of a friend.

The unemployment rate is nearly 10.9% (TUIK, 2000), which means it has the highest unemployment rate in Ankara. This result is in parallel with the Challenge of Slums: *"Instead of being a focus for growth and prosperity, the cities have become a dumping ground for a surplus population working in unskilled, unprotected and low-wage informal service industries and trade. The rise of this informal sector is a directly result of liberalization."* (cited in Davis, 2007; 175).

However, poverty symbolises the main image of not only this ‘*gecekondu*’ settlement but also partially HDA social houses which have heterogeneous population. Especially the actors of UTP who lived in ‘*gecekondu*’ settlements before UTP, are in debt and they argue that they lived more comfortably in their ‘*gecekondu*’. As stressed by Şengül (2010) bearing in mind that Altındağ, behind the city dreams which consist of polished streets, spectacular shopping centres, huge zoos, there is a real life which arises from violence, poverty, homeless children and old people. Including the state, everyone turns their back on poverty ghettos the cure of which is beyond reach. As stressed by Roberts and Sykes (1999, 86); “*the physical appearance and environmental quality of cities and neighbourhoods are highly potent symbols of their prosperity and the quality of life.*”

Altındağ, in which lower socio-economic groups live, has the uneven development and socio-economic conditions that are not equal to any other part of the city. In addition, recently the population of it has been decreasing dramatically due to the great impact of the urbanisation policy change, which aims the decentralisation of industry, residential area and working areas. Altındağ consisted of significant small industrial areas like Siteler, Kazıkıçı Bostanları etc. However, Siteler has lost its significance due to neo-liberal economy policies, and Kazıkıçı Bostanları has been cleared. Now, the structure which covered small industrial areas has begun to vanish and Altındağ is the single district of Ankara in which the population decreases (TUIK, 2011).

On the other hand, Hospital Zones (Hacettepe, Ankara, Numune, Yüksek İhtisas, Doğumevi, Çocuk, İbn-i Sina Hospitals) make Altındağ an important residential area but it is not possible with the existing ‘*gecekondu*’ settlements. Thus, the strategy for Altındağ is to make it a better place through UTPs (Great Municipality of Ankara Development and City Planning Department, (2007) 2023 Plan Report), which means the construction sector will be the impulsion of the growth of neo-liberal economy policies. By these UTPs, hospital staff will want to live in Altındağ. This aim is partially successful when the interviewees are considered. It leads us to examine the meanings of UTP. It seems like the main aim is not only the improvement of the physical but also socio-economic conditions. As stated by Roberts and Sykes (1999); “*When considering the change in the general urban transformation policies, a shift from the idea of renewal which is based on clearance and building-up again to regeneration which is user friendly, self help type of transformation concerning the socio-economic transformation as well as the physical one. Therefore the*

policies concerning the ‘gecekondu’ areas in the world also changed from top-down renewal policies to bottom-up regeneration policies.”(cited in Tuğaltan, 2008; 151).

This UTP area was announced after Ulus Historical Urban Renewal Project. It is obvious that after Ulus Historical Urban Renewal Project, the increase in land rent occurred in Ulus and also these ‘gecekondu’ settlements, which were not transformed for years for some certain reasons like topographical problems and no rent increase and recessions in construction sector, took place in this area.

Local people are aware of this gentrification. One of them, E4 said that;

Most HDA residents come from the outside of ‘gecekondu’ settlement. They never lived here before. Most of them are doctors, nurses, police etc. Here is the heart of Ankara. It will be more valuable but when? At first, the cost of houses is at most 70-80 thousand Turkish Liras, but now it is not less than 120. Here is the center. Ulus is 3 minutes away, and so is Keçiören. Hospitals are within walking distance. Look at these constructions. Is this place left? This place will increase in value.

Moreover, the assistant of the city manager said that;

For the last three years starting these UTPs, the Çiğir’s rental fee competes with Etlik’s.

As stated by Roberts (1999, 12); *“following the recognition and acceptance of the link between poor physical conditions and social deprivation, a series of policy interventions emerged in an attempt to improve the living conditions of urban residents.”* In this context, Altındağ Municipality tries to develop not only the physical but also socio-economic conditions of Altındağ. To achieve this, new urban policy indicates UTPs. Moreover, the new vision of Altındağ is shown as developing with UTP, by the 2023 Ankara Plan Decisions. However, as stressed by Uzun (2006b), *“although the west part of the city, satellite cities increase, renewal problem occurs in city center. Moreover ‘gecekondu’ settlements in the city center and periphery start to be transformed into apartments and this event brings new transformation problems.”* Although the main aim of UTP is to provide adequate housing, create open space which already exists, it creates lots of significant problems. Physical renewal cannot provide an answer to the many problems on its own. The authority acts as if the outcome of a process of urban change is one-dimensional. However, in UTPs not only the outcome but also the origin is multi-dimensional, a fact which has to be taken into consideration.

Another point is that ‘gecekondu’ settlements have occurred in the topographically unsuitable areas in Altındağ. Moreover, Altındağ is open to natural disasters like landslide and rockfall. (Great Municipality of Ankara Development and City Planning Department, (2006) 2023 Plan Report). As stressed by Davis (2004, 122); *slums begin with bad geology*”. Altındağ is the significant example of this statement. And by this UTP, physical problems are reproduced. As a solution for ‘gecekondu’ in Turkey, the common strategy is to demolish ‘gecekondu’ and build new apartments in the same area. However, this approach is not a solution but a new problem.



Figure VI.V. An image showing ‘gecekondu’ settlement in Aktaş Neighbourhood
Source: personal archive, 22.10.2011

Interviewee E1 mentioned his personal history like this;

We came here long ago. My grandfather came here first maybe 50-60 years ago.
He told us this place was all brook but he made these 3 ‘gecekondu’.

The interesting thing in this issue is that especially all UTPs in Turkey reproduce “bad geology” from time to time again. Years ago, these ‘gecekondu’ settlements were constructed without any plans or projects but now the only thing that is done to transform them is replacing ‘gecekondu’ houses with apartment blocks.

Now in Aktaş Neighbourhood there are both ‘gecekondu’ areas and apartment blocks constructed by HDA and transformed out of ‘gecekondu’ settlement. Moreover, HDA social

houses are not a solution to 'gecekondu' settlements. The problem is only postponed and the solutions deepen it not only physically but also socially and economically. As stressed by Jacobs (1961;355) about the American cities; *"slowed the unslumming process but still didn't bring regression to slum conditions, most of these neighbourhoods were destroyed outright-to be replaced by projects which became almost pathological displays of slum troubles."* The same process can be seen in Turkish cities. The interviewee K11 said;

Look at this environment. As if we lived in the mountains which were surrounded by fence. What did they think about us? An animal or a human being? It goes like this forever. I don't think it will get better. The left side is gulf. They treat as if winter never comes.

The main aim of UTP must be to cope with the social exclusion and economic inequalities, however with this UTP these problems are made more intricate. As stated by Harvey (2008;10), this is *"[a] process of displacement and what I call "accumulation by dispossession" also lies at the core of the urban process under capitalism. It is the mirror image of capital absorption through urban redevelopment and is giving rise to all manner of conflicts over the capture of high value land from low income populations that may have lived there for many years."*

'Gecekondu' settlers complain about all UTP implications but they never do anything to show opposition. Concluding from the interviews, it can be said about this issue, that the Islamic way of life could mask the realities, contradictions based on material inequalities. They leave their rights to the day of reckoning since they believe this world is only a dream. Another and the most significant reason is that the party in power not only gains the Municipality election but also the central election and most 'gecekondu' settlers gave their votes to this party (the vote ratio of AKP¹⁶ in central elections 2011 is 62,63 % and 56,7 in local elections 2009, TUIK). Moreover, they think that the party in power (AKP), which argues being Muslim then it cannot treat them in an unfair way. The interviewee K9 who was aggrieved in this UTP;

Thanks to God and the government, there are people who are in worse situation than us. The state works for us. Look at this area; we lived in dump site before. I had a 'gecekondu' and now I am in debt but that's just the way it goes. If I don't pay the debt, I will go to another 'gecekondu' settlement since its rental fee is cheaper than HDA social houses'.

UTP also changes the demographic structure. Before UTP, the average household size was above the rest of Ankara since in 'gecekondu' settlements there are traditional big families.

¹⁶ Justice and Development Party.

In the same yard three families, father in law, mother in law and sister in law could live since 'gecekondur' was constructed to serve the purposes of time. At first, a family built a 'gecekondur', some time later their son married and so they added new parts to 'gecekondur'. They created two 'gecekondur' out of one. In Aktaş Neighbourhood, the history of most 'gecekondur' is similar to this. However, after UTP, even though they are given an HDA social house, they could not continue to live together and this makes them economically miserable. As stated by Roberts and Sykes (1999; 26), *"new social trends resulting from demographic change; the breakdown of traditional family structure..."*

It is a controversial issue that breaks the traditional family in respect to social aspects, but in economic ways this fragmented family cannot survive. The interviewee K11 tells her story like this;

I was born and raised in Erzurum. When I was 18, my uncle, who is my father in law now, took me as wife for his son. For the first time, I saw Ankara, which was so huge. During that year, we lived with my husband's family. Next year, we added a room and a bathroom to 'gecekondur'. 2 or 3 years later my brother in law married and we added another room for them. 3 years ago, HDA demolished our 'gecekondur' and gave us a house, which has two rooms, with 20 thousands Turkish Liras debt. In these 2 rooms who can live? The house is too small. So my father in law lives there. The income of my brother in law is better than us. They rented a house from HDA. We live in this 'gecekondur' since it is cheaper than HDA's. But before, we lived better than now.

In conclusion, Aktaş 'Gecekondur' Settlement is the neighbourhood in which low income groups live. They are low-educated and the new generation is not very different from their family. Most young people graduate from primary school or secondary school and then they start looking for a job. Most of the residents do not have a regular job or they work for low wages. They can hold on to life through solidarity and informal relations. In this UTP these circumstances are totally ignored and it is assumed that the settlers could pay the debt. Municipality & HDA claimed that this UTP is a social project but field research was not held enough. Both Municipality and HDA don't pay attention the socio-economic positions of these people. The motive of the Municipality is to compete with other municipalities. According to the officials of Municipality the increase in rental fee of houses is a source of pride. The influence of the competitive cities/regions on urban poors is ignored. Thus, the expectations of urban poors are to compete with each other to make their life better as a liberal approach.

The interviewee K12 said that;

Before moving to this house, we lived in a 'gecekondur' with garden. I grew vegetables, fruits. There were trees in my garden. Until moving here, I did not

pay any money for bazaar. My garden was sufficient not only for my family but also for all my neighbours. At that time, we all gave something to each other. For example, I cook soap but there is not any lentil, I go to my neighbour asking for some. But now, we do not know each other. HDA and Municipality removed us but I wish we lived in the same apartment. We were separated. There is no one to talk, to chat. The meaning of being a homeowner is being imprisoned in these four walls with debt. I was already a homeowner. I did not only have a home but also a garden and neighbours. Municipality told us, this HDA's houses are so precious. Is it so important? Is this more than a house? If I want to sell it, will I buy two 'gecekondul'? Of course all answers are no. There are lots of question but there is only one answer; NO!

Briefly, in this area there is no more "*nöbetleşe yoksulluk*"¹⁷ which existed until 2000s. Now, poverty is permanent. Also, the basic human rights are violated with the government's implementation.



Figure VI.VVI. Municipality's coal aid

Source: personal archive, 22.10.2011

¹⁷ "*Nöbetleşe Yoksulluk*" is the key concept which is propounded by Işık and Pınarcıoğlu (2001) to determine Sultanbeyli 'Gecekondul' Area in Istanbul. The means of it, there is poverty but it is not perpetual but temporal as a guard. The poor changes from time to time depending on his/her skills. According to Işık and Pınarcıoğlu (2001), there is no more "*nöbetleşe yoksulluk*" but permanent one.



Figure VI.VII. An image showing intersection of HDA Social Housing and Aktaş 'Gecekondu' Settlement

Source: personal archive, 22.10.2011

VI.IV. Implementation Principles of the Project

In this part, the main aim is to clarify the agreement between HDA, Altındağ Municipality and 'gecekondu' owners. In the case of this project local government (Altındağ Municipality) has the key role to play in urban transformation as a landowner and also as the relevant planning authority.

Although in Aktaş Neighbourhood the ownership of most lands belongs to Altındağ Municipality 'gecekondu' settlements have been developed here since 1950s. Land owners of the project area are Altındağ Municipality and 'gecekondu' owners. After the implementation of the project, the share of Altındağ Municipality was transferred to the new

settlers of this area. Moreover, in the project process HDA was also given share as the implementer of the project.

According to the municipality, this area is announced as UTP to eliminate the visual pollution, clear the unplanned areas, enhance the quality of the environment, to reach healthier, better, and higher life conditions especially on the municipal property. As Kazazoğlu avers, although there has been a development plan for 40 years, the neighbourhoods of Aktaş-Atilla-Göltepe-Serfer Somuncuoğlu-Çalışkanlar-Gökçeneffe have not been transformed into regular structure. In order to raise the life standards, provide social facilities and remove illegally-settled houses, transformation projects have been prepared. Moreover, the development plan of Altındağ, based on the Yücel-Uybadin Plan which was prepared in 1957 for managing the growth of Ankara, was prepared in 1967. By this plan, the first time the ‘*gecekondu*’ areas in Ankara were observed in a master plan. As stated by Günay (20005), with this plan, the existing ‘*gecekondu*’ areas especially Altındağ, Yenidoğan, Mamak and Kayaş designed as developed areas which constituted the basic premises of improvement plans understood in the 80s. However, the ownership of lands that belonged to Altındağ Municipality and the rest belonged to ‘*gecekondu*’ owners but the ownership of ‘*gecekondu*’ was so fragmental. That is, there was more than one owner of any parcel and the agreement between right owners could not be obtained for years. Therefore, until it was announced as UTP, the development plan was in abeyance and the redevelopment of this area could not be achieved.

After preparing the subdivision plans¹⁸, development plans were prepared based on the 1967’s development plan. The priority was given to Aktaş Neighbourhood due to its closeness to the city center and to enhance the economic life. On the Aktaş Neighbourhood “Eski Altındağ UTP I. and II. Phrase Development Plans” were declared based on 11 no. Objection of Altındağ Municipality on 07.01.2005. New development plan is prepared based on the 1967’s development plan with minor changes. Moreover, the Municipality claims that this UTP offers not only physical development but also socio-economic developments. However, no field research in the area was done and ‘*gecekondu*’ owners were not informed about the project implementations. They were excluded from UTP process as if they were not the rightful owners.

¹⁸ Parselasyon Planı

Under these conditions, within this project, approximately 380 ‘*gecekond*’ were demolished and 1280 houses, a market, and a mosque were constructed over approximately 63,5 hectare land. 322 of these HDA Social Houses were given to ‘*gecekond*’ settlers. Rest of them, 958 houses were the share of Municipality and HDA, which means approximately 74 % share of UTP was given to Municipality and HDA and they sold these houses. This UTP is a social project and neither the Municipality nor HDA has any intentions of making a profit since it is a social project without profit making purpose. However the results do not confirm their alleged aim.

The uniqueness of this project is based on the agreement between HDA and Altındağ Municipality. According to that agreement, Altındağ Municipality demolishes ‘*gecekond*’ settlements and pay the debris fee¹⁹ and the land ownerships belonging to Municipality were tried to be gathered. The land which was purged from ‘*gecekond*’ by Municipality was given to HDA to start the construction. This means that Altındağ Municipality has been the main actor in the physical improvement of the ‘*gecekond*’ settlements.

The interviewee E16 who works for Altındağ Municipality and living Gültepe HDA Social Houses²⁰ mentioned that;

Except for our municipality, this implementation has never been performed before. We gave vacant land to HDA and HDA didn’t have to direct to ‘*gecekond*’ settlers. As a consequence of this, we had to deal with ‘*gecekond*’ settlers in this process.

The first phase of Aktaş Social Housing began in the year 2006 and it was completed. Second phase was also completed and the cost of houses and installments were determined. The cheapest housing unit cost was 77 thousand Turkish Liras (=42588\$ and =33391£) and the most expensive one was 94 thousand 500 Turkish Liras (=52267\$ and =40980£) based on the facades and floors while buying them from HDA. An HDA’s house, the debt of which debt was paid off, is sold approximately for 125 thousands Turkish Liras (=69137\$ and =54206£) from estate agents. According to the deal, the right owners whose land was at least 170 m² could be given a housing unit from HDA. Less than 170 m², get into debit. Repayments are divided into 180 months and applied to a fixed interest rate of 5% each half year. The lands of ‘*gecekond*’ owners are to substitute for down payment, other

¹⁹ Enkaz bedeli

²⁰ Gültepe HDA Social Houses are also in Altındağ. Its transformation started in 2006 in Gültepe Neighbourhood. The implementation principles are also the same as in Aktaş HDA Social Houses’.

beneficiaries pay for this down payment in cash which is nearly changed from 10 to 40 percent of the cost of the house.



