

Administrative Culture and Public Administration Reforms in Türkiye

Mücahit Bektaş



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Preface

If I had written this preface in the years when my doctoral dissertation was accepted, I would, in all likelihood, have begun with clichés such as “With globalization... With the Oil Crisis...” or “Since Ancient Greece... After the French Revolution... With the invention of the steam engine....” But those clichés are now dead. Long live our new cliché: “With AI....”

Yes, “With AI...” would have been the best clichéd opening for my preface. But that is not because my doctoral dissertation is about AI. Not at all. My dissertation deals with the period before AI, with the final moments of the “classical” era. Yet even though AI technologies did not shape the content or the writing of my dissertation, they did shape the formation of this book project. That is because AI has transformed not only mechanical processes but also human behavior, perceptions, and expectations. To put it more plainly in relation to our subject, people are now interested in texts that address a topic directly. They no longer want to encounter, within the main text, ancillary discussions that are only there to make that topic more intelligible. AI can now supply that context for you in a matter of seconds. Put differently, if the reader lacks background knowledge about a secondary issue mentioned in the text, that knowledge can now be reached easily, together with its context.

When I was writing my doctoral dissertation, AI technologies were not yet widespread enough to shape everyday social life. As a natural consequence, the dissertation took the form not of a lean text but of a comprehensive and lengthy work containing many different issues. Today, however, AI technologies have spread across society, and preparing a text that reflects that reality has become a necessity for my book project as well. In truth, even before AI became widespread, the dissertation itself was already quite extensive and long. One reason for that was the tendency to discuss every issue in full detail under the pretext of “introducing the foreign literature.” Yet those issues should

have been limited by the scope of the dissertation. In that sense, this is also a written expression of my own self-criticism regarding my dissertation.

As a result of all these considerations, three separate books have been produced from my doctoral dissertation: “On Bureaucracy, Culture, and Reform”, “NPM Reforms in Anglo-Saxon and Continental European Cultures”, and “Administrative Culture and Public Administration Reforms in Türkiye”. In this way, the original dissertation has been reorganized into works that are more focused, more accessible, and better suited to contemporary reading practices. Each of these works possesses its own internal coherence of meaning, yet when they are read as a book series they also form a broader meta-coherence. I hope these books will prove useful, both individually and together, to academics interested in public administration, to policymakers, and to anyone with an interest in this field.

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Introduction

Public administration reforms are often discussed through laws, institutions, organizational structures, and policy documents. This approach is not entirely wrong. After all, reforms are largely made through laws, implemented through institutions, and made concrete within bureaucratic processes. Yet this does not mean that reforms consist only of legal or institutional arrangements. The fact that laws with similar contents produce different outcomes from one country to another, or that similar reforms are implemented in different ways within different administrative structures, makes it necessary to address the issue of reform on a deeper ground. In this study, that ground is taken to be culture.

Culture is not used here as an abstract or vague concept, nor merely as a reference to traditional patterns of behavior. More clearly, culture refers to the historical accumulation that determines how people see the state, how they relate to authority, how they interpret rules, how they respond to uncertainty, and how public officials make sense of their own roles. For this reason, it would be misleading to see public administration reforms only as a technical process of change. Reforms are also political and administrative initiatives that encounter established patterns of behavior, habits, power relations, and traditions of governance.

This idea also forms the main point of departure of the study. Public administration reforms in Türkiye, especially from the 1980s onward, entered into an important process of transformation within the framework of New Public Management. Reducing the size of the state, strengthening market mechanisms, making local governments more effective, reducing bureaucratic procedures, developing a citizen-centered understanding of service, and principles such as accountability, transparency, and performance became the main concepts of this process. Yet how these concepts found a response in Türkiye cannot be explained only through the political governments of the period or through international developments. Alongside these factors, it is

also necessary to understand how Turkish administrative culture transformed the reforms in question.

At this point, Türkiye's distinctive historical experience carries decisive importance. The strong tradition of central administration inherited from the Ottoman Empire to the Republic, and the view of bureaucracy not merely as a technical administrative element but also as one of the founding and protective actors of the state, created an important cultural ground for the implementation of reforms. The fact that the bureaucratic elite, which became stronger from the Tanzimat period onward, came to occupy an even more central position in the Republican period helps explain why reforms in Türkiye have often been designed from the top down. In other words, reform in Türkiye has generally taken shape not as the direct reflection of social demands onto institutions, but within the struggle between actors who wanted either to transform the state or to protect it.

For this reason, the study does not treat Turkish administrative culture merely as a historical background. Administrative culture is one of the main explanatory elements of the study. This is because the extent to which reforms in Türkiye were adopted, the points at which they encountered resistance, the areas in which they produced the expected results, and the areas in which they remained at a formal level are all closely related to this cultural structure. Features such as high power distance, uncertainty avoidance, collectivist tendencies, a paternalist perception of management, and a reflex to protect the status quo have directly affected the manner in which reforms have been implemented. These features show themselves not only in the behavior of public officials, but also in citizens' expectations of the state and in the ways political actors reorganize public administration.

The study first addresses the question of administrative culture in Türkiye. Under this heading, a general overview of the cultural structure of Turkish society is presented, after which the administrative culture extending from the Ottoman Empire to the Republic is evaluated from a historical perspective. In this way, the study attempts to reveal the cultural and historical ground on which public administration reforms have rested. Turkish administrative culture is then analyzed within the framework of Hofstede's cultural dimensions, and Türkiye's position in areas such as power distance, uncertainty avoidance, and collectivism is assessed in terms of understanding reforms. The aim of this section is to make visible the administrative mentality and world of behavior that reforms encountered before explaining the reforms themselves.

The second section examines public administration reforms between 1980 and 2002. The selection of this period is not accidental. The 1980s correspond

to a period in which the understanding of public administration changed significantly not only in Türkiye but also throughout the world. After the Oil Crisis, the cost of welfare state practices was questioned, and the economic and administrative role of the state was reopened to debate. In Türkiye, the 24 January Decisions, the administrative structure after 12 September, the policies of the Turgut Özal period, and relations with the European Union became the main determinants of this transformation. After briefly addressing pre-1980 reform initiatives, this section examines New Public Management reforms during the Özal period and the impact of the European Union on public administration reforms.

The third section is devoted to public administration reforms after 2002. After 2002, the reform process in Türkiye moved into a new phase in terms of both scope and pace. In the early years of AK Party (Justice and Development Party) rule, the European Union membership process, the loss of legitimacy created by the 2001 economic crisis, the guidance of international organizations, and power struggles in domestic politics formed the ground for reforms. During this period, regulations were made across a very wide field, including central administration reforms, the public financial management and control system, the right to information, the ombudsman institution, ethical regulations, regulatory and supervisory agencies, the Presidential Government System, and local government reforms. Yet these regulations did not all produce results in the same direction or with the same intensity. While some reforms brought progress toward democratization, transparency, and accountability, others resulted in centralization and the strengthening of the executive.

The main argument of the study is therefore that public administration reforms in Türkiye cannot be explained only through the New Public Management paradigm, neoliberal transformation, or the European Union membership process. These factors are, of course, important and have determined the direction of reforms to a large extent. Yet it is not possible to understand the form that reforms took in Türkiye without taking Turkish administrative culture and the historical legacy carried by this culture into account. Reforms did not take place as a simple transfer of ready-made models arriving in Türkiye from outside. On the contrary, every reform was reshaped within Türkiye's centralist state tradition, bureaucratic status elite, political power struggles, social demands, and cultural patterns of behavior.

In this respect, the study treats public administration reforms in Türkiye neither entirely as a success story nor entirely as a story of failure. It accepts that reforms produced lasting transformations in some areas, while remaining limited in others because of cultural and institutional resistance. The aim,

therefore, is not to reduce reforms to a normative judgement, but to try to understand them within their own historical, cultural, and institutional context. Such an approach also makes more understandable why public administration reform is a constantly recurring agenda in Türkiye, and why new reforms often emerge in order to remedy the shortcomings of previous reforms.

In conclusion, this book aims to examine the relationship between administrative culture and public administration reforms in Türkiye from a historical and analytical perspective. The central question throughout the study is this: why do public administration reforms in Türkiye advance in certain areas while remaining limited or failing to produce the expected results in others? The answer to this question should be sought not only in legal texts, government programs, or institutional changes, but also in the administrative culture behind them. For public administration reforms ultimately seek to transform not only institutions, but also the established assumptions of the people who act within and around those institutions concerning the state, authority, rules, and change.

Section 1



1. Administrative Culture in Türkiye

This chapter aims to analyze Turkish administrative culture from all angles, but especially through Hofstede's cultural dimensions, and thereby to evaluate, in cultural context, the reforms that were or were not implemented within the framework of New Public Management. In line with this aim, the study follows a movement from the general to the specific. It first addresses the cultural structure of Turkish society in broad terms, from everyday patterns of behavior to ways of thinking, and then imagines Turkish administrative culture from a historical perspective. After presenting the basic conceptual information appropriate to the content of the study, Hofstede's findings on Türkiye are compared with the assessments of Turkish administrative culture found in the literature.

1.1. A General Overview of Türkiye's Cultural Structure

One of the basic features that distinguishes societies from one another is behavior, and behavior is an outward expression of a society's cultural or moral values. Put differently, culture and morality are the codes that shape the behavior of societies. Religion, in turn, forms the origin of these codes. Thus, the typical and widespread patterns of behavior of societies are determined to a large extent by religious beliefs (Eller, 2007, p. 141; Geertz, 1973, p. 90). Although it has been said that religion gradually lost its importance after the

Enlightenment and that secularization became widespread, it is clear that the influence of religion on people remains strong (Eagleton, 2014, pp. viii–ix).

When Turkish culture is discussed, religion, namely Islam, constitutes an important point of departure and makes it necessary to distinguish between the pre-Islamic and post-Islamic periods. In this context, since pre-Islamic Turkish culture was based on animal husbandry, its life practices and patterns of behavior were shaped accordingly. More specifically, because animal husbandry is not an activity that produces results quickly under predictable conditions, and because it cannot be carried out by a single person alone, it requires broad pastures as well as the tools and skills needed to control herds. Yet this should not be taken to mean that shepherding alone was sufficient. Animal husbandry, involving many activities such as care, breeding, production, and processing, also brought with it a collectivist culture and mode of life among the Turks (Çandarlıoğlu, 2003, p. 92).

It is known that animal husbandry, which required the ability to respond rapidly to changing conditions, organize herds and society, find new pastures, and reconcile conflicts arising from communal life, had an important influence on the development and use of assembly-like political instruments such as *toy*, *kengeş*, and *kurultay* in Turkish society (A. Erdoğan, 2014, pp. 40–41). By contrast, among ancient societies engaged in agriculture, the effective use of rivers and other water resources, and the storage of agricultural products against the possibility of drought, brought with them a regular organization with certain standards (H. Ateş & Ünal, 2004, pp. 22–23). In light of this, animal husbandry, with its dynamic structure, can be associated with politics, while agriculture, with its static structure, can be associated with bureaucratic administration. From this point, it may be said that the Turks possessed a solution-oriented, practical, and rapid understanding of administration.

As can be understood from the above, pre-Islamic Turkish culture had a structure founded on life-sustaining activities, nature-based practices, and simple and homogeneous identities. After Islam, however, traditions were blended with Islamic motifs and ethnic identities gradually lost importance, while hybrid identities centered on Islam were constructed (Kasapoğlu & Ecevit, 2004, p. 137). This hybrid identity, which emerged from the integration of Turkish-Islamic cultures through the caliphate in the Ottoman Empire, became more pronounced, and Islam became the main point of reference in both social and political life. Yet with the decline and eventual collapse of the Ottoman Empire, the founders of the new state questioned the political structure defined around “Islam” and adopted a rational-modern founding philosophy along the axis of secularism (Ahmad, 1991, p. 3).

In summary, it may be argued that the political culture shaped around religion in the Ottoman Empire was detached from its religious roots and drawn toward the axis of secularism. This process, which also meant the construction of a new hybrid identity, played a decisive role in both Turkish political life and Turkish culture. More clearly, the main characteristics of contemporary Turkish political culture were formed as a result of debates conducted around the secularism-religion duality (Sunar & Toprak, 1983, pp. 424–428).

It would not be right, however, to say that religion or religious discourse quickly and easily found a place in the political arena. Since the founding elites believed that the Islamic tradition was in conflict with democratic values, they kept a distance from the relationship between religion and politics for a long time. Indeed, Necmettin Erbakan and the political formations he led, which engaged in politics with an explicitly Islamic discourse, were subjected to many interventions. In the period from the founding of the Republic to the 1990s, the parties came to accept that Islam and democracy could be compatible, and a party with Islamic roots, the Welfare Party (*Refah Partisi*), was able to receive the votes of a large majority of the electorate (Heper, 1997, pp. 32–36). Of course, the rise and acceptance of Islam in politics was made possible not only by the moderate climate created through mutual relations, but also by the fact that the founding values nourished by modern theory, which proposed a “single Western-centered model”, had fallen behind the age (Gülalp, 1995, p. 180), and by the spread of multiculturalism (Keyman, 1995, pp. 94–95).

This worldwide transformation did not only strengthen the place of religion in society and politics in Türkiye. In many countries, belief in religion and God increased visibly compared with the past. Some theorists even interpreted this transformation as the end of secularism. Yet in many other countries, the importance of religion and God also declined significantly (Inglehart, 2018, p. 70). Therefore, just as it would be wrong to say that secularism has come to an end on this basis, it would also be wrong to say that religion and God have come to an end.

After this general assessment, if we return to Türkiye and leave aside the short-lived and weak coalitions of the 1970s, the coming to power of a party that adopted Islamic principles took place with the Welfare Party. This event, a turning point for Turkish politics, meant that civil society had revived against a state with totalitarian tendencies and that the way had been opened for democratic pluralism. The Welfare Party’s ability to achieve such a major success within the secular system resulted from its reinterpretation of the concept of democracy and its ability both to offer society an alternative

and to show that it did not adopt a totalitarian form of rule. Yet the fact that democratic values were not fully internalized by all sides brought the Welfare Party's rule to an end in a short time (Gülalp, 1999, pp. 35–39).

Cultural change was not limited to the political sphere. It also opened the way for Islamic values, which had been excluded under the modernization project and associated with rural life, to become visible in the public sphere. The increasing demand for education among religious groups and the rise of *green capital* (i.e. religiously conservative business capital) in economic and commercial activities shook the authority of the status quo structure, and thus another important stakeholder emerged in the public sphere. Although competition in the commercial field took place in a relatively covert manner, the entry of religious women into the public sphere with their *headscarves* brought with it serious political and social debates and transformations (Hermann, 2003, pp. 267–268).

Especially from the 1990s to the early 2000s, veiling, imagined as a political symbol-object and seen as a threat to secular values, became a main policy agenda for politicians in particular and for other social groups more generally. In their study on the subject, Genel and Karaosmanoğlu (2006) state that this situation, which they describe as the ghettoization of the Muslim *minority*(?), was partly softened as the younger veiled generation spent more time in the public sphere. More clearly, it was vital for social acceptance that veiled women and men, confined to the home or to a homogeneous area or field of work, such as the Fatih district or the service sector, moved beyond these areas, developed new practices of life, and expanded their fields of work. In this way, prejudices and classifications directed at veiled people began to loosen. It would, of course, not be right to say that this acceptance took place easily or quickly.

At first glance, one might question the relevance of the above assessments centered on Islam, and specifically on veiling, for political culture. It might also be argued that what has been narrated is an assessment of recent political history and therefore exceeds the scope of the study. Yet these debates formed the basis of the transformation that took place in both political and social culture after the 1990s and especially in the 2000s (Ayata, 1997, p. 60). Indeed, the AK Party, which has held political power from 2002 to the present (2026) and has therefore determined public policies, emerged as a product of this struggle and cultural environment (Rankin et al., 2014, p. 163).

Aside from the debates on secularism, the other important phenomenon shaping political culture is the European Union. The negotiation process for membership of the Union and the adoption of the *Acquis Communautaire*

required by that process have not only been the source of many public reforms, but have also contributed to the development of civil society. The *acquis*, which allowed civil society organizations, interest groups, and pressure groups, in addition to the founding elite, politicians, and bureaucrats, to become actors in policymaking, diversified Turkish political culture (Heper & Yıldırım, 2011, p. 7).

1.2. Administrative Culture in Türkiye in Historical Context

The Turks possess a broad cultural range through a tradition of governance that reaches back to very ancient times. It is inevitable that the political and administrative units established under various names in different geographies before and after Islam each produced their own administrative culture. Yet both the limitations of the study and the fact that the other experiences play almost no role, or only a very limited role, in today's administrative culture require the scope to be limited to the Ottoman Empire. The fact that the Ottoman Empire, Türkiye's predecessor, ruled over Anatolian lands for more than six centuries is another indication of its weight in the administrative culture of the Republic of Türkiye.

In this context, it is useful to convey the developments and changes that occurred in the administrative culture of the Ottoman Empire from its foundation to its collapse. In the state governed by absolute monarchy, the sultan and the palace under his authority formed the central administration and the source of administrative culture. In the early years of the Ottoman Empire, when Central Asian culture was still influential, even if not entirely so, pre-Islamic Turkish customs and traditions played an important role in shaping administrative culture. In these periods, when legitimacy was based on martial ability, the person at the head of the state was seen as *primus inter pares* (first among equals) within the dynasty, and a simple and unostentatious style of rule was adopted. It was with Mehmed II that the sultan acquired absolute authority in the administrative and political spheres (Ortaylı, 2010, pp. 169–170).

As many important Ottoman historians have stated, the understanding of *ghaza* (holy war/frontier raiding in the name of Islam), which combined the war-centered legitimacy that also occupied an important place in pre-Islamic Turkish culture with Islamic values, became a founding element in shaping political and administrative culture and, moreover, in the expansion of the Ottoman Empire from Africa to Europe. In other words, the compatibility between the warrior character of the Turks and the idea of conquest carried out for the spread of Islam became a source of motivation for both rulers

and people to expand by acquiring new lands. Of course, alongside religious motivation, the contribution of the economic resources provided by conquests to the rise in social welfare was another important source of motivation (Findley, 1980, p. 7).

In summary, the situation mentioned above shows that Ottoman administration had a dual structure composed of tradition, that is, secular law, and religion. This dualist structure preserved its existence from the foundation of the state until its collapse. Yet it would be wrong to say that the sultan's law and God's law, that is, the sharia, were dominant in administration to the same and/or equal degree in every period. The normative order that emerged as the union of the *ghaza* tradition and sharia, and in which traditions, or the secular wing, were more dominant, began to turn in favor of sharia with Fatih Sultan Mehmed, or Mehmed II. According to Heper, this transformation meant the stagnation of a dynamic process (Heper, 1973, p. 35).

When the administrative structure is evaluated in class terms, unlike its European contemporaries with their feudal and patrimonial systems, the Ottoman Empire was not feudal. It can even be said that, up to a certain date, the Ottoman Empire had a bureaucratic quality rather than a patrimonial one (Heper, 2001, p. 1019). Relatedly, in social terms, there was no classification in the Ottoman Empire comparable to that in Europe. Until the Tanzimat Edict, people in the Ottoman Empire were divided into two main groups: Rulers and taxpayers, namely the *askerîye*¹ and the *reaya*. All officials, including the sultan, whatever kind of public service they provided, were included in the *askerîye* class, while those outside this group who only paid taxes to the state were included in the *reaya*. Personnel administration was conducted around *kulluk*, that is, servitude or slavery, and the sultan could exercise authority over public officials to the extent allowed by sharia (Mardin, 1969, p. 259).

In order to make this authority over public administrators possible and/or continuous, the sultan ensured the training of both civil and military cadres through the Enderun, established within the palace. Since the students educated in the Enderun were selected through the *devşirme* system, they had no direct ties with the other ruling classes. Thus, in addition to the merit they acquired through their education, they also possessed loyalty to the sultan (Eryılmaz, 2018, pp. 76–77). This school for administrators within the palace conducted education with a more secular and state-centered content rather than a religion-centered one. In the Enderun, alongside educational activities, students were also taught how to behave and how to make decisions in certain

1 Literally translates to “military”, but it encompassing all officials, including high-level bureaucrats, religious scholars (ulema), and military officers in Ottoman Empire.

situations. According to Findley, this pattern of behavior, called *adab*, which emerged from the blending of the pre-Islamic Turkish tradition of governance with the Islamic tradition, is the most important building block of Ottoman administrative culture (Findley, 1980, p. 11).

In parallel with the widespread acceptance within the Turkish-Islamic tradition, the state in the Ottoman Empire also existed in the person of the ruler, that is, the sultan, as personal sovereignty (Dinçer, 2019, p. 26). In light of this tradition, the education of administrators within the Enderun and around *adab* appears to be a rational choice. Yet some researchers criticize the *devşirme* system in the Ottoman Empire, that is, the formation of the ruling class from non-Muslim children. According to them, although this system in the Ottoman Empire produced positive results at first, in later periods, contrary to expectations, it failed to secure loyalty to the ruler and therefore to the state, and with the process of nation-building it contributed to the fragmentation of the state (Sığrı et al., 2015, p. 99).

Before moving on to these deteriorations, it is useful to return to other issues that played an important role in giving Ottoman administration a paternalist character in the classical period, which displayed relative homogeneity. In this context, the Ottoman land system, or more clearly the question of property, was one of the main issues strengthening the sovereignty of the sultan. Alongside Enderun education and the *devşirme* method, the sultan's right of disposal over land and property prevented political formations that could stand against the sultan and defend their own interests, in short, civil society (Heper, 1973, p. 36). This limitation on the people's property continued until the Tanzimat Edict guaranteed security of life and property by the sultan (Eryılmaz, 2017, pp. 104–105).

In this respect, unlike the feudal Seljuk State, in which landholding *beys* were influential in administration, the Ottoman Empire resembled its Indian contemporaries, whose ruling class consisted of *devşirme* slaves tied to the sultan. In both states, the selection of slaves as administrators may be interpreted as a concern to strengthen central authority and create a truly sovereign state (Heper, 2015, pp. 48–49). The most concrete example of this is that the Ottoman Empire, while preserving the religious and cultural fabric in conquered territories, abolished the feudal order and appointed people detached from local ties from the center. In addition, the Ottoman Empire adopted a similar policy in the economic field as well as in administration. The *ahi* organization, which had economic autonomy in the Seljuk period and in the first years of the state, for example by collecting the *baç* tax (Sığrı

et al., 2015, p. 97), was abolished in an attempt to end dual authority in this field (Mardin, 1969, p. 265).

From an administrative point of view, because of these practices it would not be correct to speak of an elite class in either political or bureaucratic terms during the classical period. As noted earlier, until a certain period, the Ottoman Empire was broadly divided into those who ruled and those who were ruled (Findley, 1980, p. 15). Yet this situation began to follow a different course with the reform policies that started in the period of stagnation. Especially during the reign of Mahmud II, the administrative cadres who had been in the service of the sultan with the status of slaves began to be evaluated through the perspective of civil service and to work in the service of the state. Thus, the patrimonial character decreased to some extent, and administration acquired a bureaucratic appearance (Heper, 1973, p. 36).

The main triggers of the waves of reform that began with Selim III and reached a striking point with Mahmud II were military failures and separatist movements caused by the gradual decline of the sultan's authority both at the center and in the provinces. These developments, which meant the shaking of the sultan's absolute sovereignty in the classical period, resulted in the restructuring of institutions, especially the provinces, and the strengthening of their links with the center (Findley, 2019, pp. 28–34).

If many other matters are left aside, the issue of translators, who provided communication with foreign and especially European representatives, occupies a very important place in terms of its effect on administrative and political culture. Although Muslim translators had previously been used, during the stagnation of the state this service was carried out by Greeks. Translation services, which were not regarded as important in periods when military power largely determined gains, entered the primary agenda of the state as diplomacy became increasingly important. The state's taking of this service under the supervision of the central administration and beginning to train Muslim translators became possible through the connection of the Phanariot Greeks with the Greek revolt. The Translation Office established in this direction became not only a place where translation services were carried out, but more than that, a school that trained administrators for the state (Eryılmaz, 2017, pp. 62–64).

According to Ortaylı, the main reason why the Translation Office gained increasing importance within the state was that minorities were removed from the realm of internal affairs and turned into external issues by foreign states, especially Russia and France, on the grounds of religious proximity. The demands of these countries, which claimed to act as protectors, for the

improvement of the political, economic, and cultural rights of the non-Muslim communities they protected brought with them many legal regulations. At this point, the decisive role of the Translation Office in Turkish administrative and political culture becomes clearer. Because the officials of the Translation Office were familiar with Islamic and Ottoman legal systems and also knew French, they adapted many legal regulations in Europe to domestic law and, in effect, built the normative order of Ottoman and later Turkish bureaucracy (Ortaylı, 2010, pp. 409, 471).

The transformation that began with the Translation Office was so great that, while the power of the *kalemiye*, the representative of the old tradition in state administration, declined, the power of the *mülkiyeliler*, who had received a Western-style education and knew French, increased day by day. Bureaucratization and centralization resulting from the adoption of European legislation played an important role in this. More clearly, centralization and bureaucratization markedly increased the need for a new type of public employee, which resulted in the spread of civil servant education beyond the palace. Thus, the sultan's control over education weakened, and the loyalty of civil servants to the sultan declined. Of course, an education modelled on France could hardly have produced a different result for that period (Findley, 2019, pp. 90–91).

Heper describes this transformation, which began with the Translation Office and spread to many other institutions of the state, as follows (Heper, 1973, p. 37):

During the Tanzimat, alongside other institutions that had weakened for various reasons, the civil bureaucracy came rapidly to the fore, especially at a time when the diplomatic and financial functions of the state gained importance. “Reşit Pasha Mekteb-i Siyasetine mensup rical”² or the bureaucratic elite, became the defender and disseminator of new secular and therefore political norms.

As can be understood from the above, although the civil servants who represented the new tradition belonged in class terms to the civil bureaucracy, the mission they assigned to themselves was political rather than merely administrative. Although lower-level civil servants dealt with routine administrative work, it is known that “pashas”, especially those in senior posts, developed ideas about state politics and even carried out actions in this direction (Heper & Berkman, 2009, p. 66). Therefore, although they were apparently a bureaucratic elite, it would be more accurate in functional terms to define Tanzimat bureaucrats as the *state elite* (Heper, 2001, p. 1020).

2 “Officials belonging to the Reşit Pasha School of Politics”

The political activities of Tanzimat bureaucrats reached such an advanced stage that the label state elite went far beyond a situation observable only within the ranks of the state. Indeed, ministries and many administrative units were placed in buildings and mansions separate from the palace and, moreover, from the Sublime Porte (Ortaylı, 2010, p. 485). This even exceeded the boundaries of official offices. Even the personal residences of the pashas led to them being described as ‘sultans without the title of sultan’ (R. H. Davison, 1963, pp. 222–223). From what has been described, it may be argued that, with the Tanzimat, public officials in the Ottoman Empire did not only gain partial autonomy from the sultan, but also acquired a certain autonomy within themselves on the basis of specialization.

In the early years of the Republic of Türkiye, with the abolition of the monarchy, these elites gained absolute dominance as the sole actor in the administration of the state. The control area of the founding elites, embodied in the integration of Party and State, did not remain limited to official and/or public spheres. It extended almost to all areas of society, from individuals’ private lives to commercial activities, from civil organizations to the media (Findley, 2019, p. 257). This situation may be likened to the classical period of the Ottoman Empire, in which the sultan was the state (Dinçer, 2019, p. 26). In other words, it may be said that public officials, who were the servants of the sultan in the classical period, absorbed the state into themselves after the process that began with the Tanzimat and reached its peak with the Republic.

According to Heper, the bureaucratic elite, previously defined as the state elite (Heper, 2001, p. 1020), turned into a *status elite* with the dysfunction of the rival authority, namely the sultan. Later, with the proclamation of the Republic and the construction of a new political power, the status elites, who appeared monolithic throughout the Single-Party Period, were in essence divided into two wings, political and bureaucratic. While the political elites displayed a pragmatic attitude appropriate to the conditions of the period, the bureaucratic elites continued to fulfil the requirements of being a status elite and “found in the principles of nationalism, populism, and statism a new secular-commanding-comprehensive normative system and made these principles the cornerstones of their own ‘ideal’ conception of the public interest” (Heper, 1973, p. 37).

To summarize what has been discussed under this heading, the administrative culture of contemporary Türkiye is not limited to the young Republic of Türkiye. It emerged and took shape as the product of an accumulation extending over many centuries. Yet it would be misleading to say that every stage within this process carried the same weight in determining culture. The

cultural accumulation and transformation experienced during the journey of Turkish society from Central Asia to Anatolia reached a very different point through the Ottoman Empire's imperial experience, which extended from a frontier principality into the interior of Europe.

For this reason, although it is possible to trace Turkish administrative culture back to the pre-Islamic period, the cultural texture that interacted with reforms in Republican Türkiye essentially took its final form between the classical period of the Ottoman Empire and the reform period that followed it. In short, it may be said that the administrative cadre in the Republic of Türkiye largely belongs to the bureaucratic-status elite class and carries the general characteristics of that class.

1.3. Turkish Administrative Culture and Hofstede's Cultural Dimensions

It would not be correct to claim that the administrative culture inherited from the Ottoman Empire by the Republic displayed a monolithic character for more than ninety years, or even that the cultural texture in question dominated the entire public sphere exactly as it was in the early years. Yet the cultural texture that began with the Tanzimat and culminated in the Republic provides quite useful data for making sense of public actions at the national level, where conjunctural and sectoral differences are relatively less decisive.

In addition, although national administrative culture displays periodic and sectoral differences, it also possesses an internal harmony. In other words, although it is consistent in essence, Turkish administrative culture can produce different patterns of behavior under different times and conditions. In short, like all other cultures, Turkish administrative culture undergoes transformations that allow it to adapt to time and circumstance.

Before turning to the scores and assessments concerning Türkiye in Hofstede's study of national cultures, it seems useful, in order to create a bridge of meaning, to address the changes in administrative culture from the Ottoman period to the present, as expressed above. Of course, this treatment is not a repetition but an effort at conceptual alignment. In this context, Çağlar (2001, p. 137), in his relevant study, summarizes Turkish administrative culture in accordance with the literature as follows:

- *Asabiyyah*-oriented, meaning that it attaches importance to tribal and lineage loyalty
- Security-centered, meaning that it places security at the center of everything and above everything

- Sharing-oriented, meaning that it is indexed to group life
- Based on authority and custom, that is, centralist
- Legitimist, meaning that it attaches importance to acting in accordance with official laws and rules

When the above concepts and explanations are examined carefully, it can be seen that, at least conceptually, they are largely compatible with Hofstede's cultural dimensions. What differs is that features collected under one dimension in Hofstede appear above separately. To summarize, in line with the contemporary literature, Turkish administrative culture is understood to possess traditional qualities such as being authoritarian, task- and process/procedure-centered, and insensitive to individual differences, in other words impersonal (Ş. Özen, 1996, pp. 244–247). Yet it should also be said that this situation has begun to change with globalization (Kepir-Sinangil, 2004, p. 29).

More clearly, many empirical studies have been carried out in the field of comparative culture on the direction and intensity of change, and it has been clearly established that the Turkish cultural structure has changed significantly over the last few decades. It is possible to say that these changes, which in brief mean moving away from the traditional structure, have taken place along an axis in which individualism has increased and the procedure- and rule-centered understanding has decreased (Marcus et al., 2017, p. 59). Indeed, even patrimonialism, which had almost become a mark of the Turkish state tradition, has undergone transformation, and a new type of patrimonialism, based on the sharing of authority and responsibility with subordinates and centered on the phenomenon of the leader and leadership, has emerged (Fikret-Paşa et al., 2001, p. 567).

Just as there are studies that evaluate Turkish administrative culture conceptually and theoretically, there are also studies that focus more concretely on behavior. When evaluated in broad terms, these studies show that Turkish administrative culture still carries characteristics compatible with the Weberian bureaucratic model (Sargut, 2001, pp. 171–173). Yet it should also be noted that there are basic characteristics that diverge from the bureaucratic model, such as decisions being made not by a single person but through a certain consensus, and employees being less hesitant to take greater risks (Metcalf et al., 2006, p. 387).

After these broad-perspective examinations of administrative culture, we may move to the analysis of Hofstede's cultural dimensions in relation to Türkiye. Culture and administration are relatively new concepts for public administration, and as a natural result, works in this field have remained

limited. Yet even if not from the perspective of public administration, it is known that the relationship between culture and administration has been studied seriously in both political science and business studies for nearly half a century, and that this has produced a broad dataset and methodology for identifying the culture-administration relationship. In accordance with its interdisciplinary structure, public administration has also been able to adapt the data and methodology gained by both political science and business studies to its own research. Although this creates an important opportunity, the breadth of the field also brings uncertainty about which methodology or approach should be adopted. The basic issue is in fact related to the scale of the subject of analysis. In this context, the most appropriate solution appears to be a reconciliation between the macro dimension provided by political science and the micro dimension provided by business studies.

At precisely this point, Hofstede's approach is thought to find a middle way. In addition, Hofstede's approach also constitutes a middle path between the view that each country is unique and cannot be studied comparatively, but can only be described individually within itself, and the view that management is universal and therefore administrative culture is also universal. More clearly, Hofstede argues that a single type of management that fits everyone and every situation is not possible, and that national culture transforms management models in accordance with its own internal conditions (Yahyagil & Ötken, 2011, p. 1021).

Yet these statements should not be understood to mean that an entirely different theory and/or practice of management is produced. The point Hofstede wishes to emphasize is that, although a global administrative style or model is possible, national culture may also make certain "adaptations" to that model. In other words, while it is possible to speak of a management paradigm, it would not be realistic to say that this paradigm is applied in exactly the same way everywhere. In short, to summarize Hofstede's assumption, the logical constructions or the basic philosophy of the paradigm remain in existence, but these management paradigms produce different outcomes from one country to another in practice.

When Hofstede's study is examined, Türkiye's prominent cultural characteristic is that it is a collectivist country with high power distance and high uncertainty avoidance. Unlike the other dimensions, these dimensions play a decisive role in shaping national culture in Türkiye. For this reason, showing what kinds of outcomes the correlations between these dimensions may produce is useful for the purpose of the study. Although Hofstede mentions several pairwise correlations between dimensions, in light of the information

above it should be stated that, for Türkiye, these are limited to power distance/individualism-collectivism, uncertainty avoidance/individualism-collectivism, and power distance/uncertainty avoidance. Of course, this does not mean that correlations in the other dimensions mean nothing. Yet they do not have serious importance in shaping administrative culture and differentiating it from other cultures (Hofstede et al., 2010, pp. 56–62, 92–97, 138–143, 190–194, 252–258, 280–285).

After a brief explanation, if we look at the correlations between dimensions one by one, we may begin with the relationship between power distance and individualism-collectivism. Hofstede states that there is a negative correlation between power distance and individualism. Accordingly, as power distance increases, individualism decreases and collectivism increases. More clearly, it can be said that in collectivist cultures the distribution of power within institutions is unequal, decisions are taken by senior management, and employees have no say in the decisions taken. Of course, there are cultures such as France and Belgium that have high individualism despite also having high power distance. Yet these stand as rather exceptional alongside the negative correlation that applies to the majority. When Türkiye's position is considered, it is seen that it clusters with high power distance and low individualism, opposite the United States, Britain, and Germany (Hofstede et al., 2010, pp. 102–105).

When the interaction between uncertainty avoidance and individualism is examined, rather than speaking of a positive or negative correlation, it is more accurate to explain what these two dimensions mean together. In this context, in countries such as Türkiye, which fall into the cluster of high uncertainty avoidance and low individualism, that is, countries where high collectivism is dominant, it may be interpreted that the normative order is determined within the framework of written rules that are rigid, implicit, complex, and largely protective of tradition or the status quo. The opposite may be said for countries with high individualism and low uncertainty avoidance scores (Hofstede et al., 2010, pp. 217–219).

In light of the information above, it may be inferred that collectivist societies with high uncertainty avoidance scores, and each individual belonging to such a society, may act as though a regulation exists even where there is no formal regulation, and may establish a *de facto* order. More concretely, even if existing norms do not carry a rigid, complex, implicit, and status quo-protecting character, it is possible for such a normative order to exist in reality as a result of people's interpretations and practices. In other words, legal regulations that are not accompanied by cultural change or adaptation

may remain only on paper. Türkiye, and indeed the Ottoman Empire, has many examples that support this claim.

Finally, when the interaction between the dimensions of power distance and uncertainty avoidance is examined, it is seen that a large majority of countries with high uncertainty avoidance values also have high power distance. It is understood that, in countries including Türkiye, the uncertainty caused by the questions “who will make the decisions and which rules and procedures should be followed for the desired outcomes” supports the concentration of governing power in a particular center. This is not merely an assumption based on the correlation obtained from Hofstede’s data. Other studies also show that contradictory decisions taken in units are carried to a common superior manager, and thus decision-making authority is in a sense taken away from lower-level managers (Hofstede et al., 2010, pp. 302–304).

When Hofstede’s national culture dimensions and his analysis of the relations between these dimensions are interpreted specifically for Türkiye, it is seen that the decisive actors are not managers but employees. Whatever goals lawmakers, policymakers, politicians, and managers may set, the outcomes produced by regulations take their final form as a result of the reactions of lower-level employees, who are closest to implementation and who possess numerical superiority. When the information in the earlier parts of the study concerning change is considered together with these final statements, the ability of reform to produce the desired outcome appears to depend on employees’ adoption of the reforms. This is possible only by correctly identifying administrative culture and making and implementing decisions accordingly.

New Public Management is a global phenomenon and in this respect corresponds to an administrative paradigm. In this context, the comparative method can provide useful data for analyzing the relationship between culture and the reforms that Türkiye implemented and/or wished to implement in line with New Public Management. In Hofstede’s research (Hofstede et al., 2010, pp. 7–10; Hofstede Insights, 2020), the scores that countries receive in the dimensions are presented in a way that can be evaluated both as a whole and within various possibilities in themselves. Thus, while it became possible to look at the interaction between reform and culture in Türkiye from multiple angles, it also became possible to compare Germany, France, Britain, and the United States along the axis of Hofstede’s cultural dimensions.

To summarize, contrary to the widespread view that Anglo-Saxon and Continental European cultural families resemble one another and that reforms therefore produce similar results, it is seen that although these countries resemble one another within their own groups, they also differ significantly

(Hofstede Insights, 2020). Even the United States and Britain, the two culturally closest countries, diverge clearly in one dimension, and reforms therefore produce different results. Leaving aside comparison with Anglo-Saxon countries, it is also understood that generalizations made about Germany, France, and Türkiye are similarly not correct. Yet it would also not be right to infer from this that New Public Management is unsuccessful or that it is a trend rather than a paradigm.

It is, of course, not claimed that all countries in the world have adopted an administration within the framework of New Public Management and carried out reforms accordingly. Yet it is also very clear that many countries from different cultural families, different geographies, and different political systems have acted around a common logic and adapted their administrative practices to their own internal dynamics. Another point that should be noted is that culture is not a fixed component. Although Hofstede's research expresses cultural dimensions as numerical scores, this does not mean that they have a fixed and static structure.

