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Continuities in policy change: The case of squatter housing redevelopment strategies in Türkiye

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Abstract

The introduction of the neoliberal agenda in the 1980s marked a milestone for urban studies, where the neoliberal framework became widely accepted as both given and explanatory for understanding urban phenomena. This tendency often obscured policy continuities rooted in the historical and social contexts of specific geographies. Squatter housing policies in Türkiye were no exception, and redevelopment of squatter houses has increasingly been associated with neoliberal restructuring. Although new mechanisms were introduced in squatter housing policies in the 1980s, this study posits that these policies evolved incrementally and in an ad hoc manner, shaped by path dependency and extensions of earlier approaches. From a historical institutionalist perspective, two key continuities were detected through an analysis of legislative changes and policy documents in the squatter housing transformation. First, urban policy has consistently relied on past policy failures rather than radical reforms, as seen in the extension and refinement of amnesty laws and redevelopment regulations. Second, these policies have institutionalized practices that blur the boundaries between legal and illegal redevelopment, reinforcing

a concession-driven urbanization model that has persisted since the mid-1940s. Above all, the underlying principle has consistently been the promotion of private property ownership and the expansion of the housing supply since the first attempt to remedy the squatter housing problem. Based on these observations, this study challenges perspectives that rely on the neoliberal conceptualization of urban redevelopment; instead, it positions neoliberalism as a contextual framework that reinforces existing policy paths, while highlighting the enduring continuities in policymaking.

KEYWORDS

incremental policy, path dependency, policy change, policy continuity, squatter housing redevelopment

INTRODUCTION

The urbanization journey of the Turkish Republic has always been hand in hand with the squatter housing phenomenon, displaying a characteristic of southern urbanism[1] where "rapid rise of urban population often leads to the emergence of sprawling settlements with substandard housing and inadequate infrastructure" (Beall & Fox, 2009, p. 27). Squatter houses, known in Turkey as 'gecekondu', which translates as "built at night" to evade government control and convey the speed of construction, are a type of shelter built by individuals on land that does not belong to them, in violation of building legislation. Squatter houses began to emerge in Turkish cities from the 1930s and onwards, driven by rural push factors such as landlessness, land fragmentation, agricultural unproductivity, mechanization, and shifts in patriarchal relations, as well as urban pull factors such as job opportunities, higher incomes, and improved services, which collectively attracted the agricultural workforce to migrate to cities (Drakakis-Smith, 1976; Ersoy, 1985; Karpat, 1976; Şenyapılı, 1978; Tas & Lightfoot, 2005). Although the state's initial urban planning efforts in the 1930s coincided with the emergence of squatter housing in major cities, the insufficient response and neglect by public authorities ultimately led to an increase in their numbers (Günay, 2006; Keleş, 2015).

Squatter settlements, on the one hand, served as a means of reproduction of labor power, and on the other hand, were marked by both community-level solidarity and ideological conflicts rooted in ethnic and religious differences (Erman, 2004, 2005, 2010) representing a dynamic phenomenon shaped by state (non)intervention and property market relations. The state and the emerging industrial capital have tacitly recognized the role of squatter settlements in urban areas as a means of compensation for the lack of social housing provision by the state. As an informal response to housing needs, they gained significance in the housing market and construction sector after the granting of infrastructure services, which integrated them into formal planning macroform.

However, the urban middle and upper classes have demonstrated a negative attitude towards the illicit status of squatter housing and the rural way of life of their inhabitants (Karpat, 1976; Şengül, 2001; Şenyapılı, 1981a), favoring the demolition of squatter houses and the repatriation of rural populations. Such tension to legitimize and treat squatter settlements has gradually established the framework of squatter housing redevelopment policies, which ultimately aimed to demolish and replace them with legal apartment buildings.

The production of knowledge on squatter housing and its redevelopment has its own trajectory. The squatter housing phenomenon gained attention from scholarly studies in the late 1940s (Danış & Karakaş, 2021; Geray, 1968). The early literature on squatter settlements focused on migration and the factors driving their development, alongside the sociocultural characteristics of residents, their class formation, and the related legal and administrative frameworks (Geray, 1968; Keleş, 1972; Kıray, 1972; Şenyapılı, 1981b, 1982; Yasa, 1966). While the squatter housing phenomenon emerged from the state's inability to meet growing shelter demands in Türkiye, conflicting with Keynesian welfare principles (Eraydın, 2011), the late 1970s shift away from the Keynesian consensus in the global North introduced a new policy context and theoretical framework—neoliberalism—for interpreting these settlements.

Neoliberalism emerged as an ideological response to the 1970s crisis of the Keynesian welfare state—characterized by slowing global capitalist accumulation, rising inflation, and mounting budget deficits—which prompted governments to implement restrictive monetary policies and reduce state expenditures (Clarke, 2005). This shift not only marked the 1980s as an era of neoliberal governance (Mayer, 2013, p. 7) but also sparked growing epistemological debates within academia aimed at addressing and understanding it (Bacevic, 2019; Dean, 2014; Ferguson, 2010; Jessop, 2013; Larner, 2003; Peck et al., 2009; Peck & Theodore, 2019). The debates grew increasingly heated because the term "neoliberalism" has become uncomfortably vague, being equated with many different things, while no political parties, regimes, or professional positions openly adopt it (Mirowski, 2018). This led to a conceptualization of neoliberal projects across space and state as having no paradigmatic single path or model (from which "deviations" can be measured), since actually existing neoliberalisms are always, necessarily, conjuncturally specific (Peck et al., 2009, p. 56). In the course of time, the actually existing neoliberalism (Brenner & Theodore, 2002) has been defined as mutated (Peck et al., 2009), variegated (Brenner et al., 2010), contracted (Duménil & Lévy, 2011), failed (Altvater, 2009) messed up (Fowler et al., 2015), resurrected (Aalbers, 2013), and died again (Fraiser, 2019). It appears that neoliberalism has many meanings, depending on one's perspective (Ong, 2006, p. 1). Due to the wide array of meanings attributed to neoliberalism, serious questions have challenged researchers regarding the "scale, comparison, representation, and relevance" (Ganti, 2014). The vagueness surrounding the definition of neoliberalism has posed an additional challenge to scholarly studies.