Figure VI.VII. An image showing intersection of I. Phase of HDA Social Housing and Aktaş 'Gecekondu' Settlement

Source: Google earth 2008

The assistant of the city manager described the repayment schedule of houses in this area like this;

'Gecekondu' owners were divided into 4 groups. The first group is 'gecekondu'²¹ with title deed. People whose plot was at least 170 m² could be given a housing unit from HDA without any payment. Less than 170 m², get into debit which was divided into months depending on the size of it. The second group consists of the owner of tapu-tahsis document of 'gecekondu'. This group paid half of the cost of the HDA house. Other group has neither title nor tapu-tahsis document. This group built 'gecekondu' on Treasury land and only paid for taxes, bills etc. This group could not demand anything, however, we enabled them to apply social housing as long as they pay the cost of housing. Moreover, the cost of these houses' debris fee is paid. Already everyone except the tenants has paid the debris fee. Last group is; tenants of 'gecekondu's. This group didn't have any right on this project area, but if they want to buy a house, the priority will be given to them in the drawing of lots. Within the scope of the Project, priority was given to the first group and the next was the second group. The third group had a chance for applying social housing.

²¹ Although most 'gecekondu' settlements gained legal status and title deeds with the legalization of these illegal buildings in the following decades especially after 1980s. Some of them were given tapu-tahsis document for paying their water and electricity bills.

Patterns of tenure in ‘gecekondu’ settlement;

- I. ‘Gecekondu’ with title deed, the size of it equal or bigger than 170 m²
- II. ‘Gecekondu’ with title deed, the size of it smaller than 170 m²
- III. ‘Gecekondu’ with no document but paid bills
- IV. Tenants.

Patterns of tenure in HDA’s social houses;

- I. Owner of housing with no debt, living in ‘gecekondu’ before UTP
- II. Owner of housing with debt, living in ‘gecekondu’ before UTP
- III. Owner of housing
- IV. Tenants living in ‘gecekondu’ before UTP
- V. Tenants

After ‘gecekondu’ settlement was demolished, until completing HDA’s houses, there were not any housing benefits for ‘gecekondu’ residents.

In the interview with the city planner who works for Altındağ Municipality, (s)he said;

If we supported the ‘gecekondu’ settlers by giving housing benefits etc., the cost of HDA social housing would increase. However, our concern is to produce the cheapest housing as possible as in this area.

And the assistant of the city manager added;

If they live in really bad situations, clothing, stationery, food aid is done. Moreover, some of them were paid money as housing benefit. But our budget is restricted. We could not pay for everyone. On the other hand, we rescue them from their ‘gecekondu’ in which even a dog could not live, what else can we do for them?

The determination of “really bad situation” is very nominative. If anyone has the ability of persuasion, (s)he will get social benefit from the municipality. However, in this area the life standards are lower. These social aids divide the society since especially in Aktaş Neighbourhood, everyone needs social aid but the selection is not based on unbiased evaluation. And generally this aid process is based on the populist clientelism relations. As stressed by Şengül (2010) for Altındağ, if city managers say that they supplied aid for these ‘gecekondu’ settlements, also it has to be said that social aids have turned into another big problem. There exists a huge hostility between the aid recipients and others. The people who do not have access to the social aids blame aid recipients. They say there is an unfair situation. It means that the social aid which solves the problems of urban poors has become a problem itself.

Moreover, as a social project, in UTP, these problems were considered. A social project which is thought as a solution for current problems, causes lots of socio-economic problems and also makes deep already problems .

The interviewee E2 who lives in '*gecekondu*' area which is as a part of this UTP mentioned;

No no, there was no intention to pay for any housing benefits neither to the Municipality nor HDA. Everyone took care of themselves. Hungry or replete. If (s)he had money, moved an apartment on the other hand moved another '*gecekondu*'. Now I don't want to leave my '*gecekondu*' since I won't pay neither house rent nor HDA houses repayment. Even '*yap-satçı*' pay money for house rent. But they have no pity. Government did not think us except election day. They don't even inform us about UTP. You say some words like participation etc. I haven't seen these people. They didn't ask us whether we wanted or not.

That is, HDA constructs housing units on the same area. Thus, until constructions are completed, the '*gecekondu*' owners are obliged to take care of themselves since neither housing benefit nor housing is provided for them.



Figure VI.IX.VIII An image showing I. Phrase of HDA Social Housing and Bentderesi Street

Source: Google earth, 2008



Source: Altındağ Municipality

According to the data from Altındağ Municipality tenure ownership status of this area; 41% of 'gecekondu' residents have title deed, almost %51 of 'gecekondu' residents are tenants, and the rest has no legal document.

Housing Program in Aktaş UTP;

Owners of lands with title deed;

- For each 170 square meters land, a house of 100 meters square (HDA houses are uniform approximately 110 m², 3 rooms with a living room)
- For smaller than 170 square meters of land, a house of 100 square meters (HDA houses are uniform approximately 110 m², 3 rooms with a living room) with debt which is based on the size of land.
- For bigger than 170 square meters of land, a house of 100 square meters (HDA houses are built approximately as 110 m², 3 rooms with a living room) and a certain amount of money is given to stakeholder or a second-third house is given which based on the size of land (source, Altındağ Municipality, development plan's report).

However according to TUIK's data (2000), right-owner's properties, approximately 74 percentages, is less than 150²² square meters which means 74 percentages of 'gecekondu' owners are in debit for being homeowner. In addition, 41 percent of 'gecekondu' settlers were already homeowners. That is, according to the data of TUIK (2000), the total population of Aktaş Neighbourhood is 1620 and the number of household is 430. In order to detect the number of household we will make a calculation;

41% of 430 'gecekondu's householder is homeowner which means 176,3 of householders are homeowner. For this UTP implication 26% (this portion is the plot's size which is bigger than 150 m²) of these 176 right owners will be homeowners, which means only 45 householder will be homeowners without any debt in HDA's social houses. Rest of them 176 people, 130 right owners will also be homeowners but with debt and 253 householders will be homeless.

Briefly,

176 hhs have their own 'gecekondu',

45 hhs have their own house in HDA after UTP,

130 hhs have their own house in HDA after UTP but with debt,

²² The critical land size in this UTP is 170 m². However, the data of TUIK is given based on the size 150-190 m².

253 hhs are tenants or they do not have title deed, they will be homeless after UTP.

Owners of 'gecekondu' with no document but paid their bills;

- Their 'gecekondu' and its area were assessed depending on its quality and size. If 'gecekondu' owner wants to buy a house from HDA, the worth of 'gecekondu' which is determined by Municipality is substituted for down-payment. On the other hand, if (s)he does not want, its worth is paid as cash.

Although the main issue of this thesis is not the status of tenants which is always a critical point of UTPs, 51 percent of 'gecekondu' settlers are tenants who have no rights during UTPs except being given priority if (s)he wants to be a homeowner from HDA. On the other hand, especially tenants are a very significant issue for this thesis since the violation of housing rights refers not only to dispossessing the ownership of a housing but also making difficulty in rental housing for tenants with the increase in urban land rent and improvements. Moreover, 5 percent of 'gecekondu' settlers is not homeowners but paying no rent, this group also has no right. 41 percent of 'gecekondu' settlers are homeowners (TUIK, 2000).

The process of Aktaş Neighbourhood UTP is summarized by a city planner who works for Altındağ Municipality as;

Improvement Plan of Aktaş Neighbourhood was brought about a revision considering UTP. Properties of Altındağ Municipality were agglomerated at definite plots. 'Gecekondu' settlement on these plots was demolished and these plots were given to HDA. Later, HDA calculated the value of these plots and how many houses could be built, it means layout plan was set. Next, HDA made a tender based on the layout plan²³. To find a housing unit cost, the price of tender was divided into total housing the number of which was determined in the layout plan. Therefore, HDA gave some houses to Altındağ Municipality in exchange for the value of plots. Altındağ Municipality gave these houses to 'gecekondu' owners in the same conditions since it is not the project that profit is sought neither by HDA nor Altındağ Municipality. Depending on the size of parcel, 'gecekondu' owners became a homeowner in HDA. Although it depends on the conditions of tender and value of plot, in this urban transformation project people whose plot was at least 170 m² could be given a housing unit from HDA. Less than 170 m², get into debit.

In the same interview, why HDA was chosen to this project was explained as;

Private sector or any 'yap-satçı' didn't want to be a stakeholder in this area for years. There is a big problem of security.

²³ Vaziyet planı

And she continued;

Altındağ has always been a complicated issue for us. The main question is security. 'Yap-satçı' didn't want to be a stakeholder especially in Aktaş Neighbourhood - your problem area-, Gültepe, Çinçin, Doğanstepe since not only the people from outside but also 'gecekondu' owners are afraid of themselves. They are never awake since lots of them are drug addicts. If you talked to women, you could see that a great majority of their husbands or sons are in jail. Does any 'yap-satçı' want to work in this area? They don't. Moreover, there is no guarantee in selling houses since it is not certain whether or not 'gecekondu' owners would pay debts. Although after transformation there aren't any security issues in HDA blocks, 3 or 4 blocks were sold to police officers. In the evenings at certain times, the area around HDA blocks isn't safe places, since HDA encloses blocks within the wire fence.

On the other hand the interviewee YS1 stressed about security these;

Wherever we work, our materials are stolen. Now my construction is in Hüseyin Gazi and my materials are stolen. But a 'yap-satçı' has to take risks. The reason that Aktaş Neighbourhood was given to HDA is not security. The buildings which are on the surroundings of Bentderesi Street were constructed by HDA. No. Of course a 'yap-satçı' constructed. Then HDA did not exist. Moreover, Çin Çin was a much more dangerous space than now it is. Municipality does not want to give us these areas, since we could not change the vision of neighbourhood. We cannot make luxurious projects. The value of the land could not change our improvements. Municipality wants to gain its share from UTP. However, we could not give a big share as HDA does. You could ask, how HDA makes these? HDA is exempted from lots of taxes. In the last 15 years, all arrangements have been done to give HDA an advantage over us.

The approach of Altındağ Municipality is not different from the nineteenth century's liberals as stated by Davis (2004, 22); *"for nineteenth-century liberals, of course, the moral dimension was decisive, and the slum was first and above all envisioned as a place where an incorrigible and feral social "residuum" rots in immoral and often riotous splendor."*

The interviewee E6 stated that;

This neighbourhood falls into disrepute. Whom have we hurt? They make us wild. People living here struggle to earn a living. You have worked here for 3 weeks, is there anyone who makes you uncomfortable? They said this place is dangerous then how they implicate their UTP 6 years ago, this place was dangerous but they made us poorer. Now our struggle is paying debt.

In the late part of the nineteenth century, Engels (1992, 24) used a significant sentence while explained "How the Bourgeoisie Solves the Housing Question";

"Modern natural science has proved that the so-called "poor districts" in which the workers are crowded together are the breeding places of all those epidemics which from time to time afflict our towns. Cholera, typhus, typhoid fever, small-pox and other ravaging diseases

spread their germs in the pestilential air and the poisoned water of these working-class quarters.”

According to Engels and also Davis, in modern societies bourgeoisie/liberals marginalise the poor district with the excuses of disease, dirt and immorality. Two centuries later, the only thing that has changed is excuse. There is always a reason. For example, security is the only substitute for other excuses to marginalise the poor districts in this century.

Another interviewee, E5 said that;

I am the victim of a friend. After 5 years, I have just got out of jail. In 5 years, this place has changed dramatically. Municipality workers come here and say they will demolish these houses. No one could say anything 5 years ago. If this happened before, there would be a huge clash between the ‘gecekondu’ settlers and the Municipality workers. However now, ‘gecekondu’ settlers behave like a cat. Our concern is to continue daily life. I have 2 children, from now on I will not intervene informal works, I don’t want to rebel state. If they say your house has to be demolished, I will go to another place to live. I have a ‘gecekondu’ but they won’t give an HDA house without debt, I can’t pay so I leave this place.

Although HDA&Municipality asserts that there is no profit in kind of UTP, since there is no constant interest rates as Banks, people especially lived before in ‘gecekondu’ areas could not handle repayment. HDA ignores that ‘gecekondu’ settlers could not earn like a civil servant, and most of them don’t have a consistent income. On the other hand, living in HDA houses make people spend more money for housing expenditure like gas bill, dues for apartments etc.

After the shares of ‘gecekondu’ owners are given, rest of the Municipality shares are offered to teachers, imams, doctors, and Municipality workers. Discount was made and easier repayment was provided.

It is discussed why this area could not be transformed through the improvement plans of ‘yap-satçı’. Briefly, the reasons are;

- Security question and fragmented plots.
- Prevention becomes of ‘gecekondu’ settlers rich unfairly
- Getting a share from creating land rent after UTP
- Existence of most ‘gecekondu’ on Altındağ Municipality’s land.
- ‘Yap-satçı’ not having enough capital
- Differences in the mode of production of ‘yap-satçı’ and HDA

These are originated in the difference between different actors of redevelopment of ‘gecekondu’ settlements. These differences are showed in the Table VI.I.

Table VI.I. Basic differences between ‘Yap-satıcı’ and HDA

	‘Yap-satıcı’	HDA
Land Acquisition	<p>Apartment housing</p> <p>No need much money</p> <p>In planned areas</p> <p>Making deals with landowner</p> <p>Build on single parcels</p> <p>No legal arrangements</p>	<p>Large piece of land</p> <p>Need more money</p> <p>Could be beyond planned areas</p> <p>Build house on public land</p> <p>Build on min. a block</p> <p>Legal arrangements²⁴ and also right to expropriation</p>
Organisation of Construction	<p>Traditional construction techniques</p> <p>Flat for land basis for using sub-contractors</p> <p>Works individually</p>	<p>Industrial construction methods especially tunnel mould</p> <p>Progress billing for using sub-contractors</p> <p>Works with partnerships</p>
Financing Construction	<p>Rely on their own operating small capital</p> <p>Not refer bank credits</p>	<p>Use its own finance</p> <p>Not use bank credits</p>
Marketing	<p>Installments</p> <p>Sell themselves</p>	<p>Installments</p> <p>Sell through its own marketing department.</p>

In conclusion, the implementation of the project is determined based only on the size of housing and housing tenure. Plot size and legal documents are the only determinants. It is

²⁴ Detailed information is given in Chapter V and also AppendixCI.

forgotten that this project exists for offering housing low income groups. In a social project, there are lots of determinants that have to be considered. These people are already exposed to social exclusion and this UTP makes them more miserable. The socio-economic conditions of this neighbourhood is ignored while determining the project implications and most people's right of housing are violated by HDA&Municipality which means by state.

Moreover, HDA's social houses are not more valuable than a '*gecekondu*' in use. However, also exchange value does not increase in value but in price. The return of this increase in price of HDA housing owners does not mean anything except the fact that they have more than one house. Since the use value of housing is one house but the exchange value of housing is 100 m² or 170 m² the labour value of which is not the same. Nevertheless, in a social project, use value is the given priority to exchange value. In the housing market a 170 m² house and a 100 m² house have different exchange values since their quantities are different. However, their use value is not different because there is no difference in qualification.

On the other hand, socially necessary labour time to construct a house gets shorter with technological advances especially in mass productions like HDA social houses. Thus, the price of these houses must decrease, but the price of HDA social houses competes with other house prices in the housing market.

VI.V. Losers and Winners in the Process of Improvement of '*Gecekondu*'

From the very beginning, main aim of this thesis is to argue the violations of low-and middle income groups' housing rights via state. For arguing this issue, two different time periods' agents are choosen '*yap-satıcı*' and HDA. The different economical models are effective on these two time periods and not only agents but also the models used on the '*gecekondu*' transformation changed. Moreover depending on the agents and their '*gecekondu*' transformation models the losers and the winners also changed. However the main problem is not the alteration of agents. It is the one who suffers from these transformations, is being the already vulnerable group which is low-and middle income group.

In this part, the loser and winners are tried to analyse and argue in a historical context. However, the part which is argued gecekondu transformation via '*yap-satıcı*' bases on the theoretical information more than empirical one since '*yap-satıcı*' is not effective on this

UTP. On the other hand the part which is argued UTP via HDA bases on the empirical and, also theoretical information since it could be followed that the implementations of HDA on this UTP.

VI.V.I. From ‘Gecekondu’ to Apartment Blocks

The main aim of this part is to discuss the losers and winners of the improvement of ‘gecekondu’ especially held in the middle of 1980s and the end of 1990s. The agents are ‘yap-satıcı’ as implementers, ‘gecekondu’ settlers with the title deed, ‘gecekondu’ settlers with no document but paid bills, settlers with no title deed, and tenants. The position of the central authority, local government and urban settlers are also discussed.

By ‘gecekondu’ improvements, which were held in the middle of 1980s and at the end of 1990s, the main aim is to redevelop these ‘gecekondu’ settlements, increase development rights and also improve ‘gecekondu’ settlements. Improvement plans which were prepared by municipalities increased the development rights that were given. ‘Gecekondu’ was one storey or two storeys, however four-storeys were also allowed for all the improvement planning areas since ‘yap-satıcı’ entered into the area to transform them. According to the Article No: 18 of the Development Law No: 3194, ‘yap-satıcı’ had to share at least 30% of the newly constructed building with the ‘gecekondu’ owners (Tuğaltan, 2008). But this portion could change depending on the deal between ‘gecekondu’ owners and ‘yap-satıcı’, and when housing benefit came into question. ‘Gecekondu’ owners and ‘yap-satıcı’ signed a contract which had the details of the project and until the final date of construction, ‘yap-satıcı’ paid the rent of ‘gecekondu’ owner’s new house, in which the ‘gecekondu’ owner lived during the construction process. And with the development plans, created rent was shared by ‘yap-satıcı’ and ‘gecekondu’ owners. In this situation not only the small capitalist is defined as winner but also ‘gecekondu’ owners are. Furthermore, by having this share from the created rent, ‘gecekondu’ owners could hold on to life.

Moreover, tenants were defined as losers, since they lost the chance of cheap rental fee. Moreover, the new apartment blocks’ rental fee was not much higher than the ‘gecekondu’’s. Of course, an increase emerged in the rental fee of houses. However, this increase is so low while compared rental fee of houses which constructs UTPs.