The assessments made above are nothing more than the presentation of the relationship between culture and reforms that occurred within a certain time period. When Türkiye is considered specifically, it is seen that from the 1980s to the 2000s power distance decreased, individualism increased, and Türkiye became more masculine and had a lower uncertainty avoidance score (Marcus et al., 2017; Taras et al., 2012). The temporal parallel between this change in Türkiye's national culture and the reforms carried out within the framework of New Public Management is another noteworthy point. In this context, the paradigmatic change experienced by Turkish administration transformed not only organizations, such as organizational structures, hierarchy, and normative order, but also institutions, especially the cultural texture.

Before closing this heading on Turkish administrative culture, it is necessary to emphasize that the high power distance possessed by Turks has a different meaning from that in many other countries. Just as one can speak of a clear distinction between French individualism and American individualism, one should also speak of a distinction between Turkish high power distance and French high power distance. Yet this difference does not arise on its own, but from the difference in the individualism dimension. Unlike the high individualism of the French, the high power distance of the Turks, who display collectivist characteristics, appears to have a "paternalist" quality (Ertürk, 2008; Fikret-Paşa, 2000).

Section 2



2. Public Administration Reforms Between 1980 and 2002

The 1980s were years of deep reforms in Türkiye, as they were in many countries around the world. These reforms, triggered by global developments, above all the Oil Crisis, required countries with similar economic systems to adopt similar measures. Yet although the need for reform arose from an economic cause, it did not remain confined to that field; it produced visible changes in almost every sphere of life.

One of the areas affected by this change was state administration, or public administration. In this context, the traditional understanding of administration shaped within Weber's theory of bureaucracy, together with its basic principles, was abandoned and a new administrative paradigm was adopted. The sharper and more sudden the economic change was, the sharper and more sudden the change in the administrative paradigm also became, and this naturally created a shock effect in many countries. It is known that reform packages, which even those holding executive power could not foresee in a holistic sense but which nevertheless formed a coherent whole in principle, were subjected to severe criticism.

Developments in Türkiye unfolded in parallel with these processes. In fact, it can be said that the changes experienced in Türkiye, not only in the process that began with the Oil Crisis but since the years in which the liberal

economic order was adopted, followed a course similar to the West, even if not exactly the same. For this reason, while examining Türkiye's New Public Management reforms, a sequencing similar to that used for the United States, the United Kingdom, France, and Germany has been followed. More clearly, before turning to New Public Management reforms, public administration reforms in Türkiye are discussed in general terms; then, as in the cases of the United States and the United Kingdom, New Public Management reforms are examined through an actor-centered approach, with specific attention to Turgut Özal. Finally, the public administration reforms implemented as a result of the European Union interaction that began in the 1990s are addressed.

2.1. A General Overview of Public Administration Reforms before 1980

As in the Ottoman State, many reform programs were planned and implemented in the Republic of Türkiye. In this respect, it can easily be said that Türkiye did not have an administration unfamiliar with change. However, being familiar with change does not mean that all reform plans were implemented, or that those which were implemented produced the desired outcomes. In line with the nature of change, it is impossible not only for Türkiye but also for many countries to implement all reforms successfully. Contrary to the idea that global reform movements were limited only to the 1980s, and in parallel with the general tendency, a considerable number of reports have been prepared in Türkiye since the proclamation of the Republic in order to secure efficiency and effective administration.

These reform *initiatives*, which began in the 1930s, varied in method and scope according to conjunctural factors, yet they occupied government agendas at quite frequent intervals. While the first-period reform studies did not have a detailed character, especially the studies after the 1950s aimed at structural and permanent changes. For this reason, and also because these later studies were numerically far more numerous than the first-period reform investigations, a misconception emerged that the Republican period reform movement began from the 1950s onwards (Yayman, 2005, p. 80).

In addition to the reasons mentioned above, another factor that made the second-period reform studies important and visible was that the *developmentalist state* approach of this period brought many countries across the world under its influence. This approach, which aimed both to restore the economies of countries devastated after the First and Second World Wars and to adapt countries that had not completed their capitalist development (Riggs, 1976, 1991) to the system within a short time against the communist "threat", was

supported both financially and intellectually by Western states, particularly the United States of America through Marshall Aid (Sezen, 1999, pp. 44–46). While some writers regarded these initiatives as the development of administration according to the conditions of the age, others viewed them, in the context of “dependency theory”, as a new method of colonialism (Ayman-Güler, 2013). If these debates, which in one sense amount to reading intention, are set aside, it can be said that the reform studies carried out after the 1950s constituted Türkiye’s first comprehensive and systematic reform period.

It is possible to classify pre-1980 reforms not only chronologically but also on the basis of actors. Especially in the early years of the Republic, the adoption of a European-centered secular-rational model of administration created a shortage of domestic administrative experts, which made it necessary to consult the opinions of foreign experts. Until a domestic expert cadre was trained, many specialists, some of whom were academics working in universities in Türkiye, prepared reports and submitted them to the government (Berkman & Heper, 2002, p. 153). The Neumark, Barker, and Martin and Cush reports stand out among the important reports in this group (Karaer, 1987, p. 27).

Yet, as the above statements also indicate, although their contributions and their observations regarding administration were highly important, most of these initiatives could not go beyond being reports and advisory documents. The main reason why the first-period reports in particular failed to produce the desired results is usually identified as the bureaucratic elite, which assumed administrative and political roles and, beyond this, took on the task of culturally reconstructing society (Heper, 1974, pp. 76–79). The indifference of this bureaucratic stratum to reforms should not be thought of only as an action carried out to preserve status. More clearly, the failure to take the reports into account was less a conscious and active opposition than a state of passive disregard. The reason for this is presented as the bureaucratic elite’s sense of grandeur inherited from the Ottoman past and the sense of security provided by the Single Party order (Cem, 1976, p. 67).

After the establishment of the State Planning Organization (DPT), there was a change in the actors of reform, and domestic experts replaced foreign experts.³ In this direction, various studies were carried out and submitted to the government for the improvement of administration, or public administration, through the cooperation of the DPT and the Türkiye and Middle East Public

3 However, it should not be inferred from these statements that only foreign expert reports existed before the planned period and only domestic ones after it. In both periods, reports prepared by both domestic and foreign experts can be found (Kayar, 2018, pp. 9–20). What is meant here is the direction in which the weight lay.

Administration Institute (TODAİE) (Tutum, 1994, p. 86). This process, which began with the Preliminary Report on Administrative Reform and Reorganization, continued with the Central Government Organization Research Project, known as MEHTAP (Mamur-Işıkcı, 2017, p. 173).

The MEHTAP project attracted considerable attention because it was the most comprehensive and serious reform project prepared by local experts from the proclamation of the Republic up to that time (Sürgit, 1968, p. 2). As its name suggests, with a few exceptions the project focused on central administration, and its implementing bodies included various academic and administrative institutions, especially the DPT, TODAİE, and the State Personnel Department. As a result of its investigations, the committee identified major problems such as the structural inadequacy of the personnel system, deficiencies in management and supervision, defects in the organizational system, red tape, and irregular centralization, and it prepared various guide-like documents in line with the needs of institutions (Coşkun, 2005, pp. 19–21).

Although the main aim of the project was to investigate the existing situation in central organizations, solve the problems identified, and improve administration through modern-rational techniques, it would not be correct to say that it fully achieved this aim. Many of the problems included in the report remained unresolved, and for the solution of the remaining problems the DPT had to undertake many additional initiatives (Karaer, 1987, p. 31). In short, a rapid and simple path to solution could not be adopted. Although it is said that the MEHTAP project had limitations because it dealt only with the central organization, and that this was a natural consequence, it is also known that the initiatives carried out after the project included matters that fell within the scope of the MEHTAP project itself.

After the MEHTAP project, another important reform initiative was the work carried out after the 12 March Military Memorandum. In the program of the government formed by Nihat Erim after the memorandum, which was read and approved in parliament, public administration reforms appeared as the *reorganization of the state sector*, and it is also clear from other reform headings that these reforms had an economic emphasis and were organized around effectiveness and efficiency (Neziroğlu & Yılmaz, 2013a, pp. 3271–3272). In fact, the First Erim Government Program was shaped on an axis quite close to the fiscal concerns of the 1970s at the global level (Subaşı, 2017, p. 317, 2019, p. 38).

In Prime Minister Erim's speech to parliament on the government program, this part appeared as follows (Neziroğlu & Yılmaz, 2013a, p. 3277):

In order to determine the general direction and strategy of the reorganization of the state sector, a high-level Advisory Board will be established as soon as possible, composed of highly successful and experienced persons from the judiciary, politics, administration, the military, and universities, and they will be asked to submit a preliminary report to the Prime Minister within a short period to be specified in advance.

The establishment laws of ministries will be prepared in accordance with the requirements of the day.

It is essential that Public Economic Enterprises operate in accordance with the principles of profitability and efficiency and with the rules of modern management.

Close cooperation will be ensured in policies concerning foreign trade, foreign exchange, customs protection, and other external economic relations. A “Ministry of External Economic Relations” has been established to prepare and carry out reforms in this field.

As is widely known, the heavy cost imposed on states by the post-Second World War welfare-state understanding and the fact that administrative techniques had fallen behind the conditions of the age caused serious damage in liberal economies such as the United States and the United Kingdom, and led the state to reduce its role in economic activities. When this situation is considered together with Erim’s statements above, it becomes clear that Türkiye either moved towards neoliberal policies almost simultaneously with the world or made the necessary preliminary preparations for doing so.

Another important point that distinguished the initiatives undertaken after the 12 March Memorandum from the MEHTAP project was that they approached reform in a multidimensional way and included all institutions with which it interacted in the process. To put it more clearly, this understanding, which took concrete form with the First Erim Government, was not limited only to the field thought to require reform, but also included other fields that affected that area. Moreover, by taking social, economic, and cultural variables into account, it also constituted an important milestone in Turkish reform history (Yalçındağ, 1971, pp. 29–30).

This understanding was not confined to the First Erim Government; it was included with the same determination in the Second Erim Government Program and also in its successor, the Melen Government (B. Aykaç, 1991, pp. 91–92). It can even be said that the Melen Government carried this holistic reform understanding to a higher level. This can be understood from the following statements in Prime Minister Ferit Melen’s speeches in parliament (Neziroğlu & Yılmaz, 2013a, pp. 3635–3636):

...bringing [the administration] to an order in which it can develop itself continuously and systematically,

...ensuring that all public administration officials participate in a rapid, effective, economical, and high-quality service competition,

...the present functioning of our state administration is not within an order that will satisfy the citizen,

...the performance of duties by all civil servants and everyone working in the public sector in a manner respectful of the laws and of citizens, fair, impartial, and competent in their work will greatly reduce complaints,

...efforts will be made to conclude, within a certain coordination order, the work initiated to reorganize Public Economic Enterprises so that they can contribute more to our economy and, in particular, become organizations managed according to the principles of profitability, efficiency, and modern management.

In the light of the information above, it is understood that the governments formed after the 12 March Memorandum were on a line parallel to the post-1980 global changes. To explain this in more detail, while the First and Second Erim Governments gave priority to neoliberal policies, the Melen Government, besides adopting the economic views of its predecessor, also adopted a public service understanding based on citizen satisfaction. In short, while the Erim Governments gave weight to policies concerning the public sector, the Melen Government, in addition to this, gave weight to policies aimed at improving the public service. When these assumptions are considered as a whole, it will be seen that they correspond to a similar version of the reform movement that spread to the world from the United States and the United Kingdom.

In other words, the New Public Management reforms that took place in the form of first- and second-wave reforms can likewise be observed in the Turkish reform movement after the 12 March Memorandum, even if not *de facto* but *de jure*. However, this does not mean that Türkiye implemented New Public Management reforms before the whole world. Many of the technocrats who took office after the military intervention had worked in organizations such as the World Bank, and they were by no means unfamiliar with such policies (Subaşı, 2019, p. 38). To summarize, although Türkiye was not unfamiliar with neoliberal policies and New Public Management reforms, their implementation was left to later years.

When the problems placed on the agenda during the Erim Governments and especially the Melen Government are considered together, the most important problem, apart from technical and structural issues, appears to have concerned public personnel, that is, bureaucracy. Whereas earlier reform

studies mostly presented improvement proposals through the organization of institutions, such as the merger of ministries, after 1971 it became clear that bureaucracy itself was also a field requiring reform (Tutum, 1971, pp. 34–36). The debates surrounding Law No. 657 on Civil Servants, from its adoption to the present day, also confirm this situation (Tutum, 1970, 1973).

This rupture in Turkish public administration acquired a new dimension in the early 1980s, and the measures known as the 24 January Decisions marked the beginning of a new era in Türkiye. Yet it would not be correct to say that this happened all at once. Before the 24 January Decisions, serious changes were made in the expert cadres of the DPT; personnel who could obstruct the planned changes were purged, and a large number of new experts were recruited (Sezen, 1999, pp. 102–104).

Following this initiative, which aimed to break the influence of DPT bureaucrats who played a highly effective role within the state and, in this respect, determined the fate of reforms, the 24 January 1980 Economic Stabilization Decisions⁴ consisted of two groups of reform initiatives, short-term and long-term. Solving the foreign-exchange bottleneck, ensuring the balance of payments, making price stability possible, and increasing economic growth capacity by incorporating all existing capacity of the country into economic life were among the short-term objectives; minimizing state intervention in order to develop the market economy and moving from import-substitution to an export-oriented industrialization model were among the long-term objectives (Güran, 2011, p. 32).

When the 24 January Decisions are viewed as a whole, without making a distinction between short and long term, it can be said, as mentioned earlier, that their content was shaped along a line parallel to the Bellagio Memorandum (Rybczynski, 1976, pp. xxii–xxxv), or, in other words, that the 24 January Decisions and the Bellagio Memorandum were shaped under similar conditions (A. Kaya, 2013, pp. 8–9). In particular, the proposals in the 24 January Decisions for reducing state intervention and incorporating all of the country's resources, including human resources, into the economic system can be seen quite clearly in the Bellagio Memorandum.

Although no direct reference is made to the Bellagio Memorandum, it can be seen that the above statements are endorsed by many writers. These writers regard the decisions as a reflection of the global design of the World Bank and the IMF, the International Monetary Fund (Boratav, 2005, p. 148).

4 The 24 January Decisions, a stabilization document of a neoliberal character, were prepared by Turgut Özal, who was serving as Undersecretary of the Prime Ministry under Prime Minister Süleyman Demirel (Alpagu, 2016, p. 129; Doğançay, 2016, p. 150; Karluk, 2016, p. 220).

If the correctness, incorrectness, or bias of the 24 January Decisions is set aside and the matter is viewed impartially, it becomes clear that the decisions were indeed closely related to the economic developments of that period, namely neoliberalism.

Although there was a direct relationship between the 24 January Decisions and neoliberal transformation, it is not correct to connect everything to the 24 January Decisions or to present them as the beginning of everything. This can be clearly understood from the following statements made by Prime Minister Süleyman Demirel in the General Assembly during the discussion of the Sixth Demirel Government Program (Neziroğlu & Yılmaz, 2013b, pp. 5595, 5600–5601):

...We are determined to remove the bureaucratic obstacles that slow down or halt the inflow of foreign capital.

The relations between the state and development will be reviewed, and the duties of the modern state will be clarified.

...Our government will resort to every possible measure so that we can emerge as soon as possible from the foreign payments bottleneck in which we find ourselves.

Realistic measures will be taken to increase our exports and other foreign-exchange revenues.

We are determined to maintain and develop our relations with international economic organizations and the Common Market in the manner most suitable to Türkiye's interests.

Necessary measures will be taken to prevent State Economic Enterprises from consuming national savings.

...The state will be made into a functioning state that protects the citizen, and every kind of bribery, favoritism, and corruption will be fought relentlessly.

Those who treat citizens with injustice, oppression, and unfairness will be called to account, and the lost rights of those who have suffered wrong will be restored.

These statements by Süleyman Demirel in the General Assembly appear to be related not only to neoliberal policies but also to the New Public Management approach. In other words, the government program included not only fiscal measures regulating the public sector, but also measures aimed at improving the quality of public service and, as a result, ensuring citizen satisfaction. Consequently, the effectiveness-, efficiency-, and satisfaction-centered “reform understanding” that began with the First Erim Government continued with

the Sixth Demirel Government. Therefore, approaching government programs from a purely economic perspective may lead to incomplete and even incorrect assessments.

In addition, neither the Sixth Demirel Government Program nor the 24 January Decisions alone mean that Türkiye had moved to a neoliberal economic order and a citizen-centered understanding of service. Although these were consistent with the economic and administrative order of the period, it cannot be said that they simultaneously found an area of implementation. At this point, another breaking point, the 12 September 1980 Military Intervention, comes to the fore. More clearly, the decisions found the possibility of implementation in the environment established after the military intervention (Boratav, 2005, p. 148; H. Özdemir, 1997, p. 246).

In the process that began when the Turkish Armed Forces seized power on 12 September 1980, the country was governed for a certain period in line with the communiqués and decisions of the National Security Council.⁵ On the very first day of the coup, nineteen communiqués and fifteen decisions were issued. Communiqué No. 16 and Decision No. 5, among these, undertook that the previously enacted programs, agreements, and protocols would continue to be implemented (TBMM, 1980, p. 3). Yet it is not really possible to reach clear and detailed statements here. Therefore, it is necessary to examine the government programs carried out in line with the communiqués and decisions of the National Security Council.

After the military intervention led by Kenan Evren, a council called the National Security Council was established, and Saim Bülend Ulusu, who was tasked with forming the government, was asked to prepare a new constitution that would eliminate political deadlocks, to produce legislation compatible with that constitution, and then to build a public administration organization in accordance with these (Sürgit, 1980, pp. 39–45). In this direction, Ulusu, who delivered a speech on the government program in the General Assembly on 27 September, expressed the reforms designed for public administration under the heading “Basic Areas of Regulation” as follows (Neziroğlu & Yılmaz, 2013b, pp. 5949–5950):

...The Turkish administrative structure, with changing conditions, has grown old by failing to keep pace with innovations and needs, and has

5 All communiqués and decisions of the National Security Council were published in eleven volumes by the TBMM Press under the title *Millî Güvenlik Konseyi Tutanak Dergisi* and are also available in open access online (accessed 15.10.2020): https://www.tbmm.gov.tr/develop/owa/tutanak_dergisi_pdfler.birlesimler_diger_meclisler?v_meclis=5&meclis_kisa_adi=MGK&diger_donem_adi=d00

fallen behind economic and social developments. As a result, in public administration, diseases such as excessive centralization, imbalance in the distribution of duties, powers, and responsibilities, employment far above normal levels, idle capacity, inefficiency, unnecessary formality, and red tape have emerged...

Therefore;

...The Turkish public administration organization will be reviewed as a whole; without embarking on long reorganization studies, practical arrangements will be made in a short time.

Duties, powers, and responsibilities will be distributed in a manner that encourages initiative and work, and it will be clearly stated that those who do not use them fully will be held responsible.

...Instead of excessive centralization in public administration, the powers of provincial and local administrations will be increased.

...In addition to all the administrative disorders mentioned in our country, another important disruption in the provision of public services arises from unnecessary bureaucracy, red tape, and excessive formalities in administrative procedures... Red tape also constitutes the main source of bribery and corruption.

The implementation of economic programs is delayed because of unnecessary formalities, and millions of workdays and tons of paper are wasted.

Uluşu's statements above describe, in a way fully compatible with the New Public Management approach, the type of administration necessary for resources to be used efficiently and effectively. This is the point that distinguishes the Uluşu Government from previous reform initiatives. Earlier initiatives had focused so heavily on fiscal measures that they overlooked the fact that the obstacle to efficiency and effectiveness was related to the general functioning of public administration. In particular, the phrase in Bülend Uluşu's speech, "*without embarking on long reorganization studies, practical arrangements will be made in a short time*", is highly meaningful. This is because ignoring functioning and trying to change only the institutional structure leads to the paradox of "reforms that require reforms".

To summarize what has been explained under this heading, the roots of New Public Management reforms in Türkiye go back earlier than Özal, contrary to what is assumed (Sezen, 2011, p. 329). Just as the damage caused by welfare-state practices in capitalist economies such as the United Kingdom and the United States gave rise to a new economic understanding, neoliberalism, a similar transformation occurred in Türkiye almost simultaneously. However, it would not be correct to say that the ways in which these transformations

were brought onto government agendas were democratic in the same way as in the United Kingdom and the United States. In addition, whether there was a relationship between military interventions and reforms is a separate question of debate and has therefore been left outside the scope of this study.

2.2. Turgut Özal and New Public Management (1983–1993)⁶

Just as neoliberal policies and New Public Management reforms are associated in Britain with Prime Minister Margaret Thatcher and in the United States with President Ronald Reagan, they are similarly associated in Türkiye with Turgut Özal. In other words, although their roots go further back, the systematic implementation of reforms in line with the New Public Management approach corresponds to the years in which Özal was in power. For this reason, this section covers the period between 1983, when Özal took office as prime minister, and 1993, the year of his death.

Although Özal's assumption of executive leadership took place in 1983, his influence in Turkish political life goes back much earlier. The process that began with Özal's technical consultancy for Süleyman Demirel before the 1965 elections continued with his undersecretaryship at the State Planning Organization (Devlet Planlama Teşkilatı, DPT). After his term ended in 1971, Özal worked for several years at the World Bank and later held highly important positions in the private sector in Türkiye (Karataşlı, 2015, p. 401). This period of approximately fifteen years was decisive in the formation of Özal's economic ideas and in his determination of the function of the state in the economic field. It also enabled Özal to establish close relations with both national and international actors, and with both the public and private sectors, thereby building a bridge between them (Öniş, 2004, pp. 115–116).

Yet, even though these experiences made Özal an important actor in the government of the country, it is not quite possible to say that they were enough to make him the principal actor. Indeed, although Özal held very important posts in Turkish political life, including adviser, undersecretary, minister and deputy prime minister, he did not directly hold power until 1983 (H. Ateş, 2018, pp. 174–175). Put more clearly, Özal's coming to power through democratic means, which was welcomed by both economic and political elites, became possible not only through his professional career but also through the acceptance of his personal life by society.

6 This section was largely published in Turkish in 2022. See: Bektaş & Ateş, 2022. Turgut Özal ve Yeni Kamu Yönetimi: 1983 – 1993 Arası Yıllarda Türkiye'de Kamu Yönetimi Reformu. *Liberal Düşünce Dergisi*, 105, 147-175. <https://doi.org/10.36484/liberal.1034210>

In terms of his education and the institutions in which he worked, Özal stood on a liberal line from an economic perspective, while, because of his Islamic beliefs, he also stood on a conservative line. The fact that the majority of society was Muslim, and that a large part of this majority wished to live and work in accordance with their beliefs in the public sphere, strengthened Özal's political legitimacy. This was because Özal did not hesitate to make the legal arrangements necessary for people to live their beliefs freely and, beyond this, actively worked to ensure that this could happen (A. Yıldız, 2018, pp. 52–53). In this way, he was able to win the sympathy of a segment that had remained under pressure for years. This also placed him in a more advantageous position than other politicians in terms of representing an electorate composed of different layers of society.

When the military regime allowed political parties to operate, Özal transformed this situation into action by establishing a political party named the Motherland Party (Anavatan Partisi, ANAP), which appealed to a broad mass of people. Another point that made ANAP advantageous was that, although the ban on parties had been lifted, parties to be established still needed the approval of the National Security Council (Millî Güvenlik Konseyi). For this reason, only the Populist Party and the Nationalist Democracy Party were able to take part in the elections alongside ANAP. In addition, the fact that the Populist Party was close to the left, while the Nationalist Democracy Party was composed of retired soldiers, made ANAP even more attractive in the eyes of voters and ultimately gave Özal the opportunity to form the government alone (A. C. Çiçek, 2018, pp. 80–84).

In order to clarify the foundations of the policies of the Özal period, it is highly useful to examine the party statute, the election manifesto and the government program of 1983. In this context, when one looks at the 1983 statute, it can be seen that the party defined itself as (ANAP, 1983b, p. 4):

...a political party that believes in social justice and equality of opportunity, envisages the acceleration of economic development, the elimination of unemployment and poverty, the reduction of income distribution inequalities and the spread of welfare, and accepts the entrepreneurial power of individuals as the basis of economic development.

A clearer version of these statements can also be seen in the party program, in Özal's own words, as *"a political party that takes nationalism, conservatism, social justice and a competitive free market economy as its basis"* (ANAP, 1983a, p. 9). It is clear that the statements in the statute and program were a reflection of the economic stabilization policies implemented before 12 September. Özal's statements in support of the Economic Stabilization Program of 24 January

1980 also confirm this claim (Neziroğlu et al., 2014, p. 105). As will be seen in the following sections, these statements did not remain merely rhetorical; many policies were also implemented in this direction.

The government program read in Parliament included the following statements on public administration (Neziroğlu & Yılmaz, 2013b, pp. 6005–6008):

We shall take measures to ensure that municipalities can provide services effectively, rapidly and efficiently, that they obtain the opportunities and resources appropriate to their obligations, and that they use these resources in the best possible way.

Honorable members of parliament, state administration can succeed, with all its elements, within a decision-making and implementation system in which authority and responsibility are shared.

It is not possible to think that a system of direction and administration in which decisions on almost every matter are always formed at the highest point can be effective and efficient.

Distinguished members, state services must be rescued from excessive formalities and the confusion of detail.

Prudence cannot be abandoned in state administration. However, we must acknowledge that treating our citizens from the outset with suspicion and distrust has so far produced nothing but a mass of formalities, unease, and a waste of time and resources.

The gate of the state should not be a wall that citizens approach with fear and timidity, but a place they enter with ease and confidence.

It would not be correct to say that the policy objectives included in the First Özal Government Program were new for Turkish public administration. As has been repeated many times in the previous sections, the policies on Özal's agenda had also occupied the agendas of some other politicians from the 1970s and even from the late 1960s onward. The First Erim Government, the first government in which neoliberal reforms were officially adopted, also adopted a program that was parallel in spirit to the First Özal Government. However, it should be noted that Özal differentiated these policies at certain points and transformed them into new policy designs, and in this respect he diverged not only from the Erim Governments but also from his international counterparts (Bıçakçı & Hürmeriç, 2014, p. 257).

To put it more clearly, although he had served at certain levels of the state and influenced policies, a distinction must be made between the policies carried out between 1969 and 1983 and the policies Özal carried out in 1983

as the head of the executive (T. Demirel, 2018, pp. 61–62). There are also those who claim exactly the opposite. According to them, the 12 September Military Coup removed the obstacles to the policies that Özal had previously designed and gave him the ability to shape the relationship between the state and the economy as he wished (Boratav, 2005, p. 148).

Although, in the post-12 September order, the strengthening of the executive made it possible to implement neoliberal policies more rapidly, it would not be correct to imply that the military intervention was carried out in order to bring Özal to power and remove all obstacles before neoliberal policies. Kenan Evren's statements supporting the Nationalist Democracy Party (Milliyetçi Demokrasi Partisi, MDP) in the elections also confirm this (H. Özen, 2011, p. 127). Indeed, when the election manifestos are examined, it becomes clear that the evaluations made of the Motherland Party would in fact be more appropriate for the Nationalist Democracy Party (MDP, 1983, pp. 1–2):

The basis of economic activities is individual enterprise and private property...

Our party, within this understanding, is determined to take the necessary measures to make the rules of the free market economy dominant in the functioning of the economic decision-making mechanism and in the conduct of all economic activities. Within this system, the task of the state is to remove the obstacles that disrupt the functioning of the free market, to complete the activities that private enterprise leaves incomplete or insufficient, and to formulate policies that guide our economy as a whole. In this respect, our economy will develop within a mixed structure in which the private sector has weight.

To reduce the share of the public sector in total investment outside public services. For this reason, Public Economic Enterprises for which there is no longer an economic reason to remain under public ownership must be disposed of within a realistic system.

When the election promises of the Motherland Party and the Nationalist Democracy Party gathered under the headings “Economic Policy and Economic Structure” are compared, the situation becomes even clearer. In this context, while the Motherland Party envisaged a more limited liberalization, the Nationalist Democracy Party clearly aimed to reduce the state's share in the market and increase the share of the private sector, making direct and priority reference to privatizations in this direction (TBMM, 1983, p. 4). In addition, the Motherland Party's election promises based on social justice, such as increasing social welfare, reducing income inequalities, placing Anatolian

capital against Istanbul capital (Beriş, 2008, p. 39) in a manner similar to Prince Sabahaddin's idea of creating an Ottoman bourgeoisie (B. Koçak, 2020, p. 832), and building social housing, clearly show that it weakened its liberal identity (Karataşlı, 2015, p. 404).⁷

Although policy objectives were included in election manifestos and party programs in the manner described above, this does not mean that they were put into practice. In order to determine which of the stated objectives were adopted as guides and implemented, it is necessary to look closely at the policy decisions taken after the government was formed and the legal arrangements required for them. In this context, with regard to the laws adopted by the Grand National Assembly of Türkiye (Türkiye Büyük Millet Meclisi, TBMM), the main sources are the justifications for proposing the law and the reports of the relevant commission. The second legislative activity of the seventeenth term, and the first in terms of directly constituting the subject of this study, concerned local administration elections. Although there was a law regulating general elections, it should be remembered that this legislative activity was a necessity rather than a preference, since there was no regulation on how local elections would be held and, under the temporary tenth article of the 1982 Constitution, elections had to be held within one year.

What matters at this point is not the law itself but the understanding adopted by the Motherland Party during the legislative process. As Özal also emphasized in his speech of thanks after the law was accepted in Parliament, this law constituted the second step of democracy after the general elections, which were the first step of democracy (Neziroğlu et al., 2014, p. 155). Similar importance was given in the parliamentary commission in which the law was discussed; while the reasons for the law were being set out, emphasis was placed on the principle of subsidiarity, and it was stated that local governments were seen as a whole on the basis of service, without making a village-municipality distinction. In addition, in order for local administrators to be selected from among people who knew the "common local needs", both nomination from the party center was sought to be prevented and a requirement of at least six months' residence in the local unit in which one would stand as a candidate was sought to be introduced. In the bill, which clearly appears compatible with today's principle of subsidiarity and democratic principles, the application of a ten per cent electoral threshold for council membership (Article 2) and

7 Some authors, however, argue that although Özal's policies contained minor cultural differences, they were essentially fully aligned with the global current. It is stated that social justice-based discourses, which appeared contrary to the New Right, were a reflection of populism, and that in practice the interests of capital owners were protected (Tünay, 1993, 2002).

the determination of the eligibility age as twenty-five (Article 9) may also be shown as negative aspects of the bill.⁸

At the same time, it would be wrong to say that the law was enacted in the form in which it was proposed. Although the Motherland Party held a majority in Parliament, the bill⁹ could become law only after changes were made because of the president's veto power and the personal authority held by Kenan Evren.¹⁰ This process shows that, although it was said that a democratic order had been restored, the effect of the military coup was still strongly felt at that time, and differences could arise between what politicians designed and what was realized. Therefore, in determining the policy objectives of politicians, it is necessary to examine not only the final form of laws but also the actions and discourses that preceded them.

The second law examined in direct relation to the subject of the study is Law No. 2977, the Authorization Law on the Reorganization of Administrative Procedures and Transactions¹¹. It was stated that the general justification for this law, which the Council of Ministers submitted to Parliament in order to issue decree-laws, was to eliminate red tape by simplifying the relationship between citizens and institutions and between institutions themselves. To achieve this objective, the law gave the Council of Ministers the opportunity to make the necessary legal arrangements rapidly, after research and examinations, without creating new procedures.¹²

When its content is considered, rather than listing what was to be done through an enumerative method, the law authorized the Council of Ministers

8 The general justifications of the law and the Interior Affairs Commission Report can be accessed on the website of the Grand National Assembly of Türkiye (TBMM), under the proceedings section. The relevant report can also be accessed directly at: <https://www.tbmm.gov.tr/tutanaklar/TUTANAK/TBMM/d17/c001/tbmm17001018ss0002.pdf>

9 Law No. 2972 on the Election of Local Administrations, Neighborhood Headmen and Councils of Elders; Official Gazette Date: 18.01.1984, Issue: 18285; Date of Adoption: 18.01.1984.

10 The speeches made on behalf of the Nationalist Democracy Party during the parliamentary reconsideration of the law after the President's veto show that Kenan Evren possessed authority extending beyond the formal veto power. Detailed information can be accessed at the following address (Sitting: 22, Session: 1, pp. 307-308): <https://www.tbmm.gov.tr/tutanaklar/TUTANAK/TBMM/d17/c001/tbmm17001022.pdf>

11 Official Gazette Date: 8.2.1984, Issue: 18306; Date of Adoption: 2.2.1984.

12 The general justifications of the law and the Constitutional Commission Report can be accessed on the website of the Grand National Assembly of Türkiye (TBMM), under the proceedings section. The relevant report can also be accessed directly at: <https://www.tbmm.gov.tr/tutanaklar/TUTANAK/TBMM/d17/c001/tbmm17001030ss0009.pdf>

to carry out the necessary acts and actions around the following principles¹³, with a flexible understanding:

- Preventing the loss of time and resources,
- Accepting declarations as sufficient, while resorting to documentation only in compulsory cases,
- Completing procedures within a single organization and, where this is not possible, ensuring cooperation and coordination among the responsible institutions and organizations,
- Rearranging the distribution of duties and powers in the manner that will allow the service to be performed best.

With its drafting, this law, which gave the Council of Ministers the authority to issue decree-laws for eighteen months within the framework of the above principles, may be said to have had an appearance consistent with the purpose for which it was made. When the principles are examined in terms of the meanings they contain, it is understood that, in essence, they have a character compatible with the paradigm that would later be placed on a theoretical basis under the name New Public Management. In particular, the principles of “accepting declarations as sufficient” and “completing procedures within a single organization” appear to correspond to a new understanding that did not exist even in the Erim Governments (Neziroğlu & Yılmaz, 2013a, pp. 3265, 3467).

The new constitution created after the 12 September Military Coup naturally invalidated the norms that preceded it and introduced new ones in their place. While some of the legal arrangements were made by the Ulusu Government, another important part was carried out by the First Özal Government between 1983 and 1987. In light of this, besides the two laws mentioned above, legal arrangements were made on many matters, from increasing the revenues of local governments, saving measures, tax arrangements, social housing construction, *nationalizations*, privatizations, social assistance (H. Gül & Gül, 2007, pp. 19–20), and market liberalizations¹⁴.

13 The printed version of the law can be accessed through the Official Gazette dated 8.2.1984 and numbered 18306; it is also available online at “https://www.tbmm.gov.tr/tutanaklar/KA-NUNLAR_KARARLAR/kanuntbmmc072/kanuntbmmc072/kanuntbmmc07203481.pdf”.

14 All bills submitted during this period, which corresponds to the 17th Legislative Term of the Grand National Assembly of Türkiye (TBMM), and the minutes of the debates on them are available both in print and online: https://www.tbmm.gov.tr/develop/owa/tutanak_dergi-si_pdfler.yasama_yillari?v_mecelis=1&v_donem=17

However, the passing of laws through Parliament does not mean that they were realized or became legally settled in practice. After the relatively harmonious seventeenth legislative term (1983-1987), as the advantageous environment provided to the executive by 12 September lost its effect, oppositional voices against reforms grew stronger and began to set up a barrier before innovations. One striking example of this is the application made to the Constitutional Court (*Anayasa Mahkemesi*, 1990) by the Social Democratic Populist Party, led by Erdal İnönü, for the annulment, on grounds of unconstitutionality, of the law that was enacted in 1984 and gave the government the authority to reform administrative procedures and transactions after it passed through Parliament in 1988.

The Constitutional Court accepted the application and ruled for the annulment of the relevant law. In its grounds for annulment, the Court, in addition to legal foundations, also made certain political evaluations, giving the impression that it acted like a fourth power with the function of “guardian of the status quo”. The reasoning given below, which may also amount to an interpretation of intention, reinforces the validity of such thoughts (*Anayasa Mahkemesi*, 1990):

As can be understood from the examination of the minutes, this Authorization Law is, in terms of meaning, a continuation of Law No. 2977, which had previously been enacted and whose period, beginning on 2.2.1984, was first extended to 8.8.1986 by Law No. 3207 and later to 8.8.1988 by Law No. 3296. Now, by granting the same powers to the Council of Ministers again for a period of two years, the possibility is being created for the authority to be used for approximately seven years. The use of such wide-ranging authority by the Council of Ministers for seven years is incompatible with a rule of good faith that can be tolerated by law. The continuation of an exceptional situation, and the constant extension of the period, is at the very least an abuse of authority, and Article 4 of the Law is therefore contrary to the Constitution.

It is a fact that Özal issued decree-laws quite frequently within the framework of the Authorization Law in both his first and second governments, and that many reforms, especially in central administration, were rapidly carried out through these authorization laws. It is also known, however, that decree-laws are not an alternative to legislation and therefore should not be turned into a legislative routine (R. Aydın, 2020, pp. 277–280). Yet to claim that Özal limited the powers of Parliament through decree-laws, centralized the state around the government and, beyond this, created a problem of concentration of power may, in plain terms, be interpreted as falling into the error of anachronism. While the dilemmas caused by decree-laws cannot

be denied, the necessity of restructuring the country under the national and international conditions of that period reveals the fact that Özal could not have carried them out through an ordinary executive.

From 1983 until 1989, when Özal left the premiership after being elected president, not only reforms in administration but also many infrastructure projects and major state investments, alongside social services (H. Gül & Gül, 2007, p. 19), were carried out within the framework of the authorization law mentioned above. In addition, arrangements were made concerning the foreign trade and foreign exchange regime, which were requirements of an economic system compatible with the neoliberal understanding (Neziroğlu & Yılmaz, 2013b, pp. 6109–6111). A significant part of these policies was implemented during the First Özal Government, that is, between 1983 and 1987, while in the Second Özal Government (1987-1989) policies of a more continuative nature were put into practice (Tutum, 1994, pp. 75–76). Of course, the end of Özal's premiership a few years later, when he was elected president, was decisive in this.

After the normative perspective, it is useful to look at the concrete counterparts of the policies. In this context, the policies realized under Özal's leadership can be gathered, in general terms, into three categories: decentralization, privatization and regulation. It can also be said that decentralization policies were realized through three different channels within themselves: the market, civil society and administration (Özcan & Turunç, 2008, p. 179). The decentralization of the market took place through the adoption of the requirements of the neoliberal economic order. The driving force behind these policies, which aimed to increase competition by preventing monopolization in markets caused by the state and certain companies, was largely international financial institutions such as the IMF and the World Bank (Ömürgönülşen, 2005, p. 375).

The second channel of decentralization, the development of civil society, followed a course parallel to the liberalization of the economic order. Provincial entrepreneurs, who found a place for themselves through the opportunities created by economic liberalization, formed a new middle class outside large cities such as Istanbul, İzmir and Ankara, thereby allowing different worldviews to be carried onto the national agenda. Previously, the entrepreneurial class with secular values had formed a monopoly over the economy and functioned as a one-sided pressure group in shaping governments' policies. By supporting Anatolian capital, this monopoly was sought to be broken, and thus a social class composed of both religious people and small and medium-sized entrepreneurs

operating in labor-intensive sectors was sought to be given a voice (Özcan & Turunç, 2008, p. 179).

