

PUBLIC SERVICES IN TURKEY: CURRENT STATUS, RECENT HISTORY AND FUTURE

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“There is no higher religion than human service. To work for the common good is the greatest creed.”

Woodrow Wilson

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Prolog

Civil service, whether we consider it together with its traditional, modern or "new" terminology, is one of the basic titles limited to a few titles from the administrative activities of the state. Others are included in the literature as some other well-known titles such as regulation, law enforcement, planning, promotion and support. The way it is handled in the past and in the future will differ from each other in that it includes basic principles such as continuity and uninterruptedness, regularity, generality, variability and free of charge. The purpose of this book is to present an awareness of change on the purview of public services, the transformation of this concept, and the rising identical values such as coordination, problem solving to the readers. It was also aimed to reason the current status, recent history and the future of state's role on public services. This study has also been planned to demonstrate and go over the known public services types and statuses in Turkey. This book is an extensive presentation of state regulations, organizations and state monopoly in some areas. It also chooses the most substantial items among the hot topics and discussions, specific to Turkey.

Chapter 1

The concept of Public Services

The emergence of the concept of public service began with the process of people's need for some services after the beginning of social life, and the state's authority to regulate these services with the basic resources and wealth. (Defourny, 2013).

Thinking about the concept of public service brings with it thinking about the theory of the state, the function of the state and social power relations. The concept of public service is an important concept for all branches of public law. On the other hand, a common consensus on the definition of public service couldn't be reached yet, and the concept is one of the definitions that remained confused and blurred for all areas of public law. Civil service has long been the most fundamental and founding concept of administrative law, but at the same time the most controversial. The debate on the concept of public service is one of the main issues, perhaps the most prominent, on

which administrative lawyers have been trying to reach an agreement for a long time, because it covers the most basic element of this branch of law (Brown et.al, 2017: 161).

The use of the term public service in many fields and its transformation over time have prevented a valid and common definition from being made (Suchman, 1968). This decision is important not only in terms of public service in administrative law, but also in terms of the responsibility of the administration, the concepts of public power and the criteria of the administrative judiciary. Public service, apart from being one of the most basic concepts of administrative law, is also considered as the main founding element used to explain within this branch of law (Lewis and Gilman, 2015).

In Turkey, public service is included in the constitution at the conceptual level and the definition of public service has been clarified in the decisions of the Constitutional Court and the Council of State (Özbudun, 2011). Contrary to the Turkish and French doctrines, the understanding of determining the service according to material criteria gains importance in the regulations of the European Union (Akın, 2019: 50). Various concepts related to public service are used in the regulations. These are concepts such as public

service, economic public benefit services, public benefit services, social public benefit services and universal service (Ulusoy, 1999:169). Public service is the continuous and regular activities made and presented to the society by the state or other public legal entities or under their supervision and control to meet the general and common needs, to provide the public interest or benefit (Örücü, 2000).

Today, in the international public opinion, the ethical behavior of managers has formed the spirit of all administrative practices, indeed the principles of justice and equality have become the basis of public service. Following the same understanding, a tendency has emerged to develop ethical codes so that public officials do not pursue their own interests and do not discriminate while performing public service (Perry, 1996: 13).

There is no current and precise definition of public service. The services provided by public legal entities or legal persons under the supervision of these legal entities in order to meet the common and continuous needs of the society are called public services. Public order refers to shaping the changing political, economic and social order in a way that will be beneficial to the public in order to protect the social order. In Turkish law, too, public order

gives the legislator, administration and judges the authority to restrict freedoms and make exceptions to the prevailing rules (Atakan, 2007).

The qualification of being a service that is accessible to everyone within the borders of the country, at a predetermined quality and at minimum standards in return for a reasonable price that everyone can afford, has been adapted to the public service as a "universal service". Universal service makes sense via the examples as electronic communication services, including internet access, that can be accessed by everyone regardless of their geographical location, provided at predetermined quality and at expected standards for an affordable price that everyone can pay, and other electronic communication services to be determined within the scope of this Universal Service Law No. 5369, being issued in 2005 (Çubukçu and Bayzan, 2013: 151)

Chapter 2

The transformation of State's role

It is controversial in our doctrine whether the activities accepted as universal service are public services. Although the history of the state is much older, from the urgent necessity of the capitalist state, which is accepted as a modern state, to the present day, the state has changed its shape by acquiring various roles in the axis of production on services and market area. In the age of neoliberalism, the state played a more active role in ensuring the functionality and security of the market, and some activities that were invisible to private individuals began to be seen by the modern state. In this period, the role of the state in the economy of Turkey, as in many countries, gradually expanded (Karakaş, 2008).

The change in the role given to the state today, which is called the neoliberal period, has also led to a change in the understanding of public administration. The classical public administration approach is replaced by the *public*

management approach. Private law and market rules come to the fore in this new *public management* approach based on public administration. It can be said that the fact that the privileged field of activity is not sufficient for the market actors to make investments, that they do not enter the administrative jurisdiction and want to see the public services through private law contracts, combined with the reservations of foreign investors regarding the national judiciary, combined with the changing role of the state, which paved the way for the changes in the contracts for the provision of public services (Malgaç and Ünlü, 2017: 240).

The state plays a role in the organization and functioning of the administrative public services, especially in the execution of independent institutions, free procedures, autonomous personnel and wider economic opportunities, and carries out these activities in a legal procedure and regime consisting of a mixture of allowed public-private forms of administration. Along with the effect of the social state understanding, the role of the state is increasing day by day throughout the world and eventually, it is seen that the public is growing accordingly. This situation also increases the expectations for public administration. In order to realize these expectations, it has

become a necessity for the *public* to operate in different fields (Güran and Oğuz, 2010: 81).

In the pre-neoliberal period, that is, with the effect of the welfare state understanding, the state began to take a direct role in the production and distribution of public services. Therefore, the role of the state in the production and delivery of public services has increased in *welfare state period*, leading to a growth in its structure and functions (Hasanfeld and Garrow, 2012: 299). The crisis in which the *welfare state* understanding fell into capitalism over the years has led to the questioning of the role and functions of the state in the economy. In the years when neoliberalism developed, changes in the world economy, developments in the international system and technology created new opportunities to get out of the crisis that capitalism fell into, and after all, the new era that came with the help of ideology showed itself as globalization.

Globalization has begun to threaten state identity as it questions the real role of the state and its national sovereignty. In this case, states had to give up their ability to produce their own national policies in favor of regional and international organizations. The economic crisis that broke out in the years of transition to neoliberalism and 80's

liberalism, which questioned the idea of social state, made the current role of the state a matter of discussion. The increase in *social needs* has also increased public expenditures (Blond, 2017: 53). The new right-wing ideology emerged after the decline of capitalism in the understanding of state and politics, and had an important role in determining the plans and policies to be implemented by the nation-states under the influence of capitalism as well as in the academic field.

In the new system, the state has an important role in the coordination of investments and the internalization of positive externalities of entrepreneurs for the improvement and development of the sectoral structure with the right ideology. When we look at the similarities of *the new structuralist* or *structuralist* economics, it draws our attention in the structural differences of *developed* and *developing* countries and the recognition of the active role of the economy in facilitating backward and advanced development movements (Efe, 2016: 163).

The concept of the regulatory state is dependent on the goal of administering an order based on the market system in line with the needs of the market. The duty of the regulatory state is to create institutions and systems that

will enable the private sector to work in a safe area by transferring all social advances to the private sector in developing countries. For example, the government's role as a regulator in Turkey has enabled it to focus on audit activities and its core business (Bulut and Akın, 2018:23). As a result, state-owned enterprises were privatized. In order to adopt the state mentality of our age, it is necessary to examine the foundations of liberal state thought well. Because the state model presented in our period reflects the need for liberal state thought, it is naturally based on the shortcomings of the social state. In order to examine the role of the state in the new public administration, it is necessary to examine the indispensability of states from primitive societies (Candan and Erol, 2017:89).

By the end of the 20th century, policies were formed in which principles and rules such as quality, public priority, inclusion, explainability, transparency and efficiency-based administration were prioritized in public service. The increase in public expenditures and the increase in the types of public services, taking up more space in the budget, have made the income-payment system *unbalanced* for the states. Politicians, who were thinking of providing public service and being re-elected with limited resources, found

the solution in making scarce resources more effective by acting more sparingly in public institutions (Toprak, 2007: 75).

In the 21st century, numerous efforts were made to narrow the public sector and reduce public expenditures, on the other hand, much more efforts were also made to increase efficiency and expand technological developments in the public sector through practices such as privatization, conducting public services by agreement, and leaving the jobs that are not the main duty of the public, just like the advances in the private sector in the public sector. The people who benefit from the public service and give financial support to these services by paying taxes, besides asking for more qualified goods and services, also wanted to see the return of the taxes paid. Demands of societies for public services has made services being constantly increasing due to the reasons such as industrialization, urbanization, population movements, environmental problems, change in the understanding of the state, social and cultural changes, the development of technology, and the diversification of communication or the communication opportunities (Bulut and Akın, 2019c: 363). It was argued that owing to the globalization, the role of the state in the

economy would decrease, and even the national state would be ineffective in solving small-scale and large-scale problems, and therefore it would lose its function (Pierson, 2012).

