

POLITICAL ECONOMY OF RENEWAL OF HERITAGE PLACES IN TURKEY

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Received: 02.12.2016; Final Text: 16.02.2018

Keywords: Urban renewal; renewal law; regeneration and transformation of heritage places in Turkey; political economy; economic, cultural and social values.

1. Unless differently stated in this paper we refer to tangible built heritage.

2. For instance, the Union of Historical Towns (Tarihi Kentler Birliği) is an important agency in Turkey for encouraging the protection of the natural, cultural and historical heritage of cities, especially smaller ones. For detailed information, please see: <http://www.tarihi kentler birligi.org>

INTRODUCTION

Heritage conservation has been the focus of heritage policies, as it is the main instrument to guarantee future generation to benefit from it (1). In several countries decisions about conservation and its implementation take place in the public domain, either because governments directly "own" cultural heritage sites, or because they set the rules to guarantee conservation. Particular attention has been given to laws and regulations as the main tools used by public decision makers to guarantee heritage protection and conservation, even when these activities take place under the initiative of the private sector. Laws are issued to avoid those activities that could harm heritage guaranteeing its conservation, sometimes limiting the scope of action of private individuals or companies and public institutions who own cultural heritage, or to reduce the risk that the construction of new buildings would wipe out the old ones.

However, in recent years, next to the "normal" decay connected to the passing by of time, cultural heritage is at risk because of the need to get space for new constructions, especially in metropolitan cities. In smaller cities, cultural heritage is also at risk since heritage is "used" not only for accommodating new buildings satisfying "new" needs, but also for place marketing strategies in order to get economic benefits mostly through cultural tourism (2).

This has raised a growing interest in heritage, not only from the conservation but also from the economic point of view, due to the different values heritage holds, including a real estate value. In fact, as priceless urban land in city centers, heritage might be the focus of projects and interventions that can lead to its destruction. Laws and rules can still protect heritage preventing those interventions that may harm its conservation. However, in Turkey several amendments in rules for conservation of heritage, and new policy instruments have been introduced

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to accommodate economic interests of different actors bypassing some of the existing “legal obstacles”.

The construction industry and the real estate sector have always been used to boost economic growth in cities, described as “arenas of capital accumulation” by Lefebvre (1991). As Pendlebury et al. (2004) underline heritage places became an integral part of consumer society (Hewison, 1987), and are considered “stage-sets within which consumption can take place” (Urry, 1995, 21). Similarly, heritage places, especially those in valuable city centers, have also caught the attention of local authorities, investors and developers as areas that can create potential economic benefits through exploitation of their real estate values. Hence, heritage places turned into “opportunity spaces” in which the broader strategy of physical regeneration might take place (Pendlebury et al., 2004).

Yet, renewal of heritage places cannot be set apart from political and economic dynamics and circumstances. The political economy framework most commonly refers to interdisciplinary studies to explain how political institutions, political environment, and economic system influence each other (Weingast and Wittman, 2008). In most European countries, governments (central and/or local) play a fundamental role in setting the rules and distributing resources for cultural heritage maintenance, preservation and enhancement. Similarly, in the field of conservation of cultural heritage in Turkey, political economy is important due to the vital role of the government and power relations of different actors in resource allocation. Likewise, both political and economic interests and motivations of different actors such as the ruling political party, responsible local authorities and private enterprises are the main determinants of interventions in heritage places. As Enlil (2000) mentions, in Turkey, local governments and private investors have been cooperating on targets especially set for tourism development. In this process, public resources were used for place marketing campaigns in the international context, rather than to provide urban services for all citizens, improvement of technical infrastructure and quality of life in the most vulnerable neighborhoods of cities.

In Turkey, there are various laws meant to guarantee the conservation of its varied and rich heritage. However, in the last decade, introduction of new laws seems to go in the opposite direction and the use of cultural heritage for generating income and reinforcing the mainstream political ideology has increased, paralleling what seems to be a global trend.

As a result of the changing economic and urban policies starting from the 1980s, because of their investment potential for tourism, heritage places have been attracting private enterprises, especially since the 1990s. They have also caught the attention of local and central authorities due to the possibility of being used as catalysts for urban regeneration and place marketing tools (Akkar Ercan, 2013). Three new policy instruments have been enacted after 2000;

- i) Law No. 5366/2005 on Renovating, Conserving and Actively Using Dilapidated Historical and Cultural Immovable Assets,
- ii) Revision of Article 73 of Law No. 5393/2010 on Municipalities, and
- iii) Law No. 6306/2012 on Restructuring Areas under the Risk of Disasters.

3. See for example Klamer et al. (2013) for an overview of cultural heritage policies and tools of intervention.

These three laws introduce contradictory regulations having controversial effects on heritage places.

Among these laws, Law No. 5366 – so called “renewal law” – has a special role and potential impact on future of heritage places in Turkey. Since its introduction, this law, issued by central government and used by local governments, has been a powerful legal tool and policy instrument to regenerate and transform registered cultural and natural sites. By this law, it is easier for local authorities to intervene in heritage places; moreover, they have gained unlimited power in planning and implementation of urban regeneration and transformation projects for heritage, circumventing strict rules and regulations about its conservation. For this reason, the “renewal law” can be considered as a turning point, towards a negative direction, for conservation of heritage places in Turkey.

This paper focuses on the political economy of conservation in Turkey, considering specifically “renewal areas” in heritage places. The aim of this study is to illustrate and assess the impact of the “renewal law” in Turkey, from both conservation and political economy perspectives. Every country has its own complex dynamics in terms of regulations for conservation of cultural heritage and interventions in heritage places. In different contexts, priorities for cultural heritage conservation may change and political and economic priorities may prevail. Thus, the impact of regulations may be different in diverse contexts (3). These differences are interesting for comparative studies and this paper aims to contribute to the existing literature illustrating a specific case from Turkey.

As it will be shown, the “renewal law” has often resulted in problems and contradictions that, in some cases, even ended in court raising questions about its effectiveness as a properly working policy instrument. The law has been applied to several heritage places in Turkey, though the majority of cases refer to Istanbul, the economic and cultural center of Turkey and the region. There are already several studies in different fields such as architecture, city planning, sociology and political sciences focusing on specific renewal projects, their impact on heritage places and their governance (Dinçer et al., 2008; Kuyucu and Unsal, 2010; Dinçer, 2011; Merey Enlil, 2011; Uysal, 2011; Karaman and İslam, 2012; Dinler, 2013; Aysev Deneç, 2014; Günay, 2015; Esmer, 2016). In addition to the impact of renewal projects on physical environment, these articles consider also the societal effects of the projects in terms of social inclusion and participation, including also social and grassroots movements against the renewal projects. The studies mostly focus on renewal areas in İstanbul, where most of these projects have taken place. A survey on the evolution of urban conservation in Istanbul can be found in Kocabaş (2006). Although the site analyzed is not located within the boundaries of a renewal area, Tekin and Gültekin (2017) illustrate the drastic changes in heritage places resulting from changes in the approach of decision makers in terms of urban transformation in the case of İstiklal Street, Beyoğlu in İstanbul. This paper aims to contribute to the reflection about conservation in Turkey analyzing the changes that have followed the introduction of the “renewal law”, considering all the renewal areas where the law has been applied.