The administrative side of decentralization consists of local administrations, or municipalities by their more familiar name. Since the area of authority and responsibility of municipalities, which constitute the other wing of democratic political systems alongside central government, is local common needs, they attract more attention from citizens and encourage them to participate in public decision-making processes in the solution of problems. In this respect, it can be said that municipalities are schools of democracy and have vital importance in the establishment of a democratic climate at the national level (Tortop, 1992, p. 3).

Indeed, in the European lands where local governments emerged, the process of democratic development was also based on power struggles between local administrators and monarchs. The sharing of authority and responsibility between the monarch, who sought to create national unity, and the lords, who sought to preserve their local authority, created a political system that was shaped from the bottom upwards in accordance with the essence of democracy. In Türkiye, however, whose administrative tradition is inherited from the Ottoman State, it is seen that a strong and organized central administration existed beforehand and that local governments tried to be integrated into the administrative system later through internal and external factors (Yalçındağ, 1992, pp. 3–4).

Although there were politicians who expressed views in favor of establishing a democratic relationship between central government and local governments, and who tried to implement policies in this direction, the stratum holding the administration of the state saw local governments as a component that had to be kept under control. As a result, administrative tutelage, adopted in line with the principle of the integrity of administration as a requirement of the unitary structure, was in practice transformed into *political and financial* tutelage (Eryılmaz, 2002, p. 18). So much so that before the 1980s municipalities were administered almost as if they were the provincial organizations of the center, and there were even certain periods in which some municipalities were governed by civil administrative chiefs (Oktay, 2008, pp. 148–149).

When the 1980s were reached, these years, as in many other fields, were also years of change for local governments. In line with neoliberal policies, many municipalities were merged in accordance with economies of scale so that they could be governed more effectively and efficiently. Thus, it was aimed both to reduce excess employment in the public sector and to simplify the bureaucratic structure (Aydınlı, 2003, p. 76). Similarly, mostly during the

Ulusu Government period, the number of local government units (villages and municipalities) in Türkiye was also reduced through merger or annexation (Oktay, 1998, p. 66).

However, the most important development in the field of local governments was the establishment of metropolitan municipality administrations. Before this practice, which constituted a first in the history of Turkish public administration, a small municipality in Anatolia and the Municipality of İzmir were governed within the framework of the same law. Yet the replacement of partially homogeneous and rural-weighted settlements by cities in which industry and commerce had weight, and the gradual increase in their populations, made the adoption of a different local government model necessary. In this direction, with the legitimate ground also provided by the 1982 Constitution, Law No. 3030 on the Administration of Metropolitan Municipalities was enacted in 1984, and in the first stage the metropolitan municipalities of Istanbul, Ankara and İzmir were established; these were shortly followed by the metropolitan municipalities of Adana, Gaziantep, Konya, Bursa and Kayseri (Yeter, 1992).

The most important feature of the metropolitan administration model introduced into Turkish administration is that it envisages a two-tier structure. In Eryılmaz's (2002, p. 19) words, this two-tier municipal system:

...while preserving the local character of districts/towns and enabling the public to participate in administration, also realizes common administration among various services spread across the metropolitan area and related to one another. An attempt has been made to establish a balance between the requirements of democracy and the advantages of economy. The metropolitan municipality model has been a useful arrangement in alleviating the problems of large cities.

It is clear that the establishment of metropolitan municipalities in Istanbul, Ankara and İzmir was much more than a preference; it was a necessity. For other municipalities, however, the adoption of this administrative model appears to have been, alongside being a necessity, also a preference. From Özal's statement in the party program, the election manifesto and the government program that the aim was "*not to enlarge our great cities further, but to develop our self-sufficient, medium-sized cities spread across the country in a balanced manner*" (ANAP, 1983a, pp. 41, 126; Neziroğlu & Yılmaz, 2013b, p. 6004), it may be inferred that he was trying to create alternative cities to Istanbul, Ankara and İzmir.

The aforementioned arrangements in local government legislation should not be seen in themselves as positive developments in the name of decentralization. The extent to which decentralization, or in other words local

autonomy, has been achieved can be understood by looking at the relationship between local governments and central government. In this context, the degree to which local governments have the right to make decisions independently of central government, create financial resources and use these resources freely according to their needs shows the level of decentralization. Of course, central government has duties such as supervising the activities of local governments in terms of conformity with law and national objectives, and providing the financial resources local governments need by preventing financial imbalances. However, this should not become an instrument for the usurpation of local democracy (Yalçındağ, 1992, pp. 4–5).

When post-1980 decentralization policies are examined, it can be seen that they do not form a whole and that rather different practices were implemented depending on individuals. During the periods in which Özal played an active role (approximately between 1984 and 1990), the shares allocated from the central budget to both municipalities and special provincial administrations were increased, some taxes were left entirely to local governments, and for the first time it was decided that local governments would receive shares from certain funds. In addition, the financing opportunities of municipalities were expanded so that they could obtain the resources necessary to carry out infrastructure services (Aydınlı, 2003, p. 79).

Yet because these positive developments could not bring about a structural transformation, they did not become permanent, and after Özal the gains began to be lost step by step. In addition, some writers who did not regard the policies implemented as positive steps in the name of decentralization argued that these policies were used as a method of transferring resources to certain circles, describing the abolition of tutelage over local governments for central government as, in a manner that sounds quite familiar, *“a weapon turned against itself, cutting the branch on which it sits”* (Keleş, 1992, p. 11).

With the decline of Özal's weight in government and, ultimately, with his death, the central tutelary understanding gradually grew stronger and began to take steps to weaken the autonomy of local governments. However, it would not be correct to say that the Özal factor alone was effective in the increase of centralization. Another important reason was that the 1982 Constitution established central tutelage on constitutional grounds and carried it further than in previous periods (Eryılmaz, 2002, p. 19).

The regression experienced in local governments was not limited to the concept of tutelage. Some of the shares allocated to special provincial administrations and municipalities were reduced, while others were completely abolished, rendering local governments dysfunctional and dependent on the

center (Pirler, 1995, p. 30). Some of the restrictions introduced in 1994 through Law No. 3986 on the Introduction of New Taxes for Economic Balances¹⁵ were as follows:

The 8.55% share allocated to municipalities from the total collection of general budget tax revenues shall be applied as 7.55%.

No share shall be given to local administrations from the part of fuel consumption tax revenue recorded as income in the general budget.

Except for the goods of state economic enterprises, public economic organizations, their establishments, subsidiaries, affiliates and local administrations, state property and property shown in special laws as not subject to attachment.

The debts of Special Provincial Administrations and municipalities under follow-up shall be deducted from the shares to be distributed by İller Bankası and paid in cash or on account to the accounts to be determined.

To summarize this highly comprehensive law, which contains technical details, with the help of the articles given above: central government was authorized to collect directly, from the shares allocated from the general budget, the debts of all public institutions and organizations not included in the central budget, or to seize their property. In addition, the shares received by special provincial administrations and municipalities from the general budget were reduced, while the share taken from the fuel consumption tax was completely abolished (Pirler, 1995, p. 30).

Returning to the policy areas that constituted the main character of the Özal period, it can be said that privatization policies came after decentralization. Privatization practices are among the policies most closely associated with the neoliberal understanding, and in this respect they are also among the areas that have received the greatest criticism. For this reason, the boundaries of the phenomenon of privatization need to be drawn in order to make the evaluations to be offered and to answer the criticisms directed at it.

Privatization is one of those widespread concepts about which almost everyone has a certain opinion within the limits of limited knowledge. In general, when privatization is mentioned, what comes to mind is the sale of

15 Law No. 3986 on the Introduction of New Taxes for Economic Balance and on Amendments to Certain Articles of the Laws dated 1.7.1964 and numbered 488, dated 2.7.1964 and numbered 492, dated 7.11.1984 and numbered 3074, dated 25.10.1984 and numbered 3065, dated 31.12.1960 and numbered 193, dated 21.7.1953 and numbered 6183, dated 2.2.1981 and numbered 2380, and dated 15.7.1963 and numbered 277, was published in the Official Gazette dated 7.4.1994 and numbered 21927. The law is also available online: https://www.tbmm.gov.tr/tutanaklar/KANUNLAR_KARARLAR/kanuntbmmc077/kanuntbmmc077/kanuntbmmc07703986.pdf

state factories to private companies (Tandırcıoğlu, 2002, p. 198). There is, at least partly, some justification for thinking in this way. In Thatcher's first years, privatization was used in this sense; in order to reduce costs and increase effectiveness, many enterprises owned by the state in national industry were transferred to the private sector (Ascher, 1987, p. 4).

However, although privatization includes this meaning, it has meanings that go far beyond it. Privatization, which may be summarized as increasing the share of the private sector in public goods and services, includes not only the sale of companies and factories by dividing them into shares or selling them as a whole (Aşıkoğlu, 1992, pp. 265–266), but also the state's purchase of goods and services from the private sector. This method of privatization, carried out through contracting, is preferred for goods and services that must remain under the responsibility of the state. The contract method, which aims to increase efficiency by lowering costs in a competitive environment made possible by the removal of bureaucratic obstacles, is at least as common a privatization method as public sales (Dudley & Bogaevskaya, 2006, p. 36).

The fact that privatization was being applied for the first time so widely and across such a broad field as a public policy led its conceptualization to take shape together with its practices. The policies implemented especially in Thatcher's United Kingdom and afterwards played an important role in this conceptualization (Hodge, 2006, p. 1). In this context, privatization policies were gathered around three basic angles: ownership, operational, and organizational. Global practices also took shape around these three dimensions and/or around various combinations of them. Of course, which dimensions were included in the process, and to what extent, varied according to socio-economic, cultural, and other criteria (Ramanadham, 1993, pp. 2–4).

Although the phenomenon of privatization is defined and classified as above, it should also be noted that the meaning it contains varies according to time and place (Sezgin, 2010, p. 156). Indeed, as will be mentioned in the following paragraphs, it can be seen that the practices in Türkiye widened the scope of privatization somewhat further and even carried it slightly beyond the general scope. In this framework, rather than seeing privatization as a concept, it would be more accurate to see it as an administrative understanding, a style, and even a culture. To summarize it in the form in which it found expression in the election manifesto of the Conservative Party in the United Kingdom, privatization is a policy set in which more is done at lower cost, public expenditure is reduced, and people are offered more choice (Pirie, 1985, p. 11).

When privatization policies in Türkiye are considered, privatizations go back, in design if not in practice, to the 1920s, when the first national economic initiatives were launched. As is known, although many judicial, administrative, and political institutions passed from the Ottoman State to the Republic, it is not possible to say the same for domestic capital in the economic and industrial fields. For this reason, in order to lead initiatives in the economic and industrial sphere, many companies such as banks and factories were established to operate in this field (Öniş, 1991a, p. 163), and both in the laws concerning these institutions and in various economic meetings it was stated many times that they should be sold to Turkish persons and companies in accordance with their founding purpose. Yet although a suitable environment had emerged for entrepreneurs, all initiatives aimed at selling State Economic Enterprises ended in failure (Aşıkoğlu, 1992, pp. 269–270).

The reasons for the failure of these initiatives may be identified as Keynesian economics, the Welfare State, and the political conjuncture, namely socialism and the threat felt in liberal democracies. In other words, since the general tendency at both the national and international levels during this period was that the state should be active in the economic sphere, it may be interpreted that neither society nor the governing class looked favorably on privatizations (Eşkinat & Gerek, 1993, p. 79). Apart from this, if the Single Party Period is left aside, it may also be said that the bureaucratic elites, who had turned into status elites in Heper's (1973, p. 37, 2001, p. 1020) conceptualization, did not view these initiatives, which meant the shrinking of the state, warmly and made every kind of attempt to prevent them. However, since it would exceed the scope of the study, the question of why privatizations could not be carried out before the 1980s is not elaborated further.

Özal expressed before the 1983 elections, quite clearly, the privatizations that Thatcher had expressed in a rather implicit way (ANAP, 1983a, pp. 104–105; Pirie, 1985, p. 11):

Although in the early period of our Republic, when entrepreneurial capacity was inadequate in every respect, the aim was to initiate industrialization in various sectors through the state and to transfer the facilities established over time to the Nation, State Economic Enterprises gradually grew, and in parallel with the increase in administrative and economic interventions, results emerged that could not be approved in terms of inflation and the use of resources.

As a principle, our Party does not consider it right for the state to allocate resources directly to investments that our citizens can realize with their own strength or with reasonable incentive measures. We consider it appropriate

that the existing State Economic Enterprises which can be regarded in this way should gradually be transferred to the nation.

A few months after the elections were concluded, the first concrete step towards implementation was taken with the enactment of Law No. 2983 on the Encouragement of Savings and the Acceleration of Public Investments. This law was followed by other regulations, and as a result of the legal infrastructure that was provided, the first large-scale privatization took place in 1988¹⁶ with Telekomünikasyon Endüstrisi Ticaret A.Ş. (TELETAŞ). In the privatization process that began in this period, three financial methods were used: public offering, sale through the stock exchange, and block sale (Aşıkoğlu, 1992, pp. 270–271).

Throughout the period up to Özal's death, approximately 80-90 per cent of the privatizations carried out consisted of share sales realized directly through public offerings or through İMKB, that is, the stock exchange¹⁷. When the characteristics of the natural or legal persons to whom the sales were made are examined, it can be seen that some were other public institutions and organizations outside the central government, some were natural persons of Turkish origin, the great majority were natural or legal persons trading on the stock exchange, and the remaining part consisted of domestic and foreign companies and holdings¹⁸ (ÖİB, 2020).

In light of this information, it can be said that the criticisms that the privatizations under Özal's administration involved selling the country's resources to foreign persons and institutions, colonizing the country, eliminating the national economy, and making it dependent on the global system were not very appropriate criticisms. Rather, the phrase “gradually transferred to the nation” in the Anavatan Party's 1983 election manifesto appears to be a more accurate expression. In addition, when the statistics provided by the Privatization Administration are examined, it can be seen that the size of the shares subject to privatization in enterprises with high financial value did not correspond to a majority, and in this respect the state's right to have a say was not eliminated.

16 Although the author writes in the article that the privatization of TELETAŞ took place in 1987, the privatization was carried out in 1988 and concerned not the whole company but a 21.78% share. In addition, before the TELETAŞ privatization, nine small-scale privatization transactions were carried out between 1986 and 1987. For detailed information, see the website of the Privatization Administration: <https://ms.hmb.gov.tr/uploads/sites/6/2020/03/Hisse-Sat%C4%B1%C5%9F%C4%B1.pdf>

17 For detailed information: <https://ms.hmb.gov.tr/uploads/sites/6/2020/06/yillar-itibariyle-uygulama1-pdf.pdf>

18 It is possible to access tables of all privatizations carried out since 1986, organized under various categories: <https://www.oib.gov.tr/turkiyede-ozellestirme>

Although the ultimate aim of privatizations¹⁹ carried out in Türkiye was the establishment of market mechanisms in all fields except justice, security, and infrastructure investments that the private sector could not undertake (ÖİB, 2020), it may be said that, particularly in the first ten years of privatizations, it was thought that more rational decisions would be taken through the sense of ownership created by transferring the economic companies and facilities owned by the state to the public, to the employees and managers of those institutions, that is, to their real owners, thereby spreading capital socially to the grassroots (Eşkinat & Gerek, 1993, p. 79). Yet it should be noted that the financial value of the privatizations carried out in the early years corresponded to a very small amount of what the state owned in total (Öniş, 1991b, p. 30); in this respect, a very limited amount of capital was spread to the grassroots in practice.

When all these points are considered, it becomes clear that privatization policies in Türkiye, while corresponding at certain points with countries such as the United Kingdom that possessed broad economic and financial instruments, followed a clearly different course. It is, of course, evident that this differentiation, which took shape through share and public-offering practices, was related to “capital markets”. In short, while Public Economic Enterprises (*Kamu İktisadî Teşebbüsleri*) were being privatized, the aim was not only to ease the costs they created in the budget and to obtain additional income from their sale, but also to attract the savings of national and international investors by using the financial instruments of the capital market and to enable capital markets to develop (Aşıkoğlu, 1992, pp. 267–268).

To summarize Özal-period privatization policies, they appear to have gathered around four main aims (Gültekin, 1993, p. 39):

- Especially in Public Economic Enterprises, to separate commercial decision-making processes in areas of economic activity from political decision-making processes,
- To accelerate the development of capital markets,
- To spread ownership across the country,
- To create resources to cover budget deficits.

Although such comments that may be called positive are made regarding the privatization policies carried out in the Özal period, it is known that

19 It should be recalled that what is meant by privatization here is not only the sale of public concessions, immovable assets, and economic enterprises, but also the adoption of private-sector practices within the public sector and the increased presence of the private sector in the public sphere.

privatizations were also exposed to serious criticism. Leaving ideological and unfounded criticisms aside (Yayman, 2000, p. 139), the first criticism directed at them concerned the way in which privatizations were carried out. It was observed that the privatizations that began with TELETAS and were made through small investors via capital markets did not produce the desired outcomes, and that the value of the company fell significantly within a year. In light of the TELETAS experience, this method was abandoned shortly afterwards, and block share sales to domestic firms began to be carried out instead (Öniş, 1991a, p. 171).

In the first applications of privatization, turning towards small investors and giving citizens direct ownership of economic enterprises, thereby enabling them to have a say in production, may sound like an appealing idea. Yet in an environment where individual enterprise and, beyond this, capital markets had not developed, it did not seem very possible for this to produce the desired results. Indeed, the accuracy of the criticism expressed above was accepted at the time by Özal and his team as well.

Another criticism directed at Özal's privatization policies was made through the "team" that implemented the policies. The fact that economic enterprises, which had reached enormous economic and bureaucratic power, were protected by status quo elites created the need for Özal to form an alternative team. This team, composed of young people with international qualifications and equipped with significant powers in the operational procedures related to privatizations, was subjected to allegations of corruption, or in a milder expression to rumors of corruption, in proportion to the powers it possessed and the claim that it was not transparent (Öniş, 2004, pp. 121–122).

From the first days of Özal's rule, privatizations were among the important headings of the reform agenda. This brought with it the idea that companies would be sold off, and no financial resources were transferred to companies except for the coverage of fixed costs. This situation constituted one of the criticisms directed at privatization policies. It was claimed that the efficiency of economic enterprises, whose production fell and which resorted to borrowing because of insufficient resources, could not be achieved precisely because of privatization policies. In fact, paradoxically, this situation also damaged the privatization process itself. Since resources were restricted on the assumption that the enterprises would be privatized anyway, their profitability fell further, and therefore their salability also decreased (H. Özen, 2011, pp. 141–142).

However, it should be stated immediately that the restriction of resources transferred to Public Economic Enterprises was a general situation related to the fiscal policy adopted by Özal. In order to adapt neoliberal policies

to Türkiye's conditions and make them applicable, emphasis was placed on infrastructure investments, while the resources transferred to production were restricted (Öniş, 1991b, p. 29). In other words, claiming that Public Economic Enterprises were deliberately made loss-making in order to sell them off means little beyond being a forced interpretation.

In connection with the criticism above, it has been said that the privatizations carried out during the Özal period were an attempt to create additional financial resources for the government, that efficiency and effectiveness were not the real justification, and that Özal and his administration tried to finance the resources needed for the infrastructure investments of the neoliberal economic system both from the sales of companies and from cuts made in their budgets. Furthermore, it has been argued that if there had been a genuine desire to increase the real efficiency and effectiveness of these enterprises, this could have been achieved, but since the basic philosophy was the withdrawal of the state from the economic sphere, no initiative was taken in this direction and a cultural memory was destroyed (Babüroğlu & Göçer, 1994, pp. 42, 51–52).

It is an undeniable fact that, with the neoliberal understanding, there was a clear change in the relationship between the state and markets. Therefore, the view in the criticism above that Public Economic Enterprises would have been privatized even if they had been managed effectively and efficiently is a correct one. In addition, attaching nostalgic importance to institutions that were almost as old as the Republic, that played a major role in the country's development, and that completed the mission assigned to them is not rational behavior. Moreover, presenting organizational culture as a value that should be preserved, like social culture, is also not correct.

It is true that the privatization policies that began with Özal had many incomplete and mistaken aspects, as mentioned above. However, alongside these, when considered in general terms, it should not be denied that many doors of opportunity were opened for Türkiye in economic development. Although the transfer of capital in the privatizations carried out during the Özal period was quite limited, they paved the way for many developments in the economy and finance, especially in capital markets, and for the inclusion of many new entrepreneurs in commercial life (Gültekin, 1993, p. 47).

The gradual strengthening of private enterprise in the economy should not be interpreted only as a transfer of capital and/or an acceleration of national development. Especially when considered within the scope of this study, the process initiated by privatizations caused civil society to strengthen and to question the dominance of bureaucracy in administration. The fact that the sales carried out during the Özal period produced great reactions despite their

very low share in the total is also an indication of this. Studies (Buğra, 1994, 2013; Keyder, 1987, 2014) dealing with the relationship between capital and power also confirm this.

Considering the scope and limitations of the study, after having given sufficient information on privatizations, another reform area that should be discussed is regulatory and supervisory institutions, also referred to as independent administrative authorities or independent regulatory agencies. Although these were not among the reforms that Özal personally put into practice while in power, they were closely related to the reforms of his period, especially to privatizations. It is considered quite necessary, for the semantic coherence of the study, to examine regulatory and supervisory institutions, which constitute one of the characteristic items of change in the New Public Management approach, within both international and national frameworks.

The withdrawal of the state from economic activities in line with the neoliberal understanding does not mean that this field was entirely transferred to the private sector or that the state had no effect in it. Unlike classical liberalism, neoliberal policies do not leave private enterprise completely free; rather, with the aim of preserving the social-state understanding as well, they envisage the supervision of whether market mechanisms function properly and whether social justice is secured, and the taking of necessary measures when any failure occurs. In short, the neoliberal economic understanding aims, at least in discourse, to increase social welfare under the arbitration of the state and through the hand of private enterprise (Larner, 2003, p. 510).

Regulatory and supervisory institutions also became widespread in order to help the state fulfil this arbitration role. The expression *became widespread* is used deliberately. This is because, although these institutions, identified with the New Public Management approach, began to be newly recognized in European and Asian countries alongside privatizations, they were by no means new for the United States of America. Indeed, first in the 1940s and 1950s (Bernstein, 1955; Cushman, 1941; Redford, 1952), and later in the early 1960s, at a time when state economic enterprises were the driving force of the economy in almost the rest of the world, the degree of independence possessed by independent regulatory institutions, already widespread in America, was being debated. In these debates, the argument was put forward that independent regulatory institutions, which were expected to protect the public interest, could be affected by lobbying activities and defend the interests of certain individuals or groups, and it was argued that the executive and the legislature should be authorized (Lishman, 1961, pp. 134–135).

In the early 1970s, when the welfare state was being questioned but this understanding had not yet been abandoned, Roy L. Ash (1971) submitted to President Nixon a research report on seven independent regulatory boards. The report emphasized points similar to other reports written on boards whose origins went back to railway regulations in the 1870s (Bernstein, 1972, pp. 14–15). Although it contained certain differences, Roy Ash's report also focused essentially on "political accountability" and stressed that the independence of an institution tasked with protecting the public interest did not create an unlimited sphere of freedom for it (Robinson, 1971, p. 950).

However, although it has been claimed that independent regulatory institutions emerged, with the authority and independence they possessed, as a fourth power alongside the legislature, the executive and the judiciary (Brigman, 1981, p. 244), there are also those who think otherwise. It has been argued that, since the management of these institutions is determined by the President and Congress, they are dependent to a certain extent on the executive and the legislature (Peters, 1988, pp. 287–288), and even that the state seeks to establish hegemony in the economic field by using the public interest (Mahon, 1979, p. 162).

In the United Kingdom, which belongs to the Anglo-Saxon cultural family, it can be said that a different course was followed. In an economic order in which public goods and services were largely provided by the British state, privatization policies implemented in line with the neoliberal paradigm brought about large-scale institutional changes. Unlike the United States, in the United Kingdom, where many goods and services had not been undertaken by an actor outside the state, it became unavoidable after privatization to build transitional mechanisms so that the new "order" could settle and so that the public interest could be protected in this process, especially in the provision of public services (Veljanovski, 1988, pp. 558–559).

At precisely this point, despite the view that private-sector methods produce better results than the public sector and that effectiveness and efficiency can be achieved through privatizations, the question may arise as to why regulatory and supervisory authorities exist. In fact, the answer to this question can be explained around the concept of market failure. Regulatory and supervisory institutions were designed as intermediary-harmonizing, or mediation, institutions in order to prevent market failure and, in particular, to secure a fair competitive environment (Kay & Vickers, 1988, pp. 286–287).

These institutions that emerged in the 1980s should not be confused with the quasi-autonomous administrative authorities, or quangos, that had already existed in the United Kingdom. Regulatory institutions established after

privatizations in line with the New Public Management approach were created to protect the public interest in concrete fields of service and/or production (Maloney & Richardson, 1992, p. 14). Quasi-autonomous administrative authorities, by contrast, are institutions that regulate and supervise private-sector activities in areas in which the state is not directly involved, but in order to secure the public interest (Thatcher, 1998, pp. 120–122). The deregulation policy used by British Prime Minister Thatcher when she came to power, in the sense of reducing the rules that limited the private sector, was also used in the sense of reducing these quasi-autonomous authorities and their powers (Hogwood, 1990, pp. 595–596).

The regulatory institutions established after privatizations were in fact designed as self-regulation units. The basic philosophy of these institutions is to bring together stakeholders operating in a particular field of goods and services under the arbitration of the state, and to take the necessary measures for market mechanisms to function properly and to develop (Moran, 2001, pp. 20–21; Wolfe, 1999, p. 891). Yet although, as above, a clear line can be drawn at the theoretical or conceptual level between independent administrative authorities, or quangos, and independent regulatory institutions, in the practices implemented in the United Kingdom and across the world this line between the two institutions becomes blurred and they enter each other's field (Baggott, 1989, pp. 435–436).

Under this heading, which deals with the Özal period, it may not be immediately clear why independent administrative authorities and independent regulatory institutions in the United States and the United Kingdom have been examined. Yet when the economic reforms carried out in the United States and the United Kingdom after 1980 are considered, the different socio-economic characteristics of countries required different institutional steps to be taken. For example, from the 1930s onwards, the *independence* of independent administrative authorities in the United States was criticized in terms of political accountability; a similar issue came onto the agenda in the United Kingdom only with the privatizations after 1980, and the transfer of certain powers to persons who had not come to office by election was questioned in terms of democratic values (Thatcher, 2002, p. 125).

Similarly, it seems possible to explain the reforms implemented in Türkiye after 1980 from a comparative perspective. In other words, although the economic transformations were similar, differences in countries' socio-economic structures made it necessary to take different institutional measures; for this reason, drawing on the experiences of both countries in explaining the reforms in Türkiye is an appropriate attempt. It is thought that using the

American and British experiences together in the comparison will reveal the important points in Türkiye's developments.

The emergence of the first regulatory and supervisory institutions in Türkiye, as in the United Kingdom, was based on policies aimed at the state's withdrawal from markets, its downsizing, and the removal of state monopoly. Later, this was followed by the requirements put forward for membership by the European Union, the IMF, the World Bank, and similar international organizations. In 1980 and afterwards, it may be said that privatizations were decisive and that the influence of international organizations was relatively limited, but that in both possibilities Türkiye's regulatory and supervisory institutions came onto the agenda through external factors (Sezen, 2007, p. 321).

If international actors are set aside, regulatory and supervisory institutions in Türkiye essentially aim, as in the United Kingdom and the United States, to secure a fair competitive environment, to ensure that market mechanisms function properly, and, as a result, to protect the public interest. This situation can be seen directly in the legal legislation of the institutions, and also clearly in the constitution, in laws, and in judicial decisions. In short, the idea that economic efficiency can be achieved only in a well-organized and competitive environment became the basic founding rationale of regulatory and supervisory institutions in Türkiye (Eroğlu & Erkan, 2009, pp. 110–111).

When regulatory and supervisory institutions in Türkiye are considered functionally, apart from their founding rationales, it is stated that they were shaped around three main axes: Carrying out privatizations, liberalizing markets, or deregulation, and securing a competitive environment (T. Çetin, 2014, p. 105). More clearly, the institutions in question were made responsible not only for deciding what would be privatized and under which conditions, but also for removing the legal obstacles before private enterprise and for taking all necessary measures to ensure that the mechanism of competition functioned properly.

As of 2021, there are ten regulatory and supervisory institutions organized as boards or agencies. When their dates of establishment are considered, it will be seen that none of them coincided with the Özal Governments. Indeed, except for the Capital Markets Board, all other institutions and boards were established after Özal's death. However, although he was not the head of government, it can be said that, as in many neoliberal policies,²⁰ he also

20 The idea of an independent board to regulate capital markets dates back to the 1960s, that is, to the period before neoliberal policies (Z. Aykaç, 1985).

played an active role in the Capital Markets Board as deputy prime minister responsible for the economy.

Although direct evidence confirming this claim cannot be shown, it may be stated that the actions and statements Özal made before taking office as prime minister support it. Moreover, the justification of the law submitted to the Budget and Planning Commission and Özal's election manifesto and government program, discussed in detail in the previous parts, appear to be highly compatible with one another. If the methods Özal adopted for privatization policies are recalled, it will be understood that Özal's terminology is similar to the following statements (TBMM, 1981, p. 2):

To ensure that the capital market operates in confidence and stability and to protect the rights of savers,

To place the savings mobilized within the secured environment of confidence and stability at the service of economic development, and to spread the base of ownership by opening companies to the public in terms of capital,

To regulate and supervise the public offering and sale of all kinds of securities,

To ensure that information concerning securities offered to the public is disclosed to the public fully and accurately...

It is not at all surprising, under both national and international conditions, that the first regulatory and supervisory institution in 1981 was the Capital Markets Board (Leblebici et al., 2012, p. 91). To put it more clearly, in order for the state to shrink in line with New Public Management, capital had to be distributed correctly, new monopolies had to be prevented, and ultimately the public interest had to be secured (Zenginobuz, 2008, p. 477). In other words, the need for an intermediary institution so that capital could be spread to the base and, at the same time, so that small investors could be included in the economy and contribute to economic development (Z. Aykaç, 1985, pp. 229–230), made it possible for the Capital Markets Board to be enacted very shortly after the military coup.

The Capital Markets Board played a pioneering role not only for privatizations but also for other regulatory and supervisory institutions in Türkiye. More clearly, the privatizations that took place in the environment provided by the board, including the use of private-sector techniques, created the conditions necessary for institutions such as RTÜK, the Radio and Television Supreme Council, and the Competition Authority to take root, and in this respect determined the direction of regulatory and supervisory institutions (Çapar, 2009a, p. 199, 2009b, p. 378).

To summarize what has been explained in general terms, the establishment and structure of independent administrative authorities, which became widespread worldwide as a result of New Public Management reforms, developed in Türkiye in a different direction from that in the United States and the United Kingdom. Above all, the inadequacy of capital markets in Türkiye for privatizations made regulation in this field necessary. In the United Kingdom, by contrast, unlike Türkiye, the state moved from regulation to liberalization and concentrated on its supervisory function. In short, the reforms carried out in Türkiye in this field have both regulative and deregulatory characteristics.

After the reforms that Özal carried out in Turkish public administration, and/or opened the way for, it is possible to speak of general public administration reforms. These reform initiatives, which do not have a specific equivalent, may be said to contain changes aimed at transforming the general functioning of public administration, or, more accurately, central government. In fact, policies concerning the transformation of central government in the 1980s were not peculiar to Türkiye alone. Alongside the withdrawal of central government from the economic sphere, the New Public Management paradigm also brought with it its withdrawal in favor of both local governments and non-governmental organizations, or NGOs, that is, civil society organizations (Beer et al., 2012, pp. 325–326).

The general reforms concerning public administration in Türkiye were also determined within this context. The aim was to abandon the centralist, traditional Weberian understanding of administration and to move towards a citizen-centered understanding. Since dismantling the statist tradition and putting the citizen in its place could be possible only by strengthening local units, the policies were gathered, in broad terms, under the heading of decentralization. When the situation of local governments in Türkiye before the New Public Management approach is considered, it will be seen that it was not very different from the economic sphere, and that central government held a monopoly position in local services and politics as well. The limited authority and financial resources allocated to local governments, and, moreover, the operation of tutelage control as hierarchical control, may be shown as indicators of this (Yazıcıoğlu, 1992a, pp. 17–18, 1992b, p. 7).

From this point of departure, it is understood that local governments could be strengthened around two main axes, financial and administrative. When the reforms after 1980 are considered, it is seen that, during both the Uluşu Government and the Özal Governments, positive developments took place in increasing the revenues of local units and that, up to a certain year, the

resources allocated to them increased. Yet although this increase in financial resources may be counted as a positive development compared with the past, when the legal legislation is examined, it does not seem very possible to say the same thing in administrative terms, since the use of resources was tied to quite complex bureaucratic processes (Çöker, 1986a, pp. 27–30, 1986b, pp. 34–38).

It would not be correct to say that the decentralization reforms implemented in line with the New Public Management paradigm were limited only to financial matters. Alongside allocating independent shares from the budget, adopting different administrative models in provinces with populations reaching hundreds of thousands, and even millions, and giving additional resources to these administrations were also among the alternative policies. To express this concretely, in the process that began in 1984 with Decree Law No. 195 on the Administration of Metropolitan Municipalities and culminated in Law No. 3030 on the Adoption, with Amendments, of the Decree Law on the Administration of Metropolitan Municipalities, metropolitan municipalities were established in provinces such as Istanbul, Ankara and Izmir, within whose boundaries more than one municipality was located (Ayman-Güler, 1987, pp. 118, 142).

In the report submitted to the Planning and Budget Commission, the justification was stated as follows:²¹

... rapid population growth and industrialization have led to rapid urbanization in large settlement centers, especially Istanbul, Ankara and Izmir. The development in these cities has exceeded municipal boundaries and spread around the central city in an unplanned and uncontrolled manner.

The unplanned and uncontrolled physical development in large cities has led to significant changes in the social structures, economies and settlement patterns of these cities. Unplanned and uncontrolled development has further increased housing, transport and environmental problems, and has clearly revealed the inadequacy of infrastructure.

...

In the preparation of this Decree Law, such elements as coordination and administrative effectiveness were also taken into account alongside the

21 To access the full text of the “Decree Law on the Administration of Metropolitan Municipalities” and the “Reports of the Interior; Planning and Budget Committees” online from the Parliament’s website: <https://www.tbmm.gov.tr/tutanaklar/TUTANAK/TBMM/d17/c004/tbmm17004084ss0087.pdf>

democratic character of municipal administration and the principles of locality (*mahallilik*) and local citizenship (*hemşehrilik*).²²

It can be clearly seen that the expressions in the above justification are directly related to the New Public Management approach. In addition, while the administrative structure of local units was strengthened according to Türkiye's needs, it may also be said that this involved regulation at the local level. Yet, again when evaluated under Türkiye's conditions, although a form of centralization at the provincial level can be observed, it must be accepted that a very major step was taken in the name of decentralization in terms of transferring the powers of the central administration in Ankara (Tan, 1988, pp. 75–76).

Another reform among the general administration reforms that is related to local governments is the implementation of alternative methods, as in central government, in meeting local common needs. These methods, in which the private sector plays an active role predominantly, may be listed as cooperation with other public institutions, contracting, concession, leaving services to civil society organizations, corporatization, and so on. The reason why local governments, and especially municipalities, used the methods listed above is of course similar to that of central government (Eryılmaz, 1989, pp. 18–20). Yet it should also be said that they differ at an important point. That is, while central government tried, for the purposes of saving and enabling the development of the private sector, to withdraw as far as possible from the economic sphere, municipalities began to play an even more active role in the economic sphere through companies and affiliates in order to reduce costs and secure additional resources for services (Bektaş & Olgun, 2017, p. 246).

Having own-source revenues instead of revenues transferred from the central budget is, quite naturally, one of the foremost matters that would guarantee the autonomy of local governments, that is, municipalities. In this context, it may be regarded as natural for local governments to engage in economic activities in certain fields under equal conditions with the private sector. However, if these initiatives undertaken to secure new revenue sources exceed their purpose and create a situation in which the monopolies of central government are replaced by the monopolies of local governments, such as producing and selling furniture, bricks and mushrooms, this appears contradictory (Meriç, 1987, p. 7).

22 In the preparation of this Decree Law, the elements of the democratic character of municipal administration, the principles of locality and local citizenship, coordination, and administrative effectiveness were all taken into consideration.

Another issue that should be mentioned regarding the transformation process that took place in the Özal period is the Public Administration Research Project, known to the public as KAYA. The project, which began in 1988 and concluded in 1991, may also be seen as a general evaluation of the reforms implemented during the First Özal Government, in a way compatible with the proposals of a series of research groups carried out during the Ulusu Government. In line with New Public Management, the most important difference of the report from previous research projects, in which Public Economic Enterprises were kept outside the scope except in compulsory cases, was that it also addressed overseas organizations and the harmonization process with the European Union, then called the European Economic Community (Ergun, 1991, pp. 12–13). It was explicitly stated that the research project, whose basic philosophy was clearly the New Public Management approach that began in the 1970s and became widespread globally in the 1980s, aimed to redefine the role of the state, to narrow the public sector and to increase service effectiveness (Tortop et al., 1991, pp. 4–5).

In this context, it may also be said that the Public Administration Research Project was the first holistic reform study to examine public administration around certain principles. More clearly, although previous studies had identified the problems of public administration correctly and in detail, the solutions they offered did not represent a common logic. This situation left some problems unresolved, while it removed some problems only for a short time, and thus caused permanent solutions not to be produced. As has been mentioned many times, and as can be seen in clear examples in the history of Turkish administration, there has been no difficulty in identifying problems in the field of public administration; in many reform initiatives, it has been seen that the great majority of problems were correctly identified.

Yet, although identifying problems corresponds to great progress on the path to a solution, it does not by itself mean that those problems can be eliminated. In short, the Public Administration Research Project is promising in this respect. In this context, when compared with the results of previous research conducted in Türkiye, the Public Administration Research Project (Tortop et al., 1991, pp. 4–5) shows how concrete the results can be when reform is handled with a paradigmatic perspective. Moreover, it may be said that this coherent approach also contributed positively to inter-institutional coordination.

An important aspect of the Public Administration Research Project is that it gave special importance to local governments and put forward administrative models in which local units, namely municipalities, special provincial

administrations and villages, were further strengthened. It was proposed that services in rural areas were inadequate because of an administrative vacuum, and that, in order to prevent this, district municipalities should be authorized and given a structure above villages and rural municipalities. This would enable district municipalities to perform the services in which villages and rural municipalities were insufficient (Yalçındağ, 1991, p. 129). In fact, this model, which meant applying metropolitan administration at the district level as well, aimed both to provide sufficient resources for local common needs and to strengthen local democracy (Yalçındağ, 1992, pp. 5–6).

To summarize the Özal period in general terms, it may be said that neoliberalism and New Public Management were indisputably decisive in policies. Yet this does not mean that policies were entirely dominated by external factors. When the process in the United Kingdom and the process in Türkiye, and their results, are compared, it is seen that, while the main idea was preserved, countries also personalized policies by taking their own specific variables into account. Similarly, reforms in the United States also followed a different course from the United Kingdom in certain respects.