Thanks to the globalization, public service became something like a commodity expressed in trading values, hence public service organizations were to be handled as a public enterprise like private enterprises that had to operate in accordance with the principles of profitability and efficiency in a free competition environment, and naturally, citizens receiving public services were required to be treated as claimants or as consumers. Indeed, it has brought an approach that sees it as a depletory or user. Behind this, the understanding of the state has already changed over time by gaining different forms and characters according to the historical and social conditions (Baru and Mohan, 2018:5). The change, which is called the new public administration, today, also refers to a process that includes the redefinition of the state, citizen and the change in the understanding of the state (Çevik and Demir, 2005: 251). The technological revolution has created great pressures for change on established state hierarchies, organizational structures, working methods and job skills, personnel

management and service delivery. Therefore, the transformation in the concept of public service with the change of role understanding has led to the introduction of a number of new terms such as general economic benefit services, universal service, minimum service, additional services, public utility services, public service obligations into the public service literature.

The Strategy and Budget Department has made an analytical classification in Turkey and divided the general public services into categories. These are categories that do not change the common picture's shape according to the role of the state. Indeed, it has just divided these categories, which are seen in almost every country, into nine sections. These include the services for legislative and executive bodies, financial and economic affairs, the foreign affairs services, the foreign economic aid services, basic research services, debt management services, general transfer services, general public services on research and development and non-classified general public services. However, there exist some other public services, which have been differentiated in the recent past according to the changing role of the state, are performed differently according to today's requirements, and might also see

changes in the future, but, in literature or praxis, they have not been qualified with the adjective "general" at all. Only the functional types of services are chosen divided into nine separate categories apart from the *general* ones in Turkish authorities. In the same functional classification, these are also defined as defense, public order-(inner) security, economic affairs, environmental protection, housing, health, culture, education and social services (SBB.gov.tr[web], 2022a).

Chapter 3

Military, courts, internal security

The Strategy and Budget Department has made an analytical classification in Turkey and divided the defense services into some sub-categories. These are the military defense services, civil defense services, foreign military aid services, defense research and development services, and non-classified defense services. Being a type of public service, national defense services and the political control over armies is usually exercised through a Ministry of Defense in Turkey. Depending on the country, these components are more or less independent in their area of employment such as land, sea, air, but in 21st century, increasingly they are integrated into a joint organization responsible for the conduct of operations, the consistency of means and covering a certain number of common services, i.e. health, military intelligence , information and command systems, infrastructures, etc., on each army then retaining its prerogatives in terms of preparation and availability of forces such as training and support. One of

the minimum services expected from the state is the provision of security. Security has two basic dimensions as internal security and external security. Indeed, the internal security embodies the law enforcement service carried out by the police, and the external security embodies the national defense service carried out by the army (Güneş, 2011: 142)

In Turkey, the Turkish Armed Forces (TSK) can't be independent from the government, which bears the political responsibility for the execution of the national defense service. In Turkey, some service units are subordinate to the Presidency, just like a ministry of service. However, in practice, the President doesn't directly deal with the administrative units attached to him. These units are handled by the ministers of state. No minister of state is involved with the Chief of General Staff, which is made responsible to the President, or such a channel or matrix structure hasn't been practiced so far. The security and defense needs of people, which are of a social nature, are also seen as a public service in Turkey, and the institution or the body that will protect the society against threats and dangers is always under organizational roof of the state (Karahan, 2014).

Defense, which means resisting the attack and defending, is the activities carried out to protect against other states for the continuity of the sovereignty of a state in the national sense. Defense service is a type of service provided by the state, and everyone in the society benefits from this service. Defense services constitute a typical example of full public goods in terms of their characteristics. The Disaster and Emergency Management Presidency (AFAD) in Turkey is responsible for the planning and execution of civil defense services in country, excluding national defense. TSK (Military Armed Forces) wasn't organized under any ministry as an administrative service within the traditional view of the central administration. AFAD, which is affiliated to the Ministry of Interior, appears as an institution that helps citizens during and after all kinds of disasters (Leblebici, 2014: 460).

From a different angle, the Chief of the General Staff being the head of TSK determines the principles, priorities and main programs of personnel, intelligence, operations, organization, education, training and logistics services in the preparation of the Armed Forces for war (Sayan, 2009:208). Law No. 1324 regulates the duties and powers

of the Chief of General Staff in general. According to Article 6 of this law, the Chief of the General Staff cooperates with the Ministry of National Defense in the execution of services (Güneş, 2016: 140).

As we think deeply, the defense service is an indivisible public service that comes after the biological needs such as hunger and thirst in the hierarchy of needs, is produced for the satisfaction of the sense of trust, and that no one in the country can be excluded in the provision of service. The main purpose of defense expenditures is to provide deterrence, which is deemed necessary to maintain the aforementioned sense of trust.

Public expenditures on defense services, as the fulfillment of a basic function of the state, are a share of a country's national income against threats to its own integrity, at the expense of its future welfare, and are expenditures for the maintenance of sovereignty and national existence. To perform a type of public service via public expenditures on defense, which are dependent on defense policies, are also a political tool for a country besides its economic nature.

Due to the importance of the defense service in the future, a significant proportion of the total public

expenditures in many countries is allocated to defense expenditures, and defense expenditures are continued by reducing some areas of use that may be necessary for growth. From this point of view, it can already be foreseen that defense expenditures in the 21st century will be realized at the expense of the activities that will ensure the development and economic growth of countries. For this reason, in the next periods, defense expenditures will create an opportunity cost in Turkey's national economy against the productive economy.

Public order and security services, known as internal security and judicial services, can be discussed for Turkey under the same heading, apart from military services or also known as defense services. It is seen that the classification of the Presidency of the Republic via Turkey's Strategy and Budget Department separates these two branches from each other. However, the concept of security can be seen as identical in both individual and national setting. The branch of judicial proceedings is also the assurance of individual defense in the literature. It responds to the need for individual defense as a public service. This title on internal security is again categorized by the Presidency's Strategy and Budget Department as security services, fire protection

services, court services, prison administration services, research and development services related to public order and security, and the public order and security services that are not classified under any sub-categories (Sobacı et. al., 2018: 5).

Inner safety means a person, a community, something or someone who is safe from danger, plus, according to another definition, it is the activities aimed at minimizing or eliminating dangerous situations that can harm the body (Bulut et al, 2019: 739). Safety has two dimensions, which are subjective and objective, and indeed, the objective dimension indicates the absence of danger, but the subjective dimension expresses the belief and peace that there was no more danger. Today's Turkey and other modern states are based on this subjective definition in internal security (Özer, 2012: 151).

If we act with its subjective definition, the unit which performs the internal security services can be exemplified with the Gendarmerie Organization under the Ministry of Interior in Turkey. One of the most important issues that this unit should take into account is also the perception of security that will occur in citizens. Because no matter how self-sacrificing a quality for internal security service is

provided under difficult conditions, if this is not perceived correctly by the citizens, it will be negatively recycled and the internal security service provided will become meaningless, objectively.

In Turkey, owing to the scope of the "Criminal Justice and Court Services Law" dated 1998, it was desired to speed up the proceedings in order to provide court services more effectively and court services were also included in the public services quality perspective (Özen and Özen, 2012: 303)

Judicial Courts are divided into two branches in Turkey as civil courts and criminal courts. Civil courts, on the other hand, are divided into three, indeed, those are the ones established by *peace (i)*, *first instance (ii)* and *special laws (iii)*. Those the ones established by special laws are also divided into 6 groups as *consumer(i)*, *trade (ii)*, *business (iii)*, *enforcement (iv)*, *family (v)* and *cadaster (vi)*. Criminal courts, on the other hand, are divided into three as *criminal court of first instance (i)*, *heavy (ii)* and the *criminal courts established by special law (iii)*. Criminal courts established by special law are divided into two as *state security (i)* and *juvenile (ii)* courts. On the other hand, the courts of the second type are administrative courts. These are divided

into three as *regional administration type (i)*, *administration level (ii)* and *tax type (iii)*. Apart from these two types, court services in Turkey are supported and provided by some higher level bodies such as the *Constitutional Court (i)*, *the Council of State (ii)*, *Supreme Court (iii)* and *the Courts of Dispute (iv)* (Eser et.al, 2011: 205).

Chapter 4

Social services, public policy, emergency rescue, healthcare

Social services are the set of services and actions aimed at improving the social well-being of citizens by providing information, care and support to vulnerable people and groups. Indeed, the social services are called and organized in different ways in each country. In Turkey, the most used name or type is, precisely, that of *family and social services*, as evidenced by the social services laws of the different autonomous communities in which the country is organized. By social services we mean the tools to guarantee assistance to people in difficulty in a welfare state system. The problem of definition has often been debated as there is no univocal one at the international level. Following this, a social worker is defined being in charge of this activity, having no need for univocity.

For Turkey, being a type of public service, the social service also means an activity or set of activities providing assistance and support to the persons for the purpose of social inclusion or prevention of social exclusion. The

provision of social services in the Turkish Republic is defined by Social Security Institution Law No. 5502. This Act regulates the conditions for providing assistance and support to ordinary persons in an unfavorable social situation through social services and care allowance, at first. Secondly it also regulates the conditions for issuing authorizations for the provision of social services, the public administration in the field of social services, inspection of social services and prerequisites for social activities on demanding services (Erol and Özdemir, 2014: 23).