Interventions on heritage places is a part of broader spatial policy based on politics and ideology and supported by economics. Thus, political and economic benefits often become the main parameter of intervention decisions more than conservation of cultural values of heritage places and their social sustainability. As a powerful policy instrument of a broader

spatial policy, the renewal law has accelerated interventions on registered heritage places for their regeneration and transformation focusing on economic benefits regardless of the conservation and sustainability of heritage. In order to support this argument, all renewal areas declared according to Law No. 5366 have been analyzed. This is because, the overall impact of the law on heritage places cannot be understood only by analyzing single cases. Then, the paper discusses the current problems of heritage places resulting from the renewal law in terms of its implementation and governance, spatial and temporal distribution of renewal areas, actors and stakeholders involved, characteristics and current state of renewal areas. It asks, and possibly answers, the following questions:

- How is the renewal process governed at central and local levels?
- When are renewal areas declared, and where are they located?
- What are the general characteristics of renewal areas?
- Who are the actors and stakeholders involved in renewal processes?
- What is the current state of renewal areas?

In particular, next section of the paper will provide a brief illustration of the role of laws and regulation for conservation of heritage in general, considering both the increasing interest in heritage places due to their economic values, and the potential conflict with conservation. The section will also describe the tools introduced in Turkey, concentrating specifically on the renewal law. Section three will bring further the analysis of the law by illustrating how it functions considering: the temporal and spatial distribution of renewal areas, their characteristics, the actors involved and the current state of intervention. The last section provides a critical analysis based on answers of the questions posed in the third section and also using concrete examples of renewal areas. The answers and examples indicate that the renewal law affects the economic development but does not take into account conservation and social sustainability of heritage.

GROWING INTEREST IN HERITAGE PLACES AND EMERGING INSTRUMENTS FOR INTERVENTIONS

The relationship between neo-liberal politics and urban regeneration has received significant attention since the 1980s (Logan and Molotch, 1987; Harvey, 1989; Brenner and Theodore, 2002; Moulaert et al., 2003). Starting from the end of 20th century, as urban spaces have become one of the most profitable sources of income, construction industry and real estate investments have been considered as leading sectors for economic growth (Kuyucu and Ünsal, 2010; Balaban, 2011). For this reason, political actors have supported investments related to the built environment not only in Turkey, but also throughout the world. Because of the pressure of the construction industry, identifying areas for new buildings and widening construction rights in existing urban areas has become a common tendency in recent years, in Turkey. As Türkün (2011) mentions, there was a growing demand for accommodation and service activities in historic centers of cities, but urban land was limited. This scarcity promised secure high returns for real estate investors, pointing at the instrumental relationship between heritage places and the economy.

This explains the rising interest in heritage areas as potential zones to create economic benefit through urban regeneration. In most cases, inhabitants of heritage places are generally urban poor, marginalized communities as well as immigrants from rural areas or less developed cities. Besides, heritage places in city centers have relatively poor physical and sanitary conditions. Thus, regeneration of heritage places has always been on agenda of local authorities. However, now, it seems that the focus is not on regeneration *per se*, but on the potential of these areas to be transformed into up-market living spaces for *nouveau riche*. There are many studies that illustrate case studies on transformation of dilapidated heritage places to luxurious residential and commercial districts (Smith, 2002; Weber, 2002; Blomley, 2004; İslam, 2005; Nappi-Choulet, 2006; Eken, 2010; Dinler, 2016).

In fact, heritage places are protected by strict laws, regulations and control mechanisms to guarantee their conservation and sustainability. In order to by-pass these legal obstacles and restrictions, some legal regulations have been introduced in Turkey that seems to favor profit-oriented urban regeneration. From a cultural economics viewpoint, this seems contradictory to what the theory normally suggests about the use of regulation for heritage protection. The cultural economics analysis of heritage looks at the actors involved and the tools used. Among the latter, particular attention has been given to rules and regulation as the main tools used by public decision makers to guarantee heritage protection and conservation (Rizzo and Throsby, 2006; Benhamou, 2011; 2013; Rizzo, 2011; Klamer et al. 2013; Mignosa, 2016). Regulation (soft and hard) limits the activities of other stakeholders interested in cultural heritage, or of its owners, which may damage heritage (Throsby, 2001). Through regulation (Pignataro and Rizzo, 1997), public decision makers can limit owners' property rights, and even expropriate property they deem culturally "important" for the sake of "public benefit". They also have the power to stop public works projects that they perceive as a threat to cultural heritage.

In Turkey, laws have traditionally played this role, and have been a powerful instrument to avoid the risk of destroying cultural heritage. As it happens almost everywhere, their use has sometimes led to conflicts because of the limits they can impose on private and public owners of heritage and the high costs they often imply.

Since 2005, new legal measures directly or indirectly related with urban interventions, have been introduced in the Turkish legislations in line with the new political economy framework characterizing the country (Dinçer, 2010). As a result, extensive planning rights have been assigned to local authorities by new laws and thus urban policy in Turkey has been liberalized, deregulated and decentralized (4). With these new laws, state authorities have gained almost unlimited power for planning and implementation of urban regeneration projects, especially in heritage sites, where rules and regulations for new interventions are considerably strict. However, the use of these laws also triggered urban conflicts in terms of conservation of heritage. The above-mentioned laws have initiated change and have made local authorities gain an "entrepreneur role" as urban space becomes one of the most profitable sources of investment directly, or through partnerships with private actors (Miraftab, 2004; Weber, 2002 in Kuyucu and Ünsal, 2010). "Urban entrepreneurialism" seems to prevail among several local authorities in Turkey (5).

4. For a detailed examination of the changes in the legal and institutional structure according to neoliberal urban policies in Turkey, Kayasü and Yetişkul (2014).

5. Harvey (1989) defines "urban entrepreneurialism" as the change in urban governance of policy makers from the management of public services to the strategies for attracting private investment and government grants through place-marketing strategies and urban development projects

The aim of Law No. 5366/2005, the “renewal law” is to valorize deteriorated immovable historical, cultural, and natural heritage properties through renewal projects of maintenance and conservation, creating housing, business, cultural, tourism and social facilities in these areas, and taking measures against natural disasters. Thus, the law intends to realize urban renewal with two opposite strategies: “renewal” and “conservation”, and its aim is defined as “conservation by renewal”.

By this law, areas within boundaries of registered cultural and/or natural heritage sites can be declared “renewal area”. The renewal law gives comprehensive rights to local authorities: expropriation of buildings located within boundaries of “renewal areas”, and possibility to implement interventions ranging from demolition to reconstruction. Since it has been put in force, the Law No. 5366/2005 has been enacted by central government and used by local governments in a political consensus. Before illustrating the impacts of the renewal law more in detail, it is useful to briefly consider the other two over mentioned laws.

The revision of Article 73 of Law No. 5393/2010 states that local authorities can declare “urban transformation and development project areas” within any empty or developed urban area, including registered heritage places,



Figure 1. Boundaries of the “Turkish Republic Prime Ministry Gazi Settlement Urban Transformation and Development Area” in 2009 (top) and 2017 (bottom) (Source: Official Gazette, 2012/3074)

where urban transformation is necessary. According to this law, local authorities “may, by a resolution of the municipal council, carry out urban regeneration and development projects in order to create housing areas, industrial areas, business areas, technology parks, public service areas, recreation areas and all sorts of social facility areas, rebuild and restore worn-out parts of the city, preserve the historical and cultural heritage of the city or take measures against earthquake” in “urban transformation and development project areas”. This change authorizes local authorities to conduct urban regeneration projects in heritage places. The area named “Prime Minister Gazi Campus Urban Transformation and Development Project Area” in the registered natural heritage site of Atatürk Forest Farm, where the Presidential Palace Complex was constructed (Official Gazette, 2012/3074), is one example (Figure 1).