Amid definitional challenges, the neoliberal agenda in Turkey has significantly impacted the built environment. In the post-1980s Türkiye, rising capital inflows have driven increased housing investments and production (Boratav & Yeldan, 2006, p. 421). The redevelopment of squatter settlements—initiated by Turgut Özal during his tenure as prime minister through building amnesties, rehabilitation and revision plans, and the decentralization of planning authority—marked a shift toward recognizing the built environment as a key driver of capital circulation and a central element of public policy (Balaban, 2011). The key actors, initially limited to squatter housing owners and small contractors benefiting from urban redevelopment rents, were gradually joined by state institutions such as municipalities, ministries, and the housing development agency. In this context, academic research in Türkiye increasingly linked post-1980 squatter housing policies to the neoliberal agenda, driven by the logic of unleashed

capital circulation and accumulation (Erman, 2019; Karaman, 2014; Kuyucu & Ünsal, 2010; Topal et al., 2019; Ünsal, 2015). A "truly dramatic transformation" or "turning point in the history" of squatter settlements was assumed to take place following a series of amnesty laws enacted in the wake of the 1980 military coup (Demirtaş & Şen, 2007; Dinçer, 2011; Karaman et al., 2020), which, according to Demirtas-Milz (2013), has redefined the nature of informality that has historically characterized the relationship between state officials and rural–urban migrants as an embodied form of neoliberal urban policy. 1980 onwards was also categorized as a distinct period, the *urbanization of capital*, when squatter housing redevelopment was accelerated as part of national policy, and squatter settlement became an object of negotiation for capital (Şengül, 2003). While addressing this globally dominant agenda as an overarching and influential paradigm shaping the built environment, historically rooted continuities are often overlooked. As paradigms shape policy making, it is crucial to ask how historically articulated ways of thinking influence and reshape the paradigm itself (Friedman & Rosen, 2020). For instance, despite the progression of economic policy liberalization, the mechanisms of rent and illicit profit generation by the state did not diminish as expected under the neoliberal agenda in Türkiye. Instead, they resurfaced in new areas and forms, creating a critical paradox for the neoliberal doctrine (Boratav, 1995, p. 170). Similarly, in various geographies, neoliberal interventions are often revealed to have deep historical roots embedded in earlier regimes (Di Feliciantonio & Aalbers, 2018).

In this regard, the stagnant squatter housing redevelopment, which contrasts with neoliberal narratives, has led some researchers to focus on the underlying institutional complexities (Bayırbağ et al., 2022; Kuyucu, 2022; Özman et al., 2023; Somalı, 2013, 2020). Such deviations have stretched the academic focus to local dynamics. Many studies focused on particular cases to understand the bottlenecks in redevelopment. The stagnation in these projects has been explained by the lack of strong leadership and coordination among local stakeholders, failures related to financing, timing, and the broader political context (Kuyucu, 2018), the complexity of institutional frameworks, inconsistent public policies and property regimes (Ay & Penpecioglu, 2023), poorly designed legal and institutional infrastructures (Kuyucu, 2022) and the local political dynamics, the actions and interests of local actors, and their relationships with central-state decision-makers, alongside unpredictable contingent factors (Kuyucu & Danış, 2015). While these critical perspectives acknowledged the varied manifestations of neoliberalism, enriching the discourse, neoliberalism retained its ambiguity and vagueness, evolving into an empty signifier that loses its capacity to reveal the relationships among different levels of generality. More importantly, this ambiguity has resulted in insufficient attention being given to the continuities that preceded and shaped the so-called neoliberal period.

In light of the intricate institutional dynamics surrounding the squatter phenomenon, this paper argues that an exclusive focus on neoliberalism or localized processes risks neglecting the historical evolution of mechanisms that have interacted since the emergence of squatter settlements. By examining legal and administrative actions in squatter redevelopment, the paper highlights the importance of policy continuities over ruptures in explaining ongoing transformations. A retroductive research strategy is adopted that builds upon the analysis of policy documents related to squatter housing redevelopment and how they articulate historically. By analyzing these frameworks through the lenses of historical institutionalism and path dependency, with a focus on incremental and ad hoc policy changes, the study offers a distinct approach to understanding policy change.

As a final critical point, this study deliberately employs the term *redevelopment* in lieu of *regeneration* or *renewal* to underscore the motivation of physical transformation of the built

environment shaped by struggles that are institutionalized in the creation and redistribution of state-led or market-driven urban rent in Türkiye. Since the mid-20th century, these kinds of urban policy interventions have been categorized as reconstruction, revitalization, renewal, redevelopment, or regeneration, each encompassing distinct strategies, actors, spatial scales, economic priorities, social content, physical focus, and environmental approaches (Roberts, 2008). While these practices have evolved over time and acquired diverse meanings across national and local contexts (Leary & McCarthy, 2013), none adequately capture the prolonged transformation of squatter settlements in Türkiye, where socio-spatial and environmental dynamics are often overshadowed by a focus on physical transformation.

Following the introduction, the paper is divided into four main sections. The second section establishes the conceptual framework for tracing continuities in policy formulation and change, providing a basis for understanding squatter housing redevelopment policies in Turkey. The third section examines the process of squatter housing redevelopment, structured under two subheadings that present empirical historical evidence to support the paper's arguments. The fourth section critically discusses the findings in the context of the conceptual framework and links them to broader debates in urban studies. Finally, the main arguments are summarized, highlighting the implications of the study.

NAVIGATING POLICY CHANGE

Historical institutionalism offers a framework for tracing policy processes in the redevelopment of squatter settlements, with an emphasis on how policy change is driven, without resorting to neoliberal generalizations. Historical institutionalism emerged intending to preserve the macro historical tradition of social inquiry, which was being challenged by the rise of quantitative social science and micro-oriented rational choice theories (Farrell, 2018, p. 32). In this approach, important real-world events have become the focus in a historical context, as if looking at the forests as well as the trees (Pierson & Skocpol, 2002).