Therefore, it would not be correct to claim that, either in the case of Türkiye or worldwide, a “one-size-fits-all model” was imposed. As can be seen in the examples under this heading, where the main policies of the Özal period are discussed, both the method followed in privatizations and social security investments reveal that New Public Management was transformed and implemented in a way compatible with Türkiye’s conditions and characteristics. When the discourses of political parties in the 1980s are considered, these criticisms appear more appropriate for the Nationalist Democracy Party.

In short, the Özal period was a period in which the economic, social and political powers accumulated by central government were transferred. It is not possible to say that such a colossal structure, concentrated over all private and public spheres of citizens, could easily be removed and that the New Public Management approach could be made dominant in administration. Indeed, the progress achieved thanks both to Özal’s personal efforts and to the national and international conjuncture began to be lost after a short while.

2.3. The European Union and Public Administration Reforms

In Turkish public administration, after the Turgut Özal factor, another determining factor is the European Union and the process of accession to the Union. From a chronological perspective, it cannot be said that the Özal period, the negotiations for full membership of the European Union, and the post-2002 period examined in the next section are separated from one

another by sharp lines. It should be noted that there are transitions between these periods, and that this study adopts an actor-centered method rather than a strictly chronological one. As also stated at the end of the previous heading, it is known that the European Economic Community, as it was then called, was accepted as a reference point in public administration. In short, this heading overlaps temporally with the previous and following headings, but it mainly deals with the initiatives that took place between 1993 and 2002.

Although the focus is on the 1990s, Türkiye-European Union relations go much further back. Türkiye's first attempt on the path to membership of the Union took place in 1959; however, as a result of political instability, no agreement could be signed until 1964. With Greece, which had submitted its application about one month before Türkiye, an agreement was reached in 1961 on the conditions required for negotiations. If Türkiye's special situation, that is, the military coup, is set aside, the reason why the conditions could not be agreed upon immediately after these initiatives was that although the six founding members were similar to one another in economic, political and administrative terms, Türkiye and Greece were quite different, especially economically. Encountering such a situation for the first time made it necessary for the Community to put into practice a certain procedure for membership (İlkin, 1990, p. 36).

Although the first concrete step on the path to membership was taken with the Ankara Agreement, Türkiye's turbulent political and economic structure caused the process to be interrupted. Contrary to the common view, Türkiye-European Union relations did not experience a one-sided retreat. While the European Union pointed to Türkiye's economic and political instability as the reason, Türkiye distanced itself from the process because of domestic political balances shaped in the light of developments in foreign policy. Looking specifically at Türkiye, although there were politicians who supported the membership process particularly in the 1970s, concrete steps could not be taken in the name of maintaining coalitions built on fragile balances (Evin, 1990, p. 10).

If conjunctural factors are set aside, it can be said that the basic disagreement stemmed from the difference between Türkiye's expectations and the expectations of the European Union. Türkiye saw the Union as the most important stage of a century-long *westernization* policy, whereas the European Union approached Türkiye in economic terms (İlkin, 1990, pp. 35–36). Naturally, it appears unavoidable that this would prevent a consensus from forming between the parties. However, although the difference between the expectations of the parties was the basic reason, it was not the only reason. In

Türkiye's membership, the Union had reservations not only about economic issues but also about internal matters such as democracy, the rule of law, human rights and cultural difference, as well as foreign-policy issues such as migration, Greece, Cyprus and the Mediterranean (Taşhan, 1990, pp. 73–75).

On the basis of the reasons listed above, Türkiye's membership of the European Union should not be considered a sterile initiative whose failure was obvious from the very beginning. The border line that Türkiye forms between the socialist bloc and the Arab countries on the one hand and Europe on the other occupies a very important place in terms of the security of the Eastern Mediterranean within the East-West conflict, whether this is understood as socialism versus capitalism or as the Soviet Union versus the United States (Bourguignon, 1990, p. 52). For this reason, it does not seem very possible for the European Union to see Türkiye's membership from the outset as an initiative that would never happen, or to write Türkiye off without producing alternatives to membership.

Although its geopolitical position gave Türkiye a major advantage on the path to membership, political instability, military interventions, and differences in economic and cultural structures became more decisive in relations, and membership became increasingly difficult day by day. To put it more clearly, the interruption of Turkish democracy by military coups, shortcomings regarding fundamental rights and freedoms, economic crises caused by the failure of market mechanisms to function properly, and the fact that member states sided with Greece on the Aegean, Mediterranean and Cyprus issues (Denton, 1990, pp. 80–81) produced a situation that was more complex and sensitive than it had been in the years when the application was first made.

Yet it should be stated that Türkiye's securing political and economic stability also does not seem sufficient on its own. The constitutional position of the Union brings onto the agenda the issue of the "transfer of sovereignty", which appears rather unlikely to be resolved for Türkiye. The Union constitution, which has a dynamic character, requires the legislative powers of member states in certain areas to be transferred to the Union. When it is recalled how sensitive Türkiye is regarding sovereignty, especially after 12 September, even if all conditions are met, what will happen to the issue of sovereignty still remains uncertain (Ansay, 1990, pp. 88–89, 93).

From the statements above, it should not be inferred that no concrete development took place after the Ankara Agreement. As mentioned before, the European Union gives priority to the economic field and has always placed this at the forefront in its relations with Türkiye. As a result, an additional protocol to the Ankara Agreement was signed in 1970, and protective customs

practices were ended, thereby securing the liberalization of trade between the Union and Türkiye. However, although the protocol appeared to be an ordinary development within the liberal economic order, its consequences for Türkiye were not very promising; producers in Türkiye had difficulty competing with producers from Union countries, where production and market mechanisms were much more advanced than in Türkiye (Hale, 1990, pp. 156–157).

The attitude of the European Union and these negative developments in relations caused opposition to membership to strengthen and led to the process being closed, or more accurately shelved. The period from the Ankara Agreement to the beginning of the 1980s, if short interruptions are excluded, can be considered a separate period in relations with the European Union. The ending of this period and the making of a new beginning took place on 14 April 1987 through Özal's initiatives. In an environment in which relations had been damaged so severely, returning to the policy of full membership of the European Union may appear surprising. Yet in fact there was a marked similarity between the reforms Özal adopted in the economic, political and administrative fields and the Union's reform policies. In particular, the stability program implemented in the economic field, which was the Union's priority, together with the policies of downsizing the state and strengthening the private sector, made it possible for Türkiye's membership to be viewed favorably, or at least for the negotiations to be restarted (Evin, 1990, pp. 10–11).

It can be said that Türkiye, already undergoing a transformation with Özal, was, unlike in the previous period, more ready for the requirements demanded for membership, and that this created a new excitement among people. When the steps taken on the path to membership are examined, it will be seen that this excitement was not groundless. In order for the economic, political and administrative harmonization process, largely realized through New Public Management and neoliberal policies, to be implemented in many other areas as well, units and boards for *harmonization with the Union* were established in the central administration, including certain ministries. In this way, the institutions in the process of transformation would be made compatible with the Union from the very beginning. The commissions established for this purpose expanded further within a few years, and accordingly a research center was established within Ankara University in order to train qualified personnel in this field (Bozkurt, 1994, pp. 10–14).

From what has been explained above, it is understood that in the second period on the path to membership, socio-economic conditions were more suitable and policymakers acted in a more conscious and program manner.

Although this strengthened Türkiye's hand and clearly increased the possibility of membership compared with the past, the structure of the European Union had become more complex, and new balances and expectations had emerged within the Union as it expanded with new countries. Yet in terms of the aim of the study, what matters is not the result but the transformation that took place in Turkish public administration during this process. Therefore, the issue of why Türkiye was not accepted into the Union has been left outside the scope.

Returning to the developments that shaped administration, it is also necessary to mention the transformation experienced by the European Union. The passage of time caused changes not only in Türkiye's perspective but also in the Union's perspective. In the 1950s, the European Union was a community that focused more on economic cooperation and consisted of six relatively homogeneous members. By the 1980s, however, both the areas of cooperation and the profiles of member and candidate countries had expanded. This situation also enabled the Union to manage countries' candidacy processes in a more planned and conscious manner. In short, it was not only Türkiye that was prepared.

What made the European Union a more inclusive organization rather than a Franco-German-dominated one was the replacement of the protectionist and developmentalist economic understanding by neoliberal policies. Alongside other supporting developments, this sharp transformation in the economic field pushed the Union to develop international cooperation and to accept more countries into the Union. With the first wave of enlargement, and particularly with the accession of countries such as the United Kingdom to the Union, steps towards a federative structure were taken through the understanding of "single law and single market" in order to secure the permanence of cooperation (McAllister, 1997, pp. 162–164).

However, with the Soviet Bloc entering a process of disintegration, the aim of common trade and economy expanded further and came to include foreign policy and security. The Oil Crisis played a major role in this, because it revealed that national economies were affected by international developments and that the establishment of a global order was a necessity for national economies. More clearly, ensuring the transition of Eastern Bloc countries, especially East Germany, from the socialist economic system to the capitalist system became one of the basic aims of the Union, and attention was concentrated on integrating "liberalizing" countries into the system in a rapid and systematic way in order to secure economic stability. In order for this to happen, the membership process and the *Union acquis* were used as instruments (Warleigh-Lack, 2009, pp. 26–28).

The Union took the first concrete step on this path by signing, in 1992, the Treaty on European Union, or the Maastricht Treaty as it is commonly known, which regulated common foreign policy and security matters. This treaty, in which the aim of cleansing Europe of both Nazi and Soviet remnants can be seen clearly, drew a general framework, but it did not have detailed content concerning the transformations of countries (Balcerowicz, 1999, pp. 4–5; Curzon-Price & Landau, 1999, pp. 13–14). At the summit held in Copenhagen in 1993, this gap was closed and the conditions²³ necessary for Central and Eastern European countries to become members were determined. To the Copenhagen Criteria, which included the headings of human rights and economy, the Madrid summit in 1995 added the requirement that candidate countries possess the administrative capacity to implement the Union *acquis* (Curzon-Price, 1999, pp. 46–47; Heijdra et al., 2004, pp. 175–176; Phinnemore & McGowan, 2004, pp. 1–2).

To summarize what has been explained in terms of the subject of the study, even before sitting at the table, it can be said that Türkiye's membership process would be more arduous than in the past and that comprehensive reforms would take place in a wide variety of fields. Indeed, although Türkiye applied for full membership in 1987 and entered the customs union in 1995, it was not included among the countries with which negotiations would be opened at the Luxembourg Summit held in 1997, on the grounds that Türkiye maintained troops in Cyprus, relations with Greece had become tense, and there were inadequacies concerning human rights; yet Southern Cyprus was included among these countries (Müftüler-Baç, 1998, pp. 241–242).

Naturally, this brought relations with the Union once again to the point of rupture. Yet, as in the past, neither the Union was able to break completely from Türkiye, nor Türkiye from the Union. A few years after the crisis, when it was not on the agenda, a decision was taken to prepare a report on Türkiye's progress. In the processes that followed, at the beginning of the 2000s Türkiye was asked to make the necessary preparations for adopting the Union *acquis*, and negotiations and the implementation of chapters on the path to full membership began (Müftüler-Baç, 2005, pp. 20–21).

From what has been explained above regarding Türkiye's membership journey, it should not be inferred that what happened went no further than diplomatic initiatives and that no concrete steps or changes took place.

23 In summary, these conditions included the following; (i) stable democratic order and institutions of government, the rule of law, respect for human rights, and the protection of minorities; (ii) the existence of a functioning competitive market economy and the capacity to cope with competitive pressure; and (iii) the ability to assume the obligations of the Union in the fields of politics, economy, and monetary policy (Müftüler-Baç, 1998, p. 241).

In the period that forms the content of this heading, many actions were carried out both in order to fulfil the conditions required for membership and, independently of these, as initiatives taken by Türkiye in the name of westernization.

In this context, the European Administrative Space is among the most important issues directing public administration reforms in Türkiye. The European Administrative Space, which is essentially based on the Europeanization policies that came onto the agenda with the dissolution of the Soviets at the beginning of the 1990s (Güney & Çelenk, 2010, p. 242), is a metaphorical concept produced to represent the public administration practices of the member states of the Union. In other words, it is an attempt to make more understandable the principles necessary for countries wishing to become members to adapt to the Union's existing administrative structure and functioning (Matei, 2004, p. 31).

As previously mentioned, at the 1993 Copenhagen Summit, candidate countries were required to complete three criteria in order to become members of the Union: the construction of democratic institutions that guarantee human rights and minority rights, a properly functioning market economy, and the capacity to implement the Union acquis, or *Acquis Communautaire*. The European Administrative Space, in relation to the third of these criteria, aimed to transform the administrative structures of six Central and Eastern European countries (Cardona-Peretó, 2009; Torma, 2011, p. 151).

The basic principles of the European Administrative Space can be summarized as follows (Lymouris, 2011, p. 90; Cardona-Peretó & Freibert, 2007, p. 53):

- *Rule of law*, i.e. legal certainty and predictability of administrative actions and decisions, which refers to the principle of legality as opposed to arbitrariness in public decision-making and to the need for respect of legitimate expectations of individuals
- *Openness and transparency*, aimed at ensuring the sound scrutiny of administrative processes and outcomes and its consistency with pre-established rules
- *Accountability* of public administration to other administrative, legislative or judicial authorities, aimed at ensuring compliance with the rule of law
- *Efficiency* in the use of public resources and *effectiveness* in accomplishing the policy goals established in legislation and in enforcing legislation

The leading countries of the Union, especially the six founding members, initiated a program called SIGMA (Support for Improvement in Governance and Management) under the administration of the OECD and with the financial support of the European Union in order to Europeanize post-Soviet states around the principles above (Koprić et al., 2011, pp. 1517–1518). As has been repeated many times above, the program aims to make the administrative structures of candidate countries compatible with the administrative structure of the Union, while also targeting the rehabilitation of administrations that moved from a socialist regime to a liberal regime. This can also be seen clearly in the European Ombudsman's guidebook entitled the *Code of Good Administrative Behaviour* (Cardona-Peretó & Freibert, 2007, pp. 53–54).

In the 1990s, the scope of both the European Administrative Space and the SIGMA program consisted of countries leaving the Soviet Bloc, but this scope later expanded to include potential candidate countries, such as Türkiye, and neighboring countries, such as Algeria, Morocco, Georgia, Ukraine and Jordan. The expansion in scope was not limited only to countries; the SIGMA program became a guiding program for international cooperation and coordination (Avrupa Birliği Başkanlığı, 2017). In this respect, it can be interpreted that being included in the SIGMA program and entering the European Administrative Space does not mean becoming a member of the European Union.

It would not be correct to say that the European Administrative Space and the SIGMA program caused immediate institutional transformations in Turkish public administration. The same is also true for Central and Eastern European countries. Since the SIGMA program required deep-rooted changes, especially in post-Soviet countries, it can be stated that its results would bear fruit in the medium term. In addition, since the European Administrative Space and the SIGMA program progressed in a line parallel to the New Public Management paradigm, it may be said that they supported the existing transformation in Türkiye.

In other words, in Türkiye in the 1990s, the driving force of reforms was the process of accession to the European Union. Starting from this, while an Özal-centered transformation took place between 1980 and 1990, the weakening of Özal's power first with his election as President and then its complete disappearance with his death caused the reforms carried out in line with New Public Management to lose their domestic political support and, as a result, to slow down and even stop at certain points.

In fact, this situation was also a consequence of the change in Türkiye's national policy. More clearly, it is observed that the liberalization policies

that lasted from 1983 to the beginning of the 1990s were replaced from the mid-1990s onwards by security-centered statism (Keyman & Aydın-Düzgit, 2007, p. 69). The partial decentralization experienced approximately between 1983 and 1990 through the transfer of the powers and responsibilities of the central administration to local units, that is, municipalities, resulted in a retreat even behind the progress already achieved, through the reduction of autonomous financial resources, the restriction of service areas and the expansion of tutelary supervision. It is seen that even policies of integration with Europe, regarded as an instrument of modernization, did not change this reality, and that the agreements to which Türkiye became party remained nominal (Eryılmaz, 2002, pp. 19–20).

Yet it had already been stated that economic cooperation, which was the founding aim of the Union in the 1950s, was not sufficient on its own in the 1990s, and that political, administrative, legal and social fields were also added to its aims. More concretely, the European Union asks candidate and potential candidate countries to strengthen their local and/or regional structures, to guarantee their financial and administrative autonomy, and to spread decision-making processes as far as possible to the base, both at the level of institutions and of individuals. While asking this, it also grants countries flexibility in a way that is compatible with the basic philosophy, rather than imposing a single model. However, when Türkiye's political and administrative past is taken into account, it can be said that decentralization is not as easy as it appears (Güney & Çelenk, 2010, pp. 248–249).

When, in addition to Türkiye's inherited political and administrative structure, the separatist aims of terrorist organizations in the 1990s and the increasing visibility and effectiveness in politics of the religious segment seen by the founding elite as a threat to the secular system are added (Zürcher, 2017, pp. 323, 344), decentralization became almost impossible. In short, after the 1990s, the state became even more centralized as a reaction to the diversity that had emerged (Eryılmaz, 2002, p. 19).

If the developments between 1993 and 2002 are evaluated in general terms, although Türkiye had both internal and external motivations on the path towards democratization, liberalization and decentralization, the status quo elites, who saw themselves as the defenders of the founding values, suppressed these motivations and halted the reforms for nearly ten years. Yet the power of the status quo elite, which had penetrated all administrative, political, military and judicial fields, began to be broken with the private sector that strengthened as a result of the economic liberalization that began after 1980.

The private sector, which took its place in the political arena as a fourth power, especially the country's largest civil society organizations such as the pro-European TÜSİAD (Atan, 2004, pp. 102–105; Keyman & Öniş, 2004, pp. 182–183), forced the central administration to transfer its powers and to reduce its control over private initiatives (Özcan & Turunç, 2008, p. 182). The pressures of the economic field towards democratization and liberalization, with the support of Europeanisation policies, also caused movement in other strata of society; individuals organized on ethnic, religious and cultural bases and demanded that they too be taken into account in policies. Thus, perhaps for the first time in Turkish political life, a reform movement from below was experienced (Ulusoy, 2009, p. 364).

In summary, while the 1990s corresponded to a rather stagnant period in terms of administrative reforms, they can also be defined as an incubation period in terms of forming the basis of the reforms examined in the next heading and implemented after 2002. It is also possible to define this period as an attempt in which the power of the state elite (Heper, 2001, p. 1020) was questioned and, to a certain extent, shaken.

Section 3



3. Post-2002 Public Administration Reforms

In the previous headings, Türkiye's administrative reform process was examined in an actor-centered manner through Turgut Özal and the European Union. A very significant part of the reforms carried out during these periods was replaced by new ones after 2002. For this reason, rather than conducting an analysis by placing reforms that have lost their validity at the center, an attempt has been made to establish a ground for analyzing the current reforms through what the actors experienced throughout the process. Under this heading, however, a reform-centered analysis is preferred on the basis of that ground, and the aim is to show which factors were decisive in the outcomes of public reform.

Although after 2002 the AK Party, as the sole partner of the executive, was the legitimate owner of the reforms, for the reason stated above, because policy processes had turned into a multi-actor structure, and also because of the scope of the book, the focus has been placed directly on the reforms and two main classifications have been adopted: central administration reforms and local government reforms. Of course, subjecting the reforms to this kind of classification does not mean that there is, in reality, a strict and sharp distinction between them, and it should not be forgotten that reforms may exist outside these two classifications as well. Yet such a distinction has been adopted both in order to compare the reforms on an analytical plane and because of the limitations of the book.

3.1. New Public Management and Central Administration Reforms

After the reforms carried out in line with the New Public Management approach were interrupted for a period after Özal, they appear to have become priority areas of public policy again at the beginning of the 2000s. As detailed under the previous headings, the reforms, which drew strength from many internal and external motivations, spread into more areas than those realized by Özal. In particular, although the central institutions had been shaped by the Ulusu Government after the 12 September intervention, in the 2000s the central administration was almost entirely reorganized by civilian government, and only a limited part could not be subjected to reform.

It should not be inferred from the statements above that the reforms of the 2000s were more important than the previous reforms. When viewed independently of value judgements, more reforms were implemented in numerical terms, the great majority of them during AK Party governments. Some of these took the form of improving what already existed, while others involved an entirely new set of arrangements. Within such a wide range, and for the sake of coherence of meaning, central administration reforms begin to be discussed through a general assessment and are then examined by being divided into normative and institutional reforms. Apart from these, because of its importance, the Presidential Government System is addressed separately from this classification.

3.1.1. Central Reforms: A General Overview

It has been noted in many parts of this study that neoliberal policies, and New Public Management as their reflection in administration, emerged with the Oil Crisis; that the state's activity in the economic field and, in more general terms, its size began to be seriously criticized with this crisis; and that these developments shaped the policies of governments on a global scale. Together with certain cultural differences, Türkiye also took part in this current and carried out many reforms between 1983 and 1992. Yet while this tendency continued across the world, it was seen to slow down in Türkiye and to evolve towards a security-centered understanding of the state.

The return to the New Public Management approach became possible through the economic crisis experienced at the beginning of the 2000s. The 2001 Economic Crisis, which can be likened in its impact to the Oil Crisis, produced a reaction in Türkiye against government, its actors and, briefly, all the components that had caused the crisis. In the eyes of society, many administrative and political institutions that had been regarded as legitimate

at that moment lost their legitimacy. Thus, the necessary conditions were created for the new to replace the old, that is, for administrative and political reform, and the legitimacy ground was prepared for the policies to be carried out in this direction. It may even be said that, in certain areas, social pressure directly shaped policies (Balaban, 2004, pp. 8–9).

Of course, it is not correct to claim that the movement of change in Türkiye was independent of external factors. It is a known fact that, with globalization, international organizations have become decisive in countries' national policies. In addition, with the crisis that was experienced, the influence of these organizations, especially the IMF, in Türkiye became even stronger, and it was even seen that norms were dictated. However, since the focus of the study is the cultural dimension, it is useful to concentrate not on these driving forces among the external actors but on the internal actors. In this context, as everyone would accept, the driving force of the reform process in Türkiye in the 2000s was the AK Party governments (H. Ateş, 2018, p. 176).

As is known, although the ruling party, positioned against the secular wing that saw itself as one of the founding elements of the state, had a strong will to realize reforms, it would not be correct to say that this was sufficient on its own. In other words, *even though they were in power, they were not in command* (Türk, 2014, p. 10). Aware of this, the AK Party tried to create room for maneuver for itself by basing the legitimacy of the reforms on the European Union accession process. Through these legitimation efforts, which were clearly visible especially in the early years, hundreds of legal regulations passed through the Grand National Assembly of Türkiye in line with the policies of adopting the Union *acquis* (*Acquis Communautaire*). The majority of these legal regulations carried out at the beginning of the 2000s consisted of central administration reforms regulating civil-military relations (Zürcher, 2017, pp. 339–340).

The reforms are also related to the principles that the European Union named *European Governance* and put forward as a precondition in its bilateral relations. This initiative, which aims to make countries' decision-making processes more democratic, also seeks to determine the joint decision-making procedures between the Union and countries. In other words, the European Union demands that countries put governance principles²⁴ into practice in their relations both with individuals and with the Union. These principles,

24 It would be inaccurate to say that these principles are only relevant in the European Union. International organizations such as the World Bank, IMF, UN, and OECD have also conducted studies on which principles good governance should encompass. Turkey, however, has only adopted a certain portion of the defined good governance principles (legality, transparency, accountability, consistency, participation, and effectiveness) (H. Ateş & Buyruk, 2018, p. 84).

which may be described as a two-tier governance model, largely guided public administration reforms especially in the 2000s (Kesim & Petek, 2005).

In fact, rather than a one-way relationship, it is more accurate to say that internal and external actors mutually supported one another. While the European Union accession process made plurality of voices in Türkiye possible, this plurality of voices also created support for the development of the accession process. In the first three or four years from 2002 onwards, tendencies towards democratization and liberalization that covered many areas, from human rights and freedoms to processes of democratic participation, enabled civil society organizations to have a say in public policies as actors as strong as the European Union (Sözen, 2011, pp. 134–135; Ulusoy, 2009, pp. 374–376).

If the reforms carried out in this period are summarized in general terms, it is seen that they followed a course around first-wave and second-wave reforms, as also mentioned earlier under the heading where the historical development of the New Public Management approach was explained. The first-wave reforms, whose steps were taken during the Özal period and which were brought to a certain degree of maturity, such as the withdrawal of the state from the economic field, the strengthening of the private sector and privatizations, were continued in the 2000s as well, and the parts that had not been realized were attempted to be completed. In addition, reforms defined as second-wave reforms, which aimed to carry out the basic functions of the state within the framework of effective and democratic principles, were also implemented (Akdoğan, 2004, pp. 11–12).

When second-wave reforms in Türkiye are considered, it may be said that they concentrated on two points: one was the control and pressure of the military bureaucracy over civilian administrators, and the other was the control and pressure of the state over society. When this situation combined with Turkish political culture, it caused strong resistance from the stratum that Heper (2001, p. 1020) defines as the state elite and that held dominance in all areas of the state, namely the legislature, judiciary, executive and military-civilian bureaucracy. Since this resistance is discussed together with the relevant reforms in the following headings, it is not detailed here.

If the first-wave reforms that had continued since 1980 are set aside, it may be said that second-wave reforms were also shaped through two further distinctions within themselves. Accordingly, some central reforms covered relations among the powers and their relations with other national and international actors, that is, the core politics concerned with “governing”, while another part covered the structure and functioning of public administration

(Sözen, 2012, pp. 168–170). To express this in a more understandable language, one part of the reforms regulated the discourse and actions of politicians and other senior administrators, while another part regulated the discourse and actions of bureaucrats and public officials.

Although such a distinction exists, regardless of actor differentiation it is seen that the reforms of the 2000s were essentially shaped around principles such as productivity, effectiveness, accountability, ethics, transparency, openness, participation, democracy, respect for human rights, result-orientation and citizen-centeredness.²⁵ As will be recalled, many of these principles are among the innovations brought by the New Public Management approach. It is clearly seen that the reforms carried out especially in the first decade of the 2000s were shaped around the principles above (Lamba, 2014, p. 138). Yet alongside this, it is also noteworthy that while Turkish public administration reform made certain progress towards democratization, bureaucratic growth and centralization also occurred specifically in the prime ministry/presidency and ministries as a result of the executive being strengthened disproportionately (Demir, 2018, p. 155).

3.1.2. Central Reforms: Normative Regulations

After 2002, Türkiye entered into a sharp process of transformation and change not only in the field of public administration but also in many other areas. As mentioned in the previous paragraphs, the fact that international conjuncture was followed by national developments, namely the 2001 Crisis and allegations of corruption, had already made this change and transformation inevitable. Emerging as a new face in the 2002 General Elections and producing new discourses, the AK Party read this development correctly and was able to market its election promises to voters. As can be clearly seen in the party's 2002 General Elections Election Manifesto, the New Public Management approach and the European Union accession process formed the main motivation and point of support for the reforms (AK Parti, 2015, pp. 12–13):

Putting the economic and political provisions of the EU criteria into practice is an important step towards our modernization together as state and society. Even when these criteria are considered independently of EU membership, putting them into practice is unavoidable.

25 These principles also have the same content as the principles of the European Administrative Area, which the European Union stipulates as a condition for full membership or cooperation. In other words, it can be said that the European Union puts forward the New Public Administration as a condition in its relations. For detailed information, see the works of Balcı (2005) and F. Demir (2009).

The ideological approaches of circles opposing our integration with Europe on issues such as national sovereignty, national security, national interest, and national and local culture delay the implementation of the Copenhagen Criteria. Our party favors reconsidering these concepts, which aim to maintain a bureaucratic statist understanding of administration, through a democratic, civilian and pluralist understanding that observes the rights of the individual and is based on the participation of the people.

Indeed, after the elections, the Party, which obtained the authority to form the government alone, drafted the bill for the Framework Law on Public Administration as its first step in line with the promises it had made before the election, and this was the most important and comprehensive reform initiative. The bill became law, but when it was returned by President Ahmet N. Sezer, the law, which was not reconsidered, lapsed. Although the Framework Law on Public Administration did not find the opportunity to be implemented, it is very important in terms of showing the direction of the reforms that would be carried out in the 2000s. Indeed, when it came onto the agenda, the law attracted considerable public attention and, by opening areas that had never previously been discussed to debate, actually took one of the most important steps on the path to reform.

In this context, alongside the law itself, the events that took place before it and the preparation process also provide quite useful information. Prepared by an expert board²⁶, which is not a method frequently encountered in Turkish politics, and within a broad environment of discussion, the bill in this respect displayed a character that was both free from bureaucratic and political intervention and participatory in accordance with its purpose. In the justification sent to the Constitutional Commission for the bill, which was summarized as a legal regulation *in which the basic principles that all public institutions must comply with were set out as a whole* (TBMM, 2020), it was stated that the bill was based on the following administrative principles (Başbakanlık, 2020, p. 23):

- It respects the market and uses market instruments as far as possible,
- It grants a broad space to civil society organizations under the guarantee of law,
- It brings local and decentralized administrative structures to the fore,

26 The committee, known as the Public Administration Basic Law Working Group, consists of Prof. Dr. Ömer Dinçer (chairperson), Prof. Dr. Bilal Eryılmaz, Mustafa Çetin, Dr. M. Emin Zararsız, Dr. Cevdet Yılmaz, Zekeriya Şarbak, Kayhan Kavas, Mevlüt Atbaş, Ercan Topaca, and Bekir Korkmaz. The committee did not conduct its work in secret; while drafting the law, it consulted with numerous national and international official institutions and civil society organizations. For detailed information, see the work of Dinçer and Yılmaz (2003).

- It concentrates on priority areas within a strategic management approach and is based on performance and quality,
- It spreads and uses information technologies across all processes of administration,
- It favors brevity and simplicity in legislation,
- It requires a horizontal organizational structure and delegation of authority,
- It creates the secure environment and mechanisms necessary for the development of participation,
- It increases accountability,
- It believes that everyone has the right to obtain information,
- It seeks to develop and strengthen human resources, which are the beginning of everything.

When the bill is considered in general terms, it is understood that the main aim pursued was to address public reforms with a holistic understanding. In the booklet published by the Prime Ministry (Başbakanlık, 2003) and shared with the public, the bill was shaped around three basic headings: The aims, principles and duties of public administration; the principles and procedures concerning the organization of central administration; and audit in public administration.

In addition, in the Prime Ministry Circular No. 2004/2 published after the bill became law, the failure of previous restructuring efforts was attributed to the absence of a basic philosophy, to the fact that problems had not been addressed within a holistic framework, and, as a result of these, to the lack of coordination among institutions. It was stated that this missing aspect had been completed by the law.

The “Framework Law on Public Administration”, presented by the ruling party as an administrative reform, was returned to Parliament for reconsideration because the President did not find it appropriate to promulgate it. In his reasoned decision, the President concentrated on the principles of the integrity of administration and secularism and frequently emphasized that the law was contrary to these two constitutional principles. More clearly, as can also be seen in the reasoning of the decision, Sezer (2004) argued that the powers granted to local governments would not be compatible with the *unitary state model*, that administrative tutelage had to be secured in line with the principle of the integrity of administration, and that, in addition,

the phrases “*discrimination in the provision of and benefit from public service*” in the law were intended to secure freedom for the headscarf in the public sphere, which, he argued, was contrary to the principle of secularism in the Constitution.

In short, President Sezer evaluated the Framework Law on Public Administration as a threat to the unitary structure and to the secular order. When viewed from a holistic perspective, it is quite clear that what was experienced was a power struggle. As also emphasized under the headings dealing with Türkiye’s cultural structure, the global change in political, economic and administrative paradigms caused the power balances in Türkiye to be questioned as well. After a relatively calm period in the 1980s under the influence of military government, how much this power struggle intensified in the 1990s was clearly seen in many events, especially 28 February. Therefore, Sezer’s rejection of the law on the grounds above may be regarded as an aggressive reflex of the status quo structure, that is, the state elite.

Although it lapsed, the Framework Law on Public Administration may be said to reveal the AK Party’s view of reform in general and of public administration reform in particular, as a party that remained in power alone for many years. In this context, in post-2002 public administration reforms it is seen that the traditional Weberian bureaucratic understanding of administration was abandoned and that, although compatible at certain points, arrangements contrary to traditional administration on many basic points were made. More clearly, it should be emphasized that in the reforms in which the New Public Management approach was adopted as the administrative paradigm, certain basic principles, especially transparency, openness and accountability, contained arrangements diametrically opposed to the Weberian bureaucratic paradigm. Indeed, the preference for the concept of *administration* rather than *public administration* in many reform initiatives, especially the Framework Law on Public Administration, may be considered another element confirming this view (Al, 2004a, pp. 184–185, 2004b, p. 3).

Although positive views such as those above were expressed about the Framework Law on Public Administration, there were also jurists and academics who held negative views, as did President Sezer, who vetoed the law. It is possible to summarize these persons’ criticisms of the bill as follows: it was not clear what was intended by decentralization; transferring the powers of the central administration to the local level would cause more employment and therefore enlarge the state even further (Uluğ, 2004b, pp. 10–11); the center’s control over local governments was not well designed, and this situation, together with the delegation of authority, would either enlarge the

control structure even more or create areas without control (Uluğ, 2004a, pp. 106–108); it was an imposition by international economic organizations and would corporatize the state and commercialize public services (Zengin, 2003); and the legal status of the law was uncertain (Ercan, 2006).

After the Framework Law lapsed, the reforms aimed at in the law began to be enacted in the form of separate laws. More accurately, an attempt was made to place the general principles and precepts of the Framework Law on Public Administration at the core of each renewed law. Although, on the surface, it might be thought that not much changed apart from the prolongation of the process, the political power had to pass legal regulations one after another, and rapidly, so that reforms lacking a holistic legal basis would not be interrupted.²⁷

After the Framework Law on Public Administration, the Public Financial Management and Control Law No. 5018, enacted in line with the New Public Management approach, is among the legal regulations that must be examined as a priority. The law, adopted in 2003, repealed the General Accounting Law No. 1050, which had been in force from 1927 until that year. In this context, although it was carried out as part of the European Union harmonization process, it would not be correct to see the law solely as the result of an international imposition. Under changing socio-economic conditions, it was already an inevitable fact that a law carrying the values of 1927 would sooner or later be repealed (Kanca, 2017, pp. 494–495).

Although initiatives in this direction went back to 1995, the law not only changed the financial order that had been applied from 1927 to 2003, but, as a law shaped in line with the New Public Management approach and as part of the European Union accession process, naturally brought many radical changes with it. Among these, the most prominent were the removal of the requirement

27 This paragraph is based on information given by Prof. Dr. Bilal Eryılmaz, who was a member of the Working Group on the Basic Law on Public Administration and who served as the supervisor of this doctoral thesis until his passing. Eryılmaz stated that similar attitudes towards the Basic Law were preserved with respect to other laws as well, and that the fundamental problem was political. Recounting this through a personal memory, Eryılmaz said: “...when we went together with [...] to discuss the [...] law with President Ahmet Necdet Sezer, he told us that this law would be found unconstitutional by the Constitutional Court for the following reasons. And indeed, the Court annulled the relevant articles of the law on the same grounds. [...] At that time, [others] saw the cause of the resistance shown to reforms as the failure to explain the reforms sufficiently well, but I think the cause was political.” Given that President Sezer had served for a long period at the Constitutional Court, it might be said that as a jurist he foresaw this, and to some extent this is a correct observation. Yet when it is considered as a whole how the decisions of Constitutional Court members have shifted in parallel with their changing political profiles, it becomes clear that the Court has not taken purely legal decisions but has reflected the views of de facto power holders. In this context, it can be understood that state elites who have lost political power have tried to preserve the status quo through various checks-and-balances mechanisms.

that budgets be limited to the fiscal year, the inclusion in the budget of public revenues and expenditures that had previously been kept outside the budget so as to create a realistic and holistic budget, the preparation of budgets in harmony with development plans, the construction of mechanisms of financial transparency and accountability, namely internal and external audit,²⁸ and the development of budget preparation and implementation processes on the basis of effectiveness (Saraç, 2005, p. 124).

When these prominent changes are considered together, it may be said that the Public Financial Management and Control Law was shaped, in parallel with the global tendencies of the period, around the following aims (Kolçak, 2006, p. 369):

- Ensuring macro-financial discipline
- Allocating resources according to strategic priorities
- Using the allocated resources efficiently and effectively
- Establishing an effective responsibility for accountability

As can be understood from the paragraphs above, the law has an importance beyond an ordinary and particular normative regulation. More clearly, since the law addressed a wide range of fields from local governments to social security policy, the realization of the arrangements it envisaged also made a series of reforms necessary. In this context, after the law, many laws concerning the field of public finance, such as Public Procurement Legislation and the Court of Accounts Law, were enacted (Ergen, 2016, pp. 98–99). In this respect, the Public Financial Management and Control Law may be thought of, functionally, as an alternative to the Framework Law on Public Administration, which had lapsed. Indeed, this can also be seen clearly in the phrase in the purpose section of the law, “in order to ensure the effective, economical and efficient acquisition and use of public resources, accountability and financial transparency”. In order for these aims to be realized, the law gave Turkish public administration important new dimensions in the form of strategic planning, performance management and activity reports (Akdeniz, 2010;

28 In order to fully ensure accountability and transparency, the law moved beyond a single type of financial audit and established internal- and external-audit mechanisms. External audit, previously also conducted by the Court of Accounts (Sayıştay), is the auditing — on behalf of the Grand National Assembly — of whether expenditures have been made in accordance with the planned purpose and with the laws (Özekicioğlu, 2017, p. 602). Internal audit, by contrast, focuses on the process between inputs and outputs. Its principal aim is not to hold anyone to account, but to make it possible for activities to be carried out as planned. From this starting point, internal audit is an administrative rather than a financial activity (Akbulut et al., 2012, p. 709; Akyel & Köse, 2010, p. 13; Bektaş & Olgun, 2018, p. 84; A. Özen & Öztornacı, 2015, p. 10).

Eren, 2009; Genç, 2009; Karasoy, 2014; Kömürçüler, 2011; Köseoğlu & Şen, 2014; Sakal & Şahin, 2008; Songür, 2015; Toprak, 2008).

Again, Bayar, who compared Law No. 5018 with the repealed law from a critical perspective, also included statements in the arguments he used in his article that confirm the above claim (Bayar, 2003, p. 48):

...Although the functions in question may be regarded as financial affairs in one respect, in another respect they are administrative-political activities in terms of measuring and presenting the degree of success of the task being carried out. Measuring, evaluating and sanctioning concepts such as the effective and efficient use of public resources, accountability, transparency, strategic goals and performance are seen not so much as matters of financial law as problems of administrative law.

In short, the Public Financial Management and Control Law No. 5018 corresponds to far more than the accounting of revenues and expenditures and their being made subject to judicial audit. The law is the main actor in the application to Turkish public administration of the European Administrative Space shaped around the New Public Management approach, and it is the key to full membership of the European Union. Therefore, although at first sight the law appears to contain financial regulations, in essence it includes arrangements that shape almost all areas of public activity around the principles of New Public Management (İdikut-Özpençe & Özpençe, 2013, pp. 214–215; Kesik, 2005, p. 98).