The Law No. 6306/2012, also known as the “disaster law”, gave the Ministry of Environment and Urbanization the right to declare “disaster areas” prone to risks of destruction and property loss due to soil or surface structure, or existing constructions within any urban and rural area. The Ministry can implement urban regeneration projects in these areas without involvement of local authorities, if they do not start the regeneration process themselves. The law sets forth the principles and procedures for



Figure 2. Boundaries of the “Sur (Diyarbakır) Disaster Area” in 2009 (left) and 2017 (right) (Source: Official Gazette, 2012/3900)

reconstructing urban areas at risk of natural disasters, covering almost all development areas in cities and, thus, any built area, including those within registered cultural and natural heritage sites. Examples of this type of areas are Saraçoğlu Housing area, which is the first modernist housing development in Ankara (Official Gazette, 2013/4248); and the historic Sur District in Diyarbakır (**Figure 2**), a registered heritage site located within the buffer zone of the Diyarbakır Fortresses and Hevsel Gardens Cultural Landscape, which are UNESCO World Heritage Sites (Official Gazette, 2012/3900).

The renewal law gives extensive planning powers to local authorities for interventions in renewal areas located within the boundaries of registered cultural and natural heritage places. There is a risk of neglecting social, cultural and natural values of heritage in renewal areas due to lack of control mechanism in preparation and implementation of renewal projects. In fact, they are prepared independently from the approved conservation master plans (CMP) as far as the conservation of heritage is concerned.

ASSESSING THE IMPACT OF THE RENEWAL LAW IN TURKEY: FIVE QUESTIONS TO ANSWER

As stated before, interventions on heritage places is part of broader spatial policy of central government in Turkey. In order to analyze the impact of the renewal law, five questions are asked and answers to them are used for a comprehensive assessment of renewal areas. In order to answer the questions, information and data from the "Official Gazette" of Turkey, where all laws and Council of Ministers decisions are published, are used.

How is the renewal process governed at central and local levels?

Urban renewal is a process that starts with identification of a site as a renewal area by professionals who work in the responsible local authority, and ends with implementation of the renewal project. The renewal process is governed at two different administrative levels: local and central. At the local level, the boundaries of renewal areas are determined by professionals working in metropolitan or district municipalities. These area boundaries need to be approved by the assembly of district or metropolitan municipalities. Following this approval, the renewal area proposal is sent to the Ministry of Environment and Urbanization. Once obtained the consent of the Ministry, the Council of Ministers declares the proposed site a "renewal area".

Although both local and central authorities are responsible for declaration of renewal areas, only local authorities are responsible for the preparation of the project once the selected area is declared renewal area. Renewal project can be prepared by the municipality itself or by a private company chosen by the municipality. The renewal project is then sent for approval to the "Regional Board for the Preservation of Renewal Areas", the body responsible for assessing renewal projects in terms of protection and conservation of cultural and natural heritage within renewal areas (Law No. 5363/2005; Law No. 2863/1983). Subsequently, the renewal project is sent to the assemblies of district and metropolitan municipalities for approval. After getting the necessary approvals, the renewal project is ready for implementation (**Table 1**).

The renewal law has introduced new procedures to by-pass existing rules and regulations for interventions in heritage places, avoiding the

Phase 1. Identification of renewal area	Local Authority	Phase 1.1	Identification of site as a renewal area within existing cultural or natural heritage sites by professionals who work in the District or Metropolitan Municipality	
		'Renewal Area' proposal of professionals sent to the Assembly of the District Municipality if the 'renewal area' decision is taken by the District Municipality (Phase 1.2). If the metropolitan municipality declares the renewal area, the decision is sent directly to the Assembly of the Metropolitan Municipality (Phase 1.3).		
Phase 2. Declaration of renewal area	Local Authority	Phase 1.2	Approval of renewal area proposal by the Assembly of the District Municipality by simple majority	
		The Decision of the District Municipality is sent to the Metropolitan Municipality		
		Phase 1.3	Approval of the renewal area proposal by the Assembly of the Metropolitan Municipality by simple majority	
	Central Authority	The Decision of the Metropolitan Municipality is sent to the Ministry of Environment and Urbanization		
		Phase 1.4	Approval of the renewal area proposal by the Ministry of Environment and Urbanization	
		The Decision of the Ministry of Environment and Urbanization is sent to the Council of Ministers		
Phase 1.5	Approval of the renewal area proposal by the Council of Ministers within three months and publication of the decision in the Official Gazette			
Phase 3. Preparation of the renewal project	Local Authority	Phase 2.1	Preparation of a renewal project by the municipality or a private company chosen by the municipality	
		The Renewal Project is sent to the responsible Regional Board for the Preservation of Renewal Areas		
		Phase 2.2	Approval of the renewal project by the Regional Board for the Preservation of Renewal Areas	
		The renewal Project is sent to the Assembly of the District Municipality if the responsible body is the District Municipality (Phase 2.3). If the responsible body is the Metropolitan Municipality, it is sent directly to the Assembly of the Metropolitan Municipality (Phase 2.4).		
		Phase 2.3	Approval of the renewal project by the Assembly of the District Municipality. Upon the approval of the assembly, the renewal project is sent to the mayor of the Greater Metropolitan Municipality for approval.	
		Phase 2.4	Approval of the renewal project by the Assembly of the Metropolitan Municipality.	
Phase 4. Implementation of the renewal project	Local Authority	Phase 2.5	Implementation of the Renewal Project by the local authority, TOKİ – Mass Housing Administration in Turkey or a private company chosen by the local authority	
Phase 5. Completion of renewal project				

Table 1. The new procedures for interventions in 'renewal areas' (Source: Prepared by the authors based on Law No. 5366/2005) (Source: Prepared by the authors based on Law No. 5366/2005)

compulsory preparation of Conservation Master Plans (CMPs) and the necessary approvals from responsible authorities as indicated in Law No. 2863/1983, the main law on heritage conservation.

When have renewal areas been declared and where are they located?

Since the Law No. 5366 has been introduced in 2005, there have been 47 related Council of Ministers decisions. Twenty nine of them are about declaration of renewal areas in different cities of Turkey. Fifteen decisions are about expropriation or transfer of property rights on selected building lots in renewal areas, two decisions relate to the establishment of Regional Boards for the Preservation of Renewal Areas in İzmir and Ankara, and one decision is about cancellation of a renewal area in Çanakkale city.

