

CHAPTER 5

LOCATION OF LOCAL GOVERNMENTS IN THE GOVERNMENT SYSTEM OF THE REPUBLIC OF TURKEY: US AND FRANCE CASE STUDY

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INTRODUCTION

Government systems are the set of rules and institutions within the state that regulate and regulate forces (Hekimoğlu, 2009; 5). The basis of the government system is the theory of separation of powers. In the historical process, the separation of powers extends from Aristotle's work to Polybius' idea of a mixed constitution. This theory was the major starting point of the American and French Revolutions. In liberal democratic systems (Şenel, 2011; 194), this concept becomes a written system with the US Constitution for the first time (Çam, 2005: 378). In liberal democratic systems aiming to limit, control and rein in the power of the power owner and the separation of powers (Şenel, 2011; 194), this concept has become a written system with the US Constitution for the first time (Çam, 2005; 378).

Conceptually, there should be three elements according to the presidential system Giovanni Sartori (1997; cited from 199-206. Miş, Aslan, Ayyavaz and Duran 2015; 24). The first of these; the president should be elected by the public directly or in similar ways, the latter should not be appointed or dropped by the legislature by voting, and finally, there should be no dual authority at the head of the executive, and the authority should flow down from the president. In other words, the presidential system is based on the separation of hard forces. Legislation, executive and judiciary are expressed as the absence of organic ties (Türköne, 2012; 141).

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the deterioration of the balance of the heads of state. This change also changes the country's system of government. The Republic of Turkey is an example of this. In April 2017, the Republic of Turkey passed a constitutional amendment referendum to change the government. With the transition to the presidential system of government, many changes have occurred in the administrative structure.

The change of the administrative structure has created a distinctive presidential system of government in Turkey, which is characteristic of the presidential system by affecting the government system. The unitary state structure and the presidential system of government, which has merged under one roof execution in Turkey, did not go to any changes in local government. While the position of local governments differs from the US case in the presidential system, in terms of applicability, the semi-presidential system is similar to the French case.

As a result, when the local government's position in the presidential system of government is considered in terms of relevance, it will be an important change to create a change in the governor's position in establishing a strong local government unit. The governor's position in the provinces governed by the elected body by the people will gain importance and will be the head of strong local government in the system in which the presidential system of government is considered as the strong executive. As the system is new, changes will strengthen the position of the province. In the 9th Development Plan, according to Law no. 5216, equipping with powers at the level of "governor" of the metropolitan mayor supports this assumption (DPT, 2006; 20-21).

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