On the other hand, there is a different side of these redevelopments of '*gecekondu*' settlements. At the end of 1970s, the process of '*gecekondu*' construction started to change. Construction of '*gecekondu*' became a sector and this sector turned out to be the field of mafia. Also, '*gecekondu*' amnesty law lost its characteristics, especially in 1984. Beyond the offered securities for '*gecekondu*' owners, it caused non multi-storey '*gecekondu*' settlements to be transformed into apartment blocks and '*gecekondu*' owners could get a share from the created rent (Tekeli, 1998). Therefore, '*gecekondu*' construction started to exceed the need. It was constructed to become richer, especially by '*gecekondu*' mafias. For example, in Yüzüncü Yıl and Çukurambar, some '*gecekondu*' settlements which were on critical areas, were not developed. They held on so as to gain more rent.

In this way, '*gecekondu*' gained a commercial quality and a tension between the urban settlers and '*gecekondu*' owners came into being, because buying a house in Turkey always requires high amounts. On the other hand, rental fee was also expensive. Buying a house has always been a critical issue. For example, most of civil servants have to wait until getting the retirement pension to buy a house, since they hardly have enough money to buy a house at that time. Additionally, bank credits were not so common then. On the other hand, there was a group of people who migrated from the east and constructed a '*gecekondu*' on treasure land without paying any money and with '*gecekondu*' amnesty law they gained much more than a house since they got share from urban rent which was unearned income. Moreover, others gained nothing. A balance could never be set.

In these conditions, '*gecekondu*' settlers were either displaced or earned no income from rent. No one examined the housing policies which forced them to construct '*gecekondu*'.

VI.V.II. From '*Gecekondu*' to High Rise HDA Blocks

The main aim of this part is to reveal the economic gain and loss of the actors in the initiation of the Aktaş Neighbourhood UTP. The agents are implementers, '*gecekondu*' settlers and the people who are amenable to UTP directly or indirectly. Implementers are HDA and Altındağ Municipality. However, '*gecekondu*' settlers comprise of '*gecekondu*' owners with the title deed, '*gecekondu*' owners with no document but paid bills, '*gecekondu*' owners with no title deed and tenants. Although they are not directly in this UTP process, '*yap-satçı*' is also another and significant actor of UTP. The last actor is urban settlers since in the macroscale UTP affects them directly or indirectly.

Altındağ Municipality and HDA as Implementers of UTP

The actors of UTP Altındağ Municipality and HDA are the winners since they have the right to determine all the conditions of UTP without any question of '*gecekondu*' settlers or others because of the market model and there is no more possible choice for the '*gecekondu*' settlers than to negotiate with the implementers. On the other hand, in this project, '*gecekondu*' settlers are the only object of municipality in a limited way, since the decisions are made at a level of HDA and Altındağ Municipality. After these decisions, '*gecekondu*' settlers are only instructed. If the economic and political power of HDA is considered, it can be argued that HDA always makes a profit independently from the context of the project. In chapter IV, legal arrangements on HDA's legal status are indicated. By these legal arrangements HDA is the only authority on UTPs since,

- HDA is exempt from even the control of Court of Accounts²⁵
- HDA has a significant budget.
- There is an unfair competition in the market between HDA and others since HDA is given extensive authority over urbanization, especially on UTPs.
- HDA is authorized to take over mortgaged real estate loan and issuance of securities (q.v. 18.03.2002, Directive Reference to Usage of HDA's Resources). If there is anyone who could not repay the debt, HDA has the authority to take the possession of house and sell it for indemnifying its own loss, treating as a bank. Therefore, whatever happens HDA never loses.
- HDA may develop projects for the transformation of '*gecekondu*' areas, and conduct a construction and financing work with a view of renovating the '*gecekondu*' areas. (q.v. Law No.5162 dated 5.05.2004 Law on Amendment to Housing Development Administration Law (No. 2985) Article 4).
- HDA within the scope of its duties is authorized to expropriate lands and plots, and all structures on them belonging to real persons and private corporate persons (q.v. Law No.5162 dated 5.05.2004 Law on Amendment to Housing Development Administration Law (No. 2985) Article 4). In the process of UTP, HDA has the authority expropriate lands and plots if '*gecekondu*' owner does not deal with Municipality and HDA.

²⁵ Sayıştay Başkanlığı.

Furthermore, after 2000s HDA works as a market actor for rising economic gain. On the other hand, the condition of Altındağ Municipality as a local authority is not different from HDA's. The authority of municipality is given by the Municipality Law. According to this law, Municipalities are authorized urban transformation projects (q.v. Article 73 of Law No.5393 dated 3.03.2005 Municipality Law). Especially within the scope of this project the position of Altındağ Municipality is not only the implementer of it but also the rightful owner, for this reason the gain of its two times. On the one hand, the ownership of the most of UTP's land belongs to it, which means its share is so high. Before UTP 'gecekondu' settlers were living on Municipality's land illegally, but now it takes its own rights from 'gecekondu' settlers. On the other hand, one of the decision makers is itself, so the decisions do not conflict with its own benefit, although during the field research some interviewees, who are the officials of Altındağ Municipality, asserted that they tried to produce rent just for the sake of 'gecekondu' settlers in this region. Moreover, in the process of UTP, no rent or subsidy was taken from anyone or no building was given to 'gecekondu' settlers to live, municipality also gained economic advantages from this application by selling its own share, which means creating rent on the public property is transferred to private property. As Swyngedouw & Moulaert & Rodriguez (2002) stated that *"there is a flow of capital from the public to the private sector via the built environment, often without mediation by means of socially targeted policies or instruments."*

An interview E18 stated that;

I have just returned from the army and I am unemployed. I live with my mother, brother and his wife. My father died 10 years ago when I was a child. We have a 'gecekondu' with tapu tahsis but the total area is 100 m². If HDA gives a house, we will have to pay debit. However, we don't have enough savings. When I was a child, we visited our relatives in Keçiören, Bağlum as if we were going to village, since Altındağ was much more developed than those places. However, now Altındağ has got flagged. Everyone wants to live in Keçiören. For years, Altındağ has not developed. Police is here everyday as if we were dangerous. Altındağ has a bad name. And now they announced Altındağ as UTP area. We are displaced and Altındağ is tried to develop.

Briefly, the government institutions, which refer to HDA, Municipality in Turkey, interfere with the housing market by producing social houses without profit making purpose, when the consumers of housing could not attain use value. However, in this time period this is not available.

Estate Agents

With UTP, a lot of houses were produced. The sale process of HDA social houses is held by HDA and Municipality. However, most HDA houses which were given to '*gecekond*' owners with debt, have to be released when debt could not be paid. The role of estate agents is to obtain the exchange value. Their aim is to make profit. And these buying and selling environments could offer a profitable housing market.

An interviewee EA stated that;

Real estate businesses are so profitable, because housing market is very active. Buying, selling. Especially HDA's social houses... most of them are sold. This place debt could not be paid. Most of these people gain only minimum wage. How could they pay debt. Most of them only pay 5 th or 6 th monthly installment and the rest of the debt still exists. And as long as there are paying instalments, debt increases due to the interest rate. And they have to sell their houses. However, there are always buyers.

Moreover, most people buy HDA's social houses for investment although they do not live there, since anyone who wants to buy a house from HDA wants to buy. If they gain right to buy a house from HDA, they also pay debit like low-income groups. That is, subvention is also offered to everyone. And restricted public sources are opened to anyone who does not need a house but want to invest in a profitable way.

EA insisted that;

Most of HDA's social houses are sold after their debts are finished, since repayment conditions are organised for low-income groups. But middle-high income groups buy houses from here to make investment. They buy a house paying approximate 90-100 thousands TLs and sell it 125-130thousands TLs. On the other hand, these poors are taken to the court as debtor. Haa, our jobs are perfect but of course we don't want these poor people to need to sell their houses. However, what could I do?

Indeed, losers are the rest of the UTP actors, however in this condition some of them are announced as partially winners and losers.

Partially winners are 26 percentage of the owner of '*gecekond*' with title deed land size of which is equal or bigger than 150 m² (especially in this project is at least 170 m² land is given a house but the data of TUIK is restricted, so approximate size is used.). The reason for announcing them as partially winner is that they would have a house and they do not lose their right to house and they continue living in the same places. On the other hand, they are also partially losers due to insufficient capacity and poor quality buildings of HDA.

An interview K11 stated that;

HDA gave us this house and we have lived here for 2 years. But the construction is never finished. If you want to come here from Bentderesi Street, you have to use this road which is covered in mud not only in winter but also in summer. This fence protect us nothing, I feel that city is tried to protect from us. Is here a penitentiary? I think yes. Look at this environment there is no landscape design but we pay landscape cost for HDA independent from cost of housing. In the first year of moving here, we paid for the cost of elevation maintenance service. However these elevations were used for the first time. Not finished one year yet, painting of walls were deformed. Moreover, there is nobody that you could talk face to face when there is a problem. They only know that want money from us for banking. They never have directed to us. The attitude of Altındağ Municipality is not different from HDA's. Government office is too hard to try to interview.

Moreover there are two sides of this losing and gaining. One is that they are not removed from their Neighbourhood which is so close to the city center, however this Neighbourhood is on the rocks and the stream bed. The solution of '*gecekondu*' housing is not the reproduction of new shanty-multistorey housing which is not also compatible with the '*gecekondu*' settlers' life style. Moreover, in terms of economic way which is emphasised in this thesis, the life standards increase but these people do not earn enough money to provide for these expenses. While the physical conditions are made better, life will be made much more expensive for these people. As a result of these, poverty is deepened.

An interview E2 stated that;

In 1 or 2 years all these '*gecekondu*' will be demolished. We will be in debit or not but in any case our expenditures will increase. Now my '*gecekondu*' is stove-heated. I work in Siteler and I get firewood with no money from my boss' atelier. We use this firewood not only for heating but also for bathing. However, I will have to pay for gas when we start to live in HDA houses. Moreover, there is central heating system. You could turn off the gas and wear another jacket if the heating system was individual but it is not. On the other hand, for revenues I will have to pay 43 Turkish Liras added to 150 TL which is for central heating system equal 193 TL and also there will be payment for housing but let's assume that there won't. How do I earn? 750 TL and I have to pay bills 25% of my wages at least further there are bills of electricity, water, phone etc. HDA wants us to invest all money for these four walls. But then? Noone asks what you eat, how you live.

One of the losers is 74 percent of the owner of '*gecekondu*' with the title deed of which land size is smaller than 150 m². The reasons of announcing them as losers are to they lose their housing rights and make them owe. These '*gecekondu*' owners have been in Altındağ for years and they made their own houses within the boundaries of possibility and they had a house. However after UTP, in order to be the owner of a house, they have to be in debt.

Although the exchange values of HDA social houses and '*gecekondu*' are different from each other, because of the created rent, the use values of them are similar. However, the main issue of '*gecekondu*' owners is beyond the value of housing. Their concern is to be homeowners without paying any debt.

Depending on their own land the debit differs. The repayments are divided and the monthly instalment is stable for six months and then applied to a fixed interest rate of 5% each half year. This increase is based on the logic of civil servant's wage increase. However, '*gecekondu*' settlers could not earn like a civil servant, moreover most of them do not have a fix income. Moreover, the real increase in civil servant's wage does not reflect the real increase in minimum wage. Most '*gecekondu*' settlers have had problems like decline in real wages, unemployment and, irregular works since 1980s.

An interview K11 stated that;

I had a two-storey '*gecekondu*' the land of which is 142 m². There were 3 houses in it. In one of them my family and I lived, in one of them my father and my mother in law lived. Last one was the house for rent. In monthly my tenant paid me 75 TL for housing. The disabled aid²⁶ of my father in law and this rent were enough for bringing bread to home. Also, my husband worked when he found a job. 4 years ago they demolished my '*gecekondu*'. For 3 years I paid housing rent 400 TL for each month. If the disabled aid of my father in law did not exist, what would we do? HDA or Altındağ Municipality did not pay any money for housing rent. Now I live with my father and mother in law. In the past I had 3 '*gecekondu*' but now I only have a house and 15 thousand TLs. My housband is unemployment. Every month I have to pay 250 TL for this debt. Also 690 TL will be paid for the heating boiler for central heating system. Why did they do when the construction continued? Moreover I don't want to central heating system. My budget is obvious and it is not suitable for it. When I lived in '*gecekondu*', Municipality gave me coal for winter. So? Now will they give us gas? Of course not. They aggrieve us. We don't spend money for our needs except HDA's debt. Our concern is not comfort, high quality, beautiful house etc. Our concern is to survive. If you don't pay debt, they take your house in remuneration for your debt and sell it for their loss as if there is. Before demolished our '*gecekondu*', there was a rumour that '*yap-satıcı*' would transformed this area. If it had been true, we would be a homeowner without paying any debt. The conditions of repayment are so hard.

Another interview K12 stated that;

We had a '*gecekondu*' with tapu-tahsis document. They gave us a house with 67 thousand TLs debt which will reach 96 thousand TLs until debt finishes. My husband is retired and my son has been unemployment for 4 years. We try to pay housing debt. There is only a retirement salary. How does this debt finish?

²⁶ Engelli yardımı

Moreover K19 stated that;

I wish I lived in my '*gecekondu*' forever. I have 26 thousand TLs debit. I have 3 children. They are students. My husband is unemployment and we were divorced 3 years ago. In this way state puts me on a salary which belongs to my dead father. On the other hand how do we live? We receive Municipality aid but it is not enough. They took my commodity and now we live a dog's life.

Independent from the quality of '*gecekondu*', these people live in a house without paying any money and the standards of these '*gecekondu*' can be handled by them. By this UTP, housing quality increased in name, but life standards could not be increased since the only aim of them gets rid of their debts. For example, a house with central heating system means not getting rid of the heating stove; it means more expenditure. On the other hand by this UTP their real income does not increase. Moreover, their informal jobs are defrauded and new jobs are not offered to them.

Another interesting point is, '*gecekondu*' owners think that there is an unfair situation in the implementations of UTP. The only thing in their mind is if a '*yap-satıcı*' redeveloped this area, they would take more share. But now who takes this created rent? Before UTP which was implemented by HDA, '*gecekondu*' owners took more shares from '*yap-satıcı*'. For many years it was an ambiguous issue which one of them should take the rent which emerges after the transformation. For example, according to '*gecekondu*' owners, they took at least 2 houses for a '*gecekondu*', the land size of which is 170 m² from '*yap-satıcı*'. The comparison between HDA, Altındağ Municipality and '*yap-satıcı*' is done by most '*gecekondu*' owners. On the other hand, the only issue of '*gecekondu*' owners is not to buy a house from HDA. Their issue is to say "no, I do not want to be a part of this UTP. I do not want to be in debt, my '*gecekondu*' is enough for me." But they do not have a right to negotiate.

An interview K7 stated that;

A '*yap-satıcı*' phoned me. He offers 1 year rental fee and 4 apartments for my 554 m² '*gecekondu*' with title deed. He phones me everyday. But I am not sure. 2 days ago I went to Municipality to see how the land lies. They said "HDA would transform your '*gecekondu*' area and you could be offered 3 houses at maximum with no rental fee given", I said "I did not want to." They said "we would inform you as soon as possible".

Although decreasing the share of emerging rent of '*gecekondu*' owners is not thought as a loss since it is created on public land without the benefit of public, it is thought as loss since by UTP this rent is transferred to private sector which already has a big capital. That is, with

UTP public land is not used for the benefit of public. Transferring emerging rent to 'gecekondur' owner is better than transferring to private sector.

Second losers are 'gecekondur' owners with no document but paying bills and tenants. Both of them are losers since they have no right except priority which was given to them to buy a house from HDA during UTPs. 'Gecekondur' owners with no title deed came this area and built their 'gecekondur' but they could not take title deed since title deeds were given to 'gecekondur' owners who paid their taxes. Reasons for not paying taxes are the same mostly; "we survived in difficulty and we did not have money to pay taxes. We could not think that we need this tax payment's bill." Their labour spent on building their 'gecekondur' is ignored by the payment of debris fee which is so low. Moreover, the use value of 'gecekondur' is also ignored by reducing the value of 'gecekondur' only to exchange value. That is, the exchange value of a 'gecekondur' when it is demolished is very low. Obviously, however, the use value of it is the same as that of HDA house since the function of them is same.

These uneven developments and the preclusion of use value by exchange value are all normalised in the process of neo-liberal urbanisation as stated Ataay (2001); the changes which have occurred for the last 30 years Turkey's economy take on new dimensions on uneven development of capitalism on urban space and also restructure the hierarchy of settlement systems and settlement centers.

An interview E13 stated that;

I had a 'gecekondur' in Mamak before the UTP that was implemented in Mamak but I did not have a title deed. After I married, my wife and I built it. At that time our relatives also lived in 'gecekondur' and we were the guests of them in the process of building our own 'gecekondur'. I carried cement in sack on my back. My wife was pregnant to our first son. How difficult days I thought. However, these days were the most difficult. My 'gecekondur' was demolished and they paid me 5 thousand TLs. The value of my 'gecekondur' which was evaluated by the Municipality was only 5 thousand TLs. It is ironic. I left there, moved here and, hired an HDA house. For 1 year we have lived here.

At the interview, K15 stated that;

I had a 'gecekondur' with no title deed. We acted foolishly when others paid money and took their title deed. They paid me 10 thousands TLs for debris fee and we used that money for rental housing until HDA finished construction. Now we have 96 thousands TLs with its interest at the end of 15 years 136 thousand TLs will be paid. The quality of housing is not worth this money but its location is. Therefore, doctors reside in here. They walk to hospitals. People who have money buy houses and the poor try to pay debt.