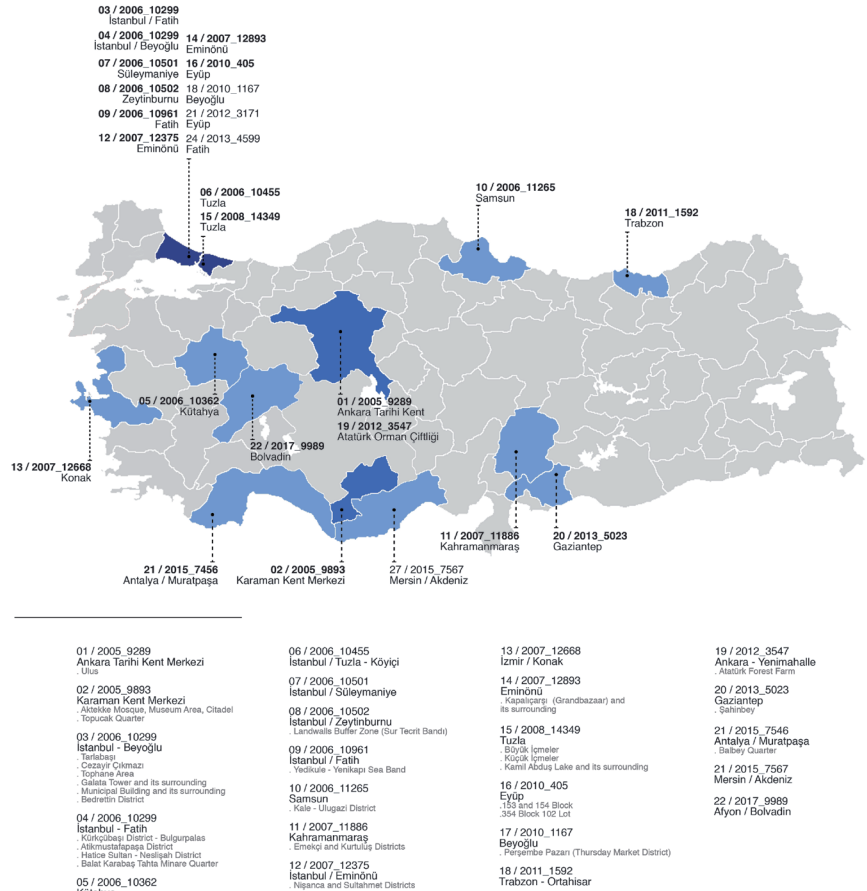


Figure 3. Spatial distribution of ‘renewal areas’ in Turkey, N.B. The figure does not indicate the exact location of renewal areas in the cities nor their exact sizes (Source: Prepared by the authors based on the data from Official Gazette)

6. The Metropolitan Municipality in Ankara has always been a forerunner in terms of using new legal instruments for urban regeneration. For example, the North Ankara Urban Transformation Project is the only project implemented because of a “tailor-made” law (Law No. 5104 on North Ankara Entrance Urban Transformation Project). The very first “urban transformation and development project area” was declared in Ankara under the scope of Article no. 73 of Law No. 5393 on Municipalities to implement the Last Phase of Dikmen Valley Urban Regeneration Project (Official Gazette, 2010/667)

On August 8, 2005, the first renewal area was declared by the Council of Ministers with the decision about Ankara Historical Urban Center – Ulus (6). Following Ankara, four sites within boundaries of registered heritage places in Karaman have also been declared renewal areas. Successively, selected heritage places (Tarlabaşı, Cezayir Çıkması, Tophane Area, Galata Tower and its surrounding, Municipal Building and its surrounding) in Beyoğlu, a district of İstanbul, have been declared renewal areas. These decisions have been followed by declaration of renewal areas for various heritage places in registered conservation sites in Kütahya, Samsun, Kahramanmaraş, İzmir, Trabzon, Gaziantep, Antalya, and Mersin.

In 2005, there were three renewal area decisions; Ankara, Karaman and İstanbul. In 2006, eight more renewal area decisions were taken by the Council of Ministers; the highest number of decisions in one year until today. **Table 2** indicates the number of decisions taken every year from 2007 to 2016. The temporal distribution shows that half of the decisions were taken in the first three years after enactment of the law. In recent years, however, the renewal law seems to have lost its popularity among local authorities as less renewal areas have been declared each year. The first reason may be emergence of new tools such as the “urban transformation and development law” and the “disaster law”, which give more rights to local authorities to intervene on heritage places, making “urban renewal/transformation/regeneration” easier. However, it has also been observed that these three laws have been used in complementary manner in order to define larger intervention areas in the historic core

Figure 4. The renewal area and urban transformation and development project area next to each other in Gaziantep (Source: Prepared by the of the authors based on the data from the Official Gazette)



Figure 5. The renewal area and disaster area next to each other in Kahramanmaraş. (Source: Prepared by the of the authors based on the data from the Official Gazette)



of the cities. Several areas in and around registered heritage sites were also declared “urban transformation and development project areas” or “disaster area”. Thus, while the renewal law has a direct influence on heritage places, the other two laws have indirect effects.

For example, in Gaziantep, the “urban transformation and development project area” and the “renewal area” are adjacent to each other. Vast urban areas in the center of Gaziantep were declared regeneration areas and a portion of them is within boundaries of a registered heritage site. The area within the heritage site was declared renewal area, while the adjacent site was declared urban transformation and development project area in the same Council of Ministers meeting with the consent of the Ministry of Environment and Urbanization (**Figure 4**). Also in Kahramanmaraş, the “renewal area” and “disaster area” are adjacent to each other in the very center of the city. Similar to the case of Gaziantep, an area located within

Year	Number(s) of Renewal Area Decisions per year	The city(ies) where the renewal area is declared and number of renewal area decisions for each city
2005	2	Ankara (1), Karaman (1)
2006	9	İstanbul (6), Kütahya (1), Samsun (1), Kahramanmaraş (1)
2007	2	İstanbul (1), İzmir (1)
2008	2	İstanbul (2)
2009	-	-
2010	3	İstanbul (2), Trabzon (1)
2011	2	-
2012	1	Ankara (1)
2013	1	Gaziantep (1)
2014	-	-
2015	2	Antalya (1), Mersin (1)
2016	-	-
2017	1	Afyon (1)

Table 2. Number of renewal area decisions per year (Source: Compiled by the authors)

7. As seen in **Figure 4**, some parts of the renewal area are outside the boundaries of “registered conservation area”. Although this should not be possible according to the definition of “renewal area” in Law No. 5366, these are the boundaries indicated in the official documents obtained from Gaziantep Metropolitan Municipality

the boundaries of a registered conservation site in Kahramanmaraş was declared renewal area in 2007 and the adjacent area, which was not a registered conservation site, was declared disaster area in 2013 (7) (**Figure 5**). Such approach of local authorities gives clues about the use of different legal instruments to realize large-scale urban projects.

Another reason for reduction in declarations of renewal areas in recent years may be the court decisions that cancelled the renewal area status and the renewal projects prepared to be implemented in Fener-Balat (Arkitera, 2014) and Sulukule (Hürriyet, 2015a) districts in İstanbul. The court decisions suggest that the renewal law is not necessarily a proper policy instrument.

The spatial distribution of the declared renewal areas is another aspect that should be discussed. Eleven cities in Turkey including Ankara, Karaman, İstanbul, Kütahya, Samsun, Kahramanmaraş, İzmir, Trabzon, Gaziantep, Antalya, Mersin have been interested by renewal area decisions. Looking at all these locations and number of decisions, it is evident that two third

8. When **Table 2** and **Table 3** are compared, it becomes evident that the total number of renewal areas is higher than the total number of renewal area decisions. This is because, in one renewal area decision of the Council of Ministers, more than one renewal area may be declared. For example, as seen in **Table 4**, six renewal areas were declared in Beyoğlu, İstanbul, with one decision of the Council of Ministers (Decision No: 2006/10299)

Cities with renewal area(s)	Number of Renewal Areas (8)
İstanbul	23
Ankara	2
Karaman	2
Kütahya	1
Samsun	1
Kahramanmaraş	1
İzmir	1
Trabzon	1
Gaziantep	1
Antalya	1
Mersin	1
Afyon	1

Table 3. Distribution of Renewal Areas in Turkey (Source: Compiled by the authors)

of the renewal areas are located in İstanbul (**Table 3**). İstanbul, being the economic and cultural center of the country, has always been the focus of urban interventions due to the potential for high real estate values. However, renewal areas are located not only in metropolitan cities as İstanbul, Ankara and İzmir but also in relatively small cities as Karaman and Kütahya. In smaller cities, heritage places have also been considered a source of potential economic benefits generated by cultural tourism. It is evident that neither the population nor the size of the cities are the criteria followed for selection of renewal areas. Rather, the vision of the local authority becomes the main determinant.