Policy change, broadly defined as replacing one policy with one or more new ones, is conceptualized as a product of learning in historical institutional theories (Crow et al., 2023). Learning is the process through which actors update their beliefs based on experience, analysis, rules, and social interaction (Dunlop & Radaelli, 2018, as cited in Millar, 2020). Policy documents, regulations, etc., can be referred to as first-hand evidence of learning (Crow et al., 2023).

For contemporary theorists of the state, policy paths are reinforced through the social learning process; such that policy at *time 1* is affected by policy at *time 0*, more than it is affected by socioeconomic conditions (Hall, 1993). Therefore, a policy path can be defined as a structured coherence of practices that are governed by rules, norms, cognitions, and images, which define what should be regulated, when, how, why, and by whom (Torfing, 2009, p. 76). Once paths get reinforced, switching to a new path becomes a costly issue. Accordingly, path dependence is defined as "the present policy choice being constrained or shaped by institutional paths that result from choices made in the past" (Torfing, 2009, p. 71). A brand-new path cannot be initiated given the institutional legacy. Levi (1997, p. 28) states that "there will be other choice points, but the entrenchments of certain institutional arrangements obstruct an easy reversal of the initial choice." Therefore, "the strength and attractiveness of path dependence seems to lie in helping us to understand continuity" (Malpass, 2011).

To distinguish different types of changes that a policy path may experience, Hall (1993) defines three variables that together compose a policy process: (1) overarching goals,

(2) the techniques and policy instruments to reach these goals, and (3) the setting of these instruments. For instance, while alleviating poverty is a goal (1), unemployment pay is an instrument to attain this goal (2), and the level of the payment is the setting of the instrument (3). Hall (1993) distinguishes policy changes into three subtypes according to the magnitude of the changes involved. When policy instruments (2) and/or just their settings (3) are subject to change, without changing the overarching goal (1), then they are called first and second-order changes respectively, which, according to Hall (1993, p. 280), display the features of incrementalism, satisficing, and routinized decision-making that we normally associate with the policy process. Yet, the third-order change is different from the first and the second. When incremental changes cannot solve actual problems and when policy experimentations and failures increase, the existing paradigm is contested for another paradigm, which may lead to the formation of a third-order change. Hall (1993) resembles first and second-order changes to Kuhn's account of normal science, and third-order changes to Kuhn's account of paradigmatic shifts (Kuhn, 2012). However, unlike Kuhn's use of the term scientific paradigm, a policy paradigm has a broader meaning; it is more of a metaphorical concept than an analytical one (Daigneault, 2014, p. 456). Moreover, different paradigms may coexist (Daigneault, 2015). For Berman (2012), a paradigm corresponds to a political discourse or ideas in political science and constitutes the ideational context that shapes policy making. The emergence of a new paradigm signifies distinct social relations and the accompanying institutionalization compared to its predecessor.

Meanwhile, debates on how a path-breaking, or a third order, change occurs took place with a discussion on the possibility of technological innovations vis a vis irreversible, sometimes inefficient self-reinforcing technological processes which lead to a lock-in (David, 1985). In the case of lock-ins, it is assumed that only externally driven events, exogenous factors, can bring a path-breaking change, such as wars, economic crises, dramatic technological developments, epidemics, or natural disasters (Sarigil, 2009). Considering urban policies,[2] the existence of a decisive political will to change policy is also categorized as an exogenous factor (Choi et al., 2019). According to Hall (1989, as cited in Steinmo, 2008, p. 130), institutional change comes about when powerful actors have the will and ability to change institutions in favor of new ideas to solve an actual problem. Similarly, Capoccia and Kelemen (2007, p. 354) point out the importance of the "power" of influential actors and their decisions, indicating that path-changing interventions are exogenous political interventions. Yet, Capoccia (2016, p. 1099) underlines that this process often involves imperfect compliance, rule reinterpretation, and coalition-building among social and political actors. In line with this, Sarigil (2009) argues that the source of change might also be endogenous to institutions or sometimes both endogenous and exogenous. Above all, Sarigil (2009) suggests that it is not a fruitful argument to discuss whether the change is born endogenously or exogenously as institutions do not have clear boundaries, a view that is also shared by the authors of this paper. The political will might have a strong incentive to change policy, yet the role of institutional context is always at play. Therefore, grasping the complex interaction between path-shaping political strategies and their path-dependent institutional context is a challenging task (Nielsen et al., 1995, as cited in Torfing, 2009, p. 79).

Given the discussion above, this paper considers policy documents as evidence of learning, through which paths get reinforced or bifurcate. Tracing these paths via policy documents within Hall's threefold perspective helps to answer whether there are any radical shifts or continuity in squatter housing policies. Few studies apply the historical institutionalist concepts in the urban redevelopment literature in Türkiye. Tasan-Kok (2015) displays path-dependent trajectories of

urban regenerations that are locally designed, financed, and developed under certain contingent events framed by certain institutional and organizational processes. Similarly, Özman et al. (2023) apply the historical institutionalist concepts to shed light on the emergencies faced by certain urban regeneration projects, explaining the unexpected outcomes based on critical junctures and local self-organization processes. While these studies trace path dependency on the course of certain redevelopment cases, this study alternatively concentrates on the very advancement of squatter housing redevelopment policies. It is assumed that changes at the ideational and practical levels are best traced through policy documents at various levels of government related to urban redevelopment. These documents include statutory decrees, laws, by-laws, national and local development plan decisions, and municipal decisions. Accordingly, the next section represents the trajectory of squatter housing redevelopment in Türkiye highlighting the first-and second-order changes in the squatter housing policy framework, and searching if a third-order, paradigmatic change exists.