Although Law No. 5018 contains important arrangements in terms of accountability, it is difficult to say that transparency could be fully ensured, since this ultimately takes place among public actors. Of course, it is not being claimed that all the statements and actions of public officials can be audited. However, it must also be accepted that an accountability mechanism remaining within the sector is not sufficient for resources to be used in accordance with their purpose and for corruption to be prevented. Therefore, the ability of accountability to function as well as possible depends on the inclusion in the process of real and legal persons who use the goods and services.

The right to access information is also one of the main methods by which the users or beneficiaries referred to above are included in the process. For this reason, the second normative regulation examined as an example is the Law on the Right to Access Information, which had also been included in the Framework Law on Public Administration (Karcı, 2019, pp. 5–6). Although it may seem to be self-explanatory from its name, it should be stated that the right to access information has a deeper content. Above all, access to information is directly related to the administration's responsibility to provide

information and to the possibility for others outside the administration to request information from it (M. Eken, 1995, p. 63).

When a historical examination is made by taking this distinction into account, it may be said that it would not be very accurate to base the first regulation concerning the right to access information in the world on the Swedish Freedom of the Press Act of 1766 (İyimaya, 2003, p. 42), and in Türkiye on the beginning of the publication of *Takvîm-i Vekâyi* in 1831 during the Ottoman period (Öztemiz & Yılmaz, 2015, p. 692), or on the recognition of the right of petition in the *Kanun-i Esasi* in 1876 (Yeşilbaş, 2008, p. 158), or on the establishment of the Directorate General of Press and Intelligence in 1920 (Bulduklu & Türkmenoğlu, 2015, p. 52).

It should be emphasized that such initiatives expressed above, in relation to the administration's responsibility to provide information, were public relations activities in the sense of one-sided informing that represented the traditional understanding. In other words, the administration's giving information and citizens' accessing information are different matters (Karkın & Zor, 2017, p. 26). Another point that needs attention is the distinction between the right to access information and freedom of information. In this context, while freedom of information is concerned with reaching information made available for everyone's use through communication tools, access to information is a matter concerning information held by the administration (Erkal, 2011, p. 473).

When the right to access information is considered by taking all these distinctions into account, it is seen that the first normative regulations in positive law were made in the post-Second World War period, when the relationship between state and society began to be questioned (İyimaya, 2003, p. 42). Yet this does not mean that the right to access information was adopted by countries one after another and rapidly. More clearly, even in advanced democratic countries, the right to access information could take its place in positive law only through a process extending from the mid-1960s to the beginning of the 2000s (Yeşilbaş, 2008, p. 158). In short, the right to access information in its real sense, without being reduced to the administration's one-sided informing or to freedom of thought and expression, is a relatively new concept (Z. Aras & Altınok, 2009, p. 107).

The spread of the right to access information became possible when international organizations, especially the European Union, regarded access to information as a human right for the transparency of administration and for effective accountability (Hasdemir, 2014, p. 115). The right to access information, conceptualized as openness in administration, is a participatory administrative model shaped around three axes (OECD, 2005, p. 29):

Those who provide public service being open to the inspection of citizens (transparency), citizens being able to reach public information without difficulty (accessibility), and the performance of necessary actions in line with the feedback provided by citizens in the light of the information obtained (responsiveness) (S. Y. Koçak, 2010, p. 119).

The necessity of the right to access information is not related only to international organizations showing a will in this direction. In democratic orders there are four basic dimensions of control that interact with one another, namely judicial control, political control, administrative control and public opinion control, and the extent to which these dimensions function well shows the level of democracy in that country. Therefore, the proper functioning of public opinion control, which is among these dimensions, can be possible only through individuals who benefit from public goods and services having access to accurate and complete information about them (Küçük, 2017, pp. 74–75). More clearly, when requested, the administration's sending, or being prepared to send, the necessary documents or explanations concerning its actions and statements to the parties contributes, even if it does not eliminate them completely, to the reduction of unethical behaviors, especially corruption (Köseoğlu et al., 2005, p. 153; Yüksel, 2010, p. 339).

Returning to the right to access information in the case of Türkiye, the first comprehensive and specific law on this matter is the Law on the Right to Access Information No. 4982, enacted in 2003. When the first two articles of the law, in which its purpose and scope are explained, are interpreted in the light of the information above, it is seen that the law regulates the right to access information in the full sense, far beyond a public relations activity, and in this respect differs from previous normative regulations.²⁹ In the Regulation on the Principles and Procedures Concerning the Implementation of the Law on the Right to Access Information, published after the law was finalized, those who would benefit from the law were specified as real and legal persons, and the responsible public institutions and organizations were listed as follows³⁰;

- Public administrations within the scope of central administration
- Affiliated, related or associated organizations of central administrations
- Local administrations, excluding villages

29 The law published in the Official Gazette dated 24.10.2003/25269 can be accessed online here: <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=4982&MevzuatTur=1&Mevzuat-Tertip=5>

30 <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=20047189&MevzuatTur=21&Mevzuat-Tertip=5>

- Organizations affiliated and related to local administrations
- Local administration unions
- Local administration companies
- The Central Bank of the Republic of Türkiye
- Public universities
- Institutes, enterprises, establishments, funds and similar institutions and organizations possessing public legal personality
- Professional organizations with the status of public institutions

The number and variety of the institutions listed show that almost all institutions and organizations financed by the public fall within the scope of the right to access information. Of course, the actual determinant is practice. Yet even when viewed in this form alone, it may be said that, at least normatively, the legislator tried to establish the right to access information in its full and real sense. Indeed, the same legislator gave the right to access information a constitutional basis through a paragraph³¹ added to Article 74 of the 1982 Constitution and thus also opened the way for individual application to the Constitutional Court (Erkal, 2011, p. 474).

Although the law does not make it compulsory for institutions to create a unit concerning access to information, it makes it possible for the necessary administrative and technical measures to be taken. In addition to this, however, the establishment of the Board for Access to Information and Assessment, in order to resolve objections concerning access to information, was made compulsory by law. The board was given the task not merely of providing information, but of resolving disputes that may arise between real and legal persons requesting access to information and the institutions from which information is requested (Köseoğlu, 2019, p. 515).

In addition, the law on access to information requires not only that the requested information and documents be provided, but also that statistics concerning applications made regarding the right to access information, activity and audit reports, the legislation to which the institution is subject, and other important documents be announced through information and communication channels, and that the necessary infrastructure for this be provided. In short, it requires institutions to provide information about their basic activities as

31 Everyone has the right to access information and to appeal to the public ombudsman (7/5/2010-5982/8).

a requirement of open administration even when no information has been requested (Öner & Yıldırım, 2007, p. 365).

If what the law on access to information is and its importance for public administration are summarized, it may briefly be stated that it is a rebellion against the traditional understanding of administration. Indeed, when the Weberian bureaucratic understanding of administration is considered, the accuracy of this claim will be seen (Köseoğlu et al., 2005, p. 150). As is known, traditional bureaucratic administration is built on principles such as hierarchical structure, impersonality, written documents, legal jurisdiction, adherence to rules, and the separation between private and public spheres (Weber, 2012, pp. 337–339, 2014, pp. 55–59, 2016, pp. 55–58).

These principles, especially the separation between private and public spheres, created a basis for a defense-closure mechanism against all interventions that might come from outside, in the name of public employees, bureaucrats and civil servants protecting the high interests of the state (Şengül, 2005, p. 218). Yet it would not be correct to limit this to the modern period in which bureaucratic organizations emerged. In essence, the understanding of secrecy in administration goes back to ancient times, when the ruler thought that he was the only person capable of taking the most correct decision for the good of the people (M. Eken, 1994, p. 26). In short, the right to access information is a New Public Management principle that emerged not only against the traditional bureaucratic tradition, but also against the understandings that have been dominant since the periods in which administration has existed.

Another reform selected as an example within the class of normative reforms is the public administration ethics³² reform, which is also related to the right to access information. From a conceptual point of view, although it is often used synonymously with the word morality, ethics, which refers to relatively more universal values, may be summarized as the set of rules that determine what is right and what is wrong, or how one person should behave towards another. When viewed from another angle, this situation also corresponds to an expectation concerning the person who performs the action. More clearly, the expectations of the person affected by the action from the person who performs that action also fall within the domain of the concept of ethics (Yüksel, 2010, pp. 25–26).

32 Although ethics is largely built on universal values, national culture may cause different and sometimes even opposing ethical values to be accepted across countries (Yüksel, 2011, p. 619). Alongside this, there are universal ethical principles of conduct accepted by nearly every country today, such as accountability, transparency, impartiality, lawfulness, integrity, honesty, equality, leadership, loyalty, merit and professionalism, objectivity, courtesy and respect, dignity, and trust (Yüksel, 2010, pp. 62–64).

When considered specifically in relation to public administration, public administration ethics means the provision of public goods and services by public officials in accordance with the wishes of citizens. In other words, from the perspective of administrative ethics, appropriate behavior is behavior that responds to citizens' needs (Yönten-Balaban, 2018, p. 470). Although there is relative agreement on the definition, different views have been put forward from time to time concerning citizens' needs and demands. From the perspective of the traditional public administration approach, ethical behavior means carrying out the duties given by superiors by adhering to rules and procedures. At first, this may be thought to be an anti-democratic method in which citizens' demands are ignored. Yet the basic justification underlying this thought is the assumption that, since the rules created by politically elected administrators through democratic means reflect the demands of the majority of society, obeying these rules is a democratic action. By obeying these rules, a civil servant is deemed to have moved away from personal interests and worked for the benefit of society, and when he does not obey them, to have behaved unethically (M. Demirci, 2007, pp. 206–208).

Although the assumption mentioned sounds good in theoretical terms, it would not be correct to say that the public interest is realized in practice. Bureaucracy, which was expected to carry out policies in line with citizens' expectations independently of personal values and merely by following procedures, acted in precisely the opposite direction and performed actions protecting its own personal or group interests. In other words, public officials who could not be accused of behaving unethically because they acted in accordance with the rules in the context of traditional administrative ethics became the most important reason for the erosion of citizens' trust in the state (Doğan, 2015, p. 390). If public service or public duty is thought to be identified with public trust,³³ the extent of the importance of this situation will also be understood.

As can be understood from the statements above, it does not seem very possible for ethics, which has a social and cultural structure, to become embedded in public administration through one-dimensional regulations or initiatives. Moreover, although studies on ethics are classified as administrative,

33 The phrase “public service is a public trust” is said to appear both in Plato's Republic and among the ethical principles issued by the United States for its public officials (Yüksel, 2006a, 2006b, 2010). While the phrase does indeed appear verbatim among the ethical principles for US public officials (U.S. Department of the Interior, 2020), it cannot be said that this expression appears verbatim in Plato's Republic. Nevertheless, an examination of both the English and Turkish translations makes clear that, although the phrase does not appear literally, in substance the work establishes a close and positive relationship between public trust and public service (Plato, 1991; Platon, 2010).

political and judicial, they must be addressed within a national and even international integrity that includes individuals and societies. In other words, making an ethical culture dominant in a country depends on understanding the reciprocal relationship among actors and taking the necessary measures. Otherwise, what is done will not mean more than a legal regulation and corruption will not be prevented (Eryılmaz, 2008, p. 6).

This holistic structure is conceptualized by the OECD as “ethics infrastructure” and is built on eight basic elements included in the classification of guidance, management and control. These elements may be listed as follows (OECD, 2000, pp. 23–25):

- Political commitment
- Workable codes of conduct
- Professional socialisation mechanisms
- Ethics co-ordinating body
- Supportive public service conditions
- Effective legal framework
- Efficient accountability mechanisms
- Active civil society

When Türkiye is considered within the framework of the elements above, it is seen that it has taken important steps through certain developments in legal legislation, but that it is still at the beginning of the road in terms of ethics infrastructure. More clearly, saying that Türkiye’s reforms on ethics in the state consist of regulations made in various laws governing public personnel, service and expenditure, especially the Law No. 5176 on the Establishment of the Public Officials Ethics Board and the regulation issued in relation to it (Yüksel, 2005, pp. 347–349), would not be an exaggeration in terms of summarizing the situation. For ethics, besides being a whole of universal principles and rules, also contains a very broad regulatory field in terms of its scope and therefore has a character that goes beyond laws (Eryılmaz & Biricikoğlu, 2011, p. 35).

After the general and theoretical assessments, when concrete examples are considered, the most important and clear reform initiative is the Law No. 5176 on the Establishment of the Public Officials Ethics Board. In the first article of the law, where the purpose and scope of the board are explained, it is stated that the board was established “*to determine and monitor principles of conduct such as transparency, impartiality, honesty, accountability and regard for*

the public interest, which public officials must observe".³⁴ The meaning carried by this article, which lists some ethical principles also present in New Public Management, goes far beyond what is assumed, since it assigns the board the task of determining new principles of ethical conduct and monitoring them. In short, the purpose and scope of the law have a normative value at world standards. Yet, despite the assumption that what is written should guide practice, this unfortunately does not mean that an ethics management at world standards is actually being implemented in Türkiye.

Moreover, even before reaching the implementation stage, in the same article where a definition at world standards is made, the scope of the law is restricted by excluding the President and vice-presidents, members of parliament, ministers, members of the Turkish Armed Forces and the judiciary, and universities; and by limiting it to those working in all public institutions and organizations, together with boards of directors and audit boards, and the chairs and members of boards and higher boards. When Türkiye's ethical past is recalled, it cannot be denied that this is a positive development. Yet from a democratic point of view, it is seen that, especially because audits and sanctions cannot be put into practice at a sufficient level (Yüksel, 2006b, pp. 200–201), and perhaps most importantly because it does not have a separate legal personality, the Public Officials Ethics Board is exposed to political pressures (M. Demirci & Genç, 2008, p. 53).

In accordance with the aim of this study, it is useful to set aside the deficiencies of the law and to concentrate, specifically through the Public Officials Ethics Board, on the innovations it brought to Turkish public administration. In this context, when the powers given to the board by the law are taken into account and what it has done is considered, it is understood that it is actually not as dysfunctional as is assumed. Especially in its early years, it created a significant public agenda through the important ethical violations it identified. One of these was the decision concerning the zoning plan arrangement made in favor of the wife of Aytaç Durak, the former Mayor of Adana Metropolitan Municipality (Resmi Gazete, 2009). After this announced decision, Durak was removed from office by the Governorship of Adana with the approval of the Ministry of Interior (NTV, 2010). Admittedly, the fact that the board's decision attracted such attention has also been attributed to Durak's resignation from

34 The law was published in the Official Gazette dated June 8, 2004, and numbered 25486. The complete and up-to-date version of the law can also be accessed online at <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.5176.pdf>. In addition, when examining laws, the original version should be accessed from the Official Gazette in which it was published (<https://www.resmigazete.gov.tr/>), and the updated version, including any changes, should be accessed at "www.mevzuat.gov.tr". This is because the Official Gazette contains only the original version of the law and does not include any amendments or repeals.

the ruling party and his transfer to an opposition party (Cumhuriyet, 2009). Yet whatever the reason, it may be said that the ethics board has the potential to contribute directly or indirectly to the prevention of ethical violations and to the application of the necessary sanctions.

There are very few examples in which the decisions of the ethics board were reflected in practice, as in the Aytar Durak case. The lack of sanctioning power of the board may be shown as the reason for this, and the fact that its field of authority is limited to senior administrators in the first article of the law may also be shown as another reason (Arap & Yılmaz, 2006, p. 60). Although the board received hundreds of applications during the period from December 2008 to January 2020, it gave decisions on ethical violations in only fifty-three of the applications it found admissible (ETİK, 2020b).

Although there are serious deficiencies in practice, it would be unfair to say that the Public Officials Ethics Board has no function and that no progress has been made in public ethics in Türkiye. It is known that, in order to embed ethical principles in the public sector, the legislative power, through enacting new laws or making changes and additions to existing laws, and the executive power, through regulations, by-laws, circulars and similar instruments, have put various normative arrangements into practice (ETİK, 2020c, 2020d, 2020f, 2020g; N. K. Öztürk, 2013). In addition to these, it has been seen that the board, with the authority granted by the law, adopted guiding decisions concerning ethical contracts and principles of ethical conduct (ETİK, 2020a, 2020e; Şen, 2012), and that these decisions were also adopted by other public institutions (ETİK, 2020h).

Although the statements above give an idea about ethics management in Türkiye, it will be a more accurate decision to make an assessment through the criteria determined by the OECD in order to identify in which matters international standards are met and in which matters there are deficiencies. In this context, the principles of ethics management in public service are expected to meet the following conditions (OECD, 2000, pp. 75–76):

- Ethical standards for public service should be clear
- Ethical standards should be reflected in the legal framework
- Ethical guidance should be available to public servants
- Public servants should know their rights and obligations when exposing wrongdoing
- Political commitment to ethics should reinforce the ethical conduct of public servants

- The decision-making process should be transparent and open to scrutiny
- There should be clear guidelines for interaction between the public and private sectors
- Managers should demonstrate and promote ethical conduct
- Management policies, procedures and practices should promote ethical conduct
- Public service conditions and management of human resources should promote ethical conduct
- Adequate accountability mechanisms should be in place within the public service
- Appropriate procedures and sanctions should exist to deal with misconduct

It should not be forgotten that these principles, which the OECD regards as necessary for the implementation of ethics management in public service, are principles that complete and support one another. For this reason, when considered in the case of Türkiye, although many of the principles above are implemented, it must be stated that the principles that remain deficient, especially *appropriate procedures and sanctions to deal with misconduct*, constitute the greatest obstacles to the embedding of an ethical culture.

To summarize what has been discussed, although under this heading the framework law on public administration, financial management, access to information and ethics have been examined, normative reforms are not limited to these. As mentioned earlier, hundreds of laws were enacted after 2000. However, because of the limitations of the study, these examples were considered sufficient for revealing the relationship between administrative culture and reform. If examined carefully, it will be seen that although the selected example reforms involved changes in different areas, they moved with a common philosophy and, as a result of this, the resistance encountered was also common.

3.1.3. Central Reforms: Institutional Regulations

It was stated in the previous heading that the twofold distinction between normative and institutional reforms in classifying central reforms rests on practical grounds, and that in reality reforms cannot be separated by a sharp line. In this context, since every public institution has a legal basis, there is also a normative side to each one. Nevertheless, health, development and e-government issues have been examined under the institutional heading,

because new institutions had to be created and/or major changes had to be made in the organizational and functional structures of existing ones.

When the detailed examination of institutional reforms is begun, health policies constitute the first example. As a result of Keynesian economics and the welfare state approach in the early years of the Republic, health services were entirely within the sphere of responsibility of the state. Although there were institutions under private and foundation ownership, mass health services were carried out by the state, and the state was the determining side in regulations concerning the field of health (Kıray-Vural & Taşpınar, 2006, pp. 306–308).

The institutional transformations in which concrete steps were taken occurred after the 1940s. First, the Social Insurance Institution, which secured all workers without making a public-private distinction, the Retirement Fund, which secured public employees, and BAĞ-KUR, for self-employed people, were established (Apan, 2007, p. 232; O. Özdemir et al., 2003, p. 209). These important steps were followed by the attachment of public hospitals affiliated with local units to the central administration. Although this reform was initially seen as a tendency toward centralization, it represented a rather modern understanding for those years in terms of the socialization of health (G. Yılmaz, 2018, pp. 186–187).

As is known, the late 1970s and the early 1980s were a period in which the welfare state weakened, with the effect of globalization, and new right policies became widespread in public administration, as in the rest of the world. In this period, when many measures were taken to reduce public expenditure, it is not surprising that health was the public service most affected (Erençin & Yolcu, 2008, p. 120). However, unlike classical liberalism, the new right does not envisage a restriction in some services for the sake of reducing costs. At this point, it is seen that the elements referred to in the title “public interest, social state and neoliberalism” return again. In other words, the main aim in health, as in other public policies, is not to reduce but to optimize the social benefit produced by the service provided (Yıldırım & Yıldırım, 2013, p. 359).

In other words, the health policy implemented in the 1980s did not remove social security from being a matter of the state; rather, it fundamentally changed the health and social security system (Arap, 2006, p. 27). In this context, the state monopoly in the provision of health services was removed, and the state was given the task of regulating health services from a holistic perspective. In addition, the inclusion of population policies in the process (H. Ateş & Bektaş, 2018a, pp. 490–491), the separation of health policies from social security policies, the financing of health services not only through taxes but also through premium payments and contributions, the privatization of some

health services, the establishment of a performance-based understanding in the personnel system, and the carrying out of compulsory assignments and transfers in order to make the public sector less attractive as a place of employment, and many other innovations were put into practice (Altındağ & Yıldız, 2020, pp. 167–168; H. Erol & Özdemir, 2014, p. 11). However, contrary to expectations, differences in pricing and implementation between institutions (SSK, Pension Fund, and BAĞ-KUR) have increased even further, reaching an unmanageable situation (Akdağ, 2012b, p. 50).

This impasse in the health sector was included in the AK Party's first election manifesto, which stated that the state-insurance-institution distinction between hospitals would be removed, that a health insurance system covering all citizens would be established, and that the provision and financing of health services would be separated from one another (AK Parti, 2015, p. 81). Although these issues were not addressed in detail in the programs of the 58th and 59th governments formed after the elections (Neziroğlu & Yılmaz, 2013c, pp. 7996–8018, 8094–8118), they found their place in the Health Transformation Program subsequently announced, together with other targets (T.C. Sağlık Bakanlığı, 2003, p. 3).

In its main lines, the Health Transformation Program, in which the traces of the New Public Management approach can be clearly seen (B. Demirci, 2015, p. 125), was shaped to a considerable extent on the basis of the health policies of the World Health Organization (WHO, 1998) and the European Union (DPT, 2003), and around the principles of human-centeredness, sustainability, continuous quality improvement, participation, reconciliation, voluntarism, separation of powers, decentralization and competition in service (T.C. Sağlık Bakanlığı, 2003, p. 25). In order for these principles to be implemented, many targets were determined in the program. The main ones are as follows (Soysal & Yağar, 2015, pp. 317–318; Yıldırım, 2013, pp. 12–13):

- The reorganization of the Ministry's function as a planning and supervisory body
- The establishment of a health insurance system covering all citizens
- The expansion of health services and the facilitation of access to them
- The creation of family medicine and the development of primary health services
- The provision of health services through an effective and staged referral system
- The managerial and financial autonomation of health institutions

- The improvement of the knowledge, skills and work motivation of health personnel
- The establishment of educational and scientific institutions supporting the health system and health personnel
- The establishment of accreditation in the health system and the determination of quality standards
- The achievement of rational institutionalization in relation to medicines and medical devices
- The creation of a health information system in order to make accurate and effective decisions

In the first five to ten years, the Ministry gradually implemented almost all of the targets contained in the program. The most important and comprehensive of these were, of course, the performance-based payment system, family medicine, general health insurance, the unification of the social insurance system and hospitals under the roof of the Ministry of Health, and improvements in the procurement, reimbursement and taxation of medicines (Sülkü, 2011, pp. 7–10).

These reforms that were implemented may be evaluated as a set of practices contrary to the New Public Management approach and neoliberal policies, since the construction of new hospitals, the employment of new health workers and the extension of social security to society as a whole increased public expenditure. Yet the results of the program falsify assessments in this direction. As is known, the main aim in New Public Management is to achieve optimum results by using resources effectively and efficiently. In this context, approximately five to six years after the program's implementation, while public spending increased by ninety-two percent, the increase in health expenditures was limited to seventy-four percent, and citizens' satisfaction levels with health services rose from approximately forty percent to seventy-six percent (Akdağ, 2012a, 2012b, p. 52). In addition, the significant decrease in child mortality and the increase in average life expectancy can be listed as concrete results of the reforms implemented (The World Bank, 2018a, 2018b).

Alongside all these positive developments, it should be stated that, although not very important, decentralization in health services could not be realized, contrary to both the program and the New Public Management approach. In this period, it is seen that tendencies toward *centralization*, *recentralization* and *regionalization* outweighed decentralization (B. Demirci, 2015, p. 128). In fact, when the other targets contained in the Health Transformation Program are considered, it can be understood that decentralization could not be realized, at

least in the first stage. The prior aim was to establish an effective and efficient structure by gathering the fragmented structure under the roof of the Ministry of Health. This aim naturally brought centralization with it.

Another criticism directed at health policies concerns the general health insurance system. According to this view, although the Health Transformation Program set out with the slogan of health for everyone, over time the public sector restricted health expenditure, placed supplementary health insurance on a legal footing, increased the share of the private sector in the field of health, and attempted to remove health from the public sphere and marketize it (Balta, 2012, p. 157). A similar criticism has also been directed at medical drug policies. Alongside positive policies such as reference pricing, equivalent drug practice and rational drug use (Emmioğlu, 2016a, p. 116, 2016b, p. 289), it has also been stated that the influence of global pharmaceutical companies has gradually increased (Mercan, 2012, pp. 174–175).

On the basis formed by the first-period health reforms, which may be called reorganization efforts, a second period of reforms began with the addition of new institutions, especially Public Hospital Unions and City Hospitals (Yıldırım, 2013, p. 70; Yıldırım & Yıldırım, 2013, p. 362). Public Hospital Unions, although included in the Health Transformation Program, were established in 2011 as the institutional counterpart of the decentralization that could not be implemented in the first wave of reforms, but they were abolished after a short period, in 2017, on the grounds that they caused multi-headedness (Avaner & Fedai, 2018, p. 517; TTB, 2018).

Although they are no longer in force, it is useful to examine Public Hospital Unions as an example of reform. Besides powers such as managing existing health institutions within the framework of effectiveness and efficiency, auditing institutional and individual performance, and protecting the rights of health workers and patients, they also had powers such as establishing and managing new health institutions (Demiray-Ready et al., 2015, p. 35). It is seen that the unions, equipped with these powers so that health services could be implemented in accordance with local needs, were also strengthened financially and administratively by being granted autonomy in generating resources, spending and personnel management (Aktel et al., 2013, pp. 48–49).

Another aim of the unions was to simplify the central organizational structure of the Ministry and to establish horizontal hierarchy. Thus, while the powers of the central organization were limited to determining policy and carrying out planning within the framework of this policy, executive activities were left to the unions, which were local units (Sevinç & Özer, 2016, p. 1381). Although it is possible to say, on the basis of these statements, that the division

of powers and responsibilities between the central organization of the Ministry of Health and the Public Hospital Unions was simple, unfortunately the same cannot be said for relations with the provincial organization. Indeed, for as long as they remained in force, serious disagreements based on authority, responsibility and hierarchy were experienced between the Health Directorates, Public Hospital Unions and Public Health Directorates (O. K. Acar, 2018, pp. 712–713). This situation was brought to an end in favor of centralization in 2017 through Decree Law No. 694, and the powers of the Provincial Health Director were strengthened (İ. Eken, 2020, pp. 294–295).

When the next reorganization reform, City Hospitals, is considered, it is useful to examine the public-private partnership (Public-Private Partnership – PPP) model, which is among the basic practices of the New Public Management approach. Although some writers state that public-private partnership has a history equal to that of private initiatives, it is known that practices of the kind falling within the scope of this study were implemented after the 1980s, together with the New Public Management approach (M. A. Özer, 2016, pp. 17–18). Public-private partnership may essentially be summarized as the performance of a public service by the private sector in return for a certain profit because the state is unable, or unwilling, to perform that service because of its costs (Kerman et al., 2012, p. 4).

It is stated that in public-private partnerships the public service is not entirely transferred to the private sector; instead, through various methods such as build-operate and build-operate-transfer, the private sector is also enabled to make profit, and for this reason the practice is not privatization, but an application located between state monopoly and privatization (Acartürk & Keskin, 2012, p. 27; Leblebici-Teker, 2008, pp. 3–4). Yet, as was clearly mentioned in earlier sections, it is not correct to limit privatization to the complete transfer of public ownership or service to the private sector. Privatization, including this meaning as well, is the adoption of private-sector practices in the public sphere and/or the inclusion of the private sector (commercial companies, voluntary organizations, family, individual, clan, and so on) in the process (Savas, 1989, p. 345).

When evaluated from a cultural perspective, especially the global spread of New Public Management and neoliberal policies has caused diversity in privatization practices. It may even be claimed that privatizations in the classical sense, or more accurately in the widespread sense in Türkiye, namely sale and transfer, correspond to a very narrow field alongside practices such as contracting, public-private competition, leasing, public-private partnership, borrowing and voluntarism, and that privatization practices other than sale

and transfer have become the new common financing instrument of public investments (Savas, 2000).

The clearest examples of public-private partnership can be seen in the United Kingdom (Gurgun & Touran, 2014, p. 2), especially during the Blair period with the New Left opening and the Third Way discourse that emerged as a reaction to the Thatcher administration's strict privatization policies, as well as in the new democracies that separated from the socialist bloc and in other states where the social state understanding is strong (H. Ateş & Demirel, 2014, p. 4; Osborne, 2000, p. 1). When this situation is considered around the relationship between culture and reform, it confirms that New Public Management reforms have a structure sensitive to cultural differences, rather than being "a single model that fits everything".

When public-private partnership in Türkiye is examined, very interesting information is encountered. As will be remembered from the heading where the Özal period (1983–1993) was discussed, although large-scale transfers and sales of ownership took place throughout the world in the 1980s, they remained at a very limited level in Türkiye, and privatizations were carried out mostly through the build-operate-transfer method. Another importance of this period in terms of public-private partnership is not only that this method was used intensively in privatizations, but also that the first legal regulation in the world concerning it was made (Yöndem, 2012, p. 15).

The method Türkiye preferred in public-private partnership has mostly been the build-operate-transfer method. The reason this method was preferred was not only financial reasons such as the need for financing and risk sharing, but also the desire to eliminate bureaucratic obstacles (Gurgun & Touran, 2014, pp. 3–4). In other words, it was aimed to transform not only the economic field but also the administrative field. Therefore, looking at Özal's privatizations in a one-dimensional way may be misleading. Indeed, it was mentioned in previous headings that the post-2002 European Union reforms also had a similar function.

It is seen that three models were used widely in Türkiye in and after 2010. These are build-operate, build-operate-transfer and build-lease-transfer. The first model, respectively, is used mostly for electricity generation; companies build facilities and generate electricity in accordance with the permission granted, and the state purchases the electricity. In the second model, which is preferred more for the financing of high-cost projects such as roads, bridges, tunnels and airports, the private sector implements and operates the project on land provided by the state. In the third model, the private sector completes the project on the allocated land, but unlike the second model, leases the facilities

to the state and obtains concession rights in the performance of certain services in these facilities. This model, which is a new public-private partnership, is used in city hospitals and health campus projects (SBB, 2019, p. 24).

Although the public-private partnership model in Türkiye goes back quite far, the widespread use of this method, especially in the health sector, is quite recent compared with international examples. It is seen that public-private partnerships in the health sector have reached serious financial dimensions, especially in the United Kingdom and other European countries (Şenel-Tekin, 2017, p. 7; Uysal, 2020, p. 941). To summarize roughly the method in the Turkish health sector, which was shaped in parallel with international practices, the state is the party that meets the health service (Sözer, 2013, p. 220), while almost all other infrastructure services are provided by the private sector in return for rent (Uysal, 2019, p. 881).

After the conceptual and normative infrastructure has been established, it is useful to examine city hospitals, which are the concrete counterpart of the model in Türkiye. In this context, to give general information, the first city hospital was opened in Adana in 2017; by the end of 2020 their number had reached 13, and their bed capacity had reached 17,842. Together with five hospitals with a bed capacity of 9,379, for which contracts had been signed and which were planned to open in 2021, it was aimed that the total number of city hospitals would reach 18 and their bed capacity 27,221 (T.C. Sağlık Bakanlığı, 2020). In addition, it is planned to carry out 11 new projects with a capacity of 1,200 beds (SBB, 2020, p. 285).

To summarize the city hospitals that President Erdoğan described as something “I am in love with” (R. T. Erdoğan, 2017), they are health campuses implemented especially in large cities with the motivation of externalities such as infrastructure differences between hospitals and the inability to distribute resources well, and of economies of scale. In these campuses, apart from common outpatient clinics, there are specialist hospitals such as oncology, obstetrics and gynecology, and children’s hospitals, as well as physical therapy, rehabilitation, oral and dental health centers, medical research laboratories and social spaces (cafeteria, accommodation facilities, etc.) (S. Aydın, 2015; Fedai, 2020, p. 19). The future-oriented targets of city hospitals are expressed by Minister of Health Koca as follows (TBMM, 2019, p. 6):

With these hospital campuses, we are preparing the infrastructure for centers of excellence to be created through cooperation with our universities. In this way, through high-quality and specialized health services, we will have taken another important step towards making our country an important destination for international health tourism and health education.

Studies on health tourism also state that features such as the coexistence of many specialist hospitals, research centers, comfort in patient rooms, social facilities, and infrastructure suitable for road and air transport will strengthen the international health tourism potential of city hospitals (Albayrak & Güçlü, 2020, p. 148).

However, although city hospitals have won the appreciation of many segments thanks to the facilities they possess, they have also been subjected to serious criticisms by many others. The financial burden on the public sector is the leading one among these criticisms. According to an example given specifically for Manisa City Hospital, it is claimed that the hospital's two-year rent is equal to the entire project cost, and that other service purchases are not included in this amount (Erbaş et al., 2012, pp. 16–17; Sözer, 2013, p. 239). Yet both from the phrase in the regulation³⁵ governing public-private partnership in the health sector, “price; the total amount of the payments to be made to the contractor in return for the use of the facilities constructed by the contractor within the framework of the contract and for the provision of certain services in the facility”, and from the announced tender conditions, it is understood that the rent covers not only the buildings but also all the following areas (T.C. Sağlık Bakanlığı, 2014):

...to carry out the control and organization of the architectural, reinforced concrete, electrical, mechanical, infrastructure and environmental arrangement projects of all buildings, and of the medical engineering projects in the hospital.

...to ensure the fulfilment of all duties relating to building inspection [ground, environment, static, electrical, electronic, mechanical (sanitary installation and heating, cooling, ventilation), fire, elevator, automation, medical engineering].

The geographical location and size of city hospitals have also caused them to receive negative criticisms. More clearly, it is stated that equity in health services cannot be ensured because city hospitals are built not in places where health services are relatively underdeveloped but in developed places, that access is difficult because hospitals are far from city centers, and that there are very long distances between units within the hospital (Yeşiltaş, 2020, pp. 20–21). Although these criticisms have some justification, it is known that the problems experienced are not structural-permanent problems, that transport both between the city and the hospital and between outpatient clinics inside

35 “Regulation on the Implementation of the Public-Private Partnership Model for the Construction, Renovation and Service Procurement of Facilities by the Ministry of Health” published in the Official Gazette numbered 29995 and dated 09.05.2014.

the hospital can be resolved over time, and that the necessary steps in this direction have begun to be taken. In addition, when the negativities that such large facilities would create in city centers are taken into account, it will be seen how appropriate the chosen geographical locations are.

The other criticisms directed at them can mostly be summarized as the claim that health services are being removed from their public character and left to the private sector. According to this view, city hospitals, implemented under the imposition of international organizations such as the World Bank, are an instrument of global capital that causes patients to be moved away from city centers they can easily reach, these areas to be left to private health institutions, resources to be transferred from the public sector to the private sector, and primary health services to be disrupted through a logic of gaining more profit from more patients (Ataay, 2018, p. 414; Avaner & Fedai, 2018, p. 548; Cerrahoğlu, 2016, p. 82). If the preconceived and biased character of the criticisms, largely ideological, is set aside and they are evaluated, it may be said that the international health tourism policy voiced by the Ministry of Health at almost every opportunity can be a response to these criticisms. Put more clearly, city hospitals should be evaluated not only at the national, or even regional, level, but at the international level as well.

In addition to all this, the Covid-19 pandemic, which spread across the whole world in 2019, provided an opportunity to reinterpret city hospitals and to evaluate them from a new perspective. The virus, which spread to almost all areas of the world at a speed that no country or international organization had predicted, dramatically increased the need for isolated environments, single rooms and intensive care units because of its characteristics. Yet in many countries, let alone providing this infrastructure, even the existing bed capacities of hospitals proved insufficient during the pandemic, and in some cases the fronts of hospitals located in city centers were filled with coffins (Alltucker, 2020; BBC World Service, 2020; Biswas, 2020; Goldhill, 2020; Olson, 2020).

Contrary to these and similar negative scenes around the world, the physical infrastructure and location of city hospitals enabled Türkiye to manage the pandemic process more successfully than other countries (Koca, 2020, p. 63). While articles in many leading academic journals in the field of health (Birkmeyer et al., 2020; Cao et al., 2020; Moghadas et al., 2020; Mossa-Basha et al., 2020; Wong et al., 2020; Zangrillo et al., 2020) recommended measures similar to the process carried out by Türkiye during the pandemic, some health organizations in Türkiye claimed, for reasons clearly based on ideological grounds, that city hospitals caused, and would continue to cause,

serious problems in this process (İlhan, 2020). Since debates in this direction fall outside the scope of the study, they are ended here.

To summarize health policies in their main lines, it is understood that Türkiye developed policies suited to the country's texture by bringing together the basic principles of the New Public Management paradigm and the social state understanding, both in policies it implemented as early as 1983 and in those implemented after 2002. As is known, unlike Thatcher, Özal "privatized" reforms by giving weight to the build-operate-transfer model rather than to complete privatization through ownership sales. Indeed, it was seen that the prime ministers who came after Thatcher also adopted the method adopted by Özal. In short, it may be said that, in health policies too, New Public Management was harmonized with Türkiye's social and cultural structure, and original policy methods were developed.

Another example of institutional reform is development agencies shaped around the axis of regional development. When the phenomenon of development is considered conceptually and theoretically, it is seen that before the Great Depression of 1929 there was no distinct understanding of development, and no comparison between countries was made on the basis of development. However, with the spread of the effects of the economic field, economic progress was adopted as a criterion, and countries began to be classified as developed and underdeveloped (H. Ateş & Bektaş, 2016, p. 76; Peet & Hartwick, 2015, p. 2; Yavilioğlu, 2002, pp. 50–52).

Later, it was realized that this classification was quite narrow, and the view that it should be accepted not as *development* but as *progress* became widespread (Han & Kaya, 2004, p. 3). Yet it would be wrong to say that development is independent of economic growth (Luger & Maynard, 2008, p. 29). Development is the accompaniment of economic welfare increase by social, cultural, ecological and political developments, or, in other words, the rise in quality of life alongside the rise in the individual's income level. Development, which in fact corresponds to a healthy social order in all its aspects, is reconstructed in line with the understanding of well-being of the time in question (Pike et al., 2017, pp. 19–20).

After the conceptual information on what development is, differences have also emerged, according to changing time and conditions, concerning its scope or, more accurately, the area targeted by development policy. The negative events experienced in the 1970s transformed the scope of development policies, like many other things, from the national dimension to the local or regional dimension (Işık et al., 2010, p. 6). In this period, the Continental European and Anglo-Saxon geographies, discovering the destructive consequences of

inequalities between regions, began to give weight to infrastructure investments in order to spread development policies to all areas of their countries. This brought with it regional policies in which regional characteristics and needs were taken into account, replacing development policies prepared from the center (OECD, 2019, pp. 22–24).