What are the general characteristics of renewal areas?

According to the renewal law, any heritage place located within boundaries of registered cultural or natural heritage can be declared a renewal area. The renewal area can either have the same boundaries of the registered heritage site or be inside of it. However, renewal area cannot exceed the boundaries of registered heritage sites. In fact, 24 renewal areas out of 28 are located within cultural heritage sites, while 4 are within natural heritage sites: Atatürk Forest Farm in Ankara (**Figure 6**); Kamil Abduş Lake, Büyük İçmeler and Küçük içmeler in İstanbul/Tuzla (**Figure 7**).

The declaration of renewal areas within boundaries of natural heritage sites is also a debated issue. This is because, there is not any building to renew, as a natural site would suggest. Moreover, the renewal law proposes the same type of process for both types of heritage, whereas cultural and natural heritage places require different strategies given their different characteristics.

As for the size of renewal areas, the law introduced only one criterion: a renewal area must be larger than 1 hectare. Accordingly, the size of renewal areas differs and it ranges from a single lot to a district scale. The smallest renewal area is in İstanbul/Eyüp measuring 1 hectare (**Figure 8**), while the largest renewal area is again in İstanbul/Zeytinburnu Sur Tecrit Bandı (Landwalls Buffer Zone) spanning 240 hectares land (**Figure 9**). However, as evident from cities of Kahramanmaraş and Gaziantep, boundaries of a renewal area may not be the only criterion which defines intervention areas in heritage places. Because, the aforementioned three laws can be used in



Figure 6. Boundaries of Atatürk Forest Farm (AFF) Renewal Area (Source: Prepared by the authors based on the Official Gazette: 2012/3547)

Figure 7. Boundaries of Kamil Abdus Lake, Büyük İçmeler and Küçük İçmeler Renewal Areas in Tuzla, İstanbul (Source: Prepared by the authors based on the Official Gazette: 2008/14349)



Figure 8. Boundaries of the Renewal Area in Eyüp/İstanbul (Block 354, Lot 102) - the smallest renewal area in Turkey (Source: Prepared by the authors based on the Official Gazette: 2010/405)



Figure 9. Boundaries of Sur Tecrit Bandı Renewal Area in Zeytinburnu/İstanbul – the largest renewal area in terms of size (Source: Prepared by the authors based on the Official Gazette: 2006/10502)



Decision Date	Decision Number	Name of the Renewal Area		Size (approximatel in hectares)
		City and/or Town	Location (Name of the district or Number of Lot)	
2005	2005/9289	Ankara	Ulus Historic City Center	208
2006	2006/10172	Karaman	Aktekke Mosque, Museum Area, Citadel	2
			Topucak Quarter	2
2006	2006/10299	İstanbul - Beyoğlu	Tarlabası	7
			Cezayir Çıkmazı	3
			Tophane Area	5
			Galata Tower and its surrounding	1
			Municipal Building and its surrounding	2
			Bedrettin District	5
2006	2006/10299	İstanbul – Fatih	Kürkçübaşı District - Bulgurpalas	5
			Atikmustafapaşa District	2
			Hatice Sultan - Neslişah District	9
			Balat Karabaş Tahta Minare Quarter	9
2006	2006/10362	Kütahya		2
2006	2006/10455	İstanbul - Tuzla	Köyiçi	11
2006	2006/10501	İstanbul	Süleymaniye	80
2006	2006/10502	İstanbul - Zeytinburnu	Sur Tecrit Bandı (Landwalls Buffer Zone)	240
2006	2006/10961	İstanbul – Fatih	Yedikule - Yenikapı Sea Band	23
2006	2006/11265	Samsun	Kale - Ulugazi District	2
2006	2006/11886	Kahramanmaraş	Emekçi and Kurtuluş Districts	10
2007	2007/12375	İstanbul - Eminönü	Nişanca and Sultanahmet Districts	80
2007	2007/12668	İzmir – Konak		210
2008	2008/12893	İstanbul - Eminönü	Kapalıçarşı (Grandbazaar) and its surrounding	15
2008	2008/14349	İstanbul – Tuzla	Büyük İçmeler	3
			Küçük İçmeler	1
			Kamil Abduş Lake and its surrounding	81
2010	2010/405	İstanbul – Eyüp	153 and 154 Block	4
			354 Block 102 Lot	1
			497 Block	1
2010	2010/1167	İstanbul - Beyoğlu	Perşembe Pazarı (Thursday Market District)	9
2010	2010/1592	Trabzon - Ortahisar		30
2012	2012/3547	Ankara - Yenimahalle	Atatürk Forest Farm	217
2013	2013/5023	Gaziantep - Şahinbey		3
2015	2015/7546	Antalya - Muratpaşa	Balbey District	20
2016	2015/7567	Mersin - Akdeniz		49
2017	2017/9989	Afyon - Bolvadin		4

Table 4. Size of renewal areas (in hectares)
(Source: Compiled by the authors)

complementary manner and areas with different statuses can be declared adjacent to each other for defining larger intervention areas.

Who are the stakeholders involved in renewal processes?

In order to implement a project in a renewal area, multiple actors including the council of the local municipality, the council of the metropolitan municipality, the council of ministers, the regional board for the preservation of renewal areas and the mayor of the metropolitan municipality should be involved in the process.

The Law No. 5366 has been a powerful policy instrument to regenerate and transform registered cultural and natural conservation sites. Looking at

9. For a detailed assessment of Samsun Tekel Factory Urban Renewal Project – Bulvar Samsun Shopping Mall, see. Us (2014)

the political orientation of local authorities in the aforementioned 11 cities, municipalities belonging to the current ruling political party, Justice and Development Party (AKP), have declared most of the renewal areas; 26 in different cities. The municipalities led by different parties, Republican People's Party (CHP) for İzmir, and Nationalist Movement Party (MHP) for Mersin, have declared only two renewal areas in these two cities. Thus, the similar political orientation of the ruling political party and local authorities seems to indicate that there is administrative consensus between central and local authorities when declaring renewal areas.

Similarly, the law sometimes is indicated by referring to political representatives' name. For instance, the renewal law is also named "Gökçek Law", after the mayor of Ankara Metropolitan Municipality of the time - İ. Melih Gökçek, because the first renewal area was declared in Ankara. The law is also indicated as "Beyoğlu Law" referring to the name of Beyoğlu district, in the historic center of İstanbul, as showed in the personal webpage of the mayor of Beyoğlu, Ahmet Misbah Demircan. The mayor also says that they needed the "renewal law" to implement their projects related to heritage buildings in Beyoğlu.

In addition to decision makers in central and local authorities, investors who pay for the renewal projects are important actors in the process. In fact, a Public-Private Partnership (PPP) model is mostly adopted by many local authorities for the implementation of renewal projects such as Tarlabası Urban Renewal Project (Figure 10) and Samsun Tekel Factory Urban Renewal Project; Bulvar Samsun Shopping Mall (9) (Figure 11). The renewal law has been a powerful tool for transformation of heritage places by combination of regulatory control of central and local authorities with economic support of private enterprises. The renewal law seems to be (ab)used by local authorities to obtain extensive rights for intervention in heritage places. It is evident that there is a collaboration between central government (making laws and declaring renewal areas), local authority (implementing projects) and private investors (investing in renewal projects) in the renewal of heritage places. In this process of collaboration, it is observed that conservation of heritage places and social sustainability are not considered, whereas the economic benefit deriving from the renewal project becomes the main objective (e.g. Tarlabası Urban Renewal Project).