THE TRAJECTORY OF SQUATTER HOUSING REDEVELOPMENT IN TÜRKIYE

Reinforcement of the path

The first officially recorded squatter settlement in Türkiye appeared in Ankara in 1933, signaling the beginning of an escalating challenge for cities (Şenyapılı, 1983, p. 55; Tekeli, 1978, p. 48). The central government's discourse toward squatter settlements was notably passive, as they were seen as temporary shelters (Şenyapılı, 2004, p. 97). However, they became deeply rooted, fulfilling basic needs, and addressing the shortcomings of formal exchange and redistribution systems (Buğra, 1998, pp. 306–307). Meanwhile, the urgent problem for the government was rather the illegal construction and expansion of buildings within the historic city center, coupled with the challenge of implementing the new urban plan amidst rising land prices (Şenyapılı, 1983).

Local authorities initially withheld services and infrastructure from the squatter settlements and frequently attempted demolitions (Şenyapılı, 1981b, p. 45). Yet, demolition was restrained by the framework of Penal Law for Municipal Affairs No. 486, enacted in 1924, which dictated that a squatter house could only be demolished immediately if caught during the process of construction. If, however, the roof was closed and it was inhabited, a court decree was necessary for demolition, which took a considerable time and resulted in the annulment of demolition in many cases (Şenyapılı, 1983, p. 146). Consequently, to prevent possible demolition, dwellings were often constructed in a very short time, sometimes overnight, which contributed to their temporary and makeshift nature (Özdemirli, 2019, p. 23).

Until 1948, partial legal regulations were introduced, mandating the demolition of squatter houses that failed to meet sanitary standards or that occupied planned public service areas. Eventually, in the late 1940s, the severity of the squatter housing trend was acknowledged and became for the first time a primary issue in the National Assembly (Şenyapılı, 1983, p. 95). Similarly, it was not until 1947 that the issue was directly mentioned in the press (Şenyapılı, 1978, pp. 49–50). The problem was then framed as improvidence of the state, and new legal measures came into force. The first regulation was Law on the Allocation of Municipal and State Lands in Ankara for Housing Construction No. 5218 in 1948, which basically aimed to legalize squatter houses within the municipal boundaries of Ankara city (Tekeli, 1978, p. 139). The law

became valid for the entire Türkiye under new Law on Building Construction Incentive No. 5228 in 1948 (Tercan, 2018). Both laws recognized the squatter phenomenon and had two main objectives: the legalization of existing squatter houses and producing affordable urban land. The squatter houses built after the law's publication date would be demolished. Public land was transferred to municipalities at no or very little charge. The authority to develop low-cost housing was devolved to municipalities, and finance through bank loans was mobilized. Nevertheless, only the first objective, legalization, was realized, and the second was never fully attained (Şenyapılı, 1983, p. 99; Tekeli, 2010, p. 317). Meanwhile, the debates were growing about the squatter housing issue in the National Assembly (Şenyapılı, 1983, p. 100). The framing of the problem shifted; the squatter houses were labeled as threats to public order and security (Şenyapılı, 1981a, 2004, p. 185), and municipal authorities were to be blamed for the increasing number of squatter houses. Accordingly, Law No. 5431, the Demolition of Unauthorized Buildings, and Amendments to the Municipal Building and Roads Law No. 2290 were enacted in 1949 to extend the municipal authority for the demolition of squatter houses built after the law. But still, the law was not strict, and municipalities could still exempt some areas in some cases. This indecisive attitude toward squatter houses prevailed when migration took a new phase and accelerated in the 1950s.

Apart from squatter housing, the housing development capacity of Turkish cities was limited due to high land prices, insufficient financial resources, and legislative capacity to overcome these sufficiencies. At that time, Turkish Civil Code No. 652 allowed single ownership on a single parcel of land. Although single ownership prevented speculative land price increases, it set a barrier for the densification of constructions considering the financial burdens falling on single owners. Under the pressure of increasing population vis-à-vis housing shortage, an article was added[3] to Notary Law No. 3456, which made condominium possible in 1948. In 1954, the condominium was clearly introduced in Land Registry Law via Law No. 6217 on Amendment of Article 26 of the Land Registry Law No. 2644 and became widespread. Thus, the basic mechanism of high-density urbanization in Türkiye was established (Tekeli, 2009, p. 143), which would further be refined with Condominium Law No. 634 in 1965. This mechanism soon generated the main construction method known as build-sell, which is led by a contractor, who is a small developer with little or no initial capital, often raising finance through the sale of housing units prior to construction. This method has long steered the urbanization of Turkish cities, including the redevelopment of squatter settlements.

In the 1950s, the rise of intermediate goods and manufacturing industries in Türkiye made large cities, especially Istanbul and Ankara, both more attractive and vulnerable to migration flows. In the same period, legislative measures empowered municipalities to facilitate urban housing development, introducing credit mechanisms and new instruments such as expropriation and land readjustment shares. Regulations mainly promoted ownership/possession rather than the provision of rental housing, implicitly favoring higher income groups. Lower income groups, including squatter house owners, could not benefit from these mechanisms. In this context, the government's support for squatter housing was once more underlined by Celal Bayar, then president of Türkiye:

> Squatter housing is not a nuisance, as they say; it is the result of social necessity and need. The people who live here need government help. Regardless of their location, squatter houses should not be demolished before new housing is provided.
>
> (Şenyapılı, 1983, p. 152)

Throughout the period, squatter housing dwellers had better and more stable job opportunities in growing sectors (Yasa, 1966). Similarly, the quality of the squatter houses improved in tandem with rising incomes (Şenyapılı, 1978). The number of newcomers increased, which also meant increased political power in the post-1945 multiparty system,[4] resulting in increased populist policies such as infrastructural services, etc., to squatter housing areas through municipalities (Erman, 1998, p. 556). By the mid-1950s, squatter settlements, which had once been sparsely scattered, had then become neighborhoods, becoming increasingly recognized and organized.