It may be said that regional development policies, which began with the transfer of public investments to other relatively underdeveloped regions, that is, with redistribution (Lago-Peñas, 2008), evolved over time towards bringing regions to a level at which they could compete (Övgün, 2007, p. 238; Y. E. Özer, 2008). In other words, various incentive policies, such as tax reductions aimed at making the region attractive especially for foreign investors (Goodspeed et al., 2008), began to be implemented instead of public expenditures made in the 1970s and 1980s to correct regional imbalances and secure national development, especially transport infrastructure investments (Garcia-Milà & Montalvo, 2008; Rietveld, 1989, pp. 257–260). At the point reached today, regional development has taken the form of a policy of policies that aims at human-centered sustainable development (ecological modernization) (Brosio, 2008; Gibbs, 2000, pp. 10–12).

After the dimensions and boundaries of regional development are drawn, the question arises of by what instruments and how development will take place. Of course, the answer to this, in an organized society, is institutional formations. It is known that institutional formations in the field of development have existed simultaneously with modern society on both the national and international planes, and that some of these institutions play very important and determining roles at the global level (Tutar & Demiral, 2007, p. 69). In terms of the subject of this study, however, the emergence of local-regional organizations, as can also be understood from the statements above about development, dates back to relatively early times such as the 1990s (Rodríguez-Pose, 2013, p. 1035).

When regional development and its institutional formation in Türkiye are considered, it is seen that they followed a course parallel to developments in the world, even if not chronologically. Planned development policies that began in the 1960s with the State Planning Organization were carried to a different dimension in 2006. The fact that central and economically weighted plans, and the understanding they represented, could not respond to the emerging new problems and needs, and even became obstacles to development at certain points, brought with it in Türkiye, as in the world, a transformation compatible with the understanding of regional development, and Development Agencies were established in 2006 (Övgün, 2011, pp. 264–265).

The agencies, which constituted the first stage of the transformation, were not assigned as an alternative to the State Planning Organization; on the contrary, under its coordination they were given various tasks such as monitoring development plans and other projects, strengthening public-private-civil society cooperation, and providing consultancy services to these stakeholders (H. Öztürk & Tataroğlu, 2018, pp. 91–92). Although they do not represent a fully autonomous understanding of regional development, it is understood that a local-regional development understanding began to take root with the agencies. Thus, the way would be opened for holistic development at the national level by eliminating, or at least minimizing, inequalities arising from differences between provinces and regions (Eroğlu & Kum, 2010, pp. 181–182). As can be understood from these statements, development agencies contain both decentralization and privatization³⁶ policies. In other words, the agencies stand as the representative of the New Public Management paradigm against the State Planning Organization, which may be seen as the representative of the traditional management approach.

Indeed, when the period in which regional development emerged is taken into account, it will be clearly seen that the conditions that gave rise to New Public Management and the conditions that gave rise to regional development are similar. In short, regional development is among the basic policies of the New Public Management approach. The localization of development, put forward as a solution to the economic crisis experienced in the mid-1970s, became widespread among European Union countries and turned into a condition of the accession process. Naturally, this situation caused the development understanding and policies of Türkiye, which wanted to become a member of the Union in line with its Westernization goal, to change as well (Eryılmaz & Tuncer, 2013, p. 165).

At the end of the 1990s, relations with the European Union gained speed and Türkiye obtained candidate-country status. Following this development, which marked the beginning of the full membership process, the Union asked Türkiye to implement transformations in certain areas. Regional development agencies are also a medium-term plan gathered under the Accession Partnership Document. Türkiye's first policy in this direction was the division of the country into regions according to the European statistical regional system, and these statistical regions were later used as a criterion in establishing development agencies (Hasanoğlu & Aliyev, 2006, pp. 81–83). As will be seen,

36 It should be remembered that privatization does not only mean the sale of publicly owned privileges, real estate, and economic enterprises, but also the adoption of private sector practices in the public sector and increasing the effectiveness of the private sector in the public sphere.

what is meant by regionality is not a political division, but an economic division shaped according to needs. Therefore, it is not correct to evaluate regional development agencies as a threat to Türkiye's unitary structure (Cankorkmaz, 2011, p. 126; Karakılıç & Sarigül, 2013).

Returning to the scope of the study, after statistical division, the actual implementation of the agencies became possible with Law No. 5449,³⁷ adopted in 2006. The law states that the agencies, made subject to the coordination, audit and supervision of the State Planning Organization (art. 4), were established for the purpose of enabling the effective use of resources by taking the necessary measures for public, private and civil society organizations to work in cooperation, ensuring sustainable development, and minimizing imbalances and differences in levels of development between regions (art. 1). Although the law could not be implemented for a short time until the application for its annulment was concluded, after the request was rejected, the agencies began their activities from 2007 onwards, and 26 development agencies were established in a total of 12 regions (Ultan & Saygın, 2016, pp. 86–87).

As can be understood from the statements above and from the entirety of the relevant legal text, the inclusion of the private sector and civil society in the local development process for the effective use of resources, regardless of whether they are public, and the withdrawal of the state from being a direct investor to a position where it provides resources and offers guidance and consultancy services, are precisely among the basic principles of the New Public Management paradigm. To put it in technical language, development agencies may be seen as the concrete counterpart of the principles of privatization and governance (Sobacı, 2008).

Yet although the establishment of development agencies is seen as an important development from the perspective of New Public Management, the fact that Law No. 5449 placed the agencies under the coordination of the State Planning Organization (art. 4) and limited their field of activity to being “compatible with the principles and policies envisaged in the national development plan and programs” (art. 1), weakens the administrative and financial autonomy of the agencies despite their legal personality, and this interrupts the effectiveness of local development (Karasu, 2015, pp. 278–279). In short, although regional development agencies have certain deficiencies, it should also be stated that they possess revolutionary features, such as enabling the private sector and civil society organizations to express themselves in

37 For the text of the repealed law, see: <https://www.resmigazete.gov.tr/eskiler/2006/02/20060208-1.htm>

development and, despite having a limited understanding of governance compared with their international examples, being able to influence regional plans, and that they have pioneered new reforms in the Turkish administrative system.

In addition, it should be stated that the deficiencies of the agencies mentioned above were later sought to be resolved through subsequent changes. Especially with the transition to the Presidential Government System, a new period began, and very important changes concerning development agencies were made by Presidential Decree³⁸. The replacement of development plans and programs by policies determined by the President (art. 184) and the designation of the Ministry of Industry and Technology (art. 187) as the responsible institution brought a results-oriented system in which the earlier central planning approach weakened, policies could be determined flexibly according to needs, and, if necessary, could be updated. Although these steps were taken in the name of decentralization and good governance, it should also be stated that, compared with practices in the European Union, the effectiveness of the private sector and civil society is quite weak (Arslan, 2016, pp. 35–36), and that decisions are ultimately taken by public administrators (Hasanoğlu & Aliyev, 2006, p. 100; Ultan & Saygın, 2016, pp. 86–87).

The last institutional reform examined under this heading in relation to New Public Management in Türkiye is e-government³⁹, that is, digitalization in the public sector (H. Ateş, 2009, p. 85) policies. It should be stated immediately that e-government policies are not among the basic principles directly envisaged by the New Public Management paradigm. The relationship between e-government and New Public Management is that e-government acts as a catalyst in the correct, effective and efficient implementation, settlement and development of the basic principles of the New Public Management paradigm (H. Ateş, 2009, p. 90). In short, although e-government is not an essential element of the New Public Management paradigm, it is an important cofactor that supports its character as a “paradigm”. This, in turn, shows that e-government itself gains meaning through New Public Management. If

38 Presidential Decree No. 4 on the Organization of Institutions and Organizations Affiliated with, Related to, and Connected to Ministries, and Other Institutions and Organizations, published in the Official Gazette dated July 15, 2018, and numbered 30479, Chapter Sixteen: Development Agencies, pp. 75-85. For the full text of the Decree, see: <https://www.mevzuat.gov.tr/MevzuatMetin/19.5.4.pdf>

39 In the international literature (Curtin et al., 2003; R. M. Davison et al., 2005; Silcock, 2001; Tat-Kei Ho, 2002; Von Haldenwang, 2004), this concept appears as *electronic government – e-government*. The Turkish equivalent would be *elektronik hükümet – e-hükümet*, yet, taking cultural differences into account, the concept is used in the Turkish literature as *elektronik devlet – e-devlet*.

thought otherwise, the change carried out would not mean anything beyond technological renewal.

After this general assessment, when one turns to the question of what e-government is, the starting point is, of course, technological advances. As is known, especially in the last century humanity has witnessed many advances in the field of technology. These advances, which accelerate a little more each day, have brought with them new transformations that make human life easier, and they continue to do so. Chief among these is the integration of information with technology. Yet this integration has produced a situation quite different from previous ones, and indeed one that has caused radical changes, summarized as *information* moving ahead of technology (Information Technologies-BT/Information Technology-IT). In the 2000s, this development placed *electronics* ahead of the state in the field of administration (e-state/e-government) and brought an entirely new equation onto the agenda (Curtin, 2002, p. 108).

The relevance of the above explanation to the subject may seem weak. Yet the meaning possessed by e-government can be clarified fully when considered together with the statements above. To put it more clearly, e-government should be understood within a plane where information and technology come together, but where information gains greater importance, or where information becomes the purpose and technology the instrument.

When definitions of “what” e-government is are examined, there are many common definitions, but it is seen that there is no important difference between them; they differ only according to whether they are narrow or broad in scope. To provide a definition as a starting point, e-government is the use of information and communication technologies in public administration and in political decision-making processes (Von Haldenwang, 2004, pp. 418–419) in order to make effective, efficient, transparent, participatory and citizen/customer-centered public service possible (Arpacı, 2010, p. 38). Although the statements above contain broadly correct information about e-government, they focus on the mechanical consequences of developments in information and communication technologies, but they do not sufficiently convey the depth that the concept possesses.

In fact, e-government is a consequence of the social transformation caused by information and communication technologies (Çelik, 2003, p. 152) and first beginning in the private sector with e-business (H. Ateş, 2009, p. 85). In this transformation, where one-way (monologue) interaction was replaced by two-way (dialogue) interaction (Akçakaya, 2017, p. 18), how goods and services should be and how they should be provided, that is, the whole

operation, began to be shaped around the preferences of the individual. Naturally, individuals benefiting from these services in the private sector created pressure for similar practices to be carried out by the state as well. From this perspective, e-government corresponds to much more than the adoption of a technological infrastructure (organizational structure, personnel policies, etc.) and to a move away from the traditional bureaucratic understanding (I. Akman et al., 2005, p. 240; Tat-Kei Ho, 2002). In short, e-government is the adaptation of public institutions both to each other and to their environment (Silcock, 2001, pp. 88–89).

Apart from the fact that the private sector led the transformation, similar to the 1970s and 1980s, another important point to be drawn from the statements above is the economic, social, political and administrative order shaped according to the postmodern human being and his or her preferences. In this context, the transformation realized by information and communication technologies (although it undoubtedly includes radical changes) should not be interpreted as the emergence of a new paradigm, but as the effects of the postmodern paradigm becoming more visible as individuals express their demands more strongly and regularly. In other words, the transformation witnessed emerged when the infrastructure became available to meet the previously unmet, or not yet existing, demands of the postmodern individual.

After a general assessment of “what” e-government is, it is possible to move on to assessments of “how” e-government is, or should be, which are also related to this. Although the centrality of *the individual* has theoretical meaning, in practice it is known that e-government is shaped from various angles according to the user-participant, the purpose and the process (Çelik, 2003, p. 152). In this context, e-government designed from the user perspective is personalized around private-sector or commercial users, official users and civil users (citizens); e-government designed from the purpose perspective is personalized around communication, the dissemination-collection of information, financial payment and requesting-granting permission; and e-government designed from the process perspective is personalized around the technological tools through which services are delivered, such as computers, mobile or fixed telephones, fax and tablets (Wyld, 2004, pp. 18–20).

Another classification corresponding to the concrete reflection of e-government, and to some extent to its development, is the administration-centered, information-centered and user-centered classification determined according to functional criteria (Tat-Kei Ho, 2002, p. 438). This classification, which also has similarities with the previous classification in terms of the meaning it contains, differs most importantly in that it focuses not on the

essence of e-government but on how the tools used are configured (Benzer, 2015, p. 711). Yet it is worth stating one thing immediately: although these distinctions provide important conveniences in evaluating e-government policies, it should ultimately not be forgotten that e-government aims to improve public services, inform all stakeholders about matters concerning them, and advance the democratic order by expanding the public sphere of discussion (Curtin et al., 2003, p. 2).

When the aim and scope of the study are considered, it will be more appropriate to leave aside criteria such as historical development and to prefer an actor-centered approach. Viewed from this angle, it is seen that, at first, the twofold distinction adopted by the private sector, the pioneer of e-transformation, between business-to-business (B2B) and business-to-consumer (B2C), was adapted to e-government and adopted as government-to-business (G2B) and government-to-citizen (G2C) (R. M. Davison et al., 2005, p. 280).

However, this twofold distinction became insufficient because technology made more and more things possible each day and because the branches of service increased and diversified as stakeholders wanted to use these developments in their public relations as soon as possible. As a result, the scope of e-government expanded so that, alongside external actors (citizens and the private sector), internal actors too (public institutions/government-to-government - G2G and public personnel/government-to-employee - G2E) could benefit from it (McClure, 2001, pp. 6–8).

In fact, it can be said that this expansion ultimately aims to improve the services received by the private sector and citizens and to raise the level of satisfaction. In other words, e-government practices directed at public institutions and public personnel should not be evaluated as the state serving itself, but as policies carried out so that it can offer good service to its citizens.

Together with all that has been stated, if a summary is to be made of what characteristics e-government should possess and what measures it should take, the seven principles listed as easy to use, accessible to everyone, confidential and secure, innovative and results-oriented, open to cooperation, low-cost and transformative may be said to be quite useful (Hart, 2001, p. 5). When a holistic conception is made in a way that also includes these principles, e-government may be described, from the perspective of the individual, as a service instrument through which all citizens can easily access and use all kinds of public services while personal information security is ensured, and from the perspective of the state, as a results-oriented, low-cost service instrument

open to transformation, innovation and every form of cooperation that may come from stakeholders (Özkan-Sancak & Güleş, 2010, p. 331).

After the theoretical and conceptual explanation, when e-government applications are considered, it is known that, technically, the infrastructure of e-government goes back to relatively old dates, to the 1960s. At those dates, however, computer and internet technology was being used not for individual use but as a means of communication for defense purposes in the military. Between the 1980s and the 1990s, the internet began to be used among other public institutions, the private sector and individuals (M. Yıldız, 2007a, p. 648), and after the mid-1990s it spread strikingly. Although the internet was used in this period by public institutions for informational purposes, such as sending e-mails (Akçakaya, 2017, p. 12), it is seen that the private sector used it more effectively in the provision of goods and services (Tat-Kei Ho, 2002, p. 434). Indeed, in Türkiye Migros (2021) began to offer its customers the possibility of shopping over the internet in 1997.

The point at which countries began to use e-government at a level that could provide services, beyond informational e-mails and websites, corresponds to the early 2000s (I. Akman et al., 2005, pp. 241–242). It is known that countries such as the United Kingdom, Australia, New Zealand and especially the United States, which were also pioneers of the New Public Management approach, had created national policy documents in this direction and new units to manage the transformation from the 1990s onwards. In this transformation process, countries did not deal only with providing the technical infrastructure and adapting the existing normative structure to the new order, but also undertook various initiatives to direct individuals from face-to-face service to online service (Gauld, 2006, pp. 40–42), which is a matter of particular importance. Because what makes e-government work is, in fact, how much of society can benefit from these services. Looking at 2020 data, the fact that many countries ranking at the top in e-government applications are also among the countries that began e-government transformation relatively later can be explained by this (Aquaro & Korekyan, 2020, p. 12).

When e-government transformation in Türkiye is considered, it may be said that it did not follow a course far behind the world, and even that the use of technology in public services is almost as old as the Republic. From the 1980s onwards, with the use of information-based (computer) technology, the first concrete steps of digitalization in the contemporary sense began to be taken (Baki, 2019, pp. 77-78). The spread of information technologies in both private and public spheres made it necessary for politicians to follow this change and take the legal measures needed to manage it, and in 1983 the

Supreme Council for Science and Technology was established (İnce, 2001, p. 72) and until its abolition in 2018⁴⁰ it held 29 meetings (the great majority after 2004) (TÜBİTAK, 2021b).

It would not be correct to say that the first meeting of the Council, which convened about six years later (1989), was productive. At the meeting, speeches were mainly made and decisions were taken on renewing the Council's legal infrastructure. Yet, in addition to these, important issues concerning e-government were also addressed, such as telecommunications, computers, bringing foreign technology into the country, and establishing a technical information system and *TechnoParks* (TÜBİTAK, 2021a). The second meeting in 1993, by contrast, was highly productive in terms of content, and the decisions embodied under the name Türkiye Science Policy (TÜBİTAK, 2021c) were communicated by Prime Minister Demirel to the responsible deputy prime minister and to other relevant institutions and organizations for action through Circular No. 1993/13. Thus, the first planned step on the path toward e-government was taken. The parts of the decisions taken at the second meeting of the Supreme Council for Science and Technology in 1993 that concern e-government may be summarized as follows (TÜBİTAK, 2021c):

...Taking into account the existing potential in our country and the course of science and technology in the world, priority should be given to work on the following, which mark the age and affect all sectors of the economy and almost every area of life;

- Informatics (a combination of computer, microelectronics and telecommunications technologies),
- Advanced technology materials,
- Biotechnology,
- Nuclear technology,
- Space technology,

In order for Türkiye to obtain the necessary benefit from informatics:

- Training human resources,
- Disseminating information technologies under the leadership of the public sector,

40 Within the scope of adaptation to the Presidential Government System, the Supreme Council for Science and Technology was abolished, and the "Science, Technology and Innovation Policies Council" was established in its place by the Presidential Decree No. 1, dated 10.07.2018, "on the Presidential Organization". While TÜBİTAK's influence was clear in the abolished council, the new council is under the auspices of the Presidency.

- Making legal regulations,
- Carrying out studies on supporting information technology research and development projects and determining their objectives,

It was resolved that the Patent and Intellectual Property Legislation should be updated and, in particular, that the software sector, which constitutes the most important segment of the informatics sector, should be included within the framework of the Intellectual Property Law.

When the general perspective of the meeting is considered, it may be said without hesitation that it was of the same character as its contemporaries that were pioneers in information technologies. In the introductory part of the meeting minutes, it was observed that science and technology had become integrated to an inseparable degree, that knowledge and technology affected productivity in industrial production more than raw materials and labor, that they were rapidly transforming all areas of life outside industry as well, and that product competition between countries was gradually losing importance while technological competition was taking its place, and it was stated that *...the rationalization of bureaucracy, which may be defined as a kind of administration/control technology, by making use of information technology, is an attainable objective* (TÜBİTAK, 2021c).

At the third meeting of the Supreme Council for Science and Technology, held in 1997, the “Breakthrough Project in Science and Technology” was developed in line with the Türkiye Science Policy adopted at the previous meeting (in 1993), and it was included in the Seventh Five-Year Development Plan (A. L. Gül, 2002, p. 31). The decisions of the third meeting, in which innovation was frequently emphasized, are quite valuable because they directly addressed e-government (in the form of telematic services), and in this respect they also represent a turning point. It is stated that the increase in demand for telematic services made policies in this direction a necessity rather than a preference, and the need for the following possible breakthroughs is mentioned (TÜBİTAK, 2021d, p. 40):

- The informatization of public services (services concerning title deed and cadaster, tax, population, judicial records and registers, etc.)
- Computer-assisted and computer-network-assisted education and research and development
- Computer-assisted and computer-network-assisted health services
- The informatization of transport and transportation services based on road, railway, airline and pipelines (signaling, remote supervision, etc.)

- The establishment of geographic information systems and remote supervision systems concerning urban networks
- Electronic commerce networks
- Telematic services such as the informatization of industry

The planning reasons for the policies above show, as stated earlier, that Türkiye's character in relation to e-government was genuinely in keeping with the spirit of the age in terms of understanding, even if not in implementation. In this context, it is understood that Türkiye aimed to realize two basic objectives through e-government transformation: *the ability of services to reach the person or persons who need them independently of place* and *the ability to access the knowledge and/or skills of a person or persons at the moment they are needed, independently of place* (TÜBİTAK, 2021d, p. 50). Although the decisions taken at the third meeting of the Supreme Council for Science and Technology are undoubtedly important in terms of e-government policies, it should also be stated that, under the influence of the political atmosphere of the period (above all debates on secularism), they contained certain ideological statements beyond the scope rather than purely technical ones (TÜBİTAK, 2021d, p. 35).

After examining only the first three meetings because of the limits of the study, it is also necessary to consider separately the issue of the internet, which was of vital importance for the realization of the decisions taken at these meetings. Türkiye's introduction to the internet occurred through the METU-centered line established between Ankara and Washington in 1993 with the financial support of the World Bank, and it soon became widespread enough to make it possible to implement some of the policies mentioned above (Akçakaya, 2017, p. 19; Çarıkçı, 2010, p. 102).

In this direction, within a period of about five years, two basic developments occurred that would form the foundations of e-government. The first of these developments was the web pages which developed in a way similar to the first e-government applications in the world and which institutions, especially municipalities, used mostly to provide information about services and to promote themselves (Kaya-Bensghir & Yıldız, 2002, pp. 43–44; M. Yıldız, 1999, p. 153). The other basic development was public information networks, or in their common usage public networks, established for communication and correspondence between public institutions and within institutions themselves (Avaner & Fedai, 2019, p. 159).

Despite all initiatives, however, a full e-government breakthrough could not be realized, and many projects and studies remained idle (Seferoğlu et al., 2011, p. 286). By 1998, the millennium bug (Y2K), which had become

a matter of discussion around the world, constituted the turning point of e-government applications in Türkiye. The claim that when the year 2000 arrived computers with old software would become inoperable because of the date (01.01.00), and that data losses would result, forced Türkiye to renew its information and communication technology infrastructure, and this was later carried further by international factors (I. Akman et al., 2005, p. 243).

Of course, foremost among the international factors mentioned was the European Union accession process (Kaya-Bensghir & Yıldız, 2002, p. 43; M. Yıldız, 2007b, p. 45). As discussed in detail in previous headings, with the Helsinki Summit held in 1999, Türkiye's adoption of the Union acquis became one of the main motivations of public policies. In this context, the digital transformation policy envisaged by the Union in order to make possible its goal of becoming the world's leading economy through a knowledge-based economic area model (EU, 2001, p. 1) was concretized in Türkiye in 2003 within the scope of the urgent action plan and under the name Türkiye's e-Transformation Project (Avaner & Fedai, 2019, p. 159; Benzer, 2015, p. 713; Çilingir & Kushchu, 2004, p. 2; Ekinci, 2018, p. 336; Kurfalı et al., 2017, pp. 169–170).

However, it should not be inferred from the statements above that the European Union's influence on e-government transformation occurred only in the AK Party period. Alongside internal dynamics, Türkiye's e-government policies were shaped more by the European Union than by political governments. In the period covering the late 1990s and the early 2000s (Balci & Medeni, 2012, pp. 231–236; Baştan & Gökbunar, 2004, p. 84; de Kervenoael & Koçoğlu, 2012, pp. 361–363; Kaya-Bensghir & Yıldız, 2002, p. 44; Özkan-Sancak & Güleş, 2010, pp. 335–341; Sebetci, 2015, pp. 117–118);

- Türkiye National Information Infrastructure Master Plan (TUENA),
- Tax Offices Full Automation Project (VEDOP),
- Central Civil Registration System (MERNİS),
- National Judiciary Informatics System Project (UYAP),
- Police Information System (POL-NET),
- Ministry of National Education Information Systems (MEBBİS),
- Accounting Offices Automation Project (SAYOTO-say2000i),
- Land Registry and Cadaster Information System (TAKBİS),
- Customs Administration Modernization Project (GİMOP),
- Provincial Inventory Modernization Project (İLEMOD),

- Centrally Accessible Provincial Automation Project (METOP),
- Legal Informatics System (HBS),
- National Real Estate Automation Project (MEOP),
- Motor Vehicles Tax Office Automation Project (MOTOP) and many similar digital transformations show that these were a national policy independent of parties.

When the early e-government applications, some of which are listed above, are considered as a whole, it is possible to say that almost the entire public service sector was covered, including education, health, finance, population, security, social services, public works, justice, agriculture, energy, tourism and the environment. Yet it would not be very accurate to say that, from this sectoral diversity, all public services were offered to the private sector and citizens within the scope of e-government. As can be understood from the examples above, early e-government applications may be regarded more as government-to-government (G2G) applications aimed at raising the service standards of public institutions, accelerating them and ensuring coordination between institutions (I. Akman et al., 2005, pp. 245–246; Kahraman et al., 2007, p. 287). In addition, the provision of financial, economic and fiscal services such as fees, taxes, debts and similar payments, and the purchase, sale and management of movable and immovable property, may also be interpreted as a reflection of the European Union's e-government policies.

Although the first-period applications, when considered in terms of the provider and receiver of the service, mean that the state provides service to the state, the results they produced signify more than this. In other words, government-to-government e-government applications function in ways that benefit citizens and the private sector. The aims of e-government policies in this context may be summarized as follows (Sebetci & Aksu, 2014, p. 227):

- Ensuring both economic efficiency and social benefit in citizens' work and daily lives with the help of information and communication technologies,
- Increasing the productivity of small and medium-sized firms through the use of information and communication technologies, especially the internet,
- Increasing service effectiveness by restructuring business processes in line with citizens' needs,
- Modernizing public administration and shaping the e-government system around citizen satisfaction,

- Providing innovative initiatives and commercial software so that the private sector and private-public cooperation can enter international competition and gain advantage in this competition,
- Establishing a widespread, cheap, continuous, high-quality and secure telecommunications infrastructure for an effective competitive environment.

Since technology, and especially information and communication technology, is a highly dynamic field, it can be said that Türkiye's normative regulations concerning e-government applications and the service area covered by e-government have changed just as rapidly. Therefore, leaving aside the historical process discussed in order to provide a general idea, if e-transformation is to be described in its main lines, it may be conceived as the redefinition of many mechanisms of state administration, from organization to legal regulations and decision-making processes, with the help of information and communication technology, in order to improve economic and social welfare around principles such as transparency, accountability, effectiveness, efficiency, participation and democracy (Altınok, 2005, pp. 134–135; Balcı, 2013, pp. 320–321; Çayhan, 2008, pp. 3–4; D. Demirel, 2020, pp. 314–316; Kahraman et al., 2007, p. 286; Karkın, 2013, p. 673; Şahin, 2007, p. 519).

When the recent general appearance of e-government applications is evaluated, various projects have come onto the agenda so that the principles above, and even more, can be put into practice. After the first-stage e-transformation policies implemented within the framework of the Urgent Action Plan in the early 2000s, the second-stage e-transformation policies began in 2006 with the “Information Society Strategy” document (Medeni et al., 2010, p. 399). The turning point of this stage, in which the aim was to move to a structure in which *no document already held by the state would be requested from the citizen* (Boztepe, 2018), was the *e-Government Gateway* application, which began in 2008 (Medeni et al., 2011, p. 5).

Integrated e-government applications (e-government gateway or e-government main portal), which had also been implemented in many countries outside Türkiye before 2008 (Yürük & Öztaş, 2017), are based on linking the information technologies used by public institutions to one another. Yet this linkage should not be thought of as a simple network. Transformations such as online (instant) data sharing and cross-service provision in integrated e-government made it necessary to redefine relations between public institutions (Baştan & Gökbnar, 2004, pp. 78–79). In addition, for the system to become actually operational, there was a need for an internet network broad and uninterrupted enough to include all users,

from public institutions to companies and individuals, for software technology that would collect, distribute, process and share information quickly and without interruption, and most importantly for increasing technological literacy (Köseçik & Karkın, 2004, p. 106).

When the operating principle of the e-Government Gateway is considered, the most important change is that the e-government infrastructure was removed from an institution-centered basis and placed on a user-service-centered basis. This means that even if the transaction the user wants to carry out concerns more than one institution and requires the sharing of information and documents between them, it can be made possible from a single address (Medeni et al., 2011, pp. 5–6). Bringing institutions together under a single roof and enabling users to carry out these transactions through only one identity verification brought with it standardization in the internal functioning of public institutions, in e-government applications and archiving procedures, and also in individuals' identity information (Süngü et al., 2008, p. 298). The standardization of identity information – a unique T.C. Identity Number (DPT, 2011, p. 79) – and its sharing with institutions was ensured through MERNİS and KPS (Balci & Medeni, 2012, p. 231), while the standardization of the digitalization of institutions was ensured through TÜRKSAT, which assumed technical responsibility (TÜRKSAT, 2021), and interoperability was made possible (M. Acar & Kumaş, 2008, p. 11).

At precisely this point, the issue of information-processing security emerges. Because access to such a broad pool of transactions and the ability to carry out transactions from a single source bring with them many possible risks. In this context, it can be said that security is considered around two sides, service provider and service recipient, and that measures are determined accordingly. The security and risk measures of the service-provider side were determined by TÜRKSAT, and institutions were asked to take many measures, such as backing up information, in order to protect themselves against natural disasters such as fire, earthquake and flood, and against internal and external human threats, whether deliberate or unintentional (Kumaş, 2007, pp. 204–205).

Security measures centered on service recipients are shaped through a three-stage system. The first stage of the system, identification, is the user introducing himself or herself to the system through identity information. In other words, the user informs the system that he or she wants to benefit from the e-government service. The second stage, authentication, is the determination by various means, such as password, chip card, one-time password, e-signature and biometric features, of whether the identity information presented to the system belongs to the user. The final stage is the authorization stage. As its

name indicates, at this stage, where users are given the authority to carry out transactions, it is also determined which transactions users can carry out and to what extent (Kumaş et al., 2010, pp. 14–15).

Although each of the stages listed above is important in terms of security, the third stage in particular has a separate significance in e-government applications in Türkiye. Put plainly, after identification and authentication, the question of which services can be provided to users without a new security stage is important. In Türkiye, at first some services were carried out through the e-signature service provided for a certain fee by a private operator company, and this practice was seriously criticized around the principle of being “equally accessible” (Gökmen & Hamşioğlu, 2010, p. 265). Yet this inequality between users did not last very long; the authentication stage was made more secure by strengthening other methods such as password in various ways (Kumaş et al., 2010, pp. 15–17), and thus the obstacles before authorization were removed.

After the general assessments, when the e-Government Gateway is examined in terms of use, it is seen that users benefit from e-government services through the address www.turkiye.gov.tr via an internet browser (world wide web), and on mobile devices through mobile applications downloaded under the name e-Government Gateway from the App Store on devices using the iOS operating system (<https://apps.apple.com/tr/app/e-devlet/id976505454>), from Google Play on devices using the Android operating system (play.google.com/store/apps/details?id=tr.gov.turkiye.edevlet.kapisi&hl=tr&gl=US), and from App Gallery on Huawei devices (appgallery.huawei.com/#/app/C101588643). Since the e-Government Gateway used through devices such as tablets and phones is a partly different field named m-Government (H. Ateş & Yavuz, 2019; Çilingir & Kushchu, 2004; de Kervenoael & Koçoğlu, 2012), it has been left outside the examination because of the limits of the study.

It is possible to summarize general information about the e-Government Gateway, carried out in cooperation between the T.C. Presidency Digital Transformation Office (CBDDO, 2021b), which is tasked with leading e-transformation, mediating e-government service delivery and ensuring inter-institutional coordination (establishing and managing it), and TÜRKSAT, which carries out “*work on reviewing business processes, content management, integration-related standards and the necessary legal regulations for the citizen-oriented provision of public services electronically on a common platform*” (TÜRKSAT, 2021), as follows (BİLGEM, 2017, 2020; Türkiye.gov.tr, 2021; TÜRKSAT, 2020, 2021):

- Users who can benefit from the e-Government Gateway;

- T.C. citizens who have completed the age of 15,
- Blue Card holders and
- Foreign nationals staying with a residence permit.
- The system can be accessed through 5 different identity verification methods:
 - Identity number and password (can be obtained from PTT branches or from embassies or consulates),
 - Electronic signature (can be obtained from electronic certificate service providers),
 - Mobile signature (can be obtained through GSM operators),
 - e-ID card (not active) and
 - Bank internet branch (an account must previously have been created by one of the other 4 methods).
- The portal enables data exchange between public institutions over a secure infrastructure.
- Services are carried out through the systems of the institutions; the e-Government Gateway does not retain information.
- Alongside central institutions, local governments and private firms are also included.
- Other sub-procedures required for the service are carried out automatically.
- Users can personalize the portal according to their needs.
- Additional security measures such as IP restriction can be selected.
- With the e-Government Gateway password, independent applications of public institutions requiring identity verification can be accessed through a single session (SSO-Single Sign On).
- Public payments such as taxes and fees can be made using a credit/debit card.
- Consultancy on problems is provided through line 160 or the Contact Form.
- Media accounts such as twitter (@ekapi), Facebook (edevletkapi), Instagram (edevletkapisi) and YouTube (channel/UChX28IHPQ2jyaBatdfRqGSQ) are also used so that announcements can be made and

communication with users (suggestions, complaints, requests, etc.) can be provided.

- Many services can also be obtained through the e-Government application downloaded to mobile devices.
- Through the e-Government Gateway, 69 million 22 thousand 701 users can benefit from 9 thousand 257 services (the number of mobile services is 6 thousand 24) offered by 1121 institutions.⁴¹
- Alongside public institutions, services of firms can also be used in categories such as electricity, telecommunications, natural gas, mobile line, water and sewerage, and others.
- Firms too can receive services from some institutions through the e-Government Gateway.

While some of the above summarize e-government in general terms, the cooperation with the private sector in particular points to a different situation in Türkiye's digital transformation. To put it more clearly, the digital transformation that Türkiye carries out under the name e-Government Gateway has taken on a form that includes not only e-government applications but also e-business applications. The possibility of logging in through internet banking and of carrying out some private-sector transactions through the e-Government Gateway, that is, the exchange of information between the state and the private sector, constitute concrete examples of this situation. It is also possible to evaluate this situation on the axis of "governance" (Doğan & Ustakara, 2013; Karkın & Özgür, 2012). In short, e-government provides many positive things, such as fast, reliable and 24/7 use of services, escape from the negative aspects of bureaucracy such as paperwork and secrecy, the minimization of errors arising from lack of communication between institutions, and the increase of trust in the state by enhancing transparency (Baştan & Gökbnar, 2004, p. 85; TÜRKSAT, 2020, p. 5; Tutkun, 2007, p. 211).

3.1.4. Presidential Government System

In Türkiye, after the work on the Basic Law on Public Administration in 2003, another important reform was the constitutional amendment realized after the referendum in 2017 and the Presidential Government System that came to life as a result of it. Without exceeding the scope of the study, examining the process leading to the 2017 constitutional amendment will provide highly

41 The data are based on information obtained from the turkiye.gov.tr website on 24.04.2026.

useful information in terms of showing the administration-culture relationship, or, in another expression, the reflex of administrative culture in the face of reform.

Although debates on the presidential system go back to Erbakan, Türkeş (Avaner & Volkan, 2019, p. 113), Demirel and Özal (Çağlıyan-İçener, 2015; Demirkaya, 2018, pp. 16–19; Efe & Kotan, 2015, p. 79; Gönenç, 2005, pp. 1–2), factors such as Erdoğan’s charismatic authority within the party and society (H. Ateş & Bektaş, 2018b, p. 314), the changing socio-economic structure, Anatolian capital growing stronger against the center, globalization, the European Union and NATO created an opportunity for the government system to change in the context of democratization (Dursun, 2007, pp. 56–59; İnat, 2007; Keyman, 2007, pp. 90–93). At this point, although there have been many politicians, the question may arise as to why these debates were brought onto the agenda during the periods of Demirel, Özal and Erdoğan. The answer to this question, to put it through Heper’s conceptualization, is the power struggle experienced with the *state elites* (Heper, 2001, p. 1020). All three names occupied various levels of political power as prime minister and president, and personally experienced what the state elites did in order to protect their own interests, and in the broader sense, the status quo.

When one looks at the critical turning points that led to the realization of the presidential system, especially the Draft Basic Law on Public Administration (2003), the presidential election and the 367 Crisis (2007), and the party closure case (2008) (Demirkaya, 2018, pp. 16–19), it becomes clear how large this struggle was. More plainly, the first decade of the 2000s passed through power struggles between, on the one hand, the AK Party, which received the votes of a large majority of the electorate but was seen as a threat to the founding values, and, on the other, the state elites who saw themselves as the unwavering defenders of the republic, secularism and democracy. Yet unlike the attempts of Özal and Demirel, this situation ended with the defeat of the state elite, thanks both to Erdoğan’s authority within the party and to his charisma in the eyes of society.

If the critical turning points are examined in general terms, without exceeding the purpose of the study and of this sub-heading, the first turning point is the Draft Basic Law on Public Administration, which was also the first comprehensive policy initiative of the AK Party Governments. Since it was examined in detail in earlier sections, and without entering into its content, when attention is focused on the criticisms directed at the draft, it is seen that the most *severe* criticisms were political and ideological rather than technical, such as the religionization of education, politics, administration and society

in general (contrary to secularism), the abolition of the unitary structure, and the imposition of norms by international capitalist organizations such as the World Bank, IMF, OECD and the European Union as a new order of exploitation (Ayman-Güler, 2004; Uluğ, 2004b, pp. 16–20; Zengin, 2003, pp. 195–197).

Leaving aside what the ruling party actually aimed to do with this bill, even the debates conducted around the draft alone clearly reveal the nature of the resistance to change. The main point that needs attention here is that the state elites, who had a very broad range from the judiciary to the civil and military bureaucracy, and from the private sector to professional chambers, saw the order they had established being changed by an actor other than themselves. The obstruction of reforms that had previously been supported in the European Union membership process, especially in the context of civil-military relations (Önder & Zengin, 2018, pp. 136–138), through discourses about the AK Party’s “hidden agenda” (Elveren, 2018, p. 88; Özsel et al., 2013, p. 567; İ. Turan, 2007, p. 320), explains this situation very well.

Of course, the leading actor in this situation was the office of the presidency, which, although the parliamentary system was in force until the constitutional amendment of 2017, possessed many critical powers, above all the veto, and in this respect functioned as a mechanism of control over the executive and the legislature. To show what this situation meant, it is enough even to look at the laws returned by President Sezer for reconsideration during his term of office, the decisions of the Council of Ministers, appointment decisions, joint decrees and the number of all these (HaberTürk, 2007b; Yeni Şafak, 2007). Even if it is assumed that all of Sezer’s vetoes were correct and appropriate, it remains problematic in a parliamentary system for the president to have such a degree of supervision and control over the legislature and the executive.

It is worth stating that the comparisons above should not be seen as judging one side and placing it under sentence. It would not be right to deny that President Sezer, using the powers given to him by the constitution, made decisions as a jurist in accordance with the values in which he believed and within which he had been raised. Yet, leaving aside whether these were contrary to universal democratic principles and values such as the right to work and education, and freedom of religion and conscience, when viewed technically, it is equally impossible to deny that the president’s relationship with the legislature, the executive, the administration and even the judiciary involved reflexes aimed at preserving the status quo.

As can be clearly understood from the statements above, the office of the presidency, which was said to be a *symbolic* institution, was in reality designed,

in Erdoğan's words, as the *guardian of the regime* (R. T. Erdoğan, 2015), and naturally, the election to this office of a person who was loyal to the founding values of the republic and to Atatürk's principles not in word but *in essence* (Çölaşan, 2007) became an issue of vital importance. The state elites, who had lost their authority in the legislature and the executive, also began to lose their power in the bureaucracy through new appointments. Since the office of the presidency also slipping out of the control of the elites would mean losing the civil, military and judicial bureaucracy alongside the legislature and executive, it led the state elites, with all their political, civil, military, judicial, commercial and administrative elements, to enter into a common struggle.