The objectives of social services are reducing social and health risks of social service users, developing the skills of social service users, improving or at least maintaining the self-sufficiency of social service users. According to the classification of the Strategy and Budget Directorate of the Presidency of Turkish Republic, social services, which are a public service, functionally, can be divided into the types as the sickness and disability assistance services, old age assistance services, widow and orphan pension services, family and child assistance services, unemployment assistance services, resettlement assistance services, the research and development services related to social security

and social assistance, and the social security and social assistance services which are not classified in any group.

Social work is an academic discipline and field of study that covers everyone from individuals, families, dynasties, groups and communities, which are the most basic elements that make up the public, in order to increase the social roles of people and general well-being. In Turkey, it is the education, health and social security services that are directly related to the protection and development of human resources in the society and that are required to be organized and carried out by the state for the social welfare of the society.

The aim of social work intervention towards the individual and his/her social and physical environment is to facilitate mutually beneficial interaction between the individual and society in order to improve the quality of life for all. Social service is also a profession and discipline that aims to bring disadvantaged individuals, namely the elderly, women, children, disabled, unemployed, substance addicts, individuals and groups, to an advantageous level as other members of the society by making use of public resources. In order to realize a public service purpose, a social worker undertakes roles such as mediator, advocacy,

trainer, consultant, clinician, case manager, supervisor, personnel developer, manager, social change agent and researcher while practicing in the field of care services (Örücü, 1970: 215).

The main output of this branch is to develop the adaptive capacity of people, to identify, understand and solve the internal problems of the individual, to strengthen the individual, to prevent problems and to develop internal resources. For the future of Turkish society, the aim of social work is to develop the potential of each person adequately, to enrich their life and to prevent the dysfunctions of the individual. Social workers in Turkey are the change-agents for the future of individual, family, groups or community lives they serve (Bulut et. al, 2016: 53).

In Turkey, after the 1980s, in parallel with the policy change in public administration of welfare states, the practices of privatization, decentralization and welfare pluralism emerged in the delivery of social services. The inability to meet the needs of the social service organizations has made the state more ineffective and unreliable against the public, and many decisions have been

made to privatize services in order to overcome this crisis (Şahin, 2009: 59).

Due to the financial crisis, privatizations were not only limited to profit-making sectors, but also spread to the field of social security and the social services produced for the benefit of the public. This led to the start of private pension and private health insurance applications (Akın et. al, 2016: 28). Today, the privatization of social work practices is provided in developing countries as well as in Western countries. The issue as whether services can be completely transferred to the private sector in the upcoming period remains a controversial issue.

Social assistance and solidarity, which were left to religious structures and benevolent people in the first periods, moved away from the traditional structure with the effect of changes and developments in the world in the following periods, and in this sense, many radical changes took place in the provision of social services. Aging and having old age in Turkish society, which is kneaded with the characteristics of European and Asian cultures on the one hand, contains lots of differences as well as similarities with Western European societies (Bulut and Akın, 2019a: 679).

Non-governmental organizations play an active role in the execution of services for widows, orphans and the elderly in Turkey as well as in other areas of social work, together with local governments and the private sector all over the world. Non-governmental organizations that can take into account the demands and needs of citizens can also offer services which can improve people's well-being (Ayhan and Önder, 2017: 23).

Ministry of Family and Social Services, Social Security Institution, the offices such as kindergartens, orphanages, nursery and day care centers, nursing homes, care and rehabilitation centers, child and youth centers, women's or men's guesthouses and family counseling centers play key roles in the execution of social services in Turkey. Applications for children, young people, women, men, disabled, elderly, relatives of martyrs and veterans and their families are evaluated within the framework of our Ministry's legislation, necessary examinations are carried out, and appropriate service models are implemented. The Social Service Center Directorate in Turkey is responsible for providing social services with a focus on protective, preventive, supportive, development, guidance and counseling to children, young people, women, men,

disabled, elderly individuals and their families, on the basis of ease of access to services (Altunok, 2014: 93)

Social security is a general protection system that takes the necessary measures to protect all individuals in the society against risks such as illness, accident, disability, death, unemployment, old age, and covers the damages that may be caused by these events. Its purpose is to ensure the safety of individuals (Richardson, 1970: 20-21). In the UN Universal Declaration of Human Rights in 1948, it was stated that every individual has the right to social security, plus, in the European Social Charter, which came into force in 1965, emphasized the universality of the issue, and these were important steps for the institutionalization of social security (Türkoğlu, 2013: 277).

The concept of social security, which is counted among the principles of the "social state of law" in the 1982 Constitution, is explained as the provision of living conditions worthy of human dignity by helping the poor and needy people in the society, thus realizing the principles of social justice and social state (Özbudun, 2010: 138). It can be stated that social security mechanisms are handled in the context of policies that diversify in parallel with the general course of the economy, and are affected by

changes in employment, labor supply, family and social structures (Şener, 2010: 3). Hence, social security consists of social insurance, social assistance and social services (Bulut, 2011: 57).

Dilik (1980: 74) defines the elements of a social services system as family and child care and assistance services, individual work in families, counseling in families and enlightenment of parents, marriage counseling, childcare centers and daycare centers, housework assistance, services to children who do not have a normal family relationship, child adoption, guardianship, foster family, shelters and facilities for children to be placed in families, care and assistance for the elderly, care and assistance for the chronically ill and disabled.

The aids expressed as “social aid” or “poverty aid” are programs for individuals who weren’t able to work in the society and aren’t covered by social insurance because they don’t have a job. “Social services”, on the other hand, are the services offered on the assumption that people can’t meet their needs because they are alone. These services usually include more specialized services for the elderly, women, young people and the people with disabilities

(Arın, 2002: 72).

The form of organization (such as Social Insurance Institution or SSK, the Social Security Organization for Artisans and the Self-employed or Bağ-Kur, the Retirement Fund) in the Turkish Social Security System, which is subject to triple fragmentation, came to an end in 2006. While SSK and Bağ-Kur were subsidiaries of the Social Security Institution, the relevant institution of the Ministry of Labor and Social Security, the Retirement Fund was a subsidiary of the Ministry of Finance. Along with the Law No. 5502, these three organizations were combined and gathered under the umbrella of Social Security Institution in Turkey (Şeker and Gökhan, 2018: 9).

Social benefits in Turkey are classified as general benefits and non-contributory payments. General aids are provided by public institutions and organizations (Bulut, 2011: 62).

Along with the increasing poverty with each passing day, the Social Assistance and Solidarity Encouragement Fund was established in 1986. In 1992, the green card application was started for citizens not included in the social security system to benefit from health services. General aids are provided by Social Assistance and

Solidarity foundations, Social Services and Child Protection Agency, General Directorate of Foundations and municipalities (Şener, 2010: 12).

In-kind and cash aids are provided by Social Assistance and Solidarity Foundations and generally includes aid in the fields such as food, fuel, clothing, education and health. The green card application, which is covered by the Social Assistance and Solidarity Incentive Fund, is also one of the general aids. Aids for green card application have been increased as of 2022. These are coal aid, vaccination allowance, maternity and milk allowance, child benefit (education allowance), pregnancy benefit, old age pension, widow's pension, disability pension, orphan salary, electricity allowance, salary allowance for military families, silicosis pension, chronic patients' pension, electricity assistance, salary given to tuberculosis and subacute sclerosing panencephalitis (SSPE) patients, social economic support assistance, monetary assistance to green card holders (Sosyalyarimlar.com[web], 2022).

Social Services and Child Protection Agency fulfills social assistance, in-kind or cash services, protection and care services with the legal regulations introduced by the law. All kinds of care are provided for children and young

people in need of protection in kindergartens and orphanages (Zengin, et al., 2012: 137).

The duties of the General Directorate of Foundations are similarly listed as feeding those in need, providing dormitories for students, camps for primary school students, and providing monthly cash aid to visually impaired citizens in need (Decree No. 227 of Turkish Republic).

In the Municipality Law No. 5393 and the Metropolitan Municipality Law No. 5216, the social assistance to be provided to the poor and needy are regulated in detail via the relevant articles. Indeed, it is also an important practice that municipalities have the authority to open shelters for women and children, depending on their population size.

Among the duties of the mayors are to use the appropriation allocated for the poor and needy in the budget, to provide services to the disabled citizens and to establish various centers for them, to organize programs in which the participation of citizens will be ensured, in order to provide assistance and solidarity, as to the Law No. 5393. Along with the 24th article of the Metropolitan Municipality Law, it is regulated that the social assistance to be provided to the low-income, needy, orphans and the

disabled must be met from the municipal budget, as to the Metropolitan Municipality Law No. 5216.

The direct or indirect application of the child in need of protection is received by the Provincial Social Services Directorates. If the child shows urgency to be taken into institutional care, he or she is placed in the institution with the approval of the emergency governorship, then the procedures are completed. After the first application, the first interview is made and the child is registered (Özdemir, 2012: 195).

Although the public policy studies have been included in the public administration literature of developed countries for a long time, it is a relatively new topic for Turkey. Particularly since the 1990s, the interest in public policy in Turkey has begun to increase. According to the approach described as the New Public Service understanding, the duty of public administrators is not to direct and manage the society, but to serve them and to create social awareness by coordinating individuals. There are many different approaches to the roles that public administrators play or should play in public policy decisions (Bulut et.al, 2017a: 27). It can be said that the

discussion about the role of public administrators in public policy is one of the oldest debates.