Tenants are also losers although they did not spend any money to build any 'gecekondu'. They are losers since the created urban rent reflects on rental fee of housing. In the same area in 'gecekondu' side rental fee varies between 50 TL(=27,6\$ and =21,6£) and 200 TL(=110,6\$ and =86,7£) but HDA's varies between 400 TL(=221,2\$ and =173,4£) and 500 TL(=276,5 and =216,8£), which means the increase in rent value varies between 2 times and 10 times. On the other hand, this increase does not reflect the increase in real wage. For example, while living in 'gecekondu', a family paid 100 TL (=55,3\$ and =43,3£) rental fee and the minimum wage was approximately 940 TL²⁷(519,9\$ and =407,6£), which means 10.6 % of a family income was spent for rental fee. However, after UTP, this family living in HDA houses pays 400 TL (=221,2\$ and =173,4£) for rental fee and the minimum wage which was approximately 940 TL(519,9\$ and =407,6£) which means 42.5 % income was spent for rental fee. As stated by Çavuşoğlu (2006), in the world spending 10-20 % of monthly household income is logical for housing or rental fee but more than this could not be accepted as a humanistic ratio.

At an interview, K21 stated that;

I don't want these 'gecekondu' to be demolished. 2 rooms and a partition but it is enough for us to live. I live with my son, his wife and, his daughter. My husband is dead. I am 65 years old. My son is unemployed. We make a living by my husband's retirement salary which is 910 TL (503,3\$ and =394,6£). 'Gecekondu's rental fee is 110 TLs. How do we pay HDA house's rental fee? We cannot pay. Our income is obvious. I don't know what these children will do when I die.

In conclusion, occupiers of housing depending on their desires and needs consume different facets of housing. Although exchange value could be thought as capital, use value is sustaining life as a basic human right in each household. All these people already have to spend exchange value to procure use value. However, by these UTPs in order to have use value people have to spend the exchange value for the second time. And the underlying aim is to create land rent. On the other hand, HDA social houses could not meet the needs of 'gecekondu' settlers. HDA&Municipality ignore the life pattern of these people. As stated by Harvey (1973); *"use values reflect a mix of social needs and requirements, personal idiosyncracies, cultural habits, life-style habits, and the like, which is not to say that they are arbitrarily established through "pure" consumer sovereignty."* While creating social houses, these are ignored.

²⁷ This amount is the minimum wage is determined on between 01.07.2012-31.12.2012 by Ministry of Labour and Social Security.

Third losers are urban settlers in macroscale UTP effects them directly or indirectly. They are losers since public source is transferred to private sector by these UTPs. As stated Tuna (2009) that; “in UTPs the most valuable lands of state treasury are used and buildings are given flat for land basis. Infrastructure cost is burdened with debt to urban settlers. For example in Kozyatağı 10.000 housing was constructed, they and I use the same crossroads which is renovated with using public budget.” That is not only construction cost is cover by public sources but also public services are. However there is nothing to return for public benefit except project beneficiaries.

‘Yap-satçı’ as a loser

Before 2000s ‘*gecekondu*’ owners could give their land to ‘*yap-satçı*’ in return for some portion of flats built in the land plot. However, by neo-liberal urban policies urban lands are opened to global capital and make ‘*yap-satçı*’ passivate in the process of UTP. Especially before 2000s, there weren’t huge UTPs areas which aren’t handled by ‘*yap-satçı*’ since there aren’t individual land parcels as the unit of redevelopment instead large ‘*gecekondu*’ settlements in transformation process. And consequently, ‘*yap-satçı*’ are inactivated but, if they have significant relations and capital, they are in the game. On the other hand, they couldn’t hold on market mechanism.

Table VI.IV. Losers and winners of UTPs

Actors/and the status after UTP	Winner	Partially Winner	Partially Loser	Loser
Altındağ Municipality	+ Having its own lands/decision maker/no rent subsidy			
HDA	+ Decision maker			

Table VI.II. (continued)

Estate Agents	+			
	Making profit from getting a commission			
'Gecekondu' Settlers [owner of 'gecekondu' with title deed/tapu- tahsis]		+	+	
'Gecekondu' Settlers[owner of 'gecekondu' no title deed]				+
'Gecekondu' Settlers [tenants]				+
Urban Settlers [others]				+
'Yap-satıcı'				+

In conclusion, depending on the economic model and the 'gecekondu' transformation model, the losers and winners show an alteration. 1980s and 1990s 'yap-satıcı' was the leader of housing sector especially 'gecekondu' transformation. And this model, created rent was transferred to 'gecekondu' settlers and 'yap-satıcı'. If the life standards of 'gecekondu' owners are considered, it can be said that this transfer helps sustain their survival strategies. On the other hand with 2000s by HDA's implementation this vulnerable groups which mean 'gecekondu' settlers are not anymore winners, moreover they lose their basic rights and not only created rent after UTPs are transferred to other agents of UTP, but also their housing rights were violated via HDA. Actually, the things that determine the losers and winners are

the different economic models and the new agents who take the rent created after '*gecekondu*' transformation or UTP. That is, the losers and the winners are the directly prove who take the rent which means the agents taking the rent will be winner but rests will be losers. Especially '*gecekondu*' settlers are the losers since the aim of UTP is to develop gecekondu areas as high rise building areas. However the only thing that changes with UPT is not the physical transformation of environment but also socio-economic one. Moreover high cost of living is beyond the '*gecekondu*' settlers could cover. On the other hand, there is not any special implementation for these vulnerable groups. Moreover, they have debt to HDA. They don't gain more than before UTPs but the expenditures for sustain their life are increased. Furthermore, the life style of them is changed without any excuse.

To sum up, '*gecekondu*' settlers of Aktaş Neighbourhood have been paying the cost of transformation by moving to the HDA's social houses or other '*gecekondu*' settlements. As it is seen in the interviews, interviewees do not want to live neither HDA's social houses nor '*gecekondu*' but because of the economical issues, they refer '*gecekondu*'. However they have been forced to live in the HDA's social housing where there have still been infrastructural problems. In this chapter of the study, '*gecekondu*' transformation types and their results are examined on the basis of the relations with urban spaces. The determination of different transformation models that '*gecekondu*' settlers are exposed to provides developing policies to solve the problems about UTPs.

CHAPTER VII

CONCLUSION

VII.I. Conclusion: Violation of Housing Rights via State

This thesis is an attempt to use the rent and property transfers with '*gecekondu*' transformation and UTPs since the aim of it is to argue different agents and process on housing provision which are active on different time periods through '*gecekondu*' transformations and UTPs. In this respect, after a brief introduction that contains scope, objectives, hypothesis and structure of the thesis, theoretical discussions that consist relations between the "use value"- "exchange value"- "labour value" and "land rent" were held. Then, the social housing experiences of the UK and the Netherland are discussed for understanding the policies and also process of different developed countries. Next chapter two different agents of *gecekondu* transformation and UTP are discussed. The socio-economic backgrounds that create these two agents, their different implementation principles and depending on these principles '*gecekondu*' settlers' situation are tried to discuss. And case study especially the relationship between theory and practice is tried to be established. Moreover the '*gecekondu*' phenomenon and urban transformation projects were discussed in the historical context. Within this chapter, every detail of Aktaş Neighbourhood UTP and related instances are indicated and evaluated.

In a historical context briefly, the emergence of '*gecekondu*' is based on the deficiency of state's social housing provision. And the approaches to it have changed time to time. By 1980s, with '*gecekondu*' amnesty law (Law no. 2981) was created development rights which transferred to '*gecekondu*' owners and the agent of this development was '*yap-satçı*'. By gave share of created rent to '*gecekondu*' owners was tried to their coping economic recession and hold on to system. However in 2000s, central authority via HDA started to promote projects for the low income groups. Large scale '*gecekondu*' settlements were announced as UTP for providing social housing projects.

In this thesis, the implementation principles and the approaches of HDA are criticised since with them HDA violates the housing rights of '*gecekondu*' settlements and makes this based

on its legal authority²⁸. On the other hand basing on legal authority does not make implementations of HDA legal hence giving share to ‘*gecekond*’ settlers only based on the land size of indicator neither economic nor social aspects of them are not considered effectively. Moreover, by this UTP everyday life praxes of ‘*gecekond*’ settlers are also violated and tried to change by impose a different life style without asking them and considering their desires. The main objective of UTP is indicated as construct a modern, livable settlements with the provision of adequate shelter, sanitation, social facilities, and better environment quality by demolishing ‘*gecekond*’ settlements. Although, the physical objectives of UTPs are explained like this, especially after 2000s the effects of UTPs change not only physical conditions of area but also the economic and the social. And if the socio-economic aspects of ‘*gecekond*’ settlers were considered, it could be seen obviously that the main question was poverty. Therefore UTPs have to deal with poverty firstly. However, authorities announce ‘*gecekond*’ settlements as insecure places and they struggle crime, insecurity etc. and so main issue poverty could be easily ignored. New poverty which is carried to apartment blocks increases incrementally since the new life standards which require more money. And it brings with it unhappiness and future anxiety.

The indept-interviews, the observations and the implementation principles of Aktaş UTP prove that the right to housing of ‘*gecekond*’ settlers are violated. The created land rent transferred to HDA&Municipality. And consequently, ‘*gecekond*’ settlements are annihilated successfully and settlers are displaced. When thought about losers and winners of UTPs, it could easily understood that winners are only HDA&Municipality which are the implementers of UTP as taking creating urban land rent and also estate agents as taking the share of real estate businesses.

The field research of the Municipality was restricted only the land size of ‘*gecekond*’. They were measured it after prepared development plan. And depending on the land size, ‘*gecekond*’ owners were given share from HDA’s social houses. ‘*Gecekond*’ transformations are the complicated issues which contain socio-economic and physical problems. However, in Aktaş UTP only physical problems were considered and the solution of it was offered as high rise apartment blocks. Most of right owners’ land could not enough to be homeowner at HDA’s social houses and they become indebted. However, these people do not have regular income, most of them are unemployed or gain only minimum wage²⁹.

²⁸ Detailed information, Chapter V. and Appendix CI.

²⁹ On October, 2012, net minimum wage is 739,79 TL (=408,7\$ and =320,4£).

Their socio-economic conditions are ignored. And Municipality did not focus on these issues. Therefore their fancy words which are used for definition for UTP lose persuasiveness and embedded aim of UTP reveals that clear these areas from 'gecekondur' settlements and 'gecekondur' settlers.

Social housing provision requires much more attention. However in this UTP, patterns of tenure, housing stock, demand and supply, finance, mode of production are ignored. Patterns of housing tenure in this area comprise of 'gecekondur' owners (with title deed no document but paid bills/no document) and tenants. However, project implementations consider only 'gecekondur' owners legally. The rest of them are ignored. A social project has to develop policies for all of them. Consequently, these unqualified social houses of HDA are not affordable or accessible for 'gecekondur' settlers. Moreover, old people in this area also suffer from this UTP.

Not only the housing rights but also the right of these people to the city are violated. According to Harvey (2008, 1) right to the city is defined as; *“the question of what kind of city we want cannot be divorced from the question of what kind of people we want to be, what kinds of social relations we seek, what relations to nature we cherish, what style of daily life we desire, what kinds of technologies we deem appropriate, what aesthetic values we hold. The right to the city is, therefore, far more than a right of individual access to the resources that the city embodies: it is a right to change ourselves by changing the city more after our heart’s desire. It is, moreover, a collective rather than an individual right since changing the city inevitably depends upon the exercise of a collective power over the processes of urbanization. The freedom to make and remake ourselves and our cities is, I want to argue, one of the most precious yet most neglected of our human rights.”*

With UTPs the rights of citizens to the city are taken away. HDA&Municipality forget the fact that profit cannot be the first aim in these projects. Accounting a cost of housing could not depend on only numbers, size of lands etc. It has to depend on the socio-economic conditions of 'gecekondur' settlers. Municipality is not aware of the outcomes of UTP. According to municipality workers, increase in the cost of living is not a problem. They could praise the increasing of rental fees. However, in these social projects, “use value” has to be a more significant issue against “exchange value”. Before UTP, independent from the quality of the house, 'gecekondur' settlers had houses. But now most of them try to finish their debt for having a house. By UTPs, in living space “exchange value” is the only

substitute for “use value” since most ‘*gecekondu*’ settlements are in the centre of the city and they become prominent for their “exchange value” and rent. In this situation, the only thing that has to be done is to relocate ‘*gecekondu*’ owners and bring new appearance to these areas and the solution is UTP. However this is not a solution, this is also another problem which causes many other problems.

To sum up, the analysis of field research results are like below;

Findings of the field research;

- The gecekondu settlers in Aktaş Neighbourhood are vulnerable groups.
- Most of them are unemployed or irregular workers or they have illegal jobs.
- The physical conditions of their ‘*gecekondu*’ are not good.
- The size of most ‘*gecekondu*’ is smaller than 170 m².
- Most of them do not want to live in neither ‘*gecekondu*’ nor HDA’s social houses but because of the economic conditions they prefer living in ‘*gecekondu*’.
- Most of ‘*gecekondu*’ more than one family lives in it.
- The right to housing of gecekondu settlers are violated via state.
- The created urban land rent is transferred to HDA&Municipality.
- Most of ‘*gecekondu*’ owners become debt to HDA.
- Most of them prefer the ‘*gecekondu*’ transformation held by ‘*yap-satçı*’.
- Most of them could not cover the expense of new life standards. Moreover, HDA’s social houses could not satisfy their desire.

With the light of the findings from the field research the policies are developed for ‘*gecekondu*’ settlers and UTP in urban politics. Urban politics is insufficient without a ‘*gecekondu*’ settlers’ perspective. In the process of design, planning and urban life, it is determined that there should be a ‘*gecekondu*’ settlers’ perspective among planners, architects and the rest of the staff in local authorities. Especially the UTPs should gain a ‘*gecekondu*’ settlers perspective rather than urban entrepreneur understanding. City projects, given priority to urban vulnerable groups can be good starting points for developing and extending urban politics. The decisions, regarding urban land rent more than vulnerable groups, make ‘*gecekondu*’ settlers’ lifes more difficult in a city. Therefore, decision making has an important role in UTPs.

VII.II. Policy Proposals

In general, urban transformation projects and housing policies especially for low income groups deserve rethinking not only in the case of Aktaş Neighbourhood but also in Turkey as a whole. Creating new rent places and cleaning distinct areas from urban poors start to be the main issues not only of local authority but also the central authority. Public interest and public space have lost their significance. Aktaş Neighbourhood UTP indicated that in UTPs in the core of the problem there were not urban poors and their social, economic and cultural aspects. Instead, the problem of urban land rent and sharing of it arises. Apart from this, there are some suggestions mentioned below with the light of the general suggestions developed considering urban vulnerable groups.

- **The Policy Suggestions for the Problem Area**

The implementation of this UTP revealed that “exchange value” gains significance against “use value”. In fact, especially in producing social houses, policies have to support “use value”, not “exchange value”, which causes speculation and scarcity. Also it is necessary to decrease the pressure on both ‘*gecekondu*’ settlers and other vulnerable groups in society.

Housing policy has to answer some definite problems like quality, accessibility and affordability for all income groups in a society. Therefore, for all income groups different housing policies have to be developed. Also, the only thing that has to be considered is not the income level. Cultural and social aspects have to be regarded. If in a ‘*gecekondu*’ transformation a person who is 65 years old is subject to pay a debt for 20 years, this means that there is something wrong. Such consequences have to be questioned. Moreover, monotype HDA’s social houses do not provide the needs of ‘*gecekondu*’ settlers. The projects of houses should be developed considering their everyday life praxis. On the other hand, a person who already had a house before UTP, now tries to pay debt. Moreover, social housing policy is not limited to supplying housing need for the urban poor. Elimination of ‘*gecekondu*’ settlements must not implicate the displacement of ‘*gecekondu*’ owners.

Solidarity and informal relations are vital for sustain *gecekondu* settlers’ survival strategies. With UTPs these relations are annihilated but nothing is created as a substitute for these relations and holding life starts to be much more difficult since new mechanism have to be created.

Different approaches have been developed against '*gecekondu*' phenomenon. However, the main issue has always been shaped by the ones who take the rent, which is created after the transformation or improvement. In fact, the main issue cannot be rent, especially in the context of '*gecekondu*' phenomenon. Moreover, different alternatives which are offered by housing policies could be put into action. Housing policies are constituted on housing ownership since there are not rental fee policies. Furthermore, housing is the most expensive item in most families' budgets, especially in developing countries. It has to be reduced to a fair value especially for urban poors. On the other hand, their housing rights are violated as in UTP. Producing social houses for urban poors requires much more detailed analyses since housing issue could not be understood without analysing the social, economic and cultural patterns. Trying to turn all householders into homeowners is not the solution but also a new problem.

Pattern of housing tenures is also another critical issue. The implementation of UTP has to be considered as a pattern of housing tenures. The positions of the tenants are totally ignored in UTP process.

A detailed analysis of '*gecekondu*' settlements which are transformed through UTP, are held not only from physical but also social, economical and cultural aspects. It is concluded that the main issue should be the housing rights of urban poors.

- **General Policy Suggestions**

The mean of social housing should be defined clearly. In Turkey, it could not be composed. For example, in the Netherlands the term "social housing" generally means rented housing. This does not mean there is not social owner occupation which refers inexpensive owner-occupied houses but it is choosing a position which fills the gap between cheap social renting and expensive owner occupation. If in Turkey this mean is covered, than the policies will be developed in a much more easily way.