To put it concretely, in an environment already tense because of debates on reactionism (AA, 2006; BBC, 2006; Hürriyet, 2006), the expiry of President Sezer's term of office brought the question of who the new president would be onto the agenda. Since it was considered certain that the candidate to be nominated by the AK Party would become president if the process applied in previous presidential elections was followed, especially the military wing, together with warnings about reactionism, expressed "wishes" about what kind of person the president should be.

The statements used by Büyükanıt, the Chief of the General Staff at the time, in the press conference he held on 12 April 2007 summarize this situation well (HaberTürk, 2007a):

...There is probably no one who does not know our basic way of thinking, the basic values in which we believe, and our commitment to the principles of the republic and the principle of secularism...

...the president to be elected is also the commander-in-chief of the TSK [Turkish Armed Forces]. In this respect, it closely concerns the TSK. I wish to state my belief that both our president and at the same time our commander-in-chief will be elected as a president who is committed to the fundamental values of the republic possessed by the Armed Forces and the Turkish nation, to the ideal of the secular, democratic and social state governed by the rule of law as expressed in our constitution, and to the unitary structure of the state, not in word but in essence, and in a way that reflects this in his behavior.

Of course, we know the legal legislation, the constitution and the law, and how the president is elected. As both a citizen and a member of the TSK, we hope that a person who possesses the fundamental values of the republic not in word but in essence will be elected president...

After these statements by Büyükanıt and the first-round vote of the presidential election, a declaration that entered Turkish political history as

the e-memorandum was published on the website of the General Staff on 27 April 2007. In the declaration, with reference also to Büyükanıt's press conference of 12 April 2007, it was stated, with examples, that despite the necessary warnings having been issued, the fundamental values of the republic, especially secularism, had been opened to debate in the public sphere and that actions threatening these values had been carried out, such as small children in primary schools being dressed in "outdated" clothing. It was also stated that the TSK observed these and similar incidents and the debates on secularism "with concern", that it was *a party to the debates and the unwavering defender of secularism*, and that it *maintained its unshakable determination to fulfil completely the explicit duties assigned to it by law for the protection of the fundamental qualities of the republic* (BirGün, 2020; Hürriyet, 2007a).

While the military wing was making these statements on the one hand, on the other hand the thesis of Kanadoğlu, former Chief Public Prosecutor of the Court of Cassation (Kanadoğlu, 2006, p. 8), that the quorum for the parliamentary session for the presidential election was two-thirds of the total number of deputies (at that time this ratio corresponded to 367), was adopted by some important jurists (A. Acar & Çelebi, 2012, pp. 18–19; Eroğul, 2007, p. 170) and by other parties, especially the CHP (Republican People's Party), and the presidential elections were boycotted. Despite this, the first-round vote was held with the participation of ruling party deputies and also Ümmet Kandoğan from the DYP (True Path Party), who was expelled because he participated in the election (NTV, 2011). Following this, Deniz Baykal, Önder Sav and 134 deputies applied to the Constitutional Court and secured the annulment of the first-round election on the grounds that the quorum had not been met⁴².

This chaos, which Parliamentary Speaker Arınç described as the *deactivation of democracy through the use of law* (Milliyet, 2007a) and which was called the 367 Crisis, ended with the renewal of the general elections and a constitutional amendment (Nohutçu, 2018, p. 851). While the early elections were held on 22 July 2007, the constitutional amendment took place on 21 October 2007 because President Sezer used the legal waiting period and because of the application for annulment made to the Constitutional Court together with Baykal⁴³. This delay caused great disappointment on the side of the

42 The annulment application submitted to the Constitutional Court and the Court's decision annulling the first round of the presidential election can be accessed at <https://www.resmigazete.gov.tr/eskiler/2007/06/20070627-17.htm>.

43 The question raised by President Sezer in his petition to the Constitutional Court, namely "whether a two-thirds majority of parliament is required for laws returned by the President", is interpreted as a new 367 attempt. Had the Constitutional Court not rejected this request,

ruling party. This was because, although the AK Party wanted to hold the referendum and the general elections on the same day and thereby prevent a new 367 Crisis from arising, this was not possible because Sezer slowed the process, and the renewed parliament once again faced the 367 Crisis. Yet, with the decision of MHP (Nationalist Movement Party) Chairman Bahçeli to be present in parliament, the crisis did not happen again, and Gül was elected by the TBMM (Grand National Assembly of Türkiye) as the 11th President (BBC, 2018).

After the 367 Crisis was overcome and Gül was elected president, the constitutional amendment was also accepted in the referendum. Thus, the quorum was fixed as one-third of the full number of members (184 at that time), it was decided that the president would be elected by the people, and the term of office was limited to five years (Özbudun, 2007, p. 267). Although this was a permanent solution to end the crises arising from presidential elections both in that period and in the past, it also caused an institution that already functioned as a tutelary office over the legislative, executive and even judicial powers to become even stronger.

However, even in those years it was known that this would be carried one step further and would evolve towards debates on a presidential or semi-presidential system (Nohutçu, 2018, p. 852). In fact, when the historical background of the presidency is examined, it can be seen that the presidency has never been symbolic (Eroğul, 2007, pp. 177–178). Important points such as Mustafa Kemal Atatürk having held this office and the president also being the commander-in-chief constitute the most concrete evidence of this fact. In particular, the commander-in-chief position became the main argument of the opposition discourse, and it was stated in very strong terms that it was not possible for a person contrary to Atatürk's principles and reforms, especially secularism, to ascend to Çankaya Mansion.

Another breaking point in the change of the government system was the closure⁴⁴ case filed against the AK Party by Yalçınkaya, Chief Public Prosecutor of the Court of Cassation, on the grounds that it had “become a focal point of activities contrary to secularism”. Without doubt, this step towards closing the ruling party, which constituted the strongest move by the state elites after the military coup, revealed how important it was for the president to appoint

legislative activity would have depended either on the President's approval or on the votes of 367 deputies and approval by referendum.

44 The case filed by Yalçınkaya was not the first closure case brought against the AK Party. In January 2002, when the party was not yet in power, Kanadoğlu, who was then Chief Public Prosecutor of the Court of Cassation and the architect of the 367 Crisis, also filed a closure case on the claim that Erdoğan had committed unlawful acts.

members of the high judiciary. Indeed, in this period, when, in his own words, the secular regime was under threat more than ever before, President Sezer, who emphasized that he was a party to the fundamental values of the Republic of Türkiye (Hürriyet, 2007b), added appointments to the high judiciary to his instruments of struggle in this direction, such as the veto.

In this context, the President appointed Abdurrahman Yalçınkaya, who had received 95 votes, to the post of Chief Public Prosecutor of the Court of Cassation, perhaps the most important of these appointments because it carried the authority to file party closure cases, instead of Ersan Ülker, who had come first with a serious 146 votes (CNNTürk, 2007). Ülker reacted to this by saying, *"They called me 'incompatible'. If I had a defect, I wish they had not waited until the last day"* (Milliyet, 2007b). Ülker's words became more meaningful with the AK Party closure case filed on 14 March 2008, before even a year had passed. Although the content of the closure case, the process and what happened during the process constitute a good example of the struggle between the state elites and the new political actors, that is, of the relationship between reform and culture, it has not been further detailed because of the limits of the study.

As can be seen, the President, both through the powers he possessed and through the support of the state elites, had a position so strong that, far from remaining symbolic, it was even stronger than that possessed by a president in a presidential system (Nohutçu, 2018, p. 852). This situation can be shown, partly in the Özal Governments and very clearly in the AK Party Governments, as the reason why political stability and reforms were interrupted even without coalitions. In other words, alongside coalitions, the office of the presidency, with its *de facto* and *de jure* powers and influence, was also one of the reasons, perhaps the greatest reason, for multi-headedness in the executive.

Without using definitive statements, since this would amount in some sense to reading intentions, if an interpretation is made in the context of the language used and the actions carried out in the historical process, it may be said that the AK Party knew from the very beginning that the presidency could under no circumstances remain symbolic, indeed with the 2007 constitutional amendment a *de facto* presidential system had already been introduced (Yeğen, 2017, p. 71), and that, without refraining from bringing up the presidential system even in the early periods (Kılınç, 2016, p. 468; Lamba & Ceylan, 2018, p. 261), it aimed to transfer all the powers and legitimacy of the executive to the presidency. The chain of events outlined above can also be seen as proof of this claim. Of course, apart from these, political instabilities in particular, such as the coup attempt of 15 July 2016, also made a serious contribution

to the change of the government system (Akçakaya & Özdemir, 2018, pp. 941–942; B. Aras, 2017, p. 5; Euronews, 2019; Kaymal, 2017, p. 162; Miş, 2016). Yet, since the intended point has been reached, from this point onward the focus is placed directly on the Presidential Government System itself and on the administrative change it brought.

The process that began with the statement made by MHP Chairman Bahçeli on 11 October 2016 that demands concerning the presidential system should be brought to Parliament resulted in the constitutional amendment, which became law on 21 January 2017, being accepted in the referendum on 16 April 2017 (H. Ateş & Bektaş, 2018b, pp. 312–313; Eren & Akıncı, 2018, p. 35; Köseoğlu & Sobacı, 2018, p. 414; Lamba & Ceylan, 2018, p. 269). Although the constitutional amendment concerned the government system, that is, the executive, some writers tried to present this as a change in the state system, that is, in the democratic order (Övür, 2017), and claimed that Erdoğan aimed to destroy the democratic republic and establish a constitutional dictatorship (Cagaptay, 2020; A. E. Öztürk & Gözaydın, 2017; Sullivan, 2018; Z. Yılmaz, 2020).

Yet although it is possible to evaluate the constitutional amendment as carrying authoritarian and anti-democratic elements in terms of the absence of mechanisms of balance between the powers, a weak legislature and a strong executive (Al, 2020; Aslan-Akman & Akçalı, 2017; Selçuk, 2016; Selçuk & Hekimci, 2020), it is not correct to present this as a transition to a dictatorship regime.

Returning to the main subject, the constitutional amendment contains, in general terms, the following (Nohutçu, 2018, p. 855, 2021, pp. 58–64; SETA, 2016; TBB, 2017):

- The Council of Ministers was removed from the Constitution,
- Executive power and duty were left to the President,
- The judiciary was characterized not only by independence but also by impartiality,
- References to martial law in the Constitution were removed,
- The number of deputies was increased from 550 to 600,
- The age for being elected as a deputy was lowered from 25 to 18,
- It was decided that the presidential and parliamentary elections would be held on the same day every 5 years,

- The TBMM's power of interpellation was abolished, and other instruments of oversight were restricted,
- The obstacle preventing the President from being a member of a political party was removed,
- A two-term limit was introduced for the Presidency.
- Parties with a parliamentary group and parties receiving 5% of the vote would be able to nominate a presidential candidate,
- Apart from parties, a presidential candidate could also be nominated with the support of one hundred thousand voters,
- If the President, vice-presidents and ministers were deputies, their membership of parliament would end,
- The President would be able to appoint and dismiss senior administrators, such as ministers,
- The President could be tried before the Supreme Court not only for treason but also for other offences,
- The office of a president convicted of an offence preventing election would come to an end,
- Military courts could not be established except in cases of discipline and war,
- The President would be able to issue decrees concerning the executive;
 - Fundamental and political rights and freedoms could not be regulated by decree,
 - No decree could be issued concerning provisions and areas already covered by law,
 - In conflicts between a decree and a law, the law would be taken into account,
 - If a law was enacted on the subject of an existing decree, the decree would be abolished,
 - Provided that it was not contrary to law, decrees and regulations concerning implementation could be issued.

To summarize the above statements, which include the main parts⁴⁵, executive power was gathered in the President, the President was given the

45 Because of the limitations of the study, the highly extensive amendment package could not be presented in full. The full text of the constitutional amendment and its comparison with the

authority to issue decrees, and the link between the executive and the legislature was severed. In short, the necessary arrangements for the transition from the parliamentary system to the presidential system were made. Although the change in the government system, perhaps the most radical reform since the proclamation of the Republic, was accepted in the referendum, it was the subject of extensive debate. It can be said that these debates were conducted around two main axes: The abolition of the parliamentary system and the imbalance of power between the legislature and the executive in favor of the executive.

However, although the criticisms gather around two main axes as above, it can be said that each consists, within itself, of two different groups: one that emphasizes the deficiencies of the constitutional amendment and their possible effects, and another that focuses only on its effect on the existing status quo, regardless of whether the content is democratic or not. In light of the criticisms directed at it, this kind of classification and interpretation may be thought of as highly prejudiced, biased and an attempt at reading intentions without concrete data. This thought can be accepted as true to a certain extent. Yet the attitude adopted by the status quo-oriented wing, especially the main opposition party, towards the constitutional amendment from the day it came onto the agenda until the local elections after the referendum makes this interpretation possible. More plainly, the status quo-oriented wing openly stated that, let alone the introduction of the presidential system, no change not accepted by them would be allowed. In this context, Trkan Saylan's statements summarize the situation quite well (CNNTrk, 2008):

...The whole world is talking about us. Everyone asked me, where is Trkiye going? There will be chaos in the universities. Will everyone be able to do whatever they want? Is this how you understand democracy? I said, do not worry, we will prevent this in one way or another.

...How can a person change the constitution just because they have the majority? I especially cannot forgive the MHP's propping-up role. We are the people, we are the original, and we have deputies; it is not possible for something we do not want to happen.

...Tomorrow, if the Aczmendis [radical Islamic group] want to enter universities with their clothing, or if someone else wants to enter with the three-colored flag [referring to the Kurds], will we allow them too? We live within a chain of rules. We all need to be inside this system.

It should be recalled that the debates in the political field were also supported by academics and jurists who supported the status quo through the argument of *constituent power*⁴⁶, and that it was claimed that even if there was democratic legitimacy, political powers “outside the founding ideology” had limits to their authority (Beriş, 2010; Gözler, 1998, 2004, pp. 29–41, 2012, pp. 45–48; Hekimoğlu, 2007, pp. 8–9; Nohutçu & Bektaş, 2017, p. 3; Özmen & Özdemir, 2011, pp. 870–871; R. Turan, 2016). What was aimed here was, as in the 2007 presidential election, to secure acceptance around a legitimacy debate that the AK Party, despite having sufficient deputies, did not have the authority to “do this job”, or, in the popular discourse, that it was not *able to rule* (Türk, 2014, p. 10).

Yet, as is known, in democratic regimes the source of legitimacy is *demos*, that is, the people (M. O. Kaya, 2013). At this point, the argument of pluralism is introduced, and it is claimed that the ruling party abuses representative democracy and protects the good of the majority that votes for it, in other words populism, instead of the good of the whole (K. Ateş, 2017, p. 116; Kalaylıoğlu, 2017, pp. 75, 90). It would not be correct to say that the AK Party, which has adopted a populist attitude in certain policies, especially on security (Aytaç & Elçi, 2019; Bulut & Hacıoğlu, 2018), has not pursued majoritarian politics. The real issue here is that the “minority” that seeks to obstruct reform through these arguments imposed its worldview for many years, despite the conditions of the time and the needs of society, through various instruments of force, especially military coups, and moreover inserted this into the democratic discourses above.

Although the tone of the debates above fell after the constitutional amendment accepted on 16 April 2017, they did not come entirely to an end, and attention was focused on the presidential election for a return to the parliamentary system. Yet with Erdoğan’s election as president, debates on the government system were necessarily put aside for a temporary period.

46 A similar debate is known to have been raised in relation to the lifting of the headscarf ban. The process, which first began with the discourse that “the regime is under threat” and continued with Şerif Mardin’s concept of “neighborhood pressure” (A. Çetin, 2010), shows that such discourses are merely instruments put forward to preserve the status quo. The acceptability and scientific status of the concept introduced by Mardin are, of course, not being debated here. What is being emphasized is that the actual pressure imposed on the headscarf from the 1950s onwards (Dr. Hümeysra Ökten, Nesibe Bulaycı, Hatice Babacan and many others) (Benli, 2008, 2011; Cumhuriyet, 2010; Hür, 2014; T24, 2010) was not brought onto the agenda, which clearly shows that these expressions were used as ideological tools rather than scientific ones. It is also useful to clarify that, in this study examining the relationship between public administration reform and culture, the frequent discussion of the headscarf issue is not a personal preference. Rather, it arises from the fact that one of the main criticisms directed at the AK Party was the accusation that it acted contrary to secularism by trying to liberalize the headscarf.

The reason for this can be shown as the focus on the legislative changes that came onto the agenda during the transition process. However, as the 2023 presidential election approached, the debates flared up again with the slogan of the “strengthened parliamentary system” (Bursalı, 2021; Güneysu, 2021). Since there had not yet been any change as of December 2021, the study continued on the basis of the current government system.

After the elections of 24 June 2018, when the new government system actually began, the areas regulated by law were changed through legislative activity, and the other areas by Presidential Decree. In this context, Decree Law No. 703⁴⁷, which constituted the first legal regulation, determined the most important and comprehensive public administration reforms in the change of government system. To summarize the content of the decree, which shaped the central administration, undersecretariats that had previously been directly attached to the prime minister, such as the National Intelligence Organization, were either transformed into presidencies or merged with a related ministry, such as Finance, to become a new ministry, such as the Treasury and Finance; undersecretariats attached to ministries were completely abolished; some ministries merged and took a new name, such as Agriculture and Forestry; and some ministries, such as Economy, European Union and Development, were attached to another ministry, such as Trade, Foreign Affairs, and Industry and Technology. This situation, meaning the abolition of undersecretariats and the serious reduction in the number of ministries through merger or transfer, enabled especially the simplification of the central administration and a slight move away from the bureaucratic structure.

After the areas that needed to be regulated by law, the other regulations of the new system began to be carried out with the signing of the first Presidential Decree on 10 July 2018, and a total of 68 decrees were put into force between 2018 and 2020⁴⁸. It can be said that the first three of these are the important and founding ones. In this respect: Presidential Decree No. 1 covers the Presidential organization, which forms the center of the government system; Decrees No. 2 and No. 3 cover the creation, appointment, promotion and assignment of posts within the President’s authority; Decree No. 4 covers other institutions and organizations, especially those attached, related and affiliated to ministries; Decree No. 5 and the decrees that followed it include

47 The full text of the decree-law (KHK, Kanun Hükmünde Kararname) can be accessed online at “<https://www.resmigazete.gov.tr/eskiler/2018/07/20180709M3-1.pdf>” and “<https://www.mevzuat.gov.tr/MevzuatMetin/4.5.703.pdf>”.

48 Presidential decrees can be accessed at the internet address “<https://www.mevzuat.gov.tr/#cumhurbaskanligiKararnameleri>”.

matters regulating various areas, mostly institutions and organizations attached, related, affiliated and otherwise connected to the President.

Of course, as with laws, though more quickly and more easily than laws, these decrees can also be amended. Taking this into account, the focus has been placed on Presidential Decree No. 1 in its most up-to-date form at the beginning of 2021. According to Decree No. 1, which regulates the new system, the core organization can be summarized as follows:

- The Office of the Presidency consists of the President, the Directorate of the President's Private Office, the Chief Advisor and Advisor to the President, the Special Representative and the Presidential High Advisory Board.
- The President is the head of the state and of the executive.
- The Special Representative is the person appointed to represent the President abroad in an area requiring expertise and who uses the title Ambassador during this period.
- The Presidential High Advisory Board is an advisory board selected by the President in order to benefit from the knowledge and experience of persons who have served the state and the nation in various duties and ranks.
- The general duty of the Directorate of Administrative Affairs of the Presidency, which is regulated after the Office of the Presidency, can be summarized as ensuring the coordination of the Presidency with other state institutions and organizations, especially the TBMM, and also providing support to the President regarding these institutions and organizations.
- The next regulation concerns the Vice-Presidents. Here, only the Private Office Directorates directly attached to the Vice-Presidents in the administrative sense are regulated.
- The powers belonging to the President are used by the oldest vice-president if the office becomes permanently vacant, and by the vice-president assigned by the President if it becomes temporarily vacant.

After the institutions at the center of the system, the Presidential Policy Boards are located in the second ring. Although the President is the chair of the boards, the boards are directed and administered by deputy chairs appointed by the President. When the general duties and powers of the boards are examined, two main axes can be mentioned. The first, as can be clearly seen from their names, is based on following developments in the fields to which they are

assigned, submitting policy proposals that will respond to both national and global changes, and reporting and presenting the policy proposals of other stakeholders in the sector and their views on existing policies (Akıncı, 2018, pp. 2138–2139; Ç. Akman, 2019, pp. 663–664; Ç. Akman & Akçay, 2019, pp. 48–49; Batal & Çakıcı, 2019, p. 179). The second, which is highly striking, is based, as expressed in the decree, on *“monitoring the practices of ministries and institutions and organizations in terms of their conformity with the Presidential program and submitting reports to the President”* (Ö. F. Erol, 2020, p. 115).

Since the policy boards do not have an administrative organization and submit reports directly to the President, it does not seem possible to make a definite statement about the extent to which the two main axes above are reflected in practice. Yet the government system having only three years of experience as of 2021, and the ministries having more than a century of administrative experience, seem to have left the policy boards, at least for now, in the background. Although the policy boards have been compared, in structural terms and because of their parallel with the government system, to the Executive Office of the President in the United States of America (E. Akman, 2019, pp. 45–46; R. Kaya, 2020, pp. 2270–2271), from the perspective of New Public Management it is more accurate to compare them to the Next Steps reform in the United Kingdom.

As is known, in the United Kingdom, in line with the New Public Management approach, while ministries developed public policies specific to their fields, the policies decided upon began to be implemented by “agencies” with a results-centered understanding. In Türkiye, however, at least *de jure*, policy determination has been left to the President and the policy boards, while the implementation of policies has been left to the ministries. In other words, operational work is mostly under the administration of the ministries, while policy determination takes place by the President with the advice of the policy boards. Of course, the government system being much newer, and the power possessed by some ministerial bureaucracies and some ministers, stand as the greatest obstacles before the change described above.

After the policy boards, institutions and organizations attached to the Presidency are listed, but regulations concerning them are left to other decrees; afterwards, the ministries are considered in detail. The first point that catches the eye is that, as a requirement of the change in the government system, the duties and powers of the ministries have in a sense been pulled down to the level of an undersecretariat or “secretariat”. To put it more clearly, in the parliamentary system each minister was responsible for determining, implementing and/or ensuring the implementation of policies in the fields with

which they were concerned, while the prime minister, as first among equals, or *primus inter pares*, was responsible for coordination between ministries. In the new government system, however, the executive responsibility belonging entirely to the President has reduced the political weight of ministries and ministers.

The organizations attached, related and affiliated to ministries, as with the organizations attached, related and affiliated to the Presidency, are left without being dealt with in detail, through references to laws and Presidential Decrees. Immediately afterwards, the Presidential offices are addressed, and “*the Digital Transformation Office, Finance Office, Human Resources Office and Investment Office were established with special budgets, public legal personality, and administrative and financial autonomy*” (art. 525). The general purpose of the offices is to ensure coordination, on behalf of the President and in accordance with the policy aims determined by him, in areas that fall within the scope of more than one institution and organization, and to lead the creation of the necessary infrastructure.

When the duties and powers of the current offices are examined, the Digital Transformation Office operates in various areas, such as increasing the use of information technologies in public service, above all e-government, both between the state and citizens and between the state and the state; encouraging R&D investments; ensuring the cooperation necessary for informatics; developing strategies aimed at increasing the domestic share in the informatics sector; leading artificial intelligence studies and inter-institutional cooperation; developing projects to increase cybersecurity; and supporting similar projects carried out in the digital field (CBDDO, 2021a, 2021b).

The Finance Office, which has a narrower scope compared with the Digital Transformation Office, was designed around two general aims and one specific aim: on the one hand, providing consultancy and guidance to the President by following, reporting and analyzing financial activities and developments at the national and international levels; on the other, carrying out or ensuring the carrying out of the necessary actions for the diversification of financial resources and the attraction of international funds; and, specifically, “*to carry out the Istanbul Finance Center project and follow developments*” (art. 527/C/1/ç) (CBFO, 2021).

When the general field of duty of the Human Resources Office is examined, it includes activities such as mapping Türkiye’s human resources, leading the necessary arrangements in areas where they are needed, carrying out projects for the development of human capital in line with the country’s long-term plans, discovering and supporting specially talented persons, and carrying

out projects related to its field in line with the views of the policy boards and studies aimed at the settlement of contemporary management principles such as merit, performance and efficiency in public administration (CBİKO, 2021).

Finally, as its name indicates, the Investment Office has been equipped with a series of powers and duties such as carrying out activities aimed at increasing investments for the development of the national economy, creating a suitable environment for national and international investors, offering solution proposals for obstacles to investment, ensuring coordination among investors, including the public sector, collecting sectoral information and statistics and making them available to both investors and public institutions and organizations, carrying out, causing to be carried out, or giving an opinion towards the carrying out of the necessary procedures in accordance with requests concerning investment, and, interestingly, making investment applications to the relevant ministry or ministries and public institutions and organizations on behalf of investors, and following the process, in order to protect investors from bureaucratic obstacles and paperwork (Invest, 2021).

With the examination of the Presidential offices, the description of the “top” organization of the new government system has been completed in general terms, and afterwards, in accordance with the purpose of this study, an attempt has been made to reveal the interaction between central public administration reforms, especially the change in the government system, and “culture”. In this context, an analysis centered on Türkiye’s cultural values, based on Hofstede’s study covering more than one hundred countries (Hofstede et al., 2010; Hofstede Insights, 2020), has been used.

Leaving aside the obstruction attempts shown by the state elites in line with their interests, and which can at a certain point be described as *political*, it would not be correct to say that the paradigmatic change that began with Özal in 1983 and, after a short pause, gained speed again in the 2000s was also rapidly adopted by Turkish public administration. More clearly, alongside opposing attitudes based on political reasons such as contradiction with the founding values, the disruption of national unity and the weakening of sovereignty, and economic reasons such as the adoption of neoliberalism as the new form of exploitation of capitalism (Güzelsarı, 2007), some public employees also adopted an attitude against change for cultural reasons.

The reform of the Presidential Government System is a current and useful example in terms of showing the dimensions of the culture-based resistance mentioned above. As will be remembered, according to Hofstede’s research, Turkish society has cultural characteristics such as making a distinction between those who take decisions and those who implement them (power

distance), preferring the good of the whole rather than individual interests, adopting integration rather than individual differentiation (collectivism), preferring a wait-and-see attitude instead of showing sudden reactions to events (femininity), predetermining what will be done in the face of all possible situations and eliminating foggy or grey areas as much as possible (uncertainty avoidance), and preferring shorter-term pragmatic solutions rather than permanent and long-term policies (long-short term orientation).

Viewed from this angle, because the Presidential Government System realizes the transition from the parliamentary system to the presidential system, it corresponds to a long-term and comprehensive institutional transformation and therefore shows incompatibility with Türkiye's short-term cultural dimension. In addition, the executive belonging only to the President and the influence of the other organs of the state over the executive being reduced to almost nothing contradicts the collectivist structure; and the President's executive acts being issued quickly through Presidential Decrees according to needs rather than through laws also contrasts with the cultural dimension of uncertainty avoidance.

When the debates experienced in the change of government system are considered, the most important of the incompatibilities mentioned above, and the clearest in the data in Hofstede's research, was the dimension of "uncertainty avoidance". The point that even various social groups, from those supporting the presidential system to those positioned against the state elites, approached cautiously, and that some openly opposed despite supporting many government policies, was the uncertainty of the President's relationship with the other powers, especially the legislative power, and of many other issues concerning the executive. Clearly, since it had not matured in the historical process and settled gradually, in short because it had a revolutionary character, it should be regarded as natural for such reactions to be shown in a country with a very high score of 85 in the uncertainty avoidance dimension (Hofstede et al., 2010; Hofstede Insights, 2020).

However, despite all these obstructive factors, the transition to the presidential system, which had been attempted many times before, became possible thanks to the new government system's compatibility with the power distance dimension because it separates decision-making and implementation and offers a strong, stable and coherent decision-making process; because the Jacobin obstructive and destructive attitude adopted by the state elites against change was not welcomed by society and was seen as repellent; and because, with the support of social, political and economic developments, especially the 15 July coup attempt and other terrorist incidents, Erdoğan, through his

transformational leadership characteristic, prepared society for this reform (H. Ateş & Bektaş, 2018b).

In short, it is not correct to tie the realization of a reform or transformation to a single cause. Contrary to the continuing assumption, the obstacles before reforms are not only bureaucratic culture, state elites or *guardians of the regime*. Alongside these, it should not be forgotten that national culture, which provides a general depiction of society as a whole, is also among the basic factors that need to be considered in the reform process. Indeed, as explained extensively in the first part of the study, national culture can even be said to have a determining role over other factors to a certain extent or from a certain angle. In this context, as stated above, while most of what happened in the process leading to the Presidential Government System can be seen as caused by state elites and bureaucratic culture, it can be stated that, in the debates on the presidential system, the cultural structure of Turkish society accompanied the elitist and bureaucratic factors.

3.2. New Public Management and Local Government Reforms

Decentralization reforms have been used, and continue to be used, as an important instrument for adopting the core values of New Public Management in public administration. Decentralization, which is used in a broad sense in some cases to mean the transfer by central government of its administrative, political, and economic powers and responsibilities, and in a narrow sense in others to mean only the transfer of the central administration's powers and responsibilities to local administrations, especially municipalities (H. Koçak, 2009, p. 139; Okur & Çakıcı, 2007, pp. 6–7; Övgün, 2016, pp. 162–163), has been among the leading public administration reforms of countries that have adopted New Public Management, particularly since the 1990s.

Decentralization policies, in the broad sense, had been discussed in earlier sections, not exhaustively, but to an extent sufficient to provide an idea. In this section, however, reforms are examined in the narrow sense, around the local government units listed in the Turkish administrative structure: Provincial special administrations, municipalities, metropolitan municipalities, and villages. In this context, when local government reforms are considered, it is seen that their main characteristic is formed by normative regulations, such as laws and regulations. Although the regulations put into effect constitute one of the important milestones in Turkish public administration, the reforms carried out in the field of central government, especially over the last twenty years, have clearly taken the lead. In Türkiye, which has a centralized structure, it should be considered normal that reforms, that is, the need for change, have

mostly concerned the central organization. Moreover, a highly significant part of central reforms has contributed, either directly or indirectly, to achieving decentralization.

However, since these reforms were covered in the previous sections, and since an assessment centered on local government institutions has been adopted here, only provincial special administrations, municipalities, and metropolitan municipalities are discussed under this heading. These three institutions are also examined mostly on the normative plane. In this context, the first normative initiative was the Basic Law on Public Administration reform package, even though it became obsolete when President Sezer returned it⁴⁹. In accordance with the spirit of the reform package, public administration was accepted as a whole, and provisions were included for restructuring local governments alongside the central administration, with the exception of the Presidency and the institutions attached to it, and many others.

Accordingly, it was aimed to reshape the relations between local governments and central government, in terms of duties and powers, along the axis of the European Charter of Local Self-Government, to which Türkiye is also a party, and to bring the laws on metropolitan municipalities, municipalities, and provincial special administrations into conformity with the charter. This can be seen clearly in the book written by Dinçer and Yılmaz (2003, p. 150) on the Basic Law on Public Administration, through expressions such as “bringing public services to the citizen’s doorstep, taking their own decisions on meeting local common needs, creating their own resources, implementing them, and being open to citizens’ supervision”. It may even be said, from the following sentences, that the local government and decentralization vision held at the time went beyond this (Dinçer & Yılmaz, 2003, p. 151):

Among the provincial organizations of the central administration, the directorates of agriculture, industry, health, national education, provided that the authority to determine the curriculum and conduct inspection remains with the central administration, public works, tourism, culture, environment, social services, forestry, afforestation, village services, and sports will be transferred to Provincial Administrations together with all their powers, duties, personnel, buildings, lodgings, land, guest houses,

49 The reform initiative, debated from the first days of the AK Party’s coming to power and prepared by the Working Group on the Basic Law on Public Administration, chaired by Prof. Dr. Ömer Dinçer and consisting of 11 members (Prof. Dr. Bilal Eryılmaz, Mustafa Çetin, Dr. M. Emin Zararsız, Dr. Cevdet Yılmaz, Zekeriya Şarbak, Kayhan Kavas, Mevlüt Atbaş, Ercan Topaca, Bekir Korkmaz) (Başbakanlık, 2003), was adopted by Parliament in 2004 under the title Law No. 5227 on the Basic Principles and Restructuring of Public Administration. However, it was returned by President Sezer on the grounds that some of its articles were contrary to Articles 123, 126 and 127 of the Constitution (Sezer, 2004).

and other tools and equipment. Treasury lands will be left to municipalities within municipal boundaries and to Provincial Special Administrations in other areas. Local government units, provincial special administrations, municipalities, and villages will be able to carry out all kinds of cooperation and joint project implementation on matters such as services, buildings, equipment, and personnel.

These expressions are undoubtedly compatible with both the European Charter of Local Self-Government⁵⁰ and the New Public Management approach. Yet to say that this was also valid for Türkiye, at least at that time, does not seem so easy. Of course, it is not being claimed here that the understanding of decentralization adopted was wrong. The expressions above may be seen as “a target to be reached” for a democratic, participatory, effective, efficient, transparent, and accountable local government, but they may also be evaluated as a reflection of a “one-size-fits-all model” understanding. To put it more clearly, the above principles may be adopted as an ideal, but Türkiye’s social, cultural, economic, and even geographical differences need to be taken into account.

Indeed, after the Basic Law on Public Administration became obsolete, or after it became clear that it would become obsolete, following harsh criticisms and President Sezer’s veto, it is seen that the expressions in the local government laws enacted afterwards were “softened” by taking Türkiye’s differences into account. Naturally, the only reason for this change, or retreat, in the understanding of decentralization was not the compatibility of these principles with existing conditions. The resistance shown by state elites, who were concentrated in the capital and wished to govern the country from there, may also be listed among the main reasons that caused the level of decentralization to be pulled back.

In particular, the phenomenon of administrative tutelage, expressed in parallel with the unitary structure defined in Article 3 of the 1982 Constitution as “The State of Türkiye, with its territory and nation, is an indivisible whole”, and in the Constitution through Article 126 as “The administration forms a whole with regard to its structure and functions”, Article 126 as “The administration of provinces is based on the principle of deconcentration”, and Article 127 as “The establishment, duties and powers of local administrations shall be regulated by law in accordance with the principle of decentralization”, was interpreted by state elites not as the supervision of central government for

50 The relevant document was signed in 1988 and entered into force after being published in the Official Gazette in 1992. The full text in the Official Gazette can be accessed at “<https://www.resmigazete.gov.tr/arsiv/21364.pdf>”.

the fair and equal development of every region of the country, but as meaning that decisions should be taken only from Ankara or that decisions taken should pass through the approval of central government. This interpretation formed the main basis of this resistance.

3.2.1. Local Government Reforms before 2002

Since the power struggle between founding values and change, or reform, was discussed at length both in the section examining Türkiye's cultural structure and in the section examining central reforms, it is not elaborated further here, and the discussion turns to normative reforms. Yet in order for normative change to be fully understood, the dominant understanding before the reforms must be set out. In this context, the 1913 Provincial Special Administration Law⁵¹, the Provisional Law on the General Administration of Provinces dated 13 March 1913⁵², the 1930 Municipal Law No. 1580, and the 1984 Metropolitan Municipality Law No. 3030 are examined. Since these are repealed laws, a descriptive account has been preferred instead of an article-by-article examination.

The 1913 Provincial Special Administration Law was the product of a series of normative initiatives enacted in the final period of the Ottoman Empire, which had reached the stage of dissolution with the rise of nationalist movements, in order to strengthen central authority (Eryılmaz, 1997, pp. 126–127). Although it was a provisional law, that is, not a law but a norm having the force of law, three different periods may be identified for the Provincial Special Administration Law, which remained in force for more than ninety years. In the first period, from 1913, when it began to be implemented, until the 1950s, both central services and local services were carried out together at the provincial level. In other words, provincial special administrations provided services like a provincial organization on the one hand, while on the other hand working to meet local common needs. Under these conditions, it may be said that the governor possessed very broad powers in the province within the framework of the principles of delegation of authority and deconcentration (Eryılmaz, 1994).

51 In the literature, because the law does not have a law number, the usage "1913 Provincial Special Administration Law" has been preferred.

52 The law was transferred from the Ottoman Empire to the Republic of Türkiye and remained in force until 2005, except for amendments made to a few of its articles by Law No. 3360 in 1987 and the change of its name to the Provincial Special Administration Law. It was repealed when Law No. 5302 on Provincial Special Administrations was published in the Official Gazette dated 04.03.2005 and numbered 25745.

By the 1950s, with the development of the central organization, especially ministerial organizations, central authority had strengthened, and many services carried out by provincial special administrations began to be performed through the provincial organizations of ministries. In these years, which constitute the second period of the 1913 Provincial Special Administration Law, the distinction between provincial organization and local governments also began to become clearer (Şengül, 2016, pp. 52–56). However, this should not be evaluated as progress in terms of decentralization. Although provincial administration and local governments were institutionally separated, both levels remained under the supervision of the governor, who was the representative of central government in the province.

The third period in the 1913 Provincial Special Administration Law began with the 1984 Metropolitan Municipality Law No. 3030, followed by the changes envisaged for provincial special administrations by Law No. 3360 in 1987. With both changes, metropolitan municipalities emerged as a new administrative unit alongside provincial special administrations in meeting local common needs within the province. This situation both weakened the effectiveness of central government over local governments and created uncertainties in the duties and powers of provincial special administrations (Bilgiç, 2007, pp. 101–104). When the dual position of the governor, who was also the head of the provincial general administration, was added to this, the effectiveness of provincial special administrations as local government units gradually declined.

However, although the functionality of provincial special administrations as local government units declined, this did not reduce the influence of the governor over other local government units, namely metropolitan municipalities and municipalities. As the representative of the state in the province, by virtue of the constitutional principle of the integrity of the administration⁵³, the governor was able, through administrative tutelage control⁵⁴, to supervise, and even intervene in, many actions of local units, from the decisions they took to the activities they carried out (Gökçe & Şahin, 2002, p. 11; San, 1996; Yeter, 1992, pp. 14–15). In addition, although it had a centralist character from the standpoint of today's understanding of decentralization, the gains achieved from 1913 to the early 2000s should not be forgotten.

53 1982 Constitution of the Republic of Türkiye, Article 123: The administration is a whole with its establishment and duties and is regulated by law. The establishment and duties of the administration are based on the principles of centralisation and decentralisation.

54 There are also views which accept the governor's position in the general provincial administration as administrative tutelage, but do not include the powers held by the governor in the provincial special administration within this scope (Çiner & Karakaya, 2013, p. 85).