While it is the duty of politicians to formulate and produce public policies, public administrators are those who implement these policies accepted by politicians, stay away from politics and work with technical and scientific methods. The public bureaucracy will only come to life to the extent that it stays away from political life. It is also their moral responsibility for public administrators to stay away from politics. Making politics is the job of politicians, the public administrators shouldn't be involved in this process as the impartial members of the public. What is expected from public administrators is not to determine the policies but to implement them (Çukurçayır and Eşki, 2014: 93)

As it is known, the activities of the administration are included in the narrow definition of public service. As a rule, the public services in Turkey can be established by law and carried out within the framework of relevant law. This also applies to disaster management activities that are the subject of the study. In this context, the activities for disaster management are carried out within the scope of the relevant legislation, especially the Turkish Constitution.

Various problems can be identified in terms of the functioning of disaster management activities as a public service, as a result of the evaluation made for the "effective delivery of the public service" rather than the known principles of continuity, changeability, equality, impartiality and secularism (Şahin, 2014: 8).

It is obvious that there are conceptual, legal and administrative problems in disaster management in our country. The purpose of the Emergency Aid and Disaster Management discipline is to train people who will provide necessary information to the society and work teams before and after the disaster, to create plans, and to maintain order in the event of a disaster (Bulut and Akın, 2017b: 1057). Contrary to the understanding of disaster management in Turkey, disaster management is a form of management that involves multiple disciplines, requires special expertise and resources, has many stages and takes a long time. Turkey is among the countries that are most exposed to disasters and suffer the most from disasters. As a result, natural disasters are one of the unchanging realities of our country. Undoubtedly, one of the most effective methods in reducing natural disaster damages is to minimize possible losses with risk reduction practices to be carried out before

the disaster occurs. In Turkey, the disaster management structure is in a state where the authorities and responsibilities of institutions are intertwined, disconnected from each other, but they have to become more involved and renewed after each disaster (Işık et. al, 2012: 140).

In countries such as Turkey, the importance of crisis management has increased considerably, as natural disasters such as terrorism, floods, earthquakes, major fires, traffic and major occupational accidents, which adversely affect the whole or a large part of the society, cause loss of life and property, which makes itself mandatory. In parallel with the globalization trends in the world, the change in the definitions of state and public administration and the intense relations system, the diversification of crisis situations and the frequency of their occurrence due to the shrinking of the world have caused crisis management to become more urgent and important. In order to protect or save the living items and property at risk, the emergency personnel, equipment and resources are known as response efforts to evacuate the victims, to provide food, drink, shelter and medical care to those in need, and to ensure the operation of critical public services (Tercan, 2018: 66)

In the public service on disaster relief, the organization should be compatible with the structure in normal situations, the organizational structure, the resources to be used, the participating organizations, the way of response according to the emergency type, should be clearly included in the crisis and disaster management plan to be prepared in advance. In this context, it is necessary to give more authority to local governments, which are the first public organizations that are directly confronted with disasters. Disaster management can be expressed as the management of the resources of the society and the public, with all institutions and organizations, in order to plan and implement the necessary studies in order to prevent disasters and reduce their damages (Kaya, 2012).

According to the Universal Declaration of Human Rights, every individual has the right to live in good health and at least an average standard of living for himself and his family (Bulut and Akın, 2017: 41). Therefore, just like disaster relief, health services are one of the public services that the state has to carry out. It is a requirement of the rule of law to compensate the damages incurred by the administration in the event that individuals suffer damage due to the faulty execution of the health service. Health care

failure may occur in the form of inadequacy or medical malpractice in the establishment and operation of the health service.

Doctors and other healthcare professionals are part of the healthcare service. Dentistry, pharmacy, dietetics, midwifery, nursing, medicine, optometry, audiology, psychology, occupational therapy, physical therapy, athletic training and other health professions are part of health care related services as well. Health services can be divided into three groups. The first is preventive health services, the second is reformative or curative health services, and the third is reparative or rehabilitative health services. Similarly, the purposes of health services can be listed as follows. The first is to provide the individual and society with the knowledge, consciousness, desire and behavior of healthy life. The second one can be expressed as giving equal quality and as much as one needs, regardless of the possibilities. The third one can be summarized as making the society healthy by obtaining health, protecting and improving it (Öztekın, 2015: 13).

Evaluating and concluding all kinds of applications and complaints regarding health services is the first duty of our Health Services Presidency. In addition, it is another

important service to carry out the opening works and transactions of laboratories and institutions. Finally, it is one of the complementary functions of the Presidency to determine the status of the health units of the workplaces, to evaluate them, to keep their records and to take the necessary actions in line with the legislation (Erol and Özdemir, 2014: 12).

In our country, health services departments affiliated to the Ministry of Health and provincial organizations, that is, provincial directorates or provincial health presidencies, have also been established. These presidencies basically consist of some complementary units such as pharmacy unit, public health facilities unit, private hospitals unit, health services unit and health services monitoring, evaluation and inspection unit. Some other examples such as education and registration unit, private outpatient diagnosis and treatment centers unit, health professions unit, SIMMERK, simulation unit are also located in some provinces in Turkey, such as Istanbul, which has a health presidency (Doğukan, 2018).

The main duty of the health services unit, which is among the previously mentioned units, is to work within the framework of the Ministry's policies regarding patient

rights and patient or employee safety throughout the province, to carry out services for the social needs of patients, to apply the ethical principles of medicine and public officials. However, for the legal protection of health service as a public service, it is another duty to work on the issues that come to the agenda in line with the visits and examination reports made to Turkey within the scope of international conventions on human rights. In order to support the national public services, it should be emphasized as an important function to carry out the work and procedures determined by the Ministry regarding the clinical researches to be carried out in areas other than drugs, medical devices and products. Likewise, ensuring the implementation of health tourism policies determined by the Ministry at the provincial level, and carrying out services related to health tourism and tourist health are the other duties under this scope (Öztekin, 2015: 13).

In Turkey via this unit at local level, it has been described as an organizational duty to follow the regulations for the development of health tourism practices and to ensure coordination with the relevant institutions. Another role that should be remembered is to carry out the procedures regarding the authorization applications of the

health facilities that will serve within the scope of health tourism and tourist health, and to carry out the works and transactions regarding the patients who come to Turkey within the scope of bilateral cooperation in the field of health and whose treatment is deemed appropriate, in accordance with the relevant legislation (Barca et. al, 2013: 66).

It is also the responsibility of the Health Presidency to carry out and coordinate all secretarial works that need to be carried out in relation to the other works and procedures within the scope of the Presidency and the General Directorate of Health Services. Evaluating and concluding all kinds of applications and complaints related to health services and the pricing of health services are also provided through the presidencies. Similarly, health services such as organ and tissue transplantation, blood and blood products, dialysis, assisted reproductive treatment, burns, intensive care, medical devices, and traditional and complementary medicine practices that require special planning throughout the province, in line with the relevant legislation and Ministry plans, carrying out the procedures regarding registration and activities, and ensuring coordination between the institutions and organizations that provide

these services are among the roles defined for the Presidency (Acar, 2018). In addition to these, it has to be defined here that carrying out the license and conformity certificate and activity procedures of psychotechnical evaluation centers and health cabins were also performed by them. For example, it is through this unit that the offices and centers related to organ and tissue transplantation, blood or blood products, dialysis, assisted reproductive therapy, burns, traditional and complementary medicine practices are carried out and the operations related to the license and activities were practiced. Similarly, the Presidency executes the control and planning of the supply, logistics and effective use of blood or blood products, and coordination with the Turkish Red Crescent (Ateş and Nohutçu, 2006: 249)

In addition, they are also the Presidencies' responsibilities to carry out the work and operations of the Organ Transplant Ethics Committee, and to plan, supervise and carry out the activities of the Organ and Tissue Transplant Coordinators. The Presidency also carries out the establishment and activities of tissue organizations and cord blood banks at the provincial level. Carrying out studies to increase the awareness of organ and tissue

transplantation and the number of donors, to detect brain death and to increase the number of cadaver donors in Turkey also take place here in these offices. Ensuring that the procedures related to health reports, including the reports of the health board regarding treatment abroad, are carried out as specified in the relevant legislation, and managing the objection processes are also carried out in the same unit. In addition, it is through this office that a presidency prepares and implements a training program related to his field of activity or has it implemented, conducts research on its field of duty, organizes symposiums, panels, workshops, seminars on the subject, and contributes or participates in national and international events (Korkmazer, 2021: 370)

Chapter 5

Education, state schools, public libraries

It is a social necessity to manage the public in line with its future social planning and goals. At the same time, it is necessary for all citizens to benefit from this service equally. The qualification of public service in education follows the same perspective, and is especially valid in primary, secondary and high school education. Because these education stages are basic education steps and give the minimum qualification required for the growth and continuity of a capitalist economy (Öztekin, 2015: 12).

State schools are primary and secondary education institutions that offer free education to all students, generally, partially or fully funded by taxation. The term can also cover post-secondary education institutions. Although such schools are found in almost every country in the world, there are significant differences in their structure and educational programs (Aslan and Küçüker, 2011: 205).

The excess population growth in Turkey also increases the demand for education, constructing schools for the education-age population and educating teachers and placing them at work impose a significant burden on the state. In this respect, the state had to engage private individuals and institutions in order to make this public service more widespread and qualified (Taştekin and Surat, 2019).