Understanding and analyzing '*gecekondu*' settlers' needs and demands. Determine the needs and the problems of '*gecekondu*' settlers, public institutions -not only municipality but other public institutions departments and non-governmental organizations should be extended at neighbourhood scale.

For sustainable and liveable settlements multi-dimensional and integrated process should be followed since urban transformation is not anymore physical improvement but social, cultural, economic ones.

Existing urban planning practices and urban development systems and legal arrangements should be review.

The only target of HDA could not be the transform '*gecekondu*' settlements but justify the investments as a way to improve the quality of life in their neighbourhoods and maintain the value of gecekondu settlers' property.

Houses have to sell below market price or with a visible discount for urban poors. Moreover, affordable housing rent for lower income groups, price of rent should not be enable market oriented.

Most of developing countries, homeownership is so significant even most of people have more than one house since housing market as a profitable investment area is used as investment moreover high rent revenue makes homeowners double gain. Although this is an insuperable problem, especially social housing market house for sale should not be provided but rental housing.

There is a contradictory attitude toward the '*gecekondu*' settlers. On the one hand, the people who have spent their whole life in '*gecekondu*' settlers, are forced to live in apartment blocks rest of their life since authority announced '*gecekondu*' as being harmful, unsecure and ugly to the environment. On the other hand, rest of society '*gecekondu*' settlers are seen as a threat even they live in the same neighbourhood. It should be coped with this contradictory. Negative and positive consequences of the project have to be evaluated critically in every aspect. The opinions of the '*gecekondu*' settlers have to be taken into consideration since HDA, Municipality or any '*yap-satçı*' are not the main beneficiaries but they are, so '*gecekondu*' settlers have to be in the participation mechanisms.

Different policies should be developed for different features of society. For example the implementation which is offered any '*gecekondu*' settler, should not be offered older people not only economical problems but health ones. For preventing these things, a detailed report

that point out the demographic features of the area has to be prepared and the authority should be aware of the variables and relations among these variables.

The implementers of the projects have to be aware of the '*gecekond*' settlers' socio-economic and cultural positions before announcing such a complex area as a UTP area.

However recently, a new legal arrangement³⁰ about UTP has been announced. Law No. 6306 dated 16.05.2012, the Transformation of Area Being under the Risk of Disaster³¹. According to this legal arrangement, HDA is authorised to announce any area as an urban transformation area with damaged structures that are in need of being demolished or rehabilitated. This legal arrangement is valid from *gecekond* to even historical artifact every building without making any discrimination if there is a risk of disaster. By this arrangement, main issue is not to demolish damaged structures but create urban land rent. On the other hand, in Turkey there is a misunderstanding about urban transformation. That is, making better living space the only thing that could implement on the '*gecekond*' settlements is not the UTPs. In European countries, although their urbanisation experiences are different from ours, there are different policies/strategies that could be implemented on not only '*gecekond*' settlements but also urban risky areas. These policies/strategies are; "urban renewal, urban reconstruction, urban development, urban improvement, urban regeneration, urban conservation, urban rehabilitation, urban revitalisation, urban preservation, infill development, urban re-furbishment, re-urbanisation, urban strengthening, urban relocation" (Günay, 1994).

In Turkey, the authority treats as if urban transformation was a single process or a single problem area. However, these approaches do not reflect the reality. And the legal arrangements which base on them, fail to solve the several urban transformation problems. Moreover, problem areas like '*gecekond*' settlements have to be identified clearly and the priorities have to be determined and after these, legal&financial and institutional regulations have to be made. Comprehensive and consistent approaches have to be developed for urban transformation problems by central authority and main issues have to be "sustainability", "multi dimensionality", "equal accessibility of opportunities", and "increasing the quality of life" etc. Moreover, each city does not have the same urban transformation problems. Even if the problems are same, locality brings different questions, potentials, threats etc. That is,

³⁰ Detailed information is given in Appendix CI

³¹ Afet Riski Altındaki Alanların Dönüştürülmesi Hakkında Kanun

transformation strategies and policies have to be developed depending on these variables. In this context, the role of local authorities gain significance. For example 'gecekondu' transformations and risky buildings transformation are not the same issues even 'gecekondu' settlements are also risky areas since 'gecekondu' settlers are disadvantaged groups and they have to be develop social policies. 'Gecekondu' transformations are not discussed without social housing projects. For example in the Netherland all social houses are not sold, certain amount of social houses' ownership belong no one but housing association and these houses are rent to vulnerable groups for very low rent. This approach does not seek profit and also this makes the rent stable and reasonable. This way not only the rights of homeowner but also tenants are protected. On the other hand, in Turkey HDA sells all houses and so tenants are left to mercy of homeowners. Therefore, the rent rate is always so high and not stable. That is, the legal arrangements about tenants for protecting their rights have to be hold.

REFERENCES

- Altaban, Ö. (1987), “Kent Fiziki Coğrafyasından Gelenler”, pg.7-16 in “Ankara 1985’den 2015’e”,Ankara Büyükşehir Belediyesi.
- Ataay, F. (2001), “Türkiye’de Kapitalizmin Mekânsal Dönüşümü” in *Praksis* (2) 2001, pg. 53-96.
- Bademli, R. (1987), “Sanayi’nin Yer Seçimi Süreçleri”, pg.49-55 in “Ankara 1985’den 2015’e”,Ankara Büyükşehir Belediyesi.
- Batıkent Konut Üretim Yapı Kooperatifleri Birliği. (1982), Konut 81, Kent-Koop, Ankara
- Balaban, O. (2007), “Bir Konut Finansman Aracı Olarak Mortgage Sisteminin Türkiye’de Olası Etkileri Üzerine” in *Kent ve Planlama Geçmişi Korumak Geleceği Tasarlamak* / edited by Aysegül Mengi. Istanbul: İmge.
- Balaban, O. (2008),“Capital Accumulation, The State and the Production of Built Environment: The Case of Turkey”, Unpublished PHD Thesis, METU, Ankara.
- Balaban, O. (2009), “Planlama ve Mimarlık Ekseninde TOKİ Uygulamaları”,in *Kentleşme ve Yerel Yönetimler Sempozyumu*, TMMOB Şehir Plancılar Odası 20-21 Şubat Ankara.
- Balamir, M. (1975), “Kat Mülkiyeti ve Kentleşmemiz” in *ODTÜ Mimarlık Fakültesi Dergisi* Cilt 1, Sayı 2, Sonbahar.
- Balamir, M. (1996), “Making Cities of Apartment Blocks Transformation of the Built Environment in Turkey by means of Reorganization in Propert Rights” in *Housing and Settlement in Anatolia a Historical Perspective*, edited by Yıldız Sey Türkiye Ekonomik ve Toplumsal Tarih Vakfı, Istanbul.
- Balchin, P. (1996), *Housing Policy in Europe*, edited by London ; New York : Routledge.
- Balchin, P. & Rhoden, M. (2002), *Housing Policy: an introduction* 4th edition London; New York: Routledge.
- Blaikie, N. (2007). *Approaches to Social Enquiry: Advancing Knowledge*. Cambridge: Polity Press.
- Building Turkey’s Future (2010-2011) Corporate Profile, Toplu Konut İdaresi Başkanlığı
- Burnett, J. (1978), *A social history of housing, 1815-1970*, Newton Abbot [Eng.]; North Pomfret, Vt.: David and Charles.
- Calvino, I. (1974), *Invisible Cities*. Harcourt Brace Jovanovich, New York.
- (CCP,2005) Şehir Plancıları Odası Haber Bülteni, Haziran 2005, Sayı 160, Ankara.
- (CCP,2012) Şehir Plancıları Odası Haber Bülteni, Ocak-Şubat 2012, Sayı 214, Ankara.
- Carsten, J. & Hugh-Jones, S. (1995), “Introduction” in *About the House: Lévi-Strauss and Beyond* edited by Janet Carsten, Stephen Hugh-Jones, Cambridge University Press.

Castells, M. (1977), "The Urban Question: a Marxist Approach" translated by Alan Sheridan. Cambridge Publications, Mass.: MIT Press.

Çavuşoğlu, E. (2006), "Konut Sorunu" in Birgün Gazetesi on 28.01.2006

Chiquier, L. & Lea, Michael J. (2009), Housing Finance Policy in Emerging Markets, World Bank Publications

Davis, M. (2007), Planet of Slums. London; New York.

Dinçer, İ. (2010), "Türkiye'de 1980 Sonrası Yapısal Dönüşümün Mekânsal İzlerine Bir Örnek: Yenileme Alanları" in Mimarlık; Kentsel Yenileme ve Dönüşüm: Deneyimler, Mart-Nisan 2010, Sayı 352, Ankara.

Doğan, A.E (2001), "Türkiye Kentlerinde Yirmi Yılın Bilançosu" in Praksis (2) 2001, pg. 97-123.

Elsinga, M. & Wassenberg, F (2007), "Social Housing in the Netherlands" in Social Housing in Europe, edited by Christine Whitehead and Kathleen Scanlon. Published by LSE London.

Engels, F. (1992), Konut Sorunu. Sol Yayınları 2nd Edition. Ankara

Ertürk, H. (1997), Kent Ekonomisi. Ekin Kitabevi Yayınları 2nd Edition. Bursa.

Geray, C. (2009), "AKP ve Konut: Toplumsal Konut Yöneltilisi Açısından TOKİ Uygulamaları" in AKP Kitabı: Bir Dönüşümün Bilançosu, İstanbul: Phoenix Yayınevi.

Günay, B. (1994), "Kentlerin Yeniden Üretilmesi Süreçleri." Mimarlık 249, pg.111-114

Günay, B. (2005), "Ankara Çekirdek Alanının Oluşumu ve 1990 Nazım Planı Hakkında Bir Değerlendirme", in Cumhuriyet'in Ankara'sı by Şenyapılı, T. (Ed.): Doç. Dr. Özcan Altaban'a Armağan, Ankara: ODTÜ Geliştirme Vakfı.

Günaydin, G. (2009), "Smith, Ricardo ve Marx İktisadında Tarım (Emek Değer ve Rant Teorisi Yaklaşımları Bağlamında)" in Mülkiye Cilt: XXXIII Sayı:262

Güvenç, M. (2001), "Ankara'da Statü-Köken Farklılaşması, 1990 Sayım Örneklemeleri Üzerine Blok Model Çözümlemeleri", ed. Y. Yavuz, Tarih İçinde Ankara II, Ankara, METU Faculty of Architecture Press.

Harsman, B.& Quiley J. (1990), "Housing Markets and Housing Institutions in a Comparative Context" in Housing Markets and Housing Institutions: An International Comparison edited by Harsman&Quiley. Kluwer Academic Publishers, Boston/ Dordrecht/ London.

Harvey, D. (1973), Social Justice and The City, London, Edward Arnold.

Healy, M., & Perry, C. (2000). Comprehensive Criteria to Judge Validity and Reliability of Qualitative Research Within The Realism Paradigm. Qualitative Market Research – An International Journal, 3(3).

Hills, J. (2007), "Introduction and Key Findings" in Social Housing in Europe, edited by Christine Whitehead and Kathleen Scanlon. Published by LSE London.

Işık, O. (1996), “1980 Sonrası Türkiye’de Kent ve Kentleşme”, in Yüzyıl Biterken, Cumhuriyet Dönemi Türkiye Ansiklopedisi, 3. Cilt, pg. 702-801, İletişim, İstanbul.

Işık, O. & Pınarcıoğlu, M. (2001), Nöbetleşe Yoksulluk Sultanbeyli Örneği, 1st edition, İletişim Yayınları; İstanbul.

Jacobs, J. (1961), The Death and Life of Great American Cities. Random House Publications, New York

Keleş, R. (2010), Kentleşme Politikası. İmge Kitabevi, Ankara.

Keskinok, Ç. (2006), Kentleşme Siyasaları, Kaynak Yayınları

Marx, K. (1970), A Contribution to the Critique Of Political Economy. Translated from the German by S. W. Ryazanskaya. ed. by Maurice Dobb Moscow, Progress Publishers, 1970.

Marx, K. (1998), The German Ideology: Including Theses on Feuerbach and Introduction to the Critique of Political Economy / Karl Marx, with Friedrich Engels. Amherst, N.Y.: Prometheus Books

Okey, N. & Victor, U.O. (2011), “Thinking Through Housing Policy Reforms in Nigeria: Good Example or Dreadful Warning for Other Developing Countries?” in Housing Policy edited by Sophia M. Bossile, Nova Science Publisher, Inc. New York.

Önder, M. (2011), “Spatiality Of Gender Oppression: The Case Of Siteler, Altındağ” Unpublished Msc Thesis, METU, Ankara.

Pickvance, C. (1999), “Housing and Housing Policy” in Social Policy edited by John Baldock [et al.] Oxford; New York: Oxford University Press, 1999.

Roberts, P. and Sykes, H. (1999), Urban Regeneration: a Handbook, British Urban Regeneration Association.

Scanlon, K. & Whitehead, C. (2007) “Social Housing in Europe” in Social Housing in Europe, edited by Christine Whitehead and Kathleen Scanlon. Published by LSE London.

Smith, A (1776), An Inquiry into the Nature and Causes of the Wealth of Nations: New York: Modern Library Edition, 1937.

Şengül, H. T. (2009), Kentsel Çelişki ve Siyaset: Kapitalist Kentleşme Süreçlerinin Eleştirisi, 2nd Edition. İstanbul: Demokrasi Kitaplığı.

Şenyapılı, T. (2006), “Ankara Kenti İkili Yapısında Dönüşümler” in Cumhuriyet’in Ankara’sı METU Press, pg.216-245

Tekeli, İ. & Güvenç, M. (1987), “Ankara Nüfusundaki Gelişmeler ve Nüfus Artışının Bileşenleri”, pg.16-24 in “Ankara 1985’den 2015’e”,Ankara Büyükşehir Belediyesi.

Tekeli, İ. (1998), “Türkiye’de Cumhuriyet Dönemi’nde Kentsel Gelişme ve Kent Planlaması” in 75 Yılda Değişen Kent ve Mimarlık, edited by Yıldız Sey, Tarih Vakfı Yayınları, İstanbul

Tekeli, İ. (2009) İstanbul: Konut Sorununu Konut Sunum Biçimleriyle Düşünmek. Tarih Vakfı Yurt Yayınları, İstanbul.

TMMOB Mimarlar Odası İstanbul Büyükşehir Şubesi, 5998 Sayılı Kanun Hakkında Rapor, 2010

TOKİ Çalışmaları Üzerine Değerlendirmeler, (2009), TMMOB Mimarlar Odası, Ankara. (Tuna, B.; Duygulu, F.; Görgülü, Z.; Balamir, M.; Bektaş, C.; Tekeli, İ.; Türel, A.; Geray, C.; Keleş, R.; Yapıcı, M.; Önal, K.)

Tuçaltan, G. (2008), Dynamics of Urban Transformation via Improvement Plans For Ankara City, Unpublished MSc Thesis, METU.

Turan, M. (2009), Türkiye’de Kentsel Rant (Devlet Mülkiyetinden Özel Mülkiyete), Tan Kitabevi Yayınları, Ankara.

Türel, A. (1979), A Study of Housing and the Residential Location in Ankara, Unpublished Phd. Thesis, METU, Ankara

Türk, S.S. & Altes, W.K.K. (2010), The Planning System and Land Provision for Social Housing in Turkey.

Türel, A. (1986) “Ankara’da Konut Yapım Süreçleri”, pg.55-65 in “Ankara 1985’den 2015’e”, Ankara Büyükşehir Belediyesi.

Türel, A. (1998), “Organisation of Building and Marketing of Housing by House Builders in Turkey”, International Real Estate Conference June 10-13, 1998 Maastricht, The Netherlands

Uzun, N. (2006a), “Yeni Yasal Düzenlemeler ve Kentsel Dönüşüme Etkileri”, in Planlama, TMMOB Şehir Plancıları Odası Yayını, 2006/2 Sayı 36, pg. 49-52.

Uzun, N. (2006b), “Ankara’da Konut Alanlarının Dönüşümü: Kentsel Dönüşüm Projeleri”, in Cumhuriyet’in Ankara’sı METU Press, pg.185-198.

Whitehead, C. (2007), “Social Housing in England” in Social Housing in Europe, edited by Christine Whitehead and Kathleen Scanlon. Published by LSE London.