In 1953, Law on Building Construction Incentive and Unauthorized Buildings No. 6188 replaced Laws 5218 and 5228. Similar to previous laws, it permitted well-maintained squatter houses to obtain title deeds, while those in poor condition were to be demolished and given affordable land or housing (Erdoğan & Ömürgönülşen, 1989, p. 177). The law prioritized demolitions and gave local councils the power to act quickly without a court order. Violators, including the mayor and officials, would face imprisonment and fines. In this context, the national government's supportive discourse for squatter owners and the local governments' provision of services to squatter neighborhoods coincided with a significant number of demolitions. This contradictory stance helped to appease both the squatter housing owners and the local residents who reacted to these illegal settlements. Despite these efforts, squatter settlements continued to grow rapidly, outpacing the measures in place.

In the late 1950s, the volume of construction activities was tremendously increasing among middle and high-income groups in terms of both construction of new apartment buildings and the reconstruction of old houses into higher-rise, larger apartments. People were either merging their small plots of land to raise an apartment block or dividing large plots into smaller ones to increase the unit of housing. Either way, the construction density was increasing based on the build–sell method. In 1958, the Ministry of Development and Settlement was established to address the housing problem in Türkiye. Also, the new constitution of 1961, which introduced the principle of the social state, brought a more systematic approach to the squatter housing problem, which was reflected in the National Development Plan (Devlet Planlama Teşkilatı, 1963). The priority was to resolve uncertainties over property rights. Subsequently, Squatter Housing Law No. 775 was enacted in 1966 as the first legal document to use the term "squatter housing" It was a comprehensive document on the rehabilitation, demolition, and prevention aspects of squatter housing, as well as the responsibilities of the actors, with increased powers on behalf of the Ministry of Construction and the municipalities. It was, in fact, a document that compiled previous policy experience on squatter housing.

The dynamics of squatter housing construction were also going through changes. During the 1960s, squatter housing dwellers took advantage of the flexible structural characteristics of their homes, reinforcing and expanding them as needed, resulting in overall improvements. Selling the squatter houses was also an option in case of bottlenecks. An illegal speculative squatter housing market flourished, highlighting their exchange value. When it comes to the 1970s, some squatter owners with financial means opted to transform their houses into multi-storey apartment buildings (Şenyapılı, 1981b, pp. 47–48).

Despite changes in the nature of the squatter housing phenomenon, the legal efforts were in a similar line of the logic of forgiving, entitling title deeds, and transforming to apartment blocks. Law No. 2805 and Law No. 2981, in 1983 and 1984, respectively, were specifically mobilized to accelerate the legalization of illegal houses and their redevelopment into apartment blocks. They were equipped with new legal tools including certified private technical offices and land registry certificates to accelerate implementations. With the enactment

of Development Law No. 3194 in 1984, planning authority was devolved to municipalities equipped with peculiar planning tools including rehabilitation plans tailored for the redevelopment of squatter houses and revision plans for further modifications to already built-up areas. The implementation of building amnesties, supported by rehabilitation and revision plans, and devolved authority to municipalities all together extended the legalization of squatter settlements and widespread application of redevelopment as additional floors, or new constructions (Uzun, 2005, p. 185). This period witnessed widespread adoption of the build–sell construction method at plot scale.

The amnesties have persisted with a similar approach, by enhancing the legalized stock and promoting private ownership. Between 1948 and 2018, according to different sources, there were approximately 20 direct or indirect regulations that can be considered as building amnesty (Erensu, 2023, pp. 6–7; Polat, 2019, p. 204). All these amnesties dealt with the outcomes rather than the root problem. They were justified as an establishment of the public good by resolving the illegal acts of citizens. The redistribution model, based on building amnesties and increased development rights, has inadvertently contributed to the emergence of new squatter houses and the augmentation of illegal construction activities due to expectations for future amnesties (Tercan, 2018, pp. 25–26). In 1965, for instance, the Prime Minister's speech, given above, brought a widespread wave of land invasions for squatter construction primarily in major cities of Türkiye[5] (Buğra, 1998, p. 307).

In the midst of housing scarcity and the ever-increasing urban population, it would not be an exaggeration to say that both squatter houses and legal dwellings were going through similar processes. Legal resident owners were getting extra development rights, from 1 or 2-storey houses to 7 or 8-storey apartment blocks. Squatter owners on public land, besides, were being authorized, and then they were getting 3 or 4-storey development rights, which could further increase to 7 or 8-storey blocks. Cooperatives, similarly, were starting up constructions out of the plan boundaries and then demanding stretching of plan boundaries (Şenyapılı, 1983, p. 176). In one way or another, squatter houses and legal houses were all proliferating on concessions. The widespread concessions were becoming norms and getting institutionalized via laws for the sake of legal and private ownership.

For an overview, squatter houses initially built for personal use before 1960 began to be rented out at low rates between 1960 and 1970, and by the 1970s, they had become fully commercialized—a trend that intensified in the 1980s (Keleş, 2015, pp. 536–537). This reflects the ambivalent nature of state policy, shaped by class struggles and compromises, where legal and administrative maneuvers consistently prioritize exchange value over use value, and private interests over public. In short, the paradigmatic changes often attributed to the 1980s as part of the global neoliberal agenda have actually been rooted in earlier periods in Türkiye.

Bifurcations on the path

In 1989, the first large-scale intervention for the redevelopment of centrally located squatter settlements took place in Dikmen, Ankara. According to Topal et al. (2019, p. 641), this project represents the early characteristics of squatter housing redevelopment during the neoliberal era and exemplifies how market-oriented principles have gradually become more pronounced, emphasizing the exploitation of urban rent for project finance. Ultimately, the Dikmen Project, the first state-led squatter redevelopment initiative, served as a pioneering blueprint for local governments nationwide on how to approach the redevelopment of

squatter settlements (Uzun, 2005, p. 186). Nevertheless, similar to the previous trends, there was a notable increase in squatter housing construction within the project area following the approval of the second phase plans of the Dikmen Project in 1992 (Mühürdaroğlu, 2005, p. 103). The process of granting amnesties and obtaining a share from urban rents escalated and further permeated society.