Figure 10. Tarlabası Urban Renewal Project - 3D Illustration (Source: taksim360.com.tr)



Figure 11. Bulvar Samsun Shopping Mall Urban Renewal Project. (Source: torunlargo.com)

What is the current state of renewal areas?

As mentioned in **Table 1**, the renewal process in heritage places may be divided into five phases, a description of the state of the arts for renewal areas in Turkey is provided below.

With reference to the 35 renewal areas identified in Turkey, there are 19 renewal projects (Phase III-In the stage of preparation of renewal project): 12 refer to renewal areas in İstanbul; the others are proposed for renewal areas in Ankara and İzmir, the two biggest cities in Turkey after İstanbul, but also for areas in Karaman, Samsun and Trabzon.

As shown in **Figure 12**, although 19 renewal projects have been prepared, only two of them have been completely implemented (Phase IV): Hatice Sultan Neslişah Mahalleleri – Sulukule in Fatih, in İstanbul, and Kale and Ulugazi Mahallesi – Tekel Tobacco Factory, in Samsun. Renewal projects have also been prepared and their implementation has started in Ulus Historic City Center (UHCC) and Atatürk Forest Farm (AFF) in Ankara, and in Ayvansaray and Tarlabası in İstanbul (Phase III undergoing). The renewal projects in UHCC and Tarlabası are divided into sub-phases due to the broad size of the projects and interventions are continuing. However, the renewal project in AFF, aiming at the construction of the biggest theme park in Europe, called Ankapark, is being implemented as a whole (**Figure 13**).

Considering the number of renewal areas, the number of renewal projects is low and the number of implemented renewal projects even lower. The renewal projects implemented show that heritage places are losing their social and cultural values. For example, in the case of Sulukule, the heritage place with multiple social and cultural values was totally destroyed in order to “construct” a brand new residential complex. Prior to the implementation of the project, Sulukule was a Romani settlement adjacent to the historic city walls of İstanbul within the Buffer Zone boundaries of the Historic Areas of İstanbul World Heritage Sites. Surely, Sulukule was problematic in terms of its conservation status, in addition, the sanitary conditions of residential buildings were poor. Instead of promoting the sustainable conservation of the socio-cultural values of Sulukule and improving its physical infrastructure, the renewal project proposed the demolition of heritage and the displacement of the Romani people who lived there. The renewal project implemented in Hacı Bayram District, in



Figure 13. Ankapark Urban Renewal Project in Atatürk Forest Farm – the largest construction project in a renewal area at one time (Source: Hürriyet, 2015c)



Figure 14. Sulukule and the city walls, before the implementation of the renewal Project (Source: Up - Wikimedia Commons, Bottom – Fatih Haber, 2017)

Ankara in 2012, also illustrates how the heritage place has lost its social and cultural values after the implementation of the renewal project (Özçakar et al., 2016).

In addition to the projects implemented, the projects proposed also show that heritage places are under the risk of losing their social and cultural values. The renewal project proposed for Bolvadin – Afyon is one example, since it proposes the creation of new “historic buildings”, which did not exist before.



Figure 15. Sulukule Urban Renewal Project after its completion. (Source: noktadergisi.info)

DISCUSSION AND CONCLUSION

In line with neoliberal economic policies, interventions in urban areas have been accelerated in Turkey. Heritage places that are an integral part of urban areas have become the object of urban transformation and regeneration projects. However, heritage places are protected by strict laws (regulations and control mechanisms for their conservation and sustainability), which are regarded as obstacles for construction projects in heritage places.



Figure 16. Left, Heritage in Bolvadin today (Source: Google Maps) and Right, 3D Illustration of the Renewal Project (Source: bolvadin.bel.tr)

To accomplish urban transformation and regeneration objectives, the Law No. 5366/2005, the Revision of Article 73 of Law No. 5393/2010 and the Law No. 6306/2012 gave new rights to central and local authorities, assigning new “statuses” – “renewal area”, “urban transformation and development project area” and “disaster area” – to selected heritage places and, thus, allowing interventions on them. These legislations do not intend to improve the degraded parts of historic cities in economic, social and environmental manners. Rather, as several scholars noticed (Balaban, 2011; Dinçer, 2011), their aim is to implement profit-oriented urban regeneration projects bypassing existing strict rules and regulations for interventions in urban areas. Additionally, the lack of clear definitions and transparent procedures to assign these new statuses to heritage places has also led to debates and conflicts.

With these laws, holistic and integrated planning approaches, as defined in international and national legislative measures such as the Burra Charter (1999) and the Law No. 2863 on Conservation of Cultural and Natural Properties in the Turkish legislation, have been put aside and project based interventions have been introduced. With this approach, heritage places may be demolished in order to construct high-density buildings that can accommodate different uses such as residences, office spaces and shopping malls. Additionally, according to the rights given by law, responsible authorities can expropriate the properties within the boundaries of renewal areas when owners do not consent to the implementation of renewal projects.

The declaration procedures are similar and preferences of the local authorities are the main factor to start the procedures. These three types of areas can be declared following the proposal of local authorities and the approval of the Council of Ministers after the consent of the Ministry of Environment and Urbanization is given (10).

The overall analysis of renewal areas and projects in Turkey reveals that the number of renewal areas in metropolitan cities is higher than in smaller ones. Besides, larger renewal areas, almost covering a whole historic city center, are seen only in metropolitan cities as Ankara (Decision No: 2005/9289) and İzmir (Decision No: 2007/12668). For instance, 23 renewal areas were declared in Istanbul (the most in terms of number of renewal areas) and the sizes of the renewal areas in Ankara and İzmir is 208 ha

10. However, contrary to “renewal areas” and “urban transformation and development project areas”, for which the local authority should apply to the Council of Ministers, “disaster areas” can also be declared without the consent of local authority if suggested by the Ministry of Environment and Urbanization, hearing the opinion of Prime Ministry Disaster and Emergency Management Authority. Thus, the local authority is excluded from the decision making for the declaration of “disaster area” in their town or city

and 210 ha respectively (two of the three largest renewal areas). This can be explained by the fact that the rent value is higher in the three biggest cities of Turkey and thus, heritage places are always under the spotlight of decision makers for different purposes such as economic and political benefit.

There are also many renewal areas in smaller cities, however the implementation of the renewal projects has rarely started. For example, a renewal area was declared in Karaman in 2006 – “Aktekke Mosque, Museum Area, Citadel”, however, the renewal project has not yet been implemented. Similar to Karaman, a renewal project exists for the renewal area in Ortahisar-Trabzon but the projects have not been implemented yet.

Renewal Law: Debates and Conflicts

When considering the total number of natural and cultural conservation sites in Turkey, the number of “renewal areas” is still quite low. Despite the limited number of renewal areas already identified, recent renewal area decisions published in the Official Gazette prove that the number of renewal areas still increase. The renewal law was much debated in academic milieu in terms of its contradictory and vague definition, contradictory agenda against conservation and public welfare, the extensive rights of the responsible authorities for intervention and the method it proposes for urban renewal.

The law attributes two opposite objectives to urban renewal: “renewal” and “conservation”. The aim of the law is defined as “conservation by renewal”, but this seem a contradiction in terms. Conservation of cultural heritage by renewing is not possible, because “renewal”, which refers to the replacement of heritage buildings and sites by demolishing them, and “conservation” cannot occur at the same time (Ataöv and Osmay, 2007; Ahunbay, 2008; Dincer, 2011).