Yılmaz, M. (2011), “An Inquiry Into Different Urban Transformation Models in The Context Of Rent And Property Transfer: The Case Of Ankara Mamak District” Unpublished Msc Thesis, METU, Ankara.

e-References

“Afet Riski Altındaki Alanların Dönüştürülmesi Hakkında Kanun Tasarısı”, Retrieved Date 28 April, 2012 from, <http://www.basbakanlik.gov.tr/Handlers/FileHandler.ashx?FileId=12530>

“Afet Riski Altındaki Alanların Dönüştürülmesi Hakkında Kanun Tasarısı” Değerlendirme Raporu 14.03.2012, TMMOB Mimarlar Odası. Retrieved Date 27 April, 2012 from http://www.izmimod.org.tr/docs/Afet_Riski_Rapor.pdf

Altındağ Belediyesi, 2011 Yılı Faaliyet Raporu. Retrieved Date 25 April, 2012 from http://www.altindag.bel.tr/Dosyalar/faaliyet_2011.pdf

Altındağ Belediyesi, 2010 Yılı Performans Raporu. Retrieved Date 25 April, 2012 from http://www.altindag.bel.tr/Dosyalar/2011_performans.pdf

Altındağ Belediyesi, Haberler. Retrieved Date 27 April, 2012 from http://www.altindag.bel.tr/haber.asp?islem=1&haber_ID=2947
http://www.altindag.bel.tr/haber.asp?islem=1&haber_ID=2834
http://www.altindag.bel.tr/haber.asp?islem=1&haber_ID=2803
http://www.altindag.bel.tr/haber.asp?islem=1&haber_ID=371
http://www.altindag.bel.tr/haber.asp?islem=1&haber_ID=2834

Ankara Bölge Planı 2011-2013. Retrieved Date 01 May, 2012 from <http://www.ankaraka.org.tr/tr/document.asp?id=198>

Başkent Ankara'da Neler Değişecek?, Retrieved Date 21 April, 2012 from <http://www.sonsayfa.com/Haberler/Yerel-Haber/Ankara/Baskent-Ankarada-neler-degisecek-215946.html>

Belediye Kanununda Değişiklik Yapılmasına İlişkin Kanun, Retrieved Date 21 April, 2012 from, http://www.legalisplatform.net/hukuk_metinleri/5998%20Say%C4%B1%C4%B1%20Yasa.pdf

Brenner, N. & Theodore, N. (2002). Cities and the geographies of actually existing neoliberalism, Retrieved Date 05 August, 2012 from http://www.urbanecconomy.org/sites/default/files/Theodore_citiesandactuallyexistingneoliberalism.pdf

Engels, F. The Housing Question, Retrieved Date 05 August, 2012 from, http://www.marxists.org/archive/marx/works/download/Marx_The_Housing_Question.pdf

Erguden, S. Low-Cost Housing: Policies And Constraints in Developing Countries, Retrieved Date 14 August 2012 from, <http://www.fig.net/pub/proceedings/nairobi/erguden-CMTS1-1.pdf>

Great Municipality of Ankara Development and City Planning Department, (2006) 2023 Plan Report, Retrieved Date 05 May 2012 from, http://www.ankara.bel.tr/AbbSayfalari/ABB_Nazim_Plani/ABB_nazim_plani.aspx

Harvey, D. (2008), "The Right to the City" Retrieved Date 09 May, 2012 from <http://187.45.205.122/Portals/0/Docs/righttothecity.pdf>

Housing Development Administration of Turkey, Retrieved Date 09 February, 2012 from <http://www.toki.gov.tr/>
<http://www.toki.gov.tr/english/partnerships.asp>
<http://www.toki.gov.tr/docs/mevzuat/2985SAYILIKANUN.pdf>
<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>

Kazazoğlu, D. Aktaş - Attila Kentsel Dönüşüm Projesi. Retrieved Date 21 April, 2012 from <http://www.restoraturk.com/sehir-bolge-planlama/115-sehir-bolge-planlama-aktas-attila-kentsel-donusum-projesi.html>

Kentsel Dönüşüm TBMM’de, Retrieved Date 21 April, 2012 from <http://www.haberdesin.com/haber/ekonomi/kentsel-donusum-tbmmde>

Konyalioğlu, G. (2009),“Kamu Özel Sektör İşbirliği Modeli ve Kentsel Yenileme Uygulamaları” Retrieved Date 22 April, 2012 from <http://www.syrianpppconference.org/sp/GurolKonyalioglu.pdf>,

Propety Rights in Turkish Forests, Retrieved Date 26 April, 2012 from http://turkeyforest.com/files/forest_report_18.02.2011_with_font_14_&_navigation_-_property_rights_in_turkish_forests_-_final_version.pdf

Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, Following His Visit to Turkey on 28 June-3 July 2009, Retrieved Date 10 March, 2012 from <https://wcd.coe.int/ViewDoc.jsp?id=1511197#Top>

Swyngedouw, E. & Moulaert, F. and Rodriguez, A., 2002, Neo-liberal Urbanization in Europe, Retrieved Date 05 August, 2012 from <http://www.scholars-on-bilbao.info/fichas/antipodeARodriguez.pdf>

Şengül, T. (2010), “Hamamönü’ne Değil Arkasına Baksınlar”, Retrieved Date 13 May, 2012 from, <http://hurarsiv.hurriyet.com.tr/goster/printnews.aspx?DocID=13848508>

TMMOB The Chamber of City Planners,
Bütün Planlama Yetkileri Hükümetin Özel Kurumlarına, Retrieved Date 21 April, 2012 from http://www.spo.org.tr/genel/bizden_detay.php?kod=520&tipi=3&sube=0, Retrieved Date 21 April, 2012 from

TMMOB Şehir Plancıları Odası Haber Bülteni, Retrieved Date 21 April, 2012 from http://www.spo.org.tr/resimler/ekler/bf31c7ff062936a_ek.pdf

5393 Sayılı Belediye Kanununun 73. Maddesinde Değişiklik Yapılmasına Dair 5998 Sayılı Kanuna İlişkin Tupob Görüşü, Retrieved Date 21 April, 2012 from <http://www.spo.org.tr/tupob/detay.php?kod=2235&tipi=56&sube=0>

TMMOB The Chamber of Architecture,
TMMOB Mimarlar Odası 5998 Sayılı Kanun Hakkında Rapor, Retrieved Date 21 April, 2012 from, <http://www.fatihhaber.com/mimarlarodasiaciklama.htm>
Toplu Konut Kanunu, Retrieved Date 01 April, 2012 from <http://www.mevzuat.adalet.gov.tr/html/672.html>,
Yıpranan Tarihi Ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması Ve Yaşatılarak Kullanılması Hakkında Kanun, Retrieved Date 21 April, 2012 from, <http://www.tbmm.gov.tr/kanunlar/k5366.html>
<http://www.pcreview.co.uk>, Retrieved Date 05 May, 2012. Retrieved Date 26 July, 2012 from <http://www.mimarlikforumu.com/archive/index.php/t-23474.html>,

APPENDIX A

Semi-Structured Interview Questions While Using Field Research

1. Would you mind tell your personel story? (age, birthplace, job, current wage, marriage status, child(ren) etc.)
2. When did you settle in Altındağ? /When did you migrate to Altındağ?
3. Why did you choose Altındağ?
4. Did you build your own gecekondur or you buy it?
5. Does the plot belong to you? From whom you buy it? And how large is a plot's size?
6. While you were building your gecekondur, was there a development plan? Did you get permission from Municipality?
7. Are you pleased living in Altındağ? Why?
8. Are you pleased living in a gecekondur or do you prefer living in an apartment? Why?
9. Are you pleased living in a HDA social house or do you prefer your own gecekondur? Why?
10. How many people do live in your gecekondur and how many of them do work? How much money do they earn totally?
11. Does this gecekondur/HDA social house belong to you? If not, how much money do you pay for rent?
12. What do you think about Aktaş UTP?
13. Does something change after Aktaş UTP?
14. Did you live here before Aktaş UTP? If not, why do you prefer to buy a house from here and where did you live before?
15. Do you have any debit to HDA? If yes, how much money? Do you have any trouble about paying? In a month how much money do you pay to HDA?
16. Did you have any investment before UTP?
17. Are you pleased this UTP and the implementations of HDA? Why?
18. What does HDA offer you for your gecekondur? Could you tell your agreement to HDA?
19. Do you interview with any yap-satıcı? What does he offer?
20. Do you prefer yap-satıcı? Why? Could you compare yap-satıcı and HDA?
21. Where do you prefer to live in Ankara?
22. What will you do after UTP? Did you hire a house from HDA or go another place to live?
23. Do you have any problems about security?
24. What do you think about HDA social houses' residents?

25. What do you think about gecekondu's residents?

26. Do you have any problems about new life standards which are imposed after UTP?

APPENDIX B

Features of Interviewees

YS1: He is 42 years old. He works around Altındağ especially Hüseyin Gazi district. 10 years ago, he was a taxi driver and also he had a taxi stand in Ayrancı. He earned good money and one day he wanted to give up taxi driver and be a yap-satçı.

YS2: He is 40 years old. He is civil engineer. He works for a big construction company. Before 10 years ago, he worked individually in construction sector. However, he lost his savings and he had to work for a company.

K1: She is 35 years old. She is married with 3 children. Before UTP, she lived in gecekondu but no title deed. So she does not gain any right. Now she lives in HDA houses with rental fee.

K2: She is 60 years old. She is married with 6 children, 10 grand-children. She lives with her housband in a gecekondu of which size is 120 m². She is from Erzurum. When she was 15, she married and migrated to Ankara with her housband.

K3: She is 46 years old. She is married with 4 children. They live in gecekondu of which size is 150 m². Her housband is seller in a market.

K4: She is 52 years old. She has lived here for 34 years old. Her housband was died. She lives in gecekondu which is heritage from father in law. The size of gecekondu is 196 m².

K5: She is 23 years old. She is married with a child. She lived with her father-mother in law in a gecekondu which belongs to her father in law. Her housband works in Siteler.

K6: She is 35 years old. She is married with 3 children. Her housband works for bakehouse for minimum wage. She is from Kastamonu. They live in their own gecekondu of which size is 70 m².

K7: She is 54 years old. She is from Nevşehir. Her housband was died. She lived with her son in their own gecekondu of which land is 554 m² with title deed.

K8: She is 40 years old. She is from Yozgat. She lived in gecekondur houses with her husband who is handicapped. The size of their gecekondur is 90 m² with title deed.

K9: She is 63 years old. She lives alone in a gecekondur for rent. She receives a pension from her dying husband. She is from Kars. Her 3 children also live in Altındağ, another gecekondur settlement.

K10: She is 39 years old. She lives in rental gecekondur houses. She is married in uncle's son with 4 children. Her husband does not have regular work.

K11: She is 35 and married. She has 3 children. She is from Erzurum. Before HDA's social houses, she lived her own gecekondur. Her husband and father in law-brother in law had 3 gecekondur. They were given 2 houses but in return for debt. Their debt is approximately 15 thousand Turkish Liras. Her husband is unemployed.

K12: She is 49 years old. She is married with a child. She lives in HDA houses with 67 thousand TLs debt. Her husband is retired and her son has been unemployment for 4 years.

K13: She is 37 years old. She got divorced 8 years ago. She lives with her family in their gecekondur of which size is 130 m². She does not work. Their income is only her father's retired salary.

K14: She is 41 years old. She is married with 3 children. She lives in HDA as a tenant. Before UTP, they live in a gecekondur of which her husband's mother but they could not be given a house from HDA since they did not have a title deed. They paid them 7 thousands TLs for debris fee.

K15: She is married with 2 children. They had a gecekondur with no title deed. They were paid 10 thousands TLs for debris fee and they used that money for rental housing until HDA finished construction. Now she is debt which is 96 thousands TLs with its interest at the end of 15 years 136 thousands TLs will be paid.

K16: She is 36 years old. She is married with 2 children. They had a gecekondur with title deed but its size could not enough for taking a house without debt. They pay 500 TLs for housing credit. Her husband has no regular job.

K17: She is 15 years old. She is K11's daughter. She is high school student. After high school, she starts to work for helping her family paying their house's credit.

K18: She is 70 years old. She lives alone in a gecekondur of which size is 140m² with title deed. Her housband died. Her children live in Istanbul.

K19: She lives in their own gecekondur with her housband and his family. The size of gecekondur is 95m². She has 4 children. One of them works in Siteler others are students. Her housband is unemployment since he is sick. Her father in law is retired. She goes to Çankaya for house cleaning.

K20: She is 46 years old. She is divorced for benefiting from her dead father's retirement salary, but living with her ex housband. She has 26 thousand TLs debit for HDA. She has 3 children. Her housband is seller in a market.

K21: Her housband died 15 years ago. She is 65 years old. She lives with her son and his wife and 2 daughters and a son in a gecekondur which belongs to her but she has no title deed. Her son is unemployed. The retirement salary of her housband is given to her and also she goes to old person for take care of them for gaining money.

K22: She lived in a gecekondur in Akdere 2 years ago. She is married with 2 children. They have some money and they buy a house from HDA and, they have 30 thousand TLs debit. Totally they will pay 80 thousand TLs.

K23: She is 38 years old and from Kars. She is married with two children. They have been living in the area for 20 years. 2 years ago they were given a house from HDA for their gecekondur with no debt.

K24: She is 32 years old and from Kızılcahamam. She is married with 2 children. They have been living in the area for three years. After they married, they lived in Mamak for 10 years. Their gecekondur was rent and while UTP, they came to this area another gecekondur for rent.

E1: He is 29 years old. He got divorced. He lives with his family in gecekondur of which size is 110 m² title deeds. He is seller in a market. He is from Bayburt.

E2: He is married with 3 children. They live in a gecekondu of which size is 140 m². He has no regular job.

E3: He is 32 years old. He is married with 3 children. He doesn't have regular income. His father lives in Erzurum and he sends money. His gecekondu is his uncle in law and doesn't pay any rent.

E4: He is 32 and married. He has a market in Yenidoğan. He migrated from Bayburt. He lives in gecekondu settlement.

E5: His family migrated from Kars before he was born. He is unemployment. He is married and he has 2 children. They live in gecekondu which belongs his acquaintance and doesn't pay any rent.

E6: He migrated from Erzurum in 1966. He is tailor, his workplace is rental. Before he bought a house from HDA, he lived in gecekondu which was demolished in this Aktaş UTP for rent. He lives with his wife, son, daughter in law and grand-children.

E7: He is the son of K4. He lived with her mother in gecekondu. He has been unemployment for 5 years.

E8: He is married with 3 children. His father who is sick also lives with them. Before UTP, they lived in their own gecekondu of which size was 120 m². He is in 20 thousands TLs debt to HDA's houses. He works at Siteler in a furniture atelier.

E9: He is unemployed. He is married with 2 children. His wife's mother lives with them. She benefits from her dead husband's retirement salary. Before UTP they lived in their own gecekondu of which size was 190 m² so they could be homeowner.

E10: He got out of jail 2 years ago. He lived with his brother, his wife and son. They live in gecekondu for rent. He is from Ardahan. He is 37 years old. He has no regular job.

E11: He is married with 3 children. He is 45 years old and he is construction worker. He and his family live in HDA's houses. Before UTP, they lived in their own gecekondu of which

size was 200 m2. They were given a house on 3rd floor and 10 thousands TLs for plot since it was bigger than 170 m2.

E12: He is married with 2 children. They live in HDA's houses. Before UTP, they lived in gecekondü with rental fee. After UTP, his father who lives in Kars, sent him 40 thousands TLs and rest of house's cost approximately 50 thousands TLs is his debt. He works as a cook at Hacettepe Hospital.

E13: He had a gecekondü in Mamak before the UTP that implement in Mamak but he did not have a title deed. His gecekondü was demolished and they paid him 5 thousand TLs. He left there, moved here and, hired a HDA house. For 1 year he has lived here.

E14: He is married with 4 children. Before UTP, they lived in their own gecekondü of which size was 90 m2. He is in 30 thousands TLs debt to HDA's houses. He is waiter and his wife is dishwasher and they work in same restaurant.

E15: He got out of jail 1 year ago. He is unemployed. He is 26 years old. He lives with his family. His father is retired. Before UTP they lived in their own gecekondü and now they live in HDA's social houses. They have 35 thousands TLs debt to HDA.

E16: Workers of Altındağ Municipality. He lived in Abidinpaşa before this UTP. As the implementation of project, the workers of Altındağ Municipality were given priority for being owner of these houses. The closeness of Gültepe to Altındağ Municipality made more attractive the idea of being owner of housing this area. So, he buys a house from Gültepe HDA.

APPENDIX C

C.I. Legal Arrangements on Housing Development Administration

Law No. 2487 dated 1981 The Mass Housing Fund

"The State shall take measures to meet the needs of housing within the framework of a plan which takes into account the characteristics of cities and environmental conditions and shall support mass housing projects." The Constitution of the Republic of Turkey (1982) Article: 57.

From the view point of this article, *"In order to solve the housing problem and to increase housing production at national level, The Housing Development Administration Fund Law (No: 2487) was passed in 1981."* (HDA.gov.tr,2012)

In this law, the target group is defined by three criteria:

- the sources of funds are canalised to low and middle income groups who can open construction saving accounts in a bank to obtain housing. In other words, anyone who had the power to pay at least one-fourth of the price, has access to housing.
- family members who benefit from this fund do not have to have any other residence.
- fund use for low-cost construction and gross building area does not exceed 100 square metres (2487, Clause 2, Article 3 ve 5 of Law No. Housing Development Law implementation Directive, Clause 4, Article 9, 17 ve 18) (Konut'81, 1982).

With the help of this information, it can be suggested that the first criterion which is about payment makes these funds accessible not only to low-middle income groups but also to the middle-high income groups. In this way, low income groups could not benefit from Housing Development Administration Law. Thus, this law could not be a solution to the problem of gecekondü.

Three years later, in 1984, Housing Development Administration Law of 2487 was repealed without the construction of one single dwelling, and on March 17, the new Housing Development Administration Law 2985 came into force. For this thesis, Law 2985 and it's alterations are significant as it has been the law in force since that time.

Law No. 2985 dated 1984 Housing Development Administration

Mass Housing Law Number 2985 came into force on this date with the autonomous Housing Development Fund was created. Furthermore, in the same year, a new legal entity, Housing Development Administration (HDA) was also established as a state agency.

With the help of the new legal arrangement, not only the authority of Housing Development Administration is intended to increase but also the opportunity to act in an autonomous and flexible manner is provided. On the other hand, as an already established Fund outside the regular budget, HDA has the sufficient and continuous sources to aim at expanded practices in credit provision for housing and housing production.