The first official document which introduced urban renewal for the first time to target squatter housing redevelopment was the Seventh Development Plan in 1995 (Devlet Planlama Teşkilatı, 1995, p. 183). It proposed regulations to facilitate urban renewal and self-financing projects and underlined the necessity of deterrent sanctions for squatter housing prevention, which was reiterated in the Development Plan of 2000 (Devlet Planlama Teşkilatı, 2000, p. 173). Notwithstanding the aforementioned guidance, Law on the Evaluation of Treasury-Owned Immovable Properties No. 4706, enacted in 2001, introduced another building amnesty, affording the owners of structures erected on treasury land prior to 31 December 2000 the opportunity to purchase the properties. Furthermore, with a regulation introduced in 2019 under the same law, this opportunity was extended to include structures built before April 30, 2014.

In fact, although sanctions were not included in the abovementioned laws, the Turkish Penal Code (Türk Ceza Kanunu, 2004), which was renewed in 2004, stipulated in Article 184 that those who construct a building without a building permit or in violation of a building permit shall be sentenced to one to five years' imprisonment. However, less than a year later, an amendment was made to the same article of the law, stipulating that this sanction would not apply to buildings constructed before October 12, 2004. Although the subsequent continuation of building amnesties has raised concerns about the effectiveness of the authority's power, this, sanction has served as a strong reminder to the parties involved in the game of squatter housing redevelopment.

During the single-party government of the 2000s, various similar measures were implemented within the legal and administrative framework, demonstrating the active involvement strategy of the state in the squatter housing redevelopment at both local and central levels. The leader of the governing party, with prior experience as a metropolitan mayor, further facilitated the progress to this end. Indeed, in nationalist and conservative politics, construction activities assume a paramount significance as a key barometer for evaluating the efficacy and accomplishments of the ruling entities[6] (Bora, 2016). Facilitating the production and regeneration of the built environment is crucial not only for the economic vitality it brings but also because it reinforces national and local power structures and serves as a performance indicator in the public's perception. In this regard, the measures were taking place incrementally building upon previous policy practices and highlighting the public authorities' central role in the squatter housing redevelopment in the 2000s. Initially, the amendment in 2004 (Law No. 5162) to the Mass Housing Law (Law No. 2985) brought about important changes. The governing political party's emphasis on the construction sector for economic growth and electoral success led to significant reforms in housing policy, including the regeneration of the Public Housing Administration (TOKİ hereafter) into a state real estate corporation (Holland, 2017, p. 282; Özdemir, 2011; Uzun et al., 2010; Uzun, 2019). According to Yeşilbağ (2020, p. 546), TOKİ's urban regeneration program rapidly converted squatter settlements into lucrative real estate investments with strong state intervention, significantly shortening the process that would have taken decades and also facilitating financial inclusion for low-income households through subsidized social housing programs. These amendments provided a framework for the central state to play an active role in the process of transforming squatter settlements. Local administrators

belonging to the same political party as the single-party government further contributed to the effective utilization of central resources by quickly adopting the new legal and administrative framework for implementing local-level initiatives.

In this context, in 2004, the Northern Ankara Entrance Urban Redevelopment Project, for which a specific law was enacted in the Grand National Assembly of Türkiye, became a pioneering urban renewal project carried out in squatter settlements in Türkiye. The project implemented by the Ankara Metropolitan Municipality in collaboration with TOKİ has outlined a model for squatter housing redevelopment for municipalities, diversifying the existing methods.

While the state-led urban renewal was possible within the existing legal framework since the mid-1980s, it took two decades to empower municipalities with an article incorporated into the metropolitan municipality and municipal laws in 2004 and 2005. The Article 73, titled Urban Regeneration and Development Zone, in Municipality Law No. 5393 established the legal framework for the regeneration of decaying or obsolete areas in urban areas, without explicitly mentioning the term *squatter housing*. Two significant points deserve attention related to Article 73. First, the article's limited provisions on planning and implementation have created legal gaps, leading to the stay of execution and annulment of urban regeneration projects by administrative courts. Second, the article has broadened the scope of urban regeneration beyond squatter areas, prevailing piecemeal planning across various areas of the country over these projects. Following the introduction of Article 73 into the Municipality Law, the implementation of urban regeneration projects in squatter neighborhoods significantly increased. The projects have been mostly implemented through collaboration between the district municipality, TOKİ, and the metropolitan municipality, and were justified by public authorities as mitigation to disaster, crime, segregation, and poor living conditions (Uzun, 2013, pp. 240–241). The interventions aiming at unblocking bottlenecks in squatter housing redevelopment via large-scale projects also altered distribution dynamics in the redevelopment game with emergence of new forms of obstacles. These obstacles are not only due to financial limitations or the discontent of certain right holders, but also stem from the inadequacy of the legal framework. Several provisions[7] were included in the article concerning dispute resolution and projects' viability in the squatter areas. This period witnessed the centralization of authority: the decision to declare and implement urban regeneration and development projects in publicly owned or used areas became bound to the approval of the Council of Ministers. Additionally, the establishment of the Ministry of Environment and Urbanization in 2011 further strengthened central authority and power. Metropolitan municipalities have been granted the authority to declare project areas, while district municipalities could only implement projects if approved by the metropolitan municipal council. These contingencies occurred both as a top-down policy that dominates the relations of rent creation and distribution, but also as a bottom-up demand by local governments to overcome their incapability vis-à-vis large-scale squatter housing redevelopment projects.

Law on the Regeneration of Areas Under the Disaster Risk No. 6306, enacted in 2012, can also be evaluated within the ongoing incremental evolution of the legal and administrative framework with regard to the challenges in squatter housing redevelopment. The enactment of the law on the regeneration of areas under disaster risk in 2012 was prompted by the Van Earthquake that occurred in 2011, leading to a swift and authoritative intervention. Many regions that were declared as disaster-prone areas under this law had already been part of the existing urban renewal projects (Poyraz, 2022, p. 126), which were not progressing at the desired

pace. Strong evidence can also be found within the provisions of the aforementioned law itself. According to this law, Law No. 2981 in 1984, which had legally paved the way for market-driven squatter housing redevelopment and shaped the legislation on illegal construction, would be repealed in three years after the enactment of Law No. 6306. Three years were given for a transition period for individuals who had applied for amnesty for their houses but were unable to complete the legal process for various reasons. Yet, the transition period was extended to 6 years in 2015 and further extended to 11 years in 2018, ensuring that the law enacted in 1984 would remain in effect until 2023. These updates were primarily driven by the ongoing regeneration process that extended beyond a specific timeframe.