The public interest of education has encouraged governments to assume the role of primarily managing and funding schools, and has accelerated efforts in this direction. The majority of educational institutions in Turkey are public institutions. For this reason, the majority of teachers are employed in state educational institutions. There is an imbalance between the number of teachers required by Turkish educational institutions and the quota of teacher training departments of universities. Therefore, there is an imbalance of supply and demand between the current number of teachers in the country and the need for teachers. Teachers, who are responsible for the first degree in Turkish education services, are employed in different ways as permanent, contracted and paid (Acar, 2008: 33).

Education also means individuals' changing their own behaviors in line with certain goals and developing their abilities in a balanced and suitable way for the society in various aspects. Precisely for this reason, education is a continuous phenomenon that enables a person to be a useful asset for society (Ayrangöl and Tekdere. 2014: 2).

One of the individual rights that people have is the right to education and can also be seen as a birthright. Therefore, it is important for individuals in the society to have fair and equal education rights for them to reach a better life level (Yolcu, 2007: 23). Article 26 of the "Universal Declaration of Human Rights", adopted by the United Nations General Assembly on 10 December 1948, can be remembered in this sense. According to this, the statement as “Every individual has the right to education. Education has to be free, and at least primary and basic education should be like that. Primary education is compulsory and higher education should be complete and open to everyone according to merit” is also universal (Miser, 2002: 58).

In international law, as can be seen, the right to education has been mentioned in many accepted texts. Likewise, in Turkey, Article 42 of the 1982 Constitution, which regulates the right and duty to education and training,

also included this right. Accordingly, the equality of opportunity in education was emphasized by stating that "No one can be deprived of the right to education and training. The scope of the right to education is determined and regulated by law."(Mevzuat.gov.tr[web], 2021).

Owing to the development of the social state understanding, one of the important duties of the state has been the provision of educational services to the society. It has been a subject that has started to be discussed intensively, especially in the understanding of the modern state. The social state regards education and training as the primary duty of the state and is responsible for ensuring that all individuals receive education in a scientific, creative, peaceful, secular and democratic way, based on science, with equal opportunities. In other words, ensuring equality of opportunity and the integration of education with society are among the important duties of the social state (Güngör, 2009: 30).

In Turkey, the First and Second Industry Plans were prepared as a result of the planning need which is emerged with the effect of the world economic crisis. Those plans

prepared for the goal of "*being a respectable country*" became governmental practices due to changing conditions in the 1960s, and the planning studies were started (Akça, et al., 2017: 396). The period that started with the First Five-Year Development Plan covering the years 1963-1967 has continued until today, and eleven Development Plans have already been prepared. The 11th Plan, covering the years 2019-2023, is still in practice. Indeed, the educational policies are included in detail in the Development Plans.

The First Five-Year Development Plan especially emphasized the qualified workforce. It was stated that scholarship opportunities should be created within the scope of state support for students who don't have the opportunity to study and have insufficient financial power. It has also been stated that the main purpose of secondary and high schools is to prepare students for higher education institutions. It was added that education abroad should be encouraged (SBB.gov.tr[web], 2022b:442-457)

The Second Five-Year Development Plan, covering the years 1968-1972, first emphasized the importance of primary education. It has been stated that primary education will cover the entire population of primary school age, and it has been stated that primary education programs will be

rearranged and non-formal education programs complementary to primary education will be developed in order to ensure that those who can't attend higher education are able to receive an adequate basic education and complete primary school. In addition to formal education, it has also been mentioned that raising the knowledge level of the society is one of the main objectives by giving priority to literacy education and training programs (SBB.gov.tr[web], 2022c: 158-159).

In the Third Five-Year Development Plan implemented in 1973-1977, an evaluation was made regarding the realization rates (performance score) of the targets determined in the first two plans. New targets have been set in order to eliminate the identified deficiencies. The problems identified in secondary education, which is especially important for the preparation on higher education, are also stated. It has been stated that sending students abroad for the purpose on being faculty members in future is needed, and these students will be supported by financial credit and scholarship opportunities (SBB.gov.tr[web], 2022d: 710-717).

The Fourth Five-Year Development Plan, covering the years 1979-1983, emphasized that non-formal education

would be given weight to the programs that provide coordination between various non-formal education activities in a way that complements formal education. It has been stated that among the qualified personnel in the employment process, some employees will be used as trainers especially in technical education, and it has been mentioned that cooperation with investor and operator organizations will be realized as a new education policy (SBB.gov.tr[web], 2022e: 459-460).

In the Fifth Five-Year Development Plan covering the years 1985-1989, it was stated that a new Higher Education Council (YÖK) program would be started quickly, and it was stated that in-service training programs in the vocational and technical fields would be encouraged in all public and private workplaces (SBB.gov.tr[web], 2022f: 140).

The Sixth Five-Year Development Plan, which was implemented in 1990-1994, also drew attention to the education of women in this period. It has been emphasized that employment will be provided especially in non-agricultural sectors by making more use of vocational training opportunities. The development of teachers in high schools in line with their objectives and the establishment

of a structure that will allow horizontal and vertical transitions within secondary education institutions was demanded to be realized in this plan period (SBB.gov.tr[web], 2022g: 287-294).

In the period of the Seventh Five-Year Development Plan implemented in 1996-2000, deficiencies in the teaching programs were determined and the programs were rearranged according to scientific principles and procedures. It was pointed out that educational practices at all levels should be reviewed and improved. Particular attention was drawn to the making of new regulations regarding foreign language education (SBB.gov.tr[web], 2022h: 22-25).

In the Eighth Five-Year Development Plan implemented in 2001-2005, a comprehensive assessment of the situation in previous years was made. Despite the budget allocated for education, it was stated that the desired level could not be reached, especially in vocational education. It was emphasized that the cooperation with the industry couldn't be developed sufficiently and the desired level couldn't be reached in terms of using new technologies in education (SBB.gov.tr[web], 2022i: 81).

In the Ninth Five-Year Development Plan covering the years 2007-2013, it was emphasized for the first time that the share of the private sector in education levels would be increased in this period. Incentives to be provided for the conversion of secondary education and higher education preparatory courses to private schools were announced in this period. Establishment of a quality assurance system in educational institutions was envisaged in this period in order to expand quality education opportunities (SBB.gov.tr[web], 2022j: 87).

The Tenth Development Plan, which includes the years 2014-2018, stated that the increase in the education level of the population had realized but it still remained below the OECD and EU average. It is envisaged to increase the education level of the population with the inclusion of secondary education in the scope of compulsory education and the improvements in access to higher education (SBB.gov.tr[web], 2022k: 31).

The Eleventh Development Plan, which is still in operation and covers the years 2019-2023, states that the curricula will have a flexible, modular and applied structure. Particularly, the statements about increasing the proficiency of students by updating the Mathematics and

Turkish curricula attract attention. Platforms have been established to strengthen human and physical opportunities for individuals who need special education. Emphasis was placed on the implementation of a data-based planning and management system by strengthening the data analysis capabilities of institutions and organizations in the education system (SBB.gov.tr[web], 2022l: 126-127).

In Turkey, state schools are primary and secondary education institutions that offer free education to all students, generally, partially or fully funded by taxation. The term can also cover post-secondary education institutions. State school teachers are appointed through the Public Personnel Selection Examination, which is held every year in Turkey. Private school teachers, on the other hand, are recruited after passing a series of stages such as placement tests, oral interviews, and sample lectures. Parents who pay for their child's education have high expectations from private schools. Therefore, private schools carry out a number of practices to make teachers more equipped and versatile in order to reveal the difference of being a private school, and they offer educational opportunities that support the academic and social development of teachers. For this reason, it can be

said that private schools are more advantageous than state schools in terms of supporting academic development (Deniz, 2021).

Perhaps at the beginning of the activities that keep people busy in all areas of social life, education takes place. Education is considered together with the concept of public service in that it concerns all individuals who make up the society, as well as the whole society. For this reason, the concept of education, which is one of the most basic human rights, and the concept of public service, which is a requirement of being a state, should be evaluated together in detail (Taştekin and Surat, 2019).

Educational services are a public service where the educational needs of the society are met, under the supervision and control of the state, through the state's own educational institutions or private educational institutions with public legal personality. This public service can be performed by different institutions and organizations in different ways such as pre-school, primary education, high school and higher education. Educational services, which are perhaps among the most important public services, are also a type of semi-public service that central governments face a lot of problems (Taştekin and Surat, 2019).

In the fight against these problems, it has been stated that localization can contribute to the development of public services such as education and health in terms of quality and quantity, and it can be defended that the citizens of the country can attain a higher quality and higher standard of living (Deniz, 2021).

Education can function and fulfill its duties with the unique tools it creates. If we consider human life as an educational process, the library is a social institution that finds, organizes and makes available the information that people need and have to use in the education process. It is inevitable to have a library institution wherever and whenever the phenomenon of knowledge is concerned. Here, library institutions and services are one of the obligatory tools needed in the realization of the education process due to this feature and structure. In other words, the library is a product of the educational process, a natural element created by it. In this sense, the library is one of the basic and organic components of education and a public service understanding. The main feature of modern education in Turkey is that it offers a research-based education process based on the intelligence, interests and abilities of individuals. The mentioned differences and

research phenomenon require a large number of sources of information of various types and levels. This makes the library a natural part of the education process as an institution that collects, organizes and puts the mentioned resources into service. It is not possible for Turkey to consider the research phenomenon and the library institution separately, and this relationship constitutes one of the main reasons for the education-library relationship (Stanton, 1987).