Another point of criticism relates to the declaration of natural heritage places as renewal areas. As mentioned, natural heritage places are also the subject of the renewal law and renewal areas have been identified within the boundaries of natural heritage sites. However, cultural and natural heritage have very different characteristics. In natural heritage sites, buildings to renew do not exist, because a natural site is defined as a conservation area that belongs to geological eras with extraordinary beauties due to their rareness and exceptional properties (Law No. 2863). While cultural and natural heritage places require different strategies for their intrinsic features, the “renewal law” proposes generic methods for both types of heritage places.

As the vision of local authorities is the main determinant, the opinions of conservation professionals are not taken into account for the identification of renewal areas. Since there are not objective criteria for the determination of renewal areas, central/local authorities may declare any urban area in heritage places as “renewal area” without any clear justification. For this reason, the conservation of cultural and natural heritage might be the secondary aim of urban renewal, since the objectives and needs of central/local authorities may be different from the conservation professionals, whose main aim is the conservation of cultural heritage.

Additionally, local authorities do not have to consider community participation. The renewal law suggests local authorities to negotiate with local residents and property owners for the implementation of

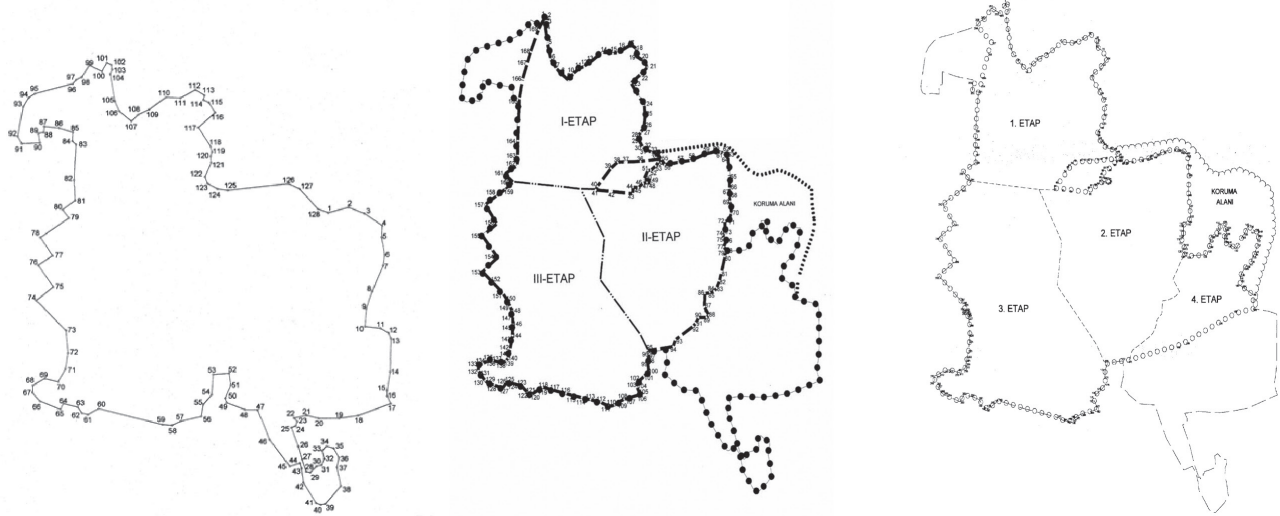


Figure 17. Changing Boundaries of Ulus Historic City Center Renewal Area (UHCCRA) following the Council of Ministers Decisions (Sources: Left: Official Gazette, Decision Number 2005/9289; Middle: Official Gazette, Decision Number 2010/88; Right: Official Gazette, Decision Number 2015/872)

renewal project. Nevertheless, none of the local authorities except İzmir Metropolitan Municipality has taken community participation into account (11). Instead, in general, in other municipalities, the local authorities expropriated the heritage assets located within the renewal area forcing residents to leave.

There have been legal cases on several renewal areas and the related projects in Turkey. In 2014, the Administrative Court No.1 in İstanbul cancelled Fener-Balat Urban Renewal Project (FBAURP), initiated by Fatih Municipality, for being contrary to the principles of urbanism, planning and conservation, and for conflicting with public interest before its initiation (Arkitera, 2014). Sulukule Urban Renewal Project (SURP), also initiated by Fatih Municipality was cancelled by the Council of State in Turkey nine years after the demolition of the site and the implementation of the renewal project (Hürriyet, 2015a).

In addition to FBAURP and SURP, renewal areas in Ankara had also been the object of legal cases. The renewal area status of Atatürk Forest Farm Renewal Area (AFFRA) was cancelled by the Council of State, and Ankapark project, which was initiated by Ankara Metropolitan Municipality, should have been stopped following this decision (Sözcü, 2015). However, the construction of Ankapark still continues on the site. Ulus Historic City Center Renewal Area (UHCCRA) has also been subject to a legal case and the renewal area status of UHCCRA was removed by the Council of State in 2015 (Hürriyet, 2015b). However, in order to bypass the removal of the renewal area status, the Council of Ministers declared a “new” renewal area in UHCCRA, which has nearly the same boundaries of the previous one. Within the new renewal area boundaries, Ankara Metropolitan Municipality continues to implement renewal projects (Figure 17).

The Future of the Renewal Law, Renewal Areas and Heritage Places: What Is Next?

Each phase of the urban renewal projects implemented so far has showed problems in terms of the conservation of cultural and natural heritage.

11. For detailed information about İzmir Metropolitan Municipality’s renewal approach in Konak/İzmir Renewal Area, (İzmir Tarih Project) see. <http://www.izmirtarih.com.tr>

It is debatable if the outcome of the renewal projects accomplishes the initial aim of the law: conserving and actively using cultural and natural immovable assets. For instance, new apartments built within the Sulukule Urban Renewal Projects have become living quarters of Syrian refugees living in İstanbul, after the owners' rearrangement of the apartments to accommodate as much people as possible (Nokta, 2016). Similarly, especially in recent years, in some renewal areas such as Süleymaniye in İstanbul, historic houses have become the living quarter of immigrants because of the low rent prices due to their dilapidated condition (CNN Türk, 2015; Habertürk, 2015; Milliyet, 2014).

When the initial aim of the renewal law and the renewal project implementations are considered together, some renewal areas have led to paradoxical cases. For instance, in the cases of SURP and FBAURP in İstanbul and UHCCRA and AFF in Ankara, the renewal has been the subject of lawsuits due to the violation of existing regulations for heritage conservation.

Heritage places have always attracted the attention of decision makers who have determined the main policy to intervene in urban spaces. Interventions in renewal areas have shown that the renewal law is a legal tool used to assign new construction rights on heritage places rather than guaranteeing their conservation. For this reason, local authorities declare "renewal areas" even if they do not have projects for them. Thus, the renewal law can be considered as an instrument used to identify areas "reserved" for local authorities' future investments in heritage places. As indicated in **Figure 12**, the existence of renewal areas without any proposed projects supports this argument, like in the cases of Kütahya (Decision No: 2006/10362), Büyük İçmeler and Küçük İçmeler - Tuzla/İstanbul (Decision No: 2008/14349), Şahinbey - Gaziantep (Decision No: 2013/5023), Balbey District – Muratpaşa/Antalya (Decision No: 2015/7546) and Akdeniz – Mersin (Decision No: 2015/7567).

Decision making in the urban renewal process, which is the reflection of the main policy on heritage places, is the result of the power relations between central government, local authority and investors. In this process, owners and residents of renewal areas are excluded, and sustainable conservation does not become the main objective. In fact, the aim of decision makers is to obtain economic and political advantage from urban spaces. In other words, economic and political motivations are at the forefront in the renewal process, from the declaration of the renewal areas to the implementation of the projects.