The law remained a significant administrative tool contributing to the concentration of power in the central government. With the transition to a presidential system in 2018, the power to declare disaster-prone areas was given to the president. In line with this, the central authorities became more empowered to implement urban renewal projects in squatter areas. It was also a notable exception in the history of urbanization in Türkiye, as it introduced an intervention in private property. According to this law, the shares of owners who do not agree with a decision taken by the majority of owners can either be auctioned to other shareholders or transferred to public institutions with compensation to the owners. This law was further supported by Annex 8 to Law No. 3194, which prohibits the modification of zoning plans unless an area is subject to Law No. 6306 and introduces the value capture of rent in the case of market-led regeneration projects, thus narrowing down the actors in the field of entrepreneurial urban development.

Although the centralization of power has raised concerns about the potential exclusion of local governments and actors from decision-making processes, the evolving legal and administrative interventions have resulted in a multi-scalar squatter housing redevelopment that allows various levels of administration to participate, either by facilitating market-led regeneration through increasing development rights or by direct involvement through urban renewal projects as state-led ones.

The ongoing ambivalent process of squatter housing redevelopment, aiming to continue until the last one is transformed, has been highlighted once again through the implementation of a comprehensive building amnesty in 2018, as known as "the building peace." This law granted the right of use to all illegal buildings, with a few exceptions, by issuing a "building registration" certificate for a fee, which is valid until the reconstruction of the building or the implementation of urban renewal projects. In this framework, while the existing legal and administrative framework has the potential to eradicate the remaining squatter settlements, it is still not effective in preventing further illegal housing formations.

DISCUSSION

The history of squatter housing redevelopment in Türkiye primarily revolves around legal and administrative interventions, particularly building amnesties, development rights, and urban redevelopment initiatives. These policy choices, clearly, reflect the interests, conflicts, negotiations, and compromises among different classes, framed by the overarching political context, whether welfare-oriented or neoliberal. However, in attempting to understand how this process works in Türkiye, it is essential to highlight the existence of diverse blended dynamics that have evolved over time. To put it more precisely, this represents a complex combination of policy formulation and implementation influenced by factors such as short-sighted

thinking, concentration of power, economic imperatives, and deeply ingrained patterns of existing or previous public policy practices and perspectives. Accordingly, the incremental and event-based approach of the administration has led to the gradual transformation of the legal and administrative framework over time through a process of legal stretching. It becomes evident that nationwide legal and administrative frameworks have largely been aligned with pre-existing practices that emerged contingently, such as the build–sell model and state-led urban redevelopment projects rather than proactive state policies and interventions. Consequently, they have become the two prevalent methods of squatter housing redevelopment that complement each other, despite the resulting divergences in the squatter housing redevelopment process. Therefore, this study also has revealed the significant influence of local practices and interventions in shaping national-level policies and their dissemination across the country. It can be argued that numerous measures in Türkiye's housing policy, particularly concerning squatter housing redevelopment, have originated at the local level and subsequently permeated the national one.

In this intricate web of relations, although every intervention has modified the rules of the squatter housing redevelopment game, they can be regarded as second or first-order changes that neither challenge the state's existing housing policy nor represent a post-1980 rupture as often implied in the squatter housing redevelopment literature in Türkiye. Although there have been significant changes in the relations of (re)distribution of rent in squatter housing redevelopment, especially after 1980, which have taken flesh and bones in the 2000s, it is not possible to argue that there has been a paradigmatic shift in the game of (re)distribution, but only the advantaged parties and the share of distribution have differed, while existing paths are reinforced. From this point of view, therefore, there is high compatibility between building and squatter housing amnesties and the condominium law, or between market-led transformation and state-led transformation. In summary, from the perspective of historical institutionalism, particularly through path dependence and policy change approaches, the post-1980 period in the squatter phenomenon does not represent a paradigmatic shift but rather the continuation and restoration of preexisting class relations.

Figure 1 is an analytical representation of the squatter housing redevelopment trajectory as discussed by this paper. Yellow-colored boxes represent laws that either annul the previous one or extend their span of authority. Light gray colored ones mainly represent first-order changes that incrementally bring modifications such as time extensions to the law in which they are related with an arrow. Green boxes represent regulations that do not address squatter housing but have a high impact on it. So-long reinforcement of build-sell and consecutive amnesties which are temporally prior to squatter housing redevelopment lay the basis of the peak period of redevelopment, accelerated by decentralization of planning authority. Redevelopment bifurcates into state-led and market-led trajectories, which are different with regard to their scale of project, developer, and involved actors. These trajectories are continuously fueled with amnesties. Large-scale state-led redevelopment trajectory is pioneered by the Dikmen Project. Market-led redevelopment trajectory dwells on rehabilitation plans which evolve into revision plans yielding iterative redevelopments of existing stock. Yet, the possibility of further market-led redevelopments is weakened as a result of Annex 8 to Law No. 3194, which gave an end to plot-base plan modifications, as mentioned above, unless an area is bound to Law No. 6306. Therefore, this path ultimately converges with the other path related to recentralisation of authority. Eventually, Law No. 6306 stands out as the dominant legal framework for regeneration thanks to its privileged concessions vis a vis obstacles for redevelopment. Law No. 6306,