As is mentioned earlier, library services are also a public service. The most basic reader service of public libraries, which provides suitable conditions and environments for citizens to benefit from library services, is the lending of library materials, that is, materials such as books, magazines, CDs, inside or outside the library. It announces the new books coming to the library to the relevant people by stating the subject, author's name and the name of the book. Indeed, libraries also outsource magazine, subscription work. They and regularly monitor their participation. These institutions take measures to ensure the maintenance and repair of the books and their binding. Moreover, libraries also fulfill information services to some extent. Information services are also public services that

include the processes of suggesting, interpreting, evaluating and using/enforcing information resources by information managers in order to help meet certain information needs (Kim, 2021: 263).

The library is a typical example of a non-profit organization. A library generally provides services in research, reading, education and similar areas and provides its users with the resources they want and ensure their satisfaction. In libraries, the first goal is customer satisfaction, not commercial gain. There is the use of a budget so that users can provide services and resources to their satisfaction.

By tracing their activity, the Turkish Statistical Institute (TUIK) has announced the "Library Statistics", most recently, for 2020. According to this, as of last year, a total of 33,978 libraries operate across the country, including one national, 1213 public, 606 university and 32,158 formal and non-formal education libraries. In national museum of Ankara, a total of 116 thousand 854 books, 27 thousand 255 manuscripts and 89 thousand 599 rare prints, were transferred from the National Library to the Ankara Regional Directorate of the Manuscripts Institution. Hence, in recent numbers, the National Library serves on an area

of 125,000 square meters with a seating capacity of approximately 5,500 people. There are 2,000,000 printed books and nearly 2,000,000 periodicals of 12,500 printed journals in the collection (AA.com.tr[web], 2022). However, the library in London, the capital of England, has the status of the largest library in the world. There are approximately 170 million works in the library, consisting of books, manuscripts, audio recordings and magazines (Ntv.com.tr[web],2022).

Chapter 6

Urban planning, environmental protection, waste management, water supply network, public parks, public transportation

Urban and regional planning is a strategic public service consisting of spatially dimensioned, long-term, socially beneficial arrangements. Urban planners, while carrying out their profession, act with the awareness of public service and benefit, and service to the society and the public. In this framework, urban planners have to justify all their professional activities with those mentioned basic concepts. City and regional planners can't accept any reward or gift in return for the planning service they perform, other than the laws and regulations to which the professional organization is subject (Bulut et. al, 2018:360). This situation will eliminate the neutral position of the planners who represent the public objectively, and will put their individual interests ahead of public interest

and public service duties in the planned region (Adams, 2012)

Urban and regional planners, whether working in the public or private sector or undertaking planning work on behalf of the public, must maintain their professional independence from the decision environment. Indeed, regional planning is an activity on behalf of the public and is based on the concept of *benefit* above the benefits of individual individuals. The principle that private property can be limited for the purpose of public benefit highlights the concept of public benefit over individual private property rights. This general principle determines the limits and possibilities of planning. Planners are in a superior position to property owners because they undertake the task of regulation based on the predominance of public benefits over individual benefits on behalf of the public. The planners' taking advantage of this relatively superior position to acquire property while the planning process continues in the planning area will lead to unfair and unjust conditions among the property owners. At the same time, planners can't compromise on the principle of protection in the use of public goods and resources, and they should

contribute to the development of public resources (Sancaklı, 2004).

The fact that the protection of environment is a public service is very important in terms of the results attributed to the concepts. Because of the reason that the protection of the environment is accepted as a public service, the procedures for performing the public service may also be valid for the protection of the environment. Environmental protection, in one sense, is a public service that the administration carries out with various acts and services to ensure the public interest. The function of providing the public interest of administration is thus drawn to a more legitimate basis by giving the right to participate in the protection of environment. The beneficiaries of the public service also contribute to the execution of public service (Özdemir, 2020: 120).

The environmental problems experienced can be easily carried to both local and international dimensions. In Turkey, certain public services are carried out by local units. Along with the central government, which undertakes the responsibility of solving environmental problems and improving environmental quality, local governments have significant powers, duties and responsibilities (Yıldırım et

al., 2016b: 2270). Local units should produce, develop and implement an environmental policy in line with the social and environmental characteristics of the regions they serve. Generally, environmental problems occur as local problems. These problems are resolved again through local governments.

Environmental management includes the establishment of an appropriate coordination, planning and control process in both the public and private sectors and a structure which will make it functional in order that all living things can continue their lives in an environment having not been invaded by humans, via protecting, evaluating and developing natural resources. In the Turkish Public Administration system, most of the duties, authorities and responsibilities in environmental management are given to central government bodies and local representatives of the central government. Since local governments are public institutions that meet the common and local needs of the people, they are primarily effective and responsible for solving environmental problems at the local level. Environmental law has emerged as a branch of law based on administrative law. In this context, environmental law largely benefits from the rules and instruments of

administrative law. However, it shouldn't be forgotten that environmental law always questions some principles and institutions of administrative law and adapts them to its own structure. Naturally, the impact of environmental law on administrative law is evident in issues such as being a plaintiff in administrative jurisdiction, openness in public administration, and participation in public decision making (Kaypak and Akin, 2017: 289). In the development of an integrated public service, the support of the relevant segments should be sought. Especially, in the context of provincial priorities, it is beneficial to determine the environmental protection policy in coordination with the central units (Tuncay, 2006).

In parallel with the European Union harmonization process, the fulfillment of many related duties were assigned to local offices via the legislation of local administrations about the fight against environmental problems in or around the city, especially being related with the disposal of solid and liquid wastes, environmental protection departments in metropolitan cities, municipal organizations in other provinces and districts. Many of those duties are mostly carried out by organized directorates in local bodies. These units have a very

important position in environmental protection services as they are the first link of environmental protection services on a local scale and are directly close to the local area or the source of the problems. The harmony of these units with other organizations of the central government is very important in achieving the general purpose of environmental protection services throughout the country. Within the scope of this purpose, environmental protection and control offices within the body of local administrations, and the units affiliated to water and sewerage administrations have been assigned important duties with regulations in the context of environmental protection services, especially in the titles of drinking and utility water, water basins and combating water pollution (Çokgezen, 2007: 107).

Due to the employment opportunities provided by the big cities, a considerable part of population migrates to the big cities and this paves the way for rapid and uncontrolled urbanization or rapid urbanization. In addition to causing inadequacies in the provision of housing and public services, immigration also increases the economic, social and environmental vulnerability due to the increased use of physical appearance and resources because of uncontrolled

urbanization and squatting. The European Commission (EC) has stated that waste management is one of the main issues to be addressed in the rehabilitation of the environment after an emergency (Çokgezen, 2017: 95). In the frame of public services, many studies have to be carried out on disaster waste management, planning and control, as well as conserving the priority and management of resources. Goals of disaster and waste management approach each other to minimize human life and health risks, and to reduce environmental risks via a well-grounded understanding of public service. For example, the failure to manage disaster waste management in longer recovery times and increased costs. Long-term exposure to waste poses a potential risk to the environment and public health. Generally, in terms of waste management, the emergency phase is defined as the short-term plan of action and includes the elimination of immediate threats to public health and safety. Temporary storage areas are needed for the storage, classification and processing of collected debris. These temporary areas should be determined in advance for a good debris waste management. Disaster waste management options and management will also have an impact on the environmental impact of a disaster.

Disaster waste management is a discipline related to waste planning and control, waste composition, amount, collection, storage, transportation, processing, reuse, recovery and disposal of waste (Memiş, 2016).

The main purpose of many disaster waste management studies is to minimize the environmental impacts of disaster wastes with management options such as recycling and appropriate disposal and processing of hazardous materials. Disposal options and applied disposal methods of such wastes formed as a result of disasters have a very important place in terms of environment and public health. The objectives of disaster waste management, which is a part of disaster management, are to minimize human life and health risks, reduce environmental risks and benefit the affected communities (Emhan, 2009: 213).

There are local governments and cooperatives as beneficiaries and decision-makers in many aspects of water management, but of course, they also work on the basis of planning and public service, meeting on common ground. Law No. 6360 is closely related to water services management at the local level. The distance from the city center, the abolition of the legal entities of the town municipalities and villages in the distant districts, the

spatial expansion of the service areas of the metropolitan municipalities are the factors that may affect the continuity and quality of drinking water and wastewater services, which have a constant demand and are of vital importance (Bulut and Akın 2019b:50). In Turkey, in addition to municipalities and special provincial administrations, the central government or provincial organization also undertakes duties in terms of providing water and wastewater services when necessary. Local governments have been involved in the planning and financing of sectoral investments, sometimes alone and sometimes together with local governments. These include the Ministry of Environment, Urbanization and Climate Change, the Ministry of Agriculture and Forestry, General Directorate of State Hydraulic Works and the Ministry of Culture and Tourism. In the new structure, which was named by the Ministry of Environment, Urbanization and Climate Change, the Presidency on Department of Water and Soil Management is one of the first degree responsible units in the central government wing. The General Directorate of State Hydraulic Works is also subordinate to this ministry. The creation of the general directorate of water management within the scope of the new ministry,

which was named the Ministry of Agriculture and Forestry, indicates that a second office has been created in the administration of water management in the country. “Sewerage activities” have been defined as one of the functional areas within the General Directorate of Protection of Natural Assets under the Ministry of Environment, Urbanization and Climate Change. The Department of Drinking Water was established within the General Directorate of State Hydraulic Works.