To ensure that the system was completed, Public Participation Administration³² was established with Law Number 2983, in the same year.

Since 1993, the Housing Administration Fund resources were put under the general budget, so administration deviated from the aim of housing production and in recent years, administration was able to support the housing production dwindling numbers. Therefore, the housing needs of the low-middle income groups were not met.

Executive orders 412 and 414 dated 09.04.1990

With the approval of this legal arrangement the Housing and Public Partnership Directorate was separated as the Public Participation Administration and HDA.

Article 6 of Law No. 4568 dated 23.05.2000 Law on Amendment to Eliminate Funds³³

Article 5 of this law, the Fund of Gecekondu which was legislated by works of the Ministry of Public Works and Settlement is abolished. By Article of 6 “*all assets, cash facilities, income, rights and obligations, receivables and liabilities*” of the Fund of Gecekondu is delegated authority to HDA. (<http://www.mevzuat.adalet.gov.tr/html/1121.html>)

³² Tasarrufların Teşviki ve Kamu Yatırımlarının Hızlandırılması Hakkında Kanun

³³ Bazı Fonların Tasfiyesine İlişkin Kanun

Article 7 Law No. 4684 dated 20.06.2001

Housing Development Fund was completely abolished. The abolition of Housing Development Fund greatly reduced the resources and this made administration dependent on supplies which were transferred from the budget. Currently, HDA's income is composed of real estate sales and rental income, credit repatriation, interest income and budget allowances. After this period, housing production for low-middle income groups has decreased compared to the previous years because of limited resources (<http://www.HDA.gov.tr/html/tanitim/kanun.pdf>).

Article 5 of Law No. 4698 dated 28.06.2001 Law on Amendment to Building Land Office Law and Establishing Undersecretariat of Housing³⁴

Until 2001, HDA has been a public legal personality while according to Law Number 4698 it became a subsidiary of Undersecretariat of Housing (<http://www.tbmm.gov.tr/kanunlar/k4698.html>).

Transfer Protocol about Emlak Bank dated 14.12.2001

Because Emlak Bank³⁵ faced with duty losses, in 2001, it merged with Ziraat and Halk Bank. Its real estate's assets have been transferred to HDA by a protocol under the supervision of Banking Regulation and Supervision Agency (BDDK) on 14 December 2001.

18.03.2002, Directive Reference to Usage of HDA's Resources

Based on Mass Housing Law, according to the Articles 18-23 of this directive, HDA is authorised to take over mortgaged real estate loan and issuance of securities. In addition, if necessity arises, HDA could not provide specialised agency with service about these issues. (<http://www.toki.gov.tr/docs/mevzuat/kaynakyonetmeligi.pdf>)

³⁴ Arsa Üretimi ve Değerlendirilmesi Hakkında Kanun ve Konut Müsteşarlığının Kurulması

³⁵ Emlak Bank was established in 1926 as Emlak and Eytam Bank to provide housing need of low-middle income groups and also provide credits as a state economic enterprise. However, Bank could not be a sufficient provision housing need due to rapid urbanization and population growth. In 1946, to expand the duties and to increase the budget, it was transferred to the Emlak Credit Bank of Turkey in order to increase its effectiveness and meet the requirements.

Law No.4767 dated 27.06.2002 and Law No.4864 dated 29.05.2003 Law on Amendment to Some Laws³⁶

Provisional Article 3 of Law Number 4767, “HDA shall provide loans to the cooperatives of the victims of the earthquake which hit Afyon and its environs on 03.02.2002 who are owners of heavily damaged or destroyed houses in municipal areas as determined by the science delegations from the Ministry of Redevelopment and Reconstruction for the housing units to be built on their own lands or the nationalized lands.” (<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>).

Provisional article 9 of the Law No. 4864, “HDA shall supply credit for the cooperatives and houses to be built on own-possessed plots of land and plots of land to be acquired as a result of concentration by owners of seriously damaged and ruined houses as determined by the delegates of Ministry of Public Works and Housing, who are victims of the earthquake that took place around Afyon on 03.02.2002. Moreover, credit shall be supplied by the HDA to the house or workplace cooperatives 70% of which has been completed, which were ruined or severely damaged during the earthquake, in proportion to their damages, to the extent that maximum one house or workplace is given to each of their members. Ministry of Public Works and Housing Development Administration shall jointly determine the guidelines and procedures applicable to granting the credit in question, and these guidelines and procedures shall enter into force upon approval of the Prime Minister.” (<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>).

With the help of these two amendments, HDA not only provided loans but also supply credit to the victims of earthquake. Additionally, by this law the way of regularising credit facility of the victims of the earthquake houses is determined.

Law No.4864 dated 29.05.2003 Law on Amendment to Some Laws

Provisional Article 4 of the Law No. 4864, “rights and liabilities regarding the acts and procedures concerning the assets assigned to the Presidency of HDA by Turkish Bank of Real Properties while in the state of Dissolution shall be on the part of the Bank for the period prior to 14.12.2001 and on the part of the Presidency for the period after this date.” (<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>).

³⁶ Bazı Kanunlarda Değişiklik Yapılmasına İlişkin Kanun

Briefly, all the properties of the liquidated Turkish Bank of Real Properties are transferred to the control of HDA.

Law No. 4964 dated 30.07.2003 Law on Amendment to the Public Procurement Law

By this amendment, HDA is exempted from the Public Procurement Law³⁷. Furthermore, expropriation, plot supply and reconstruction procedures as well as lots of works HDA could do at a tender, required as a qualification condition of Public Procurement Law. As stated by Balaban (2009), with this legal arrangement, in order to accelerate and make easier the producing of mass housing, HDA has turned into an immunized legal arrangement.

Law No. 4966 dated 31.07.2003 Law on Amendment to Some Laws and to the Decree on the Duties and Organization of Ministry of Public Works and Settlement

Founded in 2001 Undersecretariat of Housing was repealed and so HDA became the only authority in housing sector. Moreover, HDA was authorized in new fields. These are;

“Granting individual and mass housing credits; granting credits for projects intended for improvement of rural architecture, transformation of gecekondü areas, preservation and restoration of historical and regional architecture; and making interest subsidies for credits.

Supplying plots of land for mass housing areas

Granting investment and operation credits for research, tourism infrastructure, housing infrastructure, schools, police stations, temples, health facilities, sports facilities, post offices, children’s parks and so on, and for promoting the housing sector.

Supporting by way of credits workplaces and small scale industrial undertakings of tradesmen and craftsmen with a view to creating jobs and employment opportunities.

Promoting and supporting housing activities in locations struck by disasters.”

(<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>)

Law No. 5006 dated 03.12.2003 Law on Amendments to Urban Development Law (No. 3194)³⁸

With the approval of this legal arrangement, Urban Development Law (No.3194) was changed. According to this change, Readjustment Share was raised from 35% to 40% to

³⁷ Kamu İhale Kanunu

³⁸ İmar Kanunu

provide plots for secondary and high schools under the control of Ministry of National Education.

Law No. 5104 dated 04.03.2004 Law on an Urban Regeneration Project Within Northern Periphery of Ankara

The main aim of the amendment is to determine the procedures and principles which are only applied to Urban Regeneration Project within the Northern Periphery of Ankara. Within the scope of these principles and procedures, it is intended to make HDA undertake all urban design projects, construction-infrastructure projects and related construction works of project with Ankara Great Municipality.

“Law No.5104 dated 04.03.2004, HDA and the Greatest Municipality of Ankara are authorized to improve the physical situation and environs of Northern Ankara Entrance, named as the "Protocol Road" and the surrounding areas, to beautify the areas and to provide a healthier settlement order. In the areas described by this Law, urban design, housing, social superstructure, environmental arrangements and the technical infrastructure projects and the constructions will be arranged both by the Municipality and HDA in coordination.”(toki.gov.tr.).

Law No.5162 dated 5.05.2004 Law on Amendment to Housing Development Administration Law (No. 2985)

Article 4; *“The Administration may develop projects for the transformation of gecekondu areas, and conduct construction and financing work with a view to renovating the gecekondu areas. To this end, the values of the immovable property owned by real persons and private corporate persons in the gecekondu areas and the immovable property of the beneficiaries under the Law on the Amendment of an Article of the Law on Reconstruction numbered 6785 and Certain Actions for the Building the project. The Administration is authorized to set forth the procedures and principles for such agreements. The prices of the housing units construction of which is realized by the Administration within the scope of the Gecekondu House Transformation Project may be set below the construction costs when necessary taking into consideration the existing economic situation in the provinces where Violating the Legislation on Reconstruction and Gecekondu Houses dated 24.02.1984 and numbered 2981 shall be assessed by the Administration and the Administration may conclude*

agreements with such people within the framework of such projects are implemented, natural disasters, applicable house prices and the income levels of the people living in the gecekondü areas, and shall be publicly announced. The Minister to whom the Administration is subordinated is authorized to determine, upon recommendation by the Head of the Mass Housing Administration, the house prices, the payment terms and conditions under this Article.”

(<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>)

The main purpose of this amendment is to increase the authority of HDA and make HDA activity a lot easier than before. By this amendment on Article 4, HDA is authorized to develop projects for the transformation of gecekondü areas. Continuing of the same article, HDA within the scope of its duties, is authorized to expropriate lands and plots, and all structures on them belonging to real persons and private corporate persons. What is more, if it is necessary, HDA will associate finance institutions. This makes HDA lose its situation of being a public institution and also HDA is transformed into acting as a company. Thus, HDA has the authority of making applications in construction and financing arrangements related to transformation and finance.

The significant thing in this law is the following sentence: *“the Administration may conclude agreements with such people within the framework of such projects are implemented, natural disasters, applicable house prices and the income levels of the people living in the gecekondü areas, and shall be publicly announced. The Minister to whom the Administration is subordinated is authorized to determine, upon recommendation by the Head of the Mass Housing Administration, the house prices, the payment terms and conditions under this Article.”*

(<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>)

The existence of this sentence could not be seen only on papers. Income levels of people living in the gecekondü areas will never be taken into account in practice.³⁹

³⁹ In the case study this fact could be seen obviously in Aktaş Neighbourhood Urban Transformation Project. In chapter V, this sentence will be analyzed in depth.

Law No. 5229 dated 16.07.2004 and Law No. 5234 dated 17.06.2004 Law on Amendment to Some Laws and Some Decree Laws

As a result of the natural disasters like earthquake and floods in 2003-2004-2005 in several provinces a huge number of houses and working places were severely damaged. With the Provisional article 6 of Law No. 5229 and Law No. 5234, ensuring that any housing, working place etc. of the owners of seriously damaged and ruined houses are constructed by HDA or the Ministry of Public Works and Settlement.

Law No.5273 dated 15.12.2004 Law on Amendment to Land Office Law (No. 1164) and to Housing Development Administration Law (No. 2985) and on the Abolishment of General Directorate of Land Office

Provisional Article 5; *“The regulations which shall be issued by the Mass Housing Administration based on this Law and upon recommendation by the Ministry of Finance concerning the implementation of the Law numbered 1164 shall be entered into force within one year since the promulgation of this Law. Until these regulations enter into force, the existing regulations issued under the Law numbered 1164 shall be applied.”*

Provisional Article 6; *“The lands and fields requested by the Treasury for public service purposes from the lands and fields which have been transferred by the Treasury to the General Directorate of Land Office under Article 7 of the Law numbered 1164 shall be returned to the Treasury free of charge.”*

Supplementary Article 9; *“The construction permits shall be issued based on the preliminary designs to the building to be constructed by the Mass Housing Administration within fifteen days following the application without requiring additional documents provided that such buildings are allocated to the intended use in reconstruction plans, they are not in violation with the application reconstruction plan and legislation, and the Administration assumes architectural, static, installation and all kind of scientific responsibility and documents the ownership.”* (<http://www.toki.gov.tr/english/MASSHOUSINGLAW.PDF>)

With these legal arrangements, General Directorate of Land Office and its affiliates constructed in 1969 were abolished. The large part of the assets, real property, rights and obligations are transferred to HDA. By legal arrangements on Law numbered 1164, the name

of General Directorate of Land Office was changed as Law on land development and evaluation. Through this change, defined duties are transferred to HDA. Ironically, the main philosophy of General Directorate of Land Office is to stock plot for increasing public assets. However, as indicated by Keleş (2009), in contrast to that philosophy HDA gains an identity which leads the privatizations of public assets.

Article 73 of Law No.5393 dated 3.03.2005 Municipality Law

According to this law, Municipalities are authorized in urban transformation projects. However, before this legal arrangement (5393), the legal applications of urban transformation projects were based on Law no. 2981⁴⁰ and Law no. 775. Moreover, Law no. 5393 does not abate these two laws. Therefore, the acquired right of Municipalities about urban transformation projects both by the laws 2981 and 775, is not eliminated. On the other hand, all the authorities that are based on Law no. 775, of the Ministry of Redevelopment and Reconstruction are transferred to HDA. This means that HDA has authority over urban transformation projects except the area that is transformed according to Law no.2981. Furthermore, due to Article 69 of Law no. 5393, HDA could not collaborate with Municipalities on urban transformation projects.

In the same law, article 73; by the decision of council municipality, Municipality could not

- Apply housing projects, industry and trade areas, technology parks, recreational facilities,
- Declare urban transformation projects for physical renewal, reconstruction or restore the old parts of cities and also for taking measures against earthquake risk.

This article is ambivalent with the following aspects;

- What “earthquake risk” means is not clear. It cannot be argued that almost the whole of the country is under the threat of earthquakes. Therefore, not everywhere could be announced as urban transformation area. This leads to arbitrary treatments independent from the law.
- There is an assumption that the only solution of “earthquake risk” is urban transformation project but there are lots of solutions which do not consist of demolition, like enhancing the conditions of gecekondü.

⁴⁰ Gecekondü areas are transformed into regular settlements by Law No. 2981, which was introduced in 1984. As Işık stressed, this law legalized the illegal buildings and allowed them to redevelop.

- The fact that the main aim of this legal arrangement is to legitimize urban transformation projects or create livable cities is also ambivalent.

Law No. 5481 dated 05.04.2006 Law on Amendment to the Law on an Urban Regeneration Project within Northern Periphery of Ankara (No. 5104)⁴¹

Before explaining Law No. 5481, the location-specific urban regeneration law, 5104 which was approved on 04.03.2004⁴² must be given. By this law, the rules and principles of urban regeneration project within a particular part of Ankara are defined. Northern periphery of Ankara (Esenboğa Airport Road) is announced as urban transformation area which is a prestigious residential area with hotels and recreational facilities. Legislating a specific law for a specific project is worth mentioning. This legal arrangement paves the way for fragmented approaches in urban projects which has negative effects in terms of urban planning and development (Uzun, 2006a).

Law No. 5481 can be explained in accordance with this information. Greater Municipality of Ankara was authorised to prepare master plans which had to be approved by the Ministry of Public Works and Settlement. However, with the approval of Law Number 5481, this authority is transferred to Greater Municipality of Ankara. Consequently, Greater Municipality of Ankara transformed this area via HDA.

This project area was defined as a prestige project which covered two tunnels and a viaduct to be displayed to foreigners while they are on their way to the city centre. Actually, these tunnels and the viaduct had to be passed as soon as they were out of the prestige project since nobody needed to see them in this situation (Türel, 2009)

Law No.5582 dated 21.02.2007 Law on Amendment to Several Laws Concerning The Mortgage System

With the approval of Law No. 5582, the legal and institutional basis of a mortgage system was created and as stressed by Yapıcı (2009), HDA became a financial instrument that mobilised finance sector in the process of turning real estate into portable property. Finally,

⁴¹ Kuzey Ankara Girişi Kentsel Dönüşüm Projesi Hakkında Kanun

⁴² Although this issue was stressed in the topic of “Law No. 5104 dated 04.03.2004 Law on an Urban Regeneration Project within Northern Periphery of Ankara”, noted something could be useful.

HDA is being the oppression instrument of global economy on local economy since mortgage enables the availability of foreign capital.

On the other hand, real estate turns into portable property to guarantee the repayment of loans which are foreign-based. Since urban land is opened to construction by HDA and the effects of capitalist transactions increase, by modifications in housing finance system, global capital is being a significant actor in housing and land policy using financial institutions (Turan, 2009, pg.283.).

Law No.5366 dated 16.06.2005 Law on Conservation by Renewing and Utilization by Rehabilitation of Decayed Historical and Cultural Heritage⁴³

The purpose and the scope of Article 1 of Law No. 5366 are to determine protection areas and conservation zones reconstructed or restored in accordance with the development of the region. These areas will be announced as “renewal areas”, if there are any regeneration processes.

Although the criteria of determining a renewal area are not so clear, in Article 2 the procedure is given as follows: renewal areas are determined by the decision of the absolute majority of the county council in special provincial administrations, and by the municipal council in municipalities (<http://www.tbmm.gov.tr/kanunlar/k5366.html>).

Furthermore, according to the same article, all properties of the renewal area disregarding the development rights and conditions which are provided for them, would be amenable to future renewal projects.

The authority of this project is given to municipalities or provincial local administrations by the Article 3. In the case of necessity, Municipalities get HDA or other public institutions to implement renewal projects. Moreover, there cannot be a partnership between municipalities and HDA.

This law is criticised a lot because of the following reasons:

- There are not any mechanisms that restricted local governments’ authority.
- Urban renewal and regeneration are reduced to project processes. As if these processes covered up only buildings, social and economic aspects are ignored.

⁴³ Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkında Kanunun Uygulama Yönetmeliği

Integration could not be provided with other laws. Thus, far from finding fragmented solutions under the pressure of rent, it created new problem areas (CCP, 2005, 16).