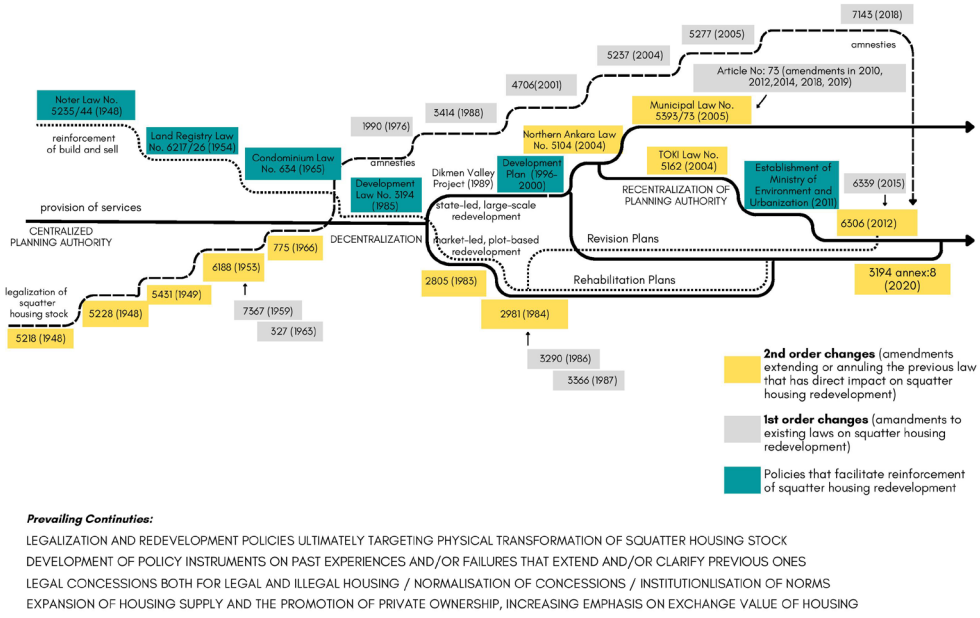

FIGURE 1 The trajectory of squatter housing redevelopment policies.

mobilizing the bottlenecks of previous periods, is a fertile ground for further bifurcations, in a similar line of reasoning.

When analyzing squatter housing redevelopment at different levels and through various units of analysis, we find occasion-based selective interventions accompanied by irregular legal regulations, both preceding and following them, along with a flexible discourse that is employed by decision-makers and not challenged by society at large. While policy changes in this context may be perceived as new trajectories or paradigmatic shifts, what is often overlooked is the decisiveness that reveals continuity, even though it is selective, flexible, and irregular. What we detect as a continuum in the squatter settlement redevelopment phenomenon, as part of housing policy in Türkiye, can be summarized in two domains: principles and processes. The first domain, the principles, establishes the framework of a policy context that is primarily driven by a motivation to increase the housing supply based on private ownership, gradually prioritizing exchange value over use value. This has been supported by a variety of policy instruments that ultimately target the legalization and physical redevelopment of squatter settlements. The second domain, the processes, signifies the public policy formulation and implementation "as a way of doing" that exhibits persistence rather than consistency. Policy instruments have flourished on past experiences and/or failures on a trial and error basis that can best be traced in amnesty documents and redevelopment laws that extend and/or clarify previous ones. Besides the chronicle articulation of legal instruments, horizontal continuity occurs by synchronous application of these instruments covering both legal and illegal processes of urban redevelopment in Türkiye. In other words, laws that were mobilized for squatter settlements soon were exploited including all urbanization processes in cities, displaying an urbanization pattern driven by concessions since the mid-1940s. These interventions are often temporary and aim to provide a solution to the immediate problem at hand, address-specific needs, focusing on particular individuals, groups, or areas with tailored solutions. Therefore, such a manner in policymaking has paved the way for further

entrenched unintended consequences that fall short of suggesting radical changes in squatter housing redevelopment within Türkiye's housing policies.

This retroductive account is superior in the sense that it sheds light on the continuities reflected in principles and processes which have been dominating the squatter settlement redevelopment phenomenon in Türkiye so far. Built on the analysis of the historical articulation of policy documents, which is offered as a novel method for further policy studies, it provides grounded insights to the contemporary blockages experienced in practice.

CONCLUSION

The continuous endeavor to steer a legal path for urbanization vis-à-vis squatter settlements in the midst of an ever-increasing housing demand paved a peculiar path for Turkish urbanization for about a century, almost since the establishment of the Turkish Republic. Tracing the historical articulation of redevelopment policy documents has provided us with an alternative account of the trajectory of squatter housing redevelopment based on continuities, as opposed to the accounts based on paradigmatic shifts or ruptures. It is proposed herein that underlying continuities, which have been revealed in this paper, should be the focus of scholars' attention or the departing point of alternative policy interventions for issues related to squatter housing transformation. Similarly, this perspective holds the potential to provide new insights into other fields of policies.

CONFLICT OF INTEREST STATEMENT

The authors report there are no competing interests to declare.

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Endnotes

[1] The fundamental attributes of southern urbanism include a rapid surge in the number of megacities, robust urban–rural linkages, urban sprawl and fragmentation, escalating urban disparities, and shifting perspectives on urbanism due to the contested nature of urbanism in the global South (Smit, 2021).

[2] It should be underlined that urban policy paths, or institutions never experience true lock-ins as in the case of technological paths, but they require gradual adaptations to the environment for their long-term survival (Ebbinghaus, 2005, p. 11).

[3] The article was added via Law on Amendment of Some Articles of The Notary Law No. 5235 in 1948.

[4] After 1945, Turkey transitioned to a multiparty political system. The first free and competitive elections took place in 1950, resulting in the victory of the Democrat Party (DP), which ended the Republican People's Party's (CHP) long-standing dominance as the founding party of the republic.

[5] The number of squatter houses in Türkiye increased from 240,000 to 600,000 from 1960 to 1970 (Tercan, 2018).

[6] To trace the performance of right-wing governments in the production of built-environment, please refer to the study by Yılmaz and Yılmaz (2019) on the contribution of the construction sector to Türkiye's growth, as evidenced by the gross domestic product data from 1923 to 2015.

[7] The Article 73 underwent subsequent amendments in 2012, 2014, 2018, and 2019, signifying additional revisions and updates to the legal provisions.

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