In the Law No. 831 on Water, the supply and administration of water in cities was given to municipalities. Since 1926, when this law came into force, water services have been defined as the responsibility of local governments. In the Municipal Law, it is stated in the section titled Duties and Responsibilities of the Municipality in Article 14 that it will carry out local joint water and sewerage services (Tuluay, 2010).

Since tourism and recreation activities in national parks are carried out in the open air, it is primarily necessary to analyze the effects of those participating in outdoor recreation on the natural environment. The General Directorate of Nature Conservation and National Parks, affiliated to the Ministry of Agriculture and Forestry, is one

of the leading organs authorized to have the public service of the park administration performed in the central wing.

Located within the borders of Iğdır and Ağrı provinces, Turkey's largest national park with an area of 88 thousand hectares (Hürriyet[web], 2022) exist. There are forty-five national parks and two hundred and sixty-one nature parks in Turkey. Ayvalık Islands Nature Park is the largest nature park in Turkey. Indeed, the parks are one of the areas most benefited by those who participate in recreational activities and to meet the increasing needs of people for their participation in recreation. Within the scope of the Parks and Gardens Directorate on Duties and Working Regulations prepared on the basis of the Municipal Law No. 5393 and the relevant legislation laws under the Parks and Gardens Directorate of the metropolitan and district municipalities, local governments are responsible about walking paths within the parks in order to serve the recreational activities of adults, youth and children within the borders of the province or district, as well as establishing bicycle paths, sports fields, green areas and carrying out their maintenance, repair and improvement works (Büyükhhan, 2010)

Parks and Gardens Directorates try to create suitable urban areas such as green spaces and functional parks, which are necessary for human life, in harmony with the architectural structures of the city and taking into account the relationship of man with nature, in order to achieve their establishment goals. Indeed, today, the factor that significantly encourages the ornamental plants market is the purchases made by the park and garden directorates of the municipalities. It can be said that municipalities, which don't have park and garden budgets, give the most attention to cultural measures, pruning, irrigation, fertilization and lawn care. The ability of the directorates of parks and gardens to fulfill these responsibilities depends on completing their institutional structure and employing qualified personnel (Karaca and Kuşvuran, 2012: 21).

When we look at Turkey in general, it is seen that individuals can benefit from the walking and cycling paths in these parks built by the municipalities and the fitness equipment in the sports fields. The Parks and Gardens Directorates are responsible for creating healthy green spaces in their cities in order to ensure that the cities they are responsible for gain a contemporary urban identity, which is a mentioned item for many cities in the world to

characterize them with appearance (Alp and Akıncı, 2009: 40).

Public transportation or state transportation service is the general name given to all transportation systems used for journeys without the use of personal vehicles. Free public transport can also be available for some people in a special situation. Considering both the natural structure and social function of public transportation, it will be concluded that it is a "public service" in principle. The basic principle of a public service is that the priorities of users, namely passengers for public transport systems, should be taken into account along with other priorities. For example, a factor such as "vehicle comfort", which is mainly important for passengers, generally, may not have technical significance for the institution that decides on the investment. However, as a public service organization, an institution will need to take passenger priorities into account, along with other factors. Public transport can be in-city and inter-city (Moslem and Duleba, 2018:71).

Although public transportation is generally used for trains, buses, trams, trolleybuses, and subways, it also includes airlines, ferries and minibuses, and aims to provide transportation of people from one place to another

(Yıldırım, 2016a: 5). When deciding on a new investment in an urban public transport system, a number of criteria must be taken into account. It is necessary to evaluate the properties of the system from various perspectives, so these criteria cover a very wide range. The most common categories used to compare public transport options are cost, capacity, and speed. Travel time is among the most important criteria to be considered in order to decide on the type of public transport system to be implemented in an urban corridor. In municipalities, the in-house directorates on public transport are the local authorized primary authorities responsible for the performance of this public service (Feibel, 1987).

The Ministry of Transport and Infrastructure, on the other hand, is responsible for the performance of the same service in the central government wing in the presence of national policy. The public transportation system in Turkey is designed considering the demands of the disabled, and future investments are progressing in this direction. Buses and trams with low floors and ramps, elevators in underground rail systems, jagged lines at metro stops, in-vehicle audio and visual information meet the needs of the disabled persons. Personnel and student transportation is

also an indicator of the contribution of the private sector to public transportation in Turkey. Since more people will be transported in the future with correct directions and infrastructure services in public transportation vehicles in Turkey, the production of exhaust gas per capita may be reduced and the pollution caused by exhaust gas can be decreased. In other words, the rules to be followed during the use of public transportation vehicles will reduce the global warming factor worldwide and can decrease the exhaust emission per person to a minimum level. In the future, being in line with these ideals, sustainable transport is aimed to be widespread, in order to perform public services responsibly (Yaliniz et. al, 2011: 890).

Chapter 7

Electricity, natural gas, petroleum, coal, public utilities, buildings, telecommunications, transportation infrastructure

Activities related to electricity generation, transmission and distribution are public services. Because these activities are regular and continuous activities aimed at meeting the common needs of the society for the public benefit. Production and wholesale activities carried out by economic state enterprises are also public services in many ways. Electricity distribution activity, on the other hand, is not a prohibited area for the private sector, but is still a monopoly-based public service. The ownership of many power plants still operating in our country belongs to private sector legal entities that are operators. The Electricity Market Law, as a rule, stipulates that the generator should be the owner of the power plant and its land. However, in cases where the land cannot be purchased by the producer by mutual agreement, the expropriation

method can be applied. Essentially, electricity generation activity is not carried out on a public space, such as using the state road for public transport. Although electricity generation activity is beneficial to the public, it is not necessarily an activity carried out on public space (Gönen, 2010: 364).

The natural gas found underground in Turkey is under the jurisdiction and disposal of the state. The production of this gas is in the nature of a public service and is carried out in accordance with the provisions of the Turkish Petroleum Law and is subject to the licensing regime stipulated by the Constitution for natural assets and resources. As an extension of the regulation, monitoring and inspection authority, the administrative sanction of the detected violations is one of the *sine qua non* for the healthy functioning of the energy market. The transmission of natural gas is carried out according to the contracts between the transmission company and other persons operating in the market. According to the Natural Gas Market Law No. 4646, the transmission company can enter into transportation contracts with import, wholesale, generation and export companies, and delivery contracts with

generation, storage, other transmission companies and eligible consumers (Özay, 1997)

Being another public service type, the exploration, production, pipeline transportation, natural gas importation and distribution carried out under concession within the framework of the Petroleum Law have been changed by the Natural Gas Market Law. Exploration, production, pipeline transportation and refining were conducted under concession under the petroleum law. The market activity of refined petroleum products in Turkey was carried out by the General Directorate of Petroleum Affairs under secondary legislation. The General Directorate of Mining and Petroleum Affairs, namely MAPEG, affiliated to the Ministry of Energy and Natural Resources, is responsible for the mining activities related to the issuance of licenses, inspection and supervision of projects. Along with the Natural Gas Market Law, a brand new order has been introduced in the activities on oil and natural gas field. In the new order, oil and natural gas exploration and production activity will still be carried out on behalf of the state within the framework of a concession, while market activity will be carried out with a license to be issued by a regulatory board (Bayrakçı and Kahraman, 2017: 303).

Petroleum, which is an important energy source, is also the raw material of the chemical industry. Oil deposits in Turkey aren't very rich. Existing oil deposits are mostly in Adıyaman, Batman and Diyarbakır in the Southeastern Anatolia Region. There are also oil fields in Siirt, Şanlıurfa and Mardin. Turkey produced 3.1 million tons of oil in 2020. In the same period, the oil consumed in Turkey is approximately 50 million tons. Turkey was able to produce only 8 percent of its oil need. Petroleum and natural gas explorations are intensely carried out by Turkish Petroleum Corporation as well as domestic and foreign companies. This information show us that Turkey doesn't face any obstacles in the exploration, detection and extraction of crude oil and natural gas. Turkish Petroleum Corporation is Turkey's national oil company. Therefore, in the neoliberal framework, oil production and exploration is done by a publicly owned firm. This company is actually affiliated with the Turkey Wealth Fund. Indeed, Turkey Wealth Fund is a Turkey-based company established by law in 2016 to manage companies affiliated to the Prime Ministry (Petform.org[web], 2022)

In many countries of the world, coal, electricity, gas and railway enterprises were nationalized with the studies

initiated in accordance with the developments of the period after the Second World War. A central planning board was established, not content with transferring the most important banks and insurance companies to the state. Thus, the coal mining procedure has been seen in the public service group in many countries. Coal mining is practiced in Turkey under a neoliberal structure and partly with a partnership philosophy. Established in 1957, Turkish Coal Enterprises Institution is a state-owned economic enterprise and continues its activities under the Ministry of Energy and Natural Resources.

Along with its hard coal deposits at various depths, the Black Sea Ereğli basin is the most important hard coal basin in Turkey. The hard coal reserve is 0.5 billion tons in total. It can be easily understood that the coal mine operation activity means the performance of a public service, in fact, since there is public interest in its performance. It can be clearly understood that this benefit exists both in Article 168 of the Constitution of the Republic of Turkey, as well as in the Mining Law No. 3213 and the case-laws of the high courts (Maden.org.tr[web], 2022).