Interventions in heritage places are mainly motivated and supported by economic and political priorities of decision makers, underestimating the cultural, natural and social values of heritage places. Today, these interventions are possible thanks to the three laws mentioned above. As long as these political and economic priorities behind interventions in heritage places do not change, new legal and administrative tools could be introduced in the future to make interventions even easier. Thereupon, it becomes important to establish common-ground between economic and political priorities of decision makers and cultural, natural and social values to achieve sustainable conservation in heritage places. This latter way of operating would be more in line with the common understanding of regulation, i.e. laws as the main tool for heritage protection adopted by governments.

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ABBREVIATIONS

- AFFRA – Ankara Forest Farm Renewal Area
- CMP – Conservation Master Plan
- FBAURP – Fener and Balat Urban Renewal Project
- PPP – Public Private Partnership
- SURP – Sulukule Urban Renewal Project
- UHCCRA – Ulus Historic City Center Renewal Area
- UNESCO – United Nations Educational, Scientific and Cultural Organization

Alındı: 02.12.2016; Son Metin: 16.02.2018

Anahtar Sözcükler: Kentsel yenileme; yenileme yasası; Türkiye’de miras alanlarının dönüşümü; politik ekonomi; ekonomik, kültürel ve sosyal değerler.

TÜRKİYE’DE MİRAS ALANLARININ YENİLEMESİNİN POLİTİK EKONOMİSİ

İnşaat sektörü, mali kriz dönemlerinde ekonomiyi canlandırmak için sıkça kullanılmakta olup, alt sektörlerle birlikte Türkiye’de gelir akışını sağlayan en önemli araçlardan biri haline gelmiştir. Yapılaşma faaliyetlerini odak alan mevcut ekonomik büyüme modelinin bir sonucu olarak, kent mekânı Türkiye’de kontrol edilemez bir baskıya maruz kalmıştır. Bu baskı, yerel ve merkezi yönetimlerin var olan yerleşim alanlarında yeni kentsel gelişim alanları oluşturma ve mevcut yapılaşma haklarının artırılması çabaları ile kendini göstermiştir.

Yüksek arsa değerleri nedeniyle, kent merkezlerine yapılacak müdahaleler için paha biçilemez mekânlar olan miras alanları, kentsel müdahaleler yoluyla ekonomik fayda sağlamak için yerel yönetimlerin, yatırımcıların ve gayrimenkul geliştirme şirketlerinin dikkatini çekmektedir. Öte yandan miras alanları, sürdürülebilir korunmaları amacıyla kanun ve yönetmelik gibi çeşitli yasal düzenlemelerin güvencesi altındadırlar. Fakat 2000’li yıllardan başlayarak, miras alanlarına müdahaleyi kolaylaştırarak mevcut yasal düzenlemelerin üstesinden gelmek için merkezi hükümet tarafından bazı yeni yasal araçlar tanımlanmıştır. Bu paralelde, 2005 yılında yürürlüğe giren ve “yenilenme yasası” olarak da adlandırılan 5366 Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yasatılarak Kullanılması Hakkında Kanun, miras alanlarının geleceği üzerinde özel bir öneme sahiptir. Yenileme yasası ile tescille koruma altına alınmış miras alanlarına müdahale kolaylaşmış ve kültürel/doğal miras alanlarının

karar vericilerin politik ve ekonomik çıkarları odaklı dönüşümünün yolu açılmıştır.

Bununla birlikte “yenileme yasası”, farklı özellikteki miras alanlarının – doğal ya da kültürel – yenilenme alanı ilan edilmesi, yenileme projelerinin açık bir şekilde tanımlayan amaçları ve projelerin katılımcı süreçleri göz önünde bulundurmaması gibi sorunlarla adından söz ettirmektedir. Bu sorunlara ve hatta devam eden ya da tamamlanmış yenileme projelerine karşı sonuçlanmış davalar olmasına rağmen, yasa bugün hala Türkiye’de miras alanlarına müdahale için güçlü bir yasal araç olarak kullanılmaya devam etmektedir.

Süregelen tartışmalar, “yenilenme yasası”nın tescille koruma altına alınmış doğal ve kültürel miras alanlarının dönüşümünü yıkıcı bir şekilde hızlandıran yasal bir araç olarak eleştirel değerlendirmesini gerektirmektedir. Bu makale, yenileme yasasının uygulanmasından kaynaklanan sorunları, yenilenme alanlarının genel özelliklerini, yenileme sürecinde yer alan aktör ve paydaşları, yenileme alanlarının ilan edildikleri şehirlere ve tarihlerine göre dağılımını, Türkiye’deki bütün yenileme alanlarını göz önünde bulundurarak inceler ve aşağıdaki soruları cevaplayarak değerlendirir:

- Kentsel yenileme süreci merkezi ve yerel yönetimlerce nasıl yönetilmektedir?
- Yenileme alanları ne zaman ve nerelerde ilan edilmişlerdir?
- Yenileme alanlarının genel özellikleri nelerdir?
- Yenileme sürecinde yer alan aktör ve paydaşlar kimlerdir?
- Yenileme alanlarının güncel durumu nedir?

POLITICAL ECONOMY OF RENEWAL OF HERITAGE PLACES IN TURKEY

The construction industry has often been used to boost the economy in time of crises and constitutes one of the most important profit making sector in Turkey. As a result of the current economic growth model which focuses on construction activities, urban spaces have been subjected to uncontrollable pressure in Turkey. Hence, developing new construction land and increasing construction rights in existing settlement areas have become common among local and central authorities in the last years.

As priceless urban land for future interventions in the city centers, heritage places have captured the attention of local authorities, investors and real estate developers as areas to generate economic benefits through new interventions. In fact, heritage places are protected by strict laws, regulations and control mechanisms for their sustainability and conservation. However, starting from 2000s, due to the increasing pressure to intervene on heritage places, new policy instruments have been defined by the central government in order to overcome existing regulations. Among these recent instruments, the “Law No. 5366 on Renovating, Conserving and Actively Using Dilapidated Historical and Cultural Immovable Assets” – so called “renewal law”, put in force in 2005, has a special role and impact on the future of heritage places in Turkey. Thanks to this law, intervening on heritage places has become easier. Thus, it has been a powerful policy instrument to be used by local authorities in order to regenerate and transform registered cultural and natural conservation

sites focusing on economic benefit, regardless of the sites' conservation and sustainability.

However, the "renewal law" has been accompanied by problems related to the declaration of sites with different characteristics – cultural or natural – as renewal areas, the unclear aims of renewal projects, and the lack of participatory processes. Despite the existence of these problems and, even, legal cases against renewal areas and projects, the law is still used as a policy tool to intervene on heritage places in Turkey.

These issues call for a critical assessment of the "renewal law" as a policy instrument.

This paper aims to illustrate and assess the impact of the law on heritage in Turkey from the perspectives of both conservation and political economy. Looking at all the "renewal areas" that have been declared since the introduction of the law, the paper discusses the problems resulting from the implementation of the law, the characteristics of renewal areas, the spatial and temporal distribution of "renewal areas", the actors and stakeholder involved, with the aim of answering the following questions:

- How is the renewal process governed at central and local levels?
- When are renewal areas declared, and where are they located?
- What are the general characteristics of renewal areas?
- Who are the actors and stakeholders involved in renewal processes?
- What is the current state of renewal areas?

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