- An area is announced as “renewal area”, whether it has the status of archeological site or not.
- The operation of “the board of renewal area” was not so clear. Although it was established within the Ministry of Culture and Tourism and the method of appointment members are the same as Cultural and Natural Heritage Preservation Board, it seemed to be established within municipalities. In 2009, to resolve the confusion, a new legal arrangement (Law No. 5835, Law on Amendment to Code of Protection of Cultural and Natural Properties) was approved and all boards have become subject to the same regulations and principles as Cultural and Natural Heritage Preservation Board (Dinçer, 2010).
- The significant criticism is about social and economic aspects of local people. Related to this project lots of people faced with housing problem. The right to adequate housing which is defined in Article:57 of the Constitution of the Republic of Turkey (1982), could not be provided. The most crucial question is whether the surplus value created after the transformation will be calculated in a fair way or not. In addition, if the stakeholders do not have an agreement, local governments will expropriate on these real estates. This leads to another problem in terms of the tenants living in the city center in a very low rent (Dinçer, 2010).

After this legal arrangement, Law No. 5366, within the historical parts of cities, has been the basis of regeneration and renewal projects. Day by day, the examples of the implementation of this law increase. Tarlabası and Sulukule can be given among the examples. In the report prepared for the Council of Europe in 2009, Hammarberg stressed about Sulukule Urban Transformation Project that;

“One of the issues that the Commissioner has been following with particular interest and concern is the effect of the application of the 2005 urban renovation legislation (Law 5366 for ‘the sustainable use of downgraded historical real estate through protection by renewal’) notably on the Roma people’s right to adequate housing in a number of areas in the country and on their cultural heritage, especially in Istanbul.

Reports by Roma expert organizations have noted that the urban transformation plans enacted under the above Law have ‘resulted in massive destruction and dislocation of Romani neighbourhoods throughout Turkey’. Serious concerns about the implementation of Law 5366 in Istanbul’s historic area (that includes the historic Roma neighbourhood of

Sulukule which reportedly used to be inhabited by approximately 3 000 Roma) have been expressed also by the UNESCO World Heritage Committee. In 2008 it noted that areas that Law 5366 removed from those designated by the Council of Ministers as protected, and were thus excluded from the conventional planning system, 'lie in the Historic Peninsula [of Istanbul] and proposals appear to prioritise land development over conservation'.

To this end, an urgent review of Law 5366 and of its implementation by the local authorities appears to be necessary so that emphasis is put on historic areas' conservation and not on land development. Turkey should give effect to the 2008 recommendations of the UNESCO World Heritage Committee and is invited to ratify promptly and abide fully by the 2005 Council of Europe Framework Convention on the Value of Cultural Heritage for Society" (Hammarberg, 2009).

In different cities a lot of renewal areas were announced. Some of them are: "Bulgurpalas" Renewal Area, "Neslişah ve Hatice Sultan Mahalleleri" Renewal Project, "Balat Karabaş-Tahta Minare Mahalleleri" Renewal Area, "Köyiçi" Renewal Area, "Suleymaniye" Renewal Project, "Nisanca- Sultanahmet" Renewal Area, "Sur Tecrit Bandı" Renewal Area. In Karaman; "Aktekke Cami ve Muze Çevresi", "Merkez Kale Cevresi", "Merkez Topucak Mahallesi". In Samsun; "Buyuksehir Belediyesi". In Çanakkale "Fevzipasa Mahallesi" in Istanbul (Dinçer, 2010).

This legal arrangement is particularly important for this thesis, since Aktaş Neighbourhood UTP is very close to Ulus, which is announced as a "renewal area" under Law No. 5366, and named as "Historical Center of Ankara Renewal Area". This project area covers an area of 2.1 million square meters in and around Ulus. After the renewal project, a high rental urban space will be created in Ulus. Thus, the gecekondu settlements around Ulus will increase in value. For this reason, UTPs have occurred in these areas to demolish gecekondu settlements.

Law No.5492 dated 27.04.2006 Additional Paragraph on Law No. 2985 Mass Housing Law

With the approval of this legal arrangement, after HDA application for residential usage licence of all kinds of constructions belonging to HDA is temporarily accepted without the requirement of any other document, it has to be given in fifteen days (<http://www.mevzuat.adalet.gov.tr/html/672.html>).

HDA has the privilege of taking residential usage licence without obeying the rules defined in the Constitution of the Republic of Turkey along with this arrangement.

Law No.5609 dated 22.03.2007 Law on Amendment to the Gecekondu Act (No. 775)

With the approval of this legal arrangement, some articles of Gecekondu Act were changed and some new ones were inserted. The most significant change is that the authorities and responsibilities as well as public properties were transferred to Housing Development Administration from the Ministry of Public Works and Settlement. Moreover, Housing Development Administration is in charge of the issues of illegal housing as well.

Law No. 5793 dated 24.07.2008, Law on Amendment to Public Finance Management and Control Law and Some Laws and Some Decree Laws

Administration is in charge of the issues concerning all development plans regardless of type or scale. These plans, which have to be approved within three months by council of municipalities or office of the governor, are now approved by the Administration as ex-officio, in the scope of Gecekondu Housing Project Areas or Mass Housing Project. (<http://www.resmigazete.gov.tr/eskiler/2008/08/20080806-2.htm>)

With the approval of this law, the last control mechanism has been eliminated. All Treasury Land has become a planning area for HDA. In addition, HDA has the privilege of planning everywhere (Şengül, 2008)⁴⁴.

Law No.5998 dated 24.06.2010 Law on Amendment to the Article 73 of Law No. 5396, Municipality Law

- Article 73 was changed and this statement was added;

Whether the areas announced as urban transformation and development areas have development plan or not.

According to TUPOB (The Association of Planning Schools of Turkey, 2010), the definition of transformation and development areas are not stated so clearly. These cause all parts of the city to be thought as urban transformation area. This approach excluded not only the

⁴⁴“Bütün Planlama Yetkileri Hükümetin Özel Kurumlarına”, Yayına Giriş Tarihi: 09.07.2008 TMMOB Şehir Plancıları Odası Yönetim Kurulu Basın Açıklaması.

planning process but also the notion of planning. Under such circumstances, if required, agricultural area could be announced as transformation or development area as well.

- The same article continues as follows;

In greater municipality and in adjacent area, the authority of announcing urban transformation area and development area is given to greater municipality. Moreover, if the council of greater municipality approves, district/county municipality will implement urban transformation and development projects.

As stressed in TUPOB (2010), greater municipalities could announce any area within the borders of district/county municipality. This attitude conflicts with localization and democratisation and also collaborative planning principles.

- Another significant phrase is;

Compromise is constituting the basis of demolition, expropriation and evacuation of structures which are in the urban transformation and development area...if there is a disagreement, the thing to do is expropriation.

As stated by the Chamber of Architecture (2010), this law contains provisions that not only restrict but eliminate the “Right of Possession,” which is embodied by the Article 35 of Constitution of the Republic of Turkey, as well.

- Another controversial issue is;

Except education-health service areas, real estates in urban transformation or development area belonging to any state institutions and organizations, are alienated municipalities.

For the Chamber of Architecture (2010), this statement is incompatible with the establishment laws of the state institutions and organisations.

- The Provisional Article 1 created a new critical statement;

The case which is already filed and the final decision of which is not resolved yet before this law is put into force, the provisions of this Act are applied.

As emphasised by the Chamber of Architecture (2010), this provision is in contrast with the principles of the state of law.

Up to the present, there are lots of suing cases over the implementations of urban transformation projects and the reasons of these cases are very significant. With the approval of this legal arrangement, illegitimate implementations are legitimized.

- Another doubtful issue is;

Whether the authority of determining the building the density and the height of urban transformation area are given to the council of municipality or not.

To TUPOB (2010), even though the density and height of this area are already determined by effect plans, new arrangements on this make people think that there is an underlying attempt to get rent. The thing to be done is trying to develop previous decisions.

Law No. 6306 dated 16.05.2012, the Transformation of Area Being under the Risk of Disaster⁴⁵

After Van Erciş Earthquake on 23.10.2011, a new legal arrangement was under discussion for a while. According to this arrangement, HDA is authorised to announce any area as an urban transformation area with damaged structures that are in need of being demolished or rehabilitated. About this legal arrangement, a detail is so remarkable, even if the owners of the structure do not want it to be demolished, it will be demolished in necessity situations. The significance of this law will be shown in the light of Execute Order 648 and 2B Law:

According to this law;

- The duties belonging to local authority is transferred to central state, which means either the Ministry of Environment and Urban Planning or HDA will be authorized using Execute Order 648. On the other hand, this arrangement conflicts with the democratisation process. Moreover, trying to pave the way for the management of urban land rent is an unacceptable approach. Following the enactment of the law, the process of announcing any area as an urban transformation area is conditioned at the “request of the municipality, proposal of the Ministry of Environment and Urban Planning and the approval of the Council of Minister” (CCP, 2012).
- According to the Chamber of City Planners, this draft law clearly conflicts with the Forest Law about 2B Area. According to the Clause 2-B of Forest Law 6831⁴⁶,

⁴⁵ Afet Riski Altındaki Alanların Dönüştürülmesi Hakkında Kanun

⁴⁶ Although this issue isn't so significant with regards to the aim of this thesis, the connection between the lately legal arrangement is mentioned roughly.

The amendment (3302/1 of 5.6.1986) makes specific provision for the return of certain Legal Forest lands to their previous owners, in particular:

“Fields, vineyards, gardens, orchards, olive groves, hazelnut tree groves, nut tree groves (pistacio, pine nut) and similar agricultural areas or grazing land, winter sheltering areas, and summer mountain pastures which technically and specifically ceased to be forest before 37 december 1981 and whose use for agricultural or stock-breeding purposes has been found advantageous, and built-up areas in the vicinity of cities, towns or villages.”(Property Rights in Turkish Forests)

With the approval of 2B, a great number of lands are removed from forest boundaries and these lands would be private property. However, during the last decades, people, especially urban poors, paid for these 2B lands and they built their house themselves. As stated by Yönder (cited in Davis, 2006); *“In some countries the commercialization of peripheral gecekondu development has existed for decades. By the mid-1960s, explains urban planner Ayşe Yönder, “squatting in the traditional sense of the term had disappeared in Istanbul. Settlers had to pay local strong men for the right to occupy even public land. In the mid -1970s, entrepreneurs with underground connections started controlling public lands in certain districts of Istanbul, selling land and monopolizing all construction activity.”*

By 2B, these lands will be sold again by the state. People whose houses are on these lands will be incurred a debt. Moreover, purchased lands which ceased to be forests are under the risk of disaster, so according to the Law about the Transformation of Area under the Risk of Disaster, these buildings have to be demolished. It means, urban poors will be incurred a debt twice and their poverty will be greater. On the other hand, in the other case, the 2B lands are legalized though they are under the risk of disaster.

- The Clause 3 of Article 3, Treasury lands which are under the risk of disaster and reserve building land (new residential area) including even the lands subjected to the Law of Military Forbidden Zones and Security Zones Law are allocated to the Ministry or at Ministry request could not be transferred to HDA and Administration. (<http://www.basbakanlik.gov.tr/Handlers/FileHandler.ashx?FileId=12530>).

Public properties which should be used for social and technical infrastructure in urban areas will be decreased and pillaged. Public impoverishment gains a new meaning (CCP,2012).

According to the Clause 6 of the same article, if the qualification of pasture area is under the risk of disaster, this area will be registered as the property of Treasury and Ministry will enforce the law.

(<http://www.basbakanlik.gov.tr/Handlers/FileHandler.ashx?FileId=12530>).

This makes it easier to pillage the pasture areas. And these areas are opened to development (CCP, 2012).

- According to this draft law, these structures are not only determined as risk structures but also all the structures on risk area are not provided with public services. Moreover, due to the compulsory liquidation of the structures, they must be abandoned in a short time (CCP,2012).
- Property rights are being violated and the right to adequate housing is ignored (MO).
- On the lands which are under the risk of disaster and reserve building land (new residential area), the Ministry is authorized to determine the “special standards” and in necessary situations prepare and approve new urban design projects which include these special standards.

(<http://www.basbakanlik.gov.tr/Handlers/FileHandler.ashx?FileId=12530>).

With the authority of Ministry, determining the “special standards” causes the reduction of social and technical infrastructure standards and this arrangement prevents renewal areas from being livable residential areas.

- With the arrangement on the Clause 2 of the Article 9 all legislation concerning the protection of natural and cultural environment is ignored. Coasts, agricultural land, olive groves, pasture, forests, natural, urban and archaeological sites are sacrificed and the Ministry is given the opportunity to dispose of them however it wants.

To the minister of the Ministry of Environment and Urban Planning Bayraktar (2012), however, with the approval of this legal arrangement, risk areas will be demolished and the economy will be enlivened.

C.II. Some Key Milestones in English Social Housing

“1975 Housing Rents and Subsidies Act this completely restructured the financing and rent regimes for both local authorities and housing associations. It was intended to support a large scale building programme but inflation and economic depression meant that instead investment was heavily constrained and rents were controlled to the point where it was difficult to maintain property in the local authority sector.

1977 Housing Homeless Persons Act (with many later amendments). This required local authorities to house all those defined as homeless in their area. The definition included all family and couple households as well as vulnerable single people.

1980 Housing Act This introduced the Right to Buy by which local authorities were required to sell to sitting tenants at a discount.

1988 Housing Act This introduced a mixed funding regime for Housing Associations by which associations received capital grants for new investment but funded the rest of the capital costs by borrowing from the private sector. They were also given the power to set their own rents.

1989 Local Government and Housing Act This constrained local authorities by ringfencing the Housing Revenue Account and reinforcing central government control over rents. It also provided the framework for large scale voluntary transfers of local authority property to housing associations.

2000 Quality and Choice: a Decent Home for All This green paper set in place much of the framework for rent restructuring to make rents consistent across the social sector as well as the Decent Homes programme by which funding has been provided to bring rented housing up to acceptable modern standards.”(Whitehead, 2007;68).

C.III. Five Key Milestones in Dutch Social Housing

“1974 Introduction of housing allowance. This was intended to enable more marketoriented rents while safeguarding affordability for those on lower incomes. It marked the start of a shift from bricks-and-mortar subsidies to means-tested allowances. Not until the 1990s were bricks-and-mortar subsidies abandoned completely.

1989 The white paper on housing ('nota Heerma'). This white paper introduced a new approach to social housing and the role of government. It proposed the retreat of central government and the delegation of power to local government, housing associations and other actors -- an important step towards the independence of housing associations. Government subsidies for urban renewal would henceforth be targeted at a limited amount of old pre-war housing stock which had been neglected in the post-war decades. Maintenance of all other dwellings would be entirely the responsibility of the owner (the housing association, in the case of social housing). The issue of skewness (higher income groups living in social rented dwellings) was first identified as a problem in this white paper. This was an important step in targeting the social rented sector for lower income groups. Moreover, this white paper introduced the sale of social rented dwellings as a normal activity of housing associations. Finally, the white paper recommended the transfer of municipal housing to housing associations. Since the 1990s almost all social housing in the Netherlands has been owned by private housing associations. 1995 The grossing and balancing operation ('brutering'). This major event made housing associations financially independent from central government. Future subsidies and outstanding debts were allowed to cancel each other out.

1997 The white paper on urban renewal from the beginning of urban renewal work and throughout the 1970s, central government took the lead. In 1989, the role of central government was limited to renewal of old stock, but in 1997 a new policy was introduced for the transformation of less popular areas, which were dominated by social housing from the 1950s and 1960s. Larger municipalities got funds, but the main implementation of housing-related work was to be done by the housing associations.

2005-present:

Criticism of the performance of housing associations by those who thought they had too much money and were not using it wisely. Led to political discussion and many reports on

the position and future of housing associations in the Netherlands; the government is now threatening housing associations with taking away part of their money. The housing associations have countered by offering to increase their investment in urban renewal, and drop rents for lower income groups. The liberalisation of rents and the creation of a level playing field with commercial providers are also important issues in this ongoing discussion.”(Elsinga & Wassenberg, 2007; 146).

APPENDIX D
Tez Fotokopi İzin Formu

ENSTİTÜ

Fen Bilimleri Enstitüsü

☐

Sosyal Bilimler Enstitüsü

X

Uygulamalı Matematik Enstitüsü

☐

Enformatik Enstitüsü

☐

Deniz Bilimleri Enstitüsü

☐

YAZARIN

Soyadı: DANIŞAN

Adı : Esengül

Bölümü: Kentsel Politika Planlaması ve Yerel Yönetimler Anabilim Dalı

TEZİN ADI (İngilizce): Violation of Housing Rights via State as a Case Aktaş
Neighbourhood, Altındağ

TEZİN TÜRÜ: Yüksek Lisans

X

Doktora

☐

1. Tezimin tamamı dünya çapında erişime açılsın ve kaynak gösterilmek şartıyla tezimin bir kısmı veya tamamının fotokopisi alınsın. ☐
2. Tezimin tamamı yalnızca Orta Doğu Teknik Üniversitesi kullanıcılarının erişimine açılsın. (Bu seçenekle tezinizin fotokopisi ya da elektronik kopyası Kütüphane aracılığı ile ODTÜ dışına dağıtılmayacaktır.) ☐
3. Tezim bir (1) yıl süreyle erişime kapalı olsun. (Bu seçenekle tezinizin fotokopisi ya da elektronik kopyası Kütüphane aracılığı ile ODTÜ dışına dağıtılmayacaktır.) X

Yazarın imzası

Tarih