Other public services, which are generally sustained under local governments can be defined as public utilities

as well. Those can be exemplified as heat, light, post and telephone services. There are some sectors in Turkey that require oligopoly or monopoly market structure. These include, for example, areas of activity such as heating services, transportation, urban and intercity lighting and monopoly in electricity distribution, or oligopoly market structure in telephone business. It is generally accepted that even if the scope of license conditions is kept wide, it may not be possible to establish competition in a functional way, and therefore a transition to the perception of public service in these areas will be a necessity under the definition of public utilities (Emeksiz and Fındık, 2021: 160)

Based on the State Buildings Operation, Maintenance and Repair Regulation issued pursuant to the Decree of the Council of Ministers dated 1971 and numbered 7/3228, a definition according to article 3 can also be made for the definition of public service to be brought on behalf of the buildings. According to this, structures in the health sector such as general administration buildings, education and training buildings and outbuildings, hospitals, dispensaries and health centers, structures such as theaters, operas, cultural sites, public education facilities, registered in the land registry on behalf of the treasury, civil servants'

residences, museums, exhibition halls, galleries, palaces, pavilions, other buildings where public service is performed, buildings belonging to real persons or legal entities of private law and rented by any institution included in the general budget to provide public service, and structures inside and outside of these buildings can be covered under the definition of public service to sustain the protective maintenance and repairs of the facilities and equipment built or for the purpose of eliminating fire, passive protection, theft and dangerous situations inside and outside the buildings (Güneş and Arslan, 2021)

In the telecommunication sector, which is a sector heavily influenced by information and technological development, services are diversified and the way they are presented changes in parallel with the developing technology. Telecommunication services, which are a public service, have been provided for many years through a public monopoly. However, the economic and technological developments and changes occurring all over the world have made it inevitable to offer these services through the private sector. Information Technologies and Communications Authority is the institution that regulates and supervises the telecommunications sector in Turkey.

The "Telecommunication Authority" was established with the Law No. 4502 of January 27, 2000 amending the Radio Law No. 2813, dated April 5, 1983. The Telecommunications Communication Presidency operated under the presidency of this institution until August 2016, and after its abolition, all of its duties were transferred to the Information Technologies and Communication Agency (Alkan, 2021).

Following these, building transportation infrastructure is considered a public service. General Directorate of Highways is the institution responsible for all highways in Turkey, excluding urban roads. It was established in 1929 as the Chief of Roads and Bridges within the body of the Ministry of Public Works, and in 1950 it became the General Directorate of Highways (Polatoğlu, 2021: 221). This directorate is affiliated to the Ministry of Transport and Infrastructure of the Republic of Turkey. The Ministry of Transport and Infrastructure of the Republic of Turkey is the ministry that works under the Presidency of the Republic of Turkey and is responsible for transportation and infrastructure works. Rail system public transportation activity in the city is carried out as a public service performed by municipalities. Public transportation activity

in the city is assigned to the administration by both the Metropolitan Municipality Law and the Municipality Law, and it is an activity aimed at meeting a common and general need of the society. The performance of many services is monitored by means of transportation joint stock companies affiliated to municipalities. The Republic of Turkey State Railways has also been assigned to provide transportation infrastructure. This institution is the official institution that regulates, operates and controls rail transport in Turkey.

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Conclusion

In countries with a developed market economy, it is of great importance to overcome economic recessions, to provide infrastructures that are important for the national economy, and to provide high-level capital, and social goals. However, when the private sectors of the developing countries are examined, the inadequacy of the said sectors in terms of capital and knowledge and regional development plans necessitated the intervention of the state in the economy. Owing to the increase in privatization activities, there have also been changes in the way states provide public services around the world. After this period, when the changes in the whole world are examined, it has been seen that privatizations have also increased in the provision of public services both in Europe and in Turkey. In the period when public services were produced by the administration, the inability to provide services efficiently due to the emergence of structural, functional and bureaucratic problems also accelerated the privatization process of public services.

If we base the existence of the state on the public service, it means that the state only exists to the extent of the public service it provides. By this logic, if the state provides all public services, it will have a strong structure, and if it leaves the provision of services to the private sector, its existence may not even be mentioned. Changes in the understanding of public service in Turkey have also adapted to the developments in Europe and the world. The liberalism approach, which has been effective all over the world especially since the 1980s, has also deeply affected our country, and since 1980, the free market economy approach has been emphasized and the intervention of the state has been minimized. In addition, privatization activities were accelerated in order to reduce the state.

The concept of quality is one of the concepts that has become the most important slogan of today's society and social institutions. While the globalization process brought about the downsizing of the state, the new understandings in the administration increased the expectations of the people from the state to some extent. Today, it is desired that the services expected from the state should be of high quality. Along with the privatization in the public sector and the transfer of authority to local governments, the

demand of the people to expect better quality service delivery has also increased. It is not possible for the public sector to prevent itself from providing fast and effective service opportunities brought by information technologies, and to keep itself out of these developments.

While referring to the customer-oriented approach in public services, it is stated that the use of the concept of customer in public administration is not appropriate from time to time. It is claimed that the concept of customer can't be used in public services, and therefore in public administration, by claiming that the customer is free to purchase the goods or services of any company and to choose a company and product, whereas the addressees of public services such as justice and security don't have the opportunity to obtain them from elsewhere.

Although the public interest, which is also known as general interest, the terms such as public interest, public good, are frequently used in administrative law, public law and political science, indeed, there is no consensus on what should be understood from this concept. However, administration and public lawyers and political scientists agree on the point that public interest has two main meanings. The first of these is the legal, technical and

narrow meaning of public interest, and the other is the broad, political and ideological meaning given to this concept.

The primary purpose in public institutions is the execution of duties. Whether the citizens are satisfied with the services rendered remains in the background. As a result, the quality of public services is low and the cost is high. As the organization grows, the coordination decreases, paperwork increases, transactions slow down, the field of communication and specialization narrows, formal control intensifies, inter-employee relations decrease and innovation disappears. While the private sector produces effective, efficient and rational services with its methods, public administration lags behind these developments. Management philosophy, way of doing business, bureaucratic and centralized approach in the provision of public services also affect effective service delivery.

In this period, which lasted until the 1950s, the aim of public service in the form of meeting common and general needs was maintained, and it was tried to provide capital accumulation by supporting the private sector with public service products. The fact that the activities offered as

public services aren't at the desired level of quality and can't satisfy the needs have led to criticism and privatization demands against the public service. Of course, this situation isn't a fault of the concept of public service. Almost all activities related to the benefit of society are public service. Because these activities are regular and continuous activities aimed at meeting the common needs of the society for the public benefit.

Along with the economic, social and political changes experienced at the end of the 1970s and especially in the 1980s, this time the welfare state practices began to be questioned and the services that the state was obliged to provide began to be discussed. In this context, the problem of redefining the concept of public service has come to the fore.

Since the 1990s, a new management approach has emerged in the public sector as a reaction to the inadequacies in the traditional management model. This understanding envisaged a flexible public administration based on a market economy instead of the hierarchical and rigid bureaucratic public administration that dominated public administration throughout the twentieth century. However, this situation refers to a change in the role of the

state in society and state-citizen relations rather than a simple reform or change in business method.

In the 2000s' e-government model, citizens will be able to obtain information from the internet in their public service requests, such as what stage the process is at from the first application, what to do next, the process of operation and how the process is concluded in the last stage. Public institutions try to anticipate the information demands of the citizens, in other words, the demands of the citizens direct the service to be provided. Repetitions, excessive bureaucratic processes, loss of time, paper-based transactions will be significantly reduced by the increase of communication between public institutions and the integration of corporate information systems, as well as the direct access of citizens to information.

Some activities are public service by nature. This feature of the activities has provided the importance they carry for the public. This type of activity should be seen by public legal entities. The legislator doesn't have free discretion and right of disposition on the public service nature of the activities. It is necessary to distinguish between administrative activities, public service and others, and more importantly, it is necessary to clearly distinguish

between private activities and public services. It is important to set objective criteria that determine the discretion of the legislator in order to determine which activities can be classified as public service. Principles such as equality, continuity, and constant adaptation to changing conditions that emerge after an activity has been given the status of public service are also the elements that force the recognition of that activity as a public service and are felt before the establishment of public service status. The activities that should be carried out according to the principles of continuity, equality and harmony are waiting to be determined by the legislator as a public service.

The social needs that give rise to the concept of public service continue. This production and service need had to take a new path to meet the needs that could not be met at first. Despite the minimum common denominator of the social structure and the dissolving side effects of liberalism, its image has changed and differentiated, but the role of the state and the basis of its understanding of public service continue to exist. In this new outfit of existence, for example, e-government is a concept used to describe the reshaping of public services on the basis of information technologies and the automation of bureaucratic processes

by increasing communication skills between citizens, commercial organizations and various units of the state.

In order for an activity to be considered a public service, the condition that this activity must be carried out by administrative institutions has lost its validity today. Not only state institutions but also various private institutions can take part in the provision of public services. Thus, the definition of public services according to organic criteria is now resolved. Social services are a public service, as well. Indeed, social services are one of the permanent and essential duties of the state. According to the Constitution of the Republic of Turkey, many social services provided by state institutions must be carried out by civil servants and other public officials. However, providing social services by employees who don't have the specified status would be against the law.

To summarize, rapidly changing living conditions and social needs have revealed that traditional and new public administration approaches are insufficient in the delivery of public services. At this point, the new understanding of public service came into play, putting the satisfaction of the citizen and the public interest as the focal point and an understanding in the provision of public services. Through

this understanding, it is obvious that citizens, who are an important element of the provision of public services, will be more satisfied in the future.

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