After the 1913 Provincial Special Administration Law, another law that remained in force for many years, seventy-five years, was the 1930 Municipal Law No. 1580. The law, shaped under the national and international conditions of the 1930s, was based functionally on a central-local distinction, but it also contained provisions that clearly secured the control and supervision of central government and the bureaucracy. Indeed, with the direct appointment of some administrative levels from the center, not only control and supervision, but also direct executive activities were left to central government (Şengül, 2016, pp. 79–81). Of course, this corresponds to the form in which the law first entered into force. Yet it is highly valuable for showing the understanding with which the law was prepared.

When the content of the law is examined, it is seen that the Ottoman legacy (Eryılmaz, 1994) and the developmentalist-modernist understanding of the newly established regime were dominant (Eryılmaz, 1997, pp. 21–22). A dual distinction was adopted in municipal administration, and the administration of the provincial municipalities of Istanbul and Ankara was differentiated from the administration of other municipalities. Since Ankara was the capital and was being rebuilt in accordance with the requirements of the new regime, and since Istanbul was the imperial capital, represented the old regime, and was the most important province of the country in terms of population and economy, among other reasons, the governorship of the provincial municipality was carried out by governors (Oktay, 2008, pp. 148–149).

In other provinces, although the governor did not directly become the head of the municipal organization, the following procedure operated: the municipal council, elected by an election whose results were approved by central government, elected a mayor from among its own members; in provincial municipalities this mayor was appointed by the President upon the proposal of the Minister of the Interior, and in other municipalities by the governor. Another distinguishing point of the law was that it assigned responsibilities to municipalities in areas such as zoning, public works, health, social, cultural, and artistic activities for the development of the country, which was thought to be backward in the context of modernism (Oktay, 2020a, pp. 10–11, 2020b, pp. 178–181). However, municipalities that lacked sufficient financial and administrative resources and independence were turned almost into provincial organizations of central government.

Of course, many changes occurred in the law and in its implementation over seventy-five years. Yet it may be said that a consistent attitude was maintained on certain points until it was repealed. In this context, in general terms, the law saw all municipalities other than Istanbul and Ankara as equal

by disregarding their differences; granted autonomy to municipalities, but required this autonomy to be used in a way that would not harm the unitary structure; required services to be distributed across all municipal boundaries and civil local common needs to be met; made central government's tutelage control compulsory both to prevent unlawful actions and to ensure that local services were not disrupted; regulated the formation of the municipal council through election and the openness of its meetings to the public; and, finally, regulated the powers and responsibilities of municipalities through the "list" method (Şengül, 2016, pp. 82–83).

Another local government law that entered into force relatively recently compared with the Provincial Special Administration and Municipal laws, and that also remained in force for a shorter period than those laws, was the 1984 Metropolitan Municipality Law No. 3030. Increasing industrialization, dependent on many national and international factors, and the resulting concentration of population in certain regions caused problems of a size and kind that classical municipalities could not solve (Eryigit, 2018, p. 66). Especially in metropolitan cities such as Istanbul, negative conditions such as unplanned urbanization, insufficient infrastructure and the health problems caused by this, transport, the increase in urban crime, and unemployment did not remain within the boundaries of a single municipality, but became common problems of more than one municipality. This made a structure above municipalities necessary in order to ensure coordination and to provide services that had been left without an owner (Arikboğa, 2012, p. 7).

Although the need for a local government at the metropolitan level had also been voiced before 1980, it could acquire a constitutional basis only through Article 127 of the 1982 Constitution, which was adopted after the 1980 Military Coup, for various reasons, especially domestic political turmoil (Oktay, 2020a, pp. 19–20). After this constitutional basis, the signals of the 1984 Metropolitan Municipality Law No. 3030, Türkiye's first metropolitan administration law, could be seen clearly, as noted in the section on Özal-era reforms, in the Motherland Party's election manifesto, government program, and speeches made in parliament and similar arenas; it was frequently stated that rapidly and uncontrollably growing cities should be administered through a special administrative model (ANAP, 1983a).

In addition, the first signals of the metropolitan model in practice, although not democratically, are also traced back to before the 1982 Constitution, to National Security Council Decision No. 34 issued under the coup administration. The "economy of scale", which is the central concept of the metropolitan administrative structure, also became the central concept

of Decision No. 34, which envisaged gathering small municipalities that were inadequate in providing local services under central municipalities for effective and efficient administration (Şengül, 2016, p. 123). Viewed from this angle, this initiative may essentially be seen as an ad hoc implementation of the metropolitan model.

Although Decision No. 34 was later turned into a more orderly norm through Law No. 2561 on the Attachment of Settlements in the Immediate Surroundings of Metropolitan Cities to Main Municipalities⁵⁵, it cannot be said that a permanent administrative model was put forward. Indeed, while the expression in the justification of the law, “in order to ensure that basic municipal services are carried out sufficiently and efficiently within a harmonious and integrated planning framework” (Article 1), makes it possible to see the economy of scale clearly, no change was envisaged in the administration of the main municipalities, and merger under their existing administrative structures was envisaged. To put it more clearly, both Decision No. 34 and Law No. 2561 regulated the abolition of small municipalities and villages and their attachment to the central municipality, rather than a new administrative structure. When the purpose and scope of Law No. 3030⁵⁶ are compared with the above regulations, the accuracy of these statements can be understood.

Turning to the content of Law No. 3030, it is seen that an administrative method applied in various forms in many world metropolises began to be applied in Turkish public administration as well. Chief among these was the abandonment of the uniform understanding of municipality adopted in Law No. 1580, and the decision to establish metropolitan municipalities as upper-tier municipalities in regions where population was concentrated and local needs fell within the boundaries of more than one municipality, with district municipalities at the lower tier. Thus, a two-tier administrative understanding was adopted in metropolitan cities (Eryigit, 2018, pp. 65–66).

However, it would not be correct to say that the boundaries of the municipalities established by Law No. 3030 overlapped with provincial and district administrative boundaries in the way later envisaged by Law No. 5216 for Istanbul and Kocaeli, and by Omnibus Law No. 6360 for all metropolitan municipalities⁵⁷. It may be stated that, when boundaries were

55 The full text of the law can be accessed at “<https://www.resmigazete.gov.tr/arsiv/17538.pdf>”.

56 The full text of the law can be accessed at “<https://www.resmigazete.gov.tr/arsiv/18453.pdf>”.

57 For detailed information on boundaries, see the full texts of the laws published in the Official Gazette (www.resmigazete.gov.tr). The texts published through Legislation (Mevzuat) (www.mevzuat.gov.tr) are the texts currently in force, incorporating subsequent amendments.

determined, rural and adjacent areas were mostly left outside, and urban services and settlements were taken into account. In addition, in the provinces where metropolitan municipalities were established under Law No. 3030, “traditional” municipalities subject to Law No. 1580 also continued to exist (Akıllı, 2010, p. 18).

Another innovation brought by Municipal Law No. 3030 was the realization among local government units of a similar sharing of powers and responsibilities to that between central government and local governments (H. Çiçek et al., 2018, p. 462). In this respect, when the text of the law is examined, it is seen that the list method was adopted for the duties of the metropolitan municipality in the division of labour among municipalities, while the principle of general competence was adopted for the duties of the district municipality. When viewed at the municipal level, this method may be evaluated as a positive development, albeit a limited one, in terms of the principle of subsidiarity or locality. Yet, as discussed in the previous paragraphs, the position of the governor, as the representative of central government in the province, both in the provincial special administration and in provincial administration, constituted an obstacle to the implementation of the principle of subsidiarity or locality.

Returning to the division of labour between metropolitan and district municipalities, in broad terms the metropolitan municipality was given the task of coordination within the metropolitan area and among district municipalities. The most concrete examples of this were the “Infrastructure Coordination Center” and the “Transport Coordination Center” established within the metropolitan municipality. The decisions taken by the coordination centers, which meet under the chairmanship of the metropolitan mayor, are binding not only for district municipalities but also for all other public institutions and organizations. Considering the powers that the metropolitan municipality has through the coordination centers, it may be interpreted, at least normatively even if not in practice, that some of the governor’s powers of control, supervision, and coordination were transferred to the metropolitan municipality, or that the metropolitan municipality was also given a power of tutelage control (Aydınlı, 2003, pp. 76–77; Özçelik, 2014, p. 1139).

Since pre-2000 public administration reforms were discussed in earlier sections, they have not been examined in detail under this heading; instead, the legal regulations adopted in this field have been mentioned in order to provide the historical background of local government reforms. As a result, when the discussion is summarized, it may be said that the 1913 Provincial Special Administration Law reflected Ottoman modernization; the 1930

Municipal Law No. 1580 reflected early Republican modernization; and the 1984 Metropolitan Municipality Law No. 3030 reflected the neoliberal period, that is, the New Public Management approach, around principles such as economies of scale, effectiveness, efficiency, locality, and cooperation.

3.2.2. Post-2002 Local Government Reforms

After the Basic Law on Public Administration was returned to parliament by President Sezer for reconsideration, the AK Party government, unable to create a holistic framework for public administration reform in line with New Public Management and neoliberalism through a basic law, nevertheless enacted many legal regulations from this perspective. In other words, this can be evaluated as the insertion into Turkish public administration, through amendments to separate laws, of the principles that the Basic Law on Public Administration had sought to establish in public administration (Demirkaya, 2018, pp. 15–16).

Indeed, the criticisms made in the grounds of the annulment applications submitted to the Constitutional Court were also shaped around a common philosophy. Leaving aside the relationship with the Basic Law on Public Administration and focusing on local government reforms on the normative axis, it is appropriate to begin with the Metropolitan Municipality Law No. 5216 of 2004, which was the first to be enacted and implemented. Since the law underwent a number of significant changes⁵⁸ between its adoption in 2004 and 2021, a chronological order has been followed.

In order to see the scale of change in greater detail, the initial version of Law No. 3030 and the most recent version of Law No. 5216 need to be interpreted in broad terms. In this respect, Law No. 3030 may be said to have had no function beyond ensuring coordination among districts within a limited geography, for reasons such as its being the first law regulating metropolitan administration, Türkiye's socio-economic structure, and the fact that its metropolitan cities were considerably behind the metropolises of advanced industrial societies in terms of physical infrastructure, especially urbanization and transport (Oktay, 1998, pp. 67–69). Law No. 5216, by contrast, found the opportunity to establish a more comprehensive and genuinely different form of administration, both because socio-economic and cultural conditions had developed at the national scale and because many metropolitan cities had physically grown in a manner more consistent with the phenomenon of the metropolis.

58 The largest amendment to Law No. 5216 was made by Law No. 6360.

The essential point that should be emphasized about Law No. 5216 is that it was drafted as the result of a “concrete and undeniable” need. The population increase experienced in metropolitan cities, especially Istanbul, after 1980 and particularly after 1990, together with the related expansion of the urban area and the daily movement of the population among districts for work and similar reasons, produced many problems in transport, the environment, security, health, and other areas. This made an inter-district, or supra-district, administration necessary for solving these problems. It is therefore not at all surprising that Law No. 3030, which had become inadequate in producing solutions, was the first local government law abolished under AK Party rule, and that Law No. 5216 was the first local government law to enter into force.

Moreover, when the initial version of Law No. 5216 is examined, it is clear that, apart from adapting the duties and responsibilities of metropolitan municipalities to the new situation, it did not contain sharp or revolutionary institutional and normative transformations, but rather comparatively narrower provisions. This does not mean, however, that no criticisms were directed at Law No. 5216. It was argued that some provisions could lead to imbalances of power both among metropolitan municipalities and between metropolitan and district municipalities. Indeed, when the first version of the law is examined, it is seen that, as under Law No. 3030, district municipalities were weakened vis-à-vis metropolitan municipalities on the one hand, while on the other hand financial regulations were introduced that could further widen the development gap among metropolitan municipalities.

Although Law No. 5216 is accepted as a major advance when compared with the initial version of Law No. 3030, particularly in terms of the rights granted to the Metropolitan Mayor⁵⁹, it should be emphasized that it was not compatible with the New Public Management approach, the European Charter of Local Self-Government to which Türkiye is a party, or the needs and requirements of the age. In this context, it should also be stated that many of the grounds included in the application made to the Constitutional Court for annulment by Ali Topuz and Haluk Koç together with 121 deputies were

59 Article 14 of Law No. 3030: “All decisions taken by metropolitan and district municipal councils are sent to the metropolitan mayor. The metropolitan mayor may request that the matter be reconsidered by the councils. The councils may insist on their decisions only by a two-thirds majority, and in such cases the council decision becomes final.” Article 14 of Law No. 5216 (original version): “The decisions of district and first-tier municipal councils, except those concerning the budget and zoning, are sent to the metropolitan mayor together with their supporting documents. The metropolitan mayor may, within seven days and stating the reasons, request reconsideration of the decisions deemed unlawful. If the relevant council insists on its decision by an absolute majority of the full number of its members, the decision becomes final.”

well-founded. Indeed, some of the articles were annulled by the Constitutional Court⁶⁰, some were amended through various legal regulations before the Constitutional Court's decision⁶¹, and others after the decision⁶².

When compared with Law No. 3030, the first transformation experienced by Law No. 5216 in the context of the process described above both largely eliminated the points at which Law No. 3030 had remained inadequate, or had even caused problems, and reduced the tutelage of central government over metropolitan municipalities, thereby making some progress in decentralization, or subsidiarity, in financial and administrative terms. Another large-scale change in Law No. 5216⁶³ took place within the framework of Law No. 6360. Alongside routine regulations such as the establishment of new municipalities and the redivision of boundaries, the law also included radical reforms in provinces with metropolitan municipalities, such as defining municipal boundaries as civil administrative boundaries, transforming town municipalities and villages into neighborhoods, abolishing provincial special administrations, and establishing Investment Monitoring and Coordination Presidencies.

Looking more closely at the reforms listed above, it is seen that the practice previously applied in Istanbul and Kocaeli, namely expanding municipal boundaries as civil administrative boundaries so that they would cover the entire province, including villages, except in the earlier Istanbul and Kocaeli practice where villages were excluded, was adopted for all other metropolitan municipalities as well. On the basis of the experience gained in Istanbul and Kocaeli, it was concluded that the presence of two local government units within the same geographical jurisdiction could both create confusion of authority and render another institution dysfunctional. For this reason, in provinces with metropolitan municipalities, the legal personalities of provincial special administrations were terminated (Usta et al., 2018, p. 223; Zengin, 2014, p. 102). However, in line with the principles of the integrity of the

60 The annulment decision can be accessed online at <https://www.resmigazete.gov.tr/eskiler/2008/01/20080117-16.htm>.

61 These are Law No. 5390 on Amendments to the Metropolitan Municipality Law and Law No. 5335 on Amendments to Certain Laws and Decree-Laws.

62 These are Law No. 5779 on the Allocation of Shares from General Budget Tax Revenues to Provincial Special Administrations and Municipalities, and Law No. 5747 on the Establishment of Districts within Metropolitan Municipality Boundaries and Amendments to Certain Laws.

63 The parts of Metropolitan Municipality Law No. 5216 that refer to the Municipal Law may also be counted among large-scale changes. In this section, however, only the amendments directly concerning the metropolitan municipality have been examined; the changes within the framework of the Municipal Law are discussed when Law No. 5393 on Municipalities is addressed.

administration and the continuity of public service, Investment Monitoring and Coordination Presidencies were established so that local investments and services could be supervised and coordinated by central government⁶⁴.

In addition, although many services were transferred to metropolitan and district municipalities, especially with the attachment of villages and towns, first-tier municipalities, to metropolitan district municipalities as neighborhoods, the fact that areas such as mines and other underground resources carry a national character beyond local common needs also made the establishment of the Investment Monitoring and Coordination Presidency necessary. Yet the Investment Monitoring and Coordination Presidency, which did not even possess legal personality⁶⁵ in the first regulation introduced by Law No. 6360, should not be regarded as a rigid instrument of tutelage. Almost all of the powers and responsibilities held by provincial special administrations were transferred to municipalities, while the duties and powers of the Investment Monitoring and Coordination Presidency remained limited. This situation did not change after the presidency acquired public legal personality.

However, it would not be correct to confine decentralization, or more clearly the principle of subsidiarity, only to powers held vis-à-vis central government. The basic philosophy of the principle is that, in order to make local democracy possible, decisions and services should be carried out by the closest possible administrative unit (Føllesdal, 1998, p. 190). In this respect, although Law No. 5216, particularly after the amendments following Law No. 6360, may be evaluated as progress in decentralization vis-à-vis central government, it also caused serious debates because of the powers held by metropolitan municipalities to the detriment of district municipalities and because some municipalities were closed or transformed into neighborhoods. Not only the opposition, but also many people who supported the ruling

64 Article 28/A, paragraph 2, of Law No. 3152 on the High Disciplinary Board of the Ministry of Interior and Certain Regulations Concerning Provincial Investments and Services: "If it is determined by the governor or the relevant ministry that investments and services that should be carried out by public institutions and organizations in the province have been disrupted, and that this situation adversely affects public health, peace and welfare, and public order and security, the governor shall grant an appropriate period and request that the service and investment be carried out. If the service and investment are not carried out within the given period, the governor may request that the investment and service in question be carried out by other public institutions and organizations in the province, or may have them carried out through the investment monitoring and coordination directorate."

65 While the Investment Monitoring and Coordination Directorate was included in the general budget under Law No. 6360, it was transformed into a special-budget institution, that is, an institution with legal personality, by Decree-Law No. 674 issued after the coup attempt of 15 July 2016. Its legal personality was also preserved in all normative regulations made within the adaptation process to the Presidential Government System.

party, evaluated this initiative as “centralization at the local level” (Kaypak, 2020, p. 206; Zengin, 2014, pp. 111–112).

First of all, it should be recalled that there are no concrete outputs on the basis of which such an assessment can be made. Next, it is not a very accurate assessment to criticize metropolitan municipalities, which began to provide services at the provincial scale with the authority granted by Law No. 5216 in its final form, for taking over many of the duties and powers of provincial special administrations, which, although local government units, had traditionally carried out their work under the shadow of central government, that is, of the governor. In addition, while the powers of the metropolitan mayor should not be underestimated, the composition and powers of the metropolitan municipal council should also not be forgotten in the context of its relationship with district municipalities. The situation that emerged in the 2019 local elections, which produced results to which Türkiye was not very accustomed, where the mayors of Istanbul and Ankara metropolitan municipalities and the majorities in their municipal councils belonged to different political views, clearly demonstrates this point.

The other normative local government reform carried out after the Metropolitan Municipality Law was Municipal Law No. 5393 of 2005. However, Law No. 5393 was not the first law accepted to replace Law No. 1580. Before this, two municipal laws, Nos. 5215 and 5272,⁶⁶ were adopted by parliament in 2004. Law No. 5215 was returned to parliament for reconsideration by President Ahmet Necdet Sezer on the grounds that it contained regulations contrary to Articles 126 and 127 of the Constitution⁶⁷. After certain amendments, the relevant law was accepted as Law No. 5272, but the Constitutional Court annulled it on formal grounds, for failure to comply with the legislative procedure⁶⁸. As a result of this entire process, the Municipal Law was accepted on 3 July 2005 as Law No. 5393, and Municipal Law No. 1580 effectively ceased to be in force.

The resistance shown to local government reform laws by both the President and the opposition party through various means, such as slowing down parliamentary deliberations, vetoes, and applications to the Constitutional Court for annulment and stays of execution, also disrupted the sequence among

66 The full text of Law No. 5215 can be accessed at “<https://www.tbmm.gov.tr/kanunlar/k5215.html>”, and the full text of Law No. 5272 can be accessed at “<https://www.tbmm.gov.tr/kanunlar/k5272.html>”.

67 The grounds for the veto can be accessed at “<https://www.tccb.gov.tr/basin-aciklamalari-ahmet-necdet-sezer/1720/6332/5215-sayili-kanun>”.

68 The annulment decision of the Constitutional Court can be accessed at “<https://www.resmigazete.gov.tr/eskiler/2005/04/20050413-15.htm>”.

the laws, and this situation was again presented as a ground for annulment of the relevant laws⁶⁹. While the main philosophy held by the government in the provincial special administration, municipal, and metropolitan municipality laws was to lighten the tutelage of central government over local governments and to make local autonomy a basic principle of public administration, the aim of the opposition and state elites, especially President Sezer, was exactly the opposite: to consolidate the dominance of central government in public administration and over local governments. For, in their view, centralization is the rule in a unitary state (Zengin, 2014, p. 98).

The common ground in President Sezer's vetoes not only of the municipal law but of all laws concerning local governments, and in his applications to the Constitutional Court for the annulment of these laws, was that they were contrary to Articles 123, 126, and 127 of the Constitution. To explain in more detail, President Sezer relied on the relevant constitutional articles regulating central administration, Articles 123 and 126, and local administrations, Article 127, to argue that central administration was the principal rule and local administrations were exceptional or special. Therefore, the authority granted to local governments had to concern local common needs, had to remain under the tutelage of central administration, and had to have clearly drawn boundaries.

Despite the President's clear and consistent position in this direction, the AK Party government was equally insistent in its views on decentralization. In both the 5215 and 5272 versions of the Municipal Law and in its final form, Law No. 5393, it persistently included provisions authorizing municipalities within the framework of the principle of general competence, such as "the municipality shall perform or have performed other duties and services of a local common nature that are not assigned by law to another public institution or organization". From a technical point of view, however, authorizing municipalities for the common needs of both the town's population and the town, or making them generally competent in all matters outside the authority of central government, is unconstitutional, as President Sezer stated.

Indeed, upon the applications of the President and the main opposition party, these provisions, which represented a major advance in terms of the European Charter of Local Self-Government, were annulled. Yet the positive transformation brought by Municipal Law No. 5393 was not limited to these

69 In President Sezer's veto statements, it is seen that he referred to the 1913 Provincial Special Administration Law and stated that the legal amendment contained provisions contrary to the Provincial Special Administration Law.

provisions. The general justification submitted to parliament explains the significance of the law very well:⁷⁰

A rapid change and transformation deeply affecting social structures and relations is taking place throughout the world. This process of change and transformation, which began in the last quarter of the twentieth century and is understood to continue into the twenty-first century, has left profound effects on the thought, structure, and functions of public administration, as in every other field, and has led to debates over the duties of the state and its methods of doing business, based on the question of what it should do and how it should do it.

These debates, which have led to the redefinition of the role of the public sector, have also brought with them demands for the democratization of public administration. It is known that the traditional method of representation is not sufficient, that the principles of openness, participation, responsibility, and accountability must be put into practice in the administration and delivery of services for a more democratic public administration, and that these principles are also among the essential elements of an effective public administration.

The New Public Management approach takes effectiveness and efficiency in administration as its basis. Being prepared for the uncertainties of the future, taking rapid decisions, and finding appropriate solutions to problems quickly are the basic requirements of adapting to change...

The rise of strategic management, which anticipates the future, alongside flexible and horizontal organization, and the emphasis on the need for the public sector to be entrepreneurial and competitive, are also compatible with decentralization...

...What should be understood by autonomy as a requirement of the principle of decentralization, in this Draft, is that local administrations fulfil the duties and services assigned to them by law through the decisions of their own organs and under their own responsibility. Participation refers to the democratization of administrations, while effectiveness refers to the establishment of an effective, efficient, and service-oriented administration in line with the change experienced in public administration. Efficiency, effectiveness, and the democratic character of administration are not concepts that conflict with one another, but concepts that complement one another...

...When the Draft becomes law, continuous cooperation, solidarity, and mutual trust between the municipal administration and the people of the

70 The full text of the justification and the bill can be accessed online at <https://www.tbmm.gov.tr/sirasayi/donem22/yil01/ss944m.htm>.

town will increase. Municipalities will acquire a structure that performs duties in accordance with the integrity of the administration, that is reliable and predictable, open and transparent, accountable, and that provides efficient, effective, and high-quality services; they will contribute to the spread of democratic values and to the increase of welfare.

Although the above expressions appear in the justification for the municipal law, they are at the same time the justification for the public administration reforms of that period. To summarize in this context, those who prepared the draft law argued that Türkiye had also been affected by the phenomenon of change and transformation that had begun worldwide in the 1970s and 1980s, and that the necessary measures therefore had to be taken. They stated that, in order to remedy the deficiencies of representative democracy and to ensure that citizens' preferences could be fully reflected in public policies, a number of principles in line with the New Public Management approach were essential, including a transition from a centralized structure to a decentralized one, effectiveness, efficiency, participation, cooperation, transparency, accountability, trust, quality, service-orientation, flexibility, horizontal organization, strategic management, entrepreneurship, and competition.

Furthermore, on the basis of the expressions in the justification, it is seen that policymakers distinguished between governing and providing services, or between taking decisions and implementing them, and that they held the view that the agency theory⁷¹ on which traditional politics, that is representative democracy, rests was insufficient, that citizens' direct participation in administration was important, and that this could be made possible not through central government but through local governments. As will be remembered, these expressions were also frequently repeated in the central administration reforms. On this basis, it may be said that in their early years the AK Party governments adopted New Public Management as a framework and shaped reforms around it.

When the innovations brought by Municipal Law No. 5393 are considered, the first point that stands out, and the one that drew the strongest reaction

71 Agency theory, which has economic origins and is widely used in the field of business, gradually began to be applied in the fields of politics and public administration as well. Although the name of the theory evokes certain associations, it is not as simple as it appears. To express it in business terminology, the theory concerns the relationship between company shareholders and the employees who act as their agents. It proceeds from the assumption that agents may mislead company shareholders through various means, such as asymmetric information, and may act in line with their own interests. It is therefore built around the idea that agents should be supervised by a board/committee/assembly composed of company shareholders. For detailed information and its relationship with public administration, see Eisenhardt (1989), Mitnick (2015), and Shapiro (2005).

from representatives of the status quo, especially President Sezer, is the clear emphasis in the text of the law that municipalities are public institutions with financial and administrative autonomy, defined as “public legal persons established to meet local common needs and whose decision-making organ is formed through election by voters, possessing administrative and financial autonomy” (Art. 3). By contrast, both the initial version of Law No. 1580 and the version in force before its repeal defined the municipality only as “a legal person charged with regulating and settling the common and civil needs of the town⁷² and its inhabitants of a local nature” (Art. 1), and contained no other explanation or definition regarding autonomy.

This emphasis on autonomy in the law secured at the level of law the idea that municipalities should not be seen only as bodies through which technical tasks and services determined by central government are implemented by local administrators, and that they constitute one of the most important steps towards democracy becoming government by the people in the full sense. To put it more clearly, municipalities, defined as “public legal persons possessing administrative and financial autonomy”, were intended through this regulation to become bodies that both decide and implement, whereas previously they had merely implemented. Moreover, the relevant article of the law, which was claimed to be unconstitutional and to threaten the unitary structure, is in fact a requirement of Article 127 of the Constitution itself. Strengthening administrative tutelage to the point of turning it into a hierarchical structure instead of recognizing autonomy for municipalities should more properly be seen not as decentralization, but as provincial administration.

Another innovation in the new municipal law concerned the conditions required for the establishment of a municipality. In this context, the population criterion, previously 2,000, was raised to 5,000; it was stipulated that municipalities could not be established in water basins, protected sites, and other conservation areas; and it was made compulsory for the centers of established municipalities to be at least 5,000 meters apart (Art. 4). In this way, the establishment of municipalities was made more difficult and the number of existing municipalities was reduced. As clearly stated in the justification

72 When President Sezer vetoed the repealed Municipal Law No. 5215, he argued among his grounds that the law was contrary to Articles 126 and 127 of the Constitution by stating that, “in the regulation made, while defining the municipality, ‘the town’ was also separately mentioned alongside ‘the people of the town’, and the duty of meeting the local common needs of the town was also given to municipalities.” However, apart from defining the town and emphasizing that municipalities have financial and administrative autonomy, the law did not introduce anything new. As a state elite, President Sezer may be said to have made this interpretation by engaging in intention-reading in order to preserve the status quo and prevent a transformation *outside their own control*.

of the law, these measures were included in the law for the effective and efficient use of resources. This method, called the economy of scale (Korlu, 2019, pp. 232–234), may be evaluated as a useful initiative for reducing to an optimum level the number of municipalities that had increased excessively for bureaucratic and populist political reasons, and for preventing such initiatives in the future.

Despite all its positive consequences, it may be thought that raising the conditions required for establishing a municipality could negatively affect decentralization and lead to centralization at the local level. At this point, it may be argued that the provisions of Law No. 5393 concerning neighborhoods (Art. 9) and the law of fellow-citizenship (Art. 13) can produce solutions to these problems. Whereas Law No. 1580 referred to the neighborhood (Art. 8) only in administrative terms, such as its establishment, merger, and abolition, and in technical terms, Law No. 5393 sees the neighborhood not only as a physical boundary but as an organic structure, and assigns to the neighborhood headman duties such as “identifying common needs with the voluntary participation of neighborhood residents and improving the neighborhood’s quality of life” (Art. 9).

In addition, Law No. 5393 defines fellow-citizenship (Art. 13) not by the place where one is registered in the population records, but by the place where one resides, and grants fellow-citizens the right to participate in municipal activities and to obtain information about them. The truly important regulation in Law No. 5393 on fellow-citizenship is that municipalities are given the duty of “developing social and cultural relations among fellow-citizens and preserving cultural values” (Art. 13), and, while carrying these out, are required to take “measures to ensure the participation of universities, professional organizations with the status of public institutions, trade unions, civil society organizations, and expert persons” (Art. 13). As can be seen, while the establishment of municipalities is made more difficult in line with economies of scale for effective and efficient administration, the necessary measures are also taken to remedy the possible negative effects that may arise in terms of decentralization and democratization.

Another important innovation brought by Law No. 5393 appeared in the article dealing with the duties and responsibilities of municipalities (Art. 14). Although this article was enacted in a manner that made municipalities generally competent in matters of local common need, as in the relevant articles of Law No. 5215 vetoed by President Sezer on the grounds that

it was contrary to Articles 123, 126, and 127 of the Constitution⁷³, it was removed from the text of the law after the Constitutional Court's annulment decision⁷⁴. When evaluated on the basis of its post-annulment form, it is seen that the list method was adopted; however, when the content of the duties and responsibilities (Art. 14) is examined, it is also seen that they were shaped according to contemporary needs and that municipalities were given a proactive and encouraging role in the socio-cultural and economic needs of the town, alongside classical, obligatory services.

In the regulation concerning municipal council meetings, it was decided that the council, which had previously met ordinarily in October, February, and June, that is three times a year (Art. 54), would meet regularly every month⁷⁵ (Art. 20). In addition, the powers of the municipal council were expanded, and its effectiveness in municipal administration was increased through the audit commission (Art. 25) and specialized commissions (Art. 24). In this way, by giving the council a voice in municipal administration, which under Law No. 1580 had previously been left to the mayor and the executive committee, both a participatory and democratic understanding of administration was adopted and it became possible to respond more quickly to needs in line with the preferences of the town.

Moreover, before Law No. 5393, although the mayor came to office through election, the dominant composition of the executive committee consisted of civil servants, and therefore the preferences of civil servants, rather than those of the public, came to the fore. Under the new regulation, the majority in the municipal executive committee shifted from civil servants to elected members, that is council members (Art. 33), and the executive committee's authority to take decisions on behalf of the council in certain cases was abolished and limited only to executive powers (Art. 34). In addition, as in the municipal council, structural and functional improvements were made in the municipal executive committee, such as meeting at least once a week, being able to meet and take decisions by absolute majority, the agenda being determined by the mayor, and no decisions being taken outside the agenda (Art. 35), thereby giving it an effective, efficient, democratic, and rapid structure.

73 <https://www.tccb.gov.tr/basin-aciklamalari-ahmet-necdet-sezer/1720/6332/5215-sayili-kanun>

74 The Court annulled the expression in Article 14 of the Law, "The municipality shall perform or have performed other duties and services of a local common nature that are not assigned by law to another public institution or organisation", finding it contrary to Articles 2 and 127 of the Constitution. The full text of the relevant Constitutional Court decision can be accessed at <https://www.resmigazete.gov.tr/eskiler/2007/12/20071229-18.htm>.

75 "The municipal council may decide to take one month of recess each year" (art. 20).

In addition to all this, many new regulations were introduced, such as requiring municipalities to prepare strategic plans, performance programs (Art. 41), and activity reports (Art. 56), determining the ethical rules to be followed by the mayor and council members (Arts. 27, 28, and 43), and prohibiting mayors from holding duties in matters not directly within the municipality's field of responsibility, such as political party management or sports club presidency (Art. 37).

As directly stated both in the general justification of the law and in the justifications of the relevant articles, these provisions, prepared in line with the New Public Management approach, sought to construct a local government that would be effective, efficient, rapid, citizen-centered, responsive to local needs, democratic, participatory, and committed to ethical values such as accountability and transparency. When the final form of the law after vetoes, annulments, and amendments is examined, it should be said that, apart from a few provisions, almost all of it was put into practice in a manner consistent with the justifications mentioned above. In this respect, it would not be wrong to say that municipal reform was the locomotive of the post-2002 democratic transformation.

What has been said should not be taken to mean that Municipal Law No. 1580 was in no way and in no period functional. The law contained highly important provisions for Türkiye's development, especially in the early years of the Republic after the First World War. When Article 15 of the law, in which more than seventy provisions were listed, is examined, it is in fact understood that the law was drafted for a particular period and a particular mission (Eryılmaz, 1997, p. 21; Şengül, 2016, p. 80). Yet although there were various initiatives, a contemporary law capable of responding to the needs that emerged after the transition to the Multi-Party Period and the rapid increase in the urban population could not be adopted.

Although disagreements among politicians may simply be shown as the reason for this, it may be said that the real reason was the resistance shown by state elites gathered around a way of thinking rooted in the Single-Party Period. Although they may seem like technical and simple municipal duties, the fact that Article 1 of Law No. 1580, when defining the municipality, assigned not only local common needs but also "civil" needs to the responsibility of the municipality may be shown as the greatest proof of this.

After municipal reform, the final norm-based local government reform to be examined in this study is the Provincial Special Administration Law No. 5302 of 2005. As with Municipal Law No. 5393, various normative regulations had preceded Law No. 5302 concerning the reform of the provincial special

administration. Indeed, when one focuses on the initiatives after 2002, it is seen that Provincial Special Administration Law No. 5197 was accepted even before the Municipal and Metropolitan Municipality Laws. This order was, of course, not random. Although Türkiye's first municipal law was accepted in 1930, the provincial administration law within the legal order inherited from the Ottoman Empire was accepted in 1913, while the metropolitan municipality law was accepted at the quite late date of 1983.

It is therefore not surprising that laws containing provisions related to one another were changed in sequence. Yet although the government prepared the laws in this order and submitted them to parliament, President Sezer's use of the veto power disrupted this order and caused the other laws to be vetoed or annulled by the Constitutional Court. For example, President Sezer, who vetoed Municipal Law No. 5215, referred in his reasoning to the 1913 Provincial Special Administration Law. After this general assessment of local government reforms, the discussion can turn to the work carried out on the provincial special administration.

The first initiative to replace the Ottoman legacy Provincial Special Administration Law, which had remained in force from 1913 until the early 2000s, was the Provincial Special Administration Law No. 5197 of 2004. The expressions in the first part of the justification of the law, which was submitted to the Grand National Assembly of Türkiye as a draft by the Council of Ministers and whose justification can be divided into two parts, are almost identical to the expressions in the other local government bills. After the first part, which speaks of the changing administrative paradigm and the principles of New Public Management, the second part compares the conditions of the time in which the 1913 Provincial Special Administration Law was located with the conditions of the 2000s and tries to explain the necessity of the new law. To explain in detail, it is useful to quote the relevant parts of the general justification of the law⁷⁶:

...The Law envisaged a very broad field of duties for provincial special administrations under the conditions of 1913. The main reason for this was that provincial special administrations were seen as intermediate-level institutions providing, in the provinces, services under the responsibility of central administration. Although this was a necessity under the conditions of the day, the fact that special administrations had significant authority in the conduct of public services was an important stage in the development of

76 The Draft Law on Provincial Special Administrations and the Reports of the Interior Affairs, European Union Harmonization, and Planning and Budget Commissions can be accessed at <https://www.tbmm.gov.tr/sirasayi/donem22/yil01/ss583m.htm>.

local administrations. However, a large part of these duties was transferred to central administration in the subsequent period.

...The laws of 1913 and 1987 defined a very broad field of duties for special administrations. Over time, since the centralization of resource allocations and public services was seen as a requirement of development, many duties and powers initially assigned to special administrations were transferred to central administration. However, because these duties were not removed from the responsibilities of special administrations, more than one organization became authorized to provide the same service.

On the other hand, some of the duties assigned to provincial special administrations either no longer have meaning today or no longer have the possibility of being implemented at the provincial scale. Economic, social, and technological developments have led, on the one hand, to the disappearance of certain duties and, on the other, to the emergence of many new fields of duty and service.

...As a result, since provincial special administrations in our country do not possess the mechanisms required by local administrative autonomy for independent decision-making, openness, and participation, they are institutions with weak democratic qualities. Although Article 127 of the Constitution provides that “local common” needs shall be met by local administrations, it cannot be said that legal regulations have sufficiently complied with this principle to date. For this reason, provincial special administrations today are not generally competent in the field of local public services, contrary to contemporary trends, and their revenues are far from meeting their duties; they have not become institutionalized, their administrative capacities are weak, and they cannot provide services effectively and efficiently.

The most important point to note in the justification, part of which is quoted above, is that Law No. 1913 dealt with the province in a way that covered both central and local administration (Oktay, 2010, p. 77; Şengül, 2016, p. 52). To put it more clearly, the Provisional Law on the General Administration of Provinces dated 13 March 1913, *İdare-i Umumiye-i Vilayat Kanun-i Muvakkati*, in fact regulates not the provincial special administration as a local government unit, but, as its name also indicates, the general administration of the province. The law, which came into force at a time when the Ottoman state was under French influence to such an extent that it adopted translated laws (Gözler, 2019a, 2019b), was the product of the radical transformation through which the state evolved towards a centralized structure.

Of course, with the institutionalization of the modern state structure, the provincial organization of central government also strengthened, and the powers

belonging to provincial general administration were removed from the law. However, this did not change the centralist understanding within the law, and the functioning of the organs of provincial special administrations, especially the governor, remained the same (Oktay, 2010, p. 77; Önez-Çetin, 2015, p. 250). This both rendered provincial special administrations dysfunctional as local government units (Keskin, 2016, p. 62) and left the province in the grip of central government through the governor (Ömürgönülşen & Sadioğlu, 2009, p. 2). In other words, although the Provincial Special Administration shaped within the framework of the law dated 13 March 1913 was regarded *de jure* as a local government unit, *de facto* it functioned only as an instrument through which the capital organization controlled municipalities. Undoubtedly, this is an expression of the Bonapartist⁷⁷ attitude of the state elite. Although it was accepted in 1913 as a *kanun-i muvakkat* [temporary law], that is, a provisional law, the fact that it remained in force until 2005, albeit with some important changes, also shows how great a meaning the state elites attributed to the Law.

After these introductory remarks, it is useful to carry out a detailed examination through the text of Law No. 5197, the first initiative directed at provincial special administration reform. Accordingly, in Article 3, where the definitions are made, the provincial special administration is defined, as in the municipal law, as a local government unit responsible for the common needs both of a physical area and of the people within that physical area. In the introductory sentence of Article 6, the provincial special administration is described as an institution that “performs all kinds of duties and services of a local common nature that are not assigned by law to another public institution or organization, takes the necessary decisions, implements them, and supervises them”. In terms of the understanding they contain, both articles can be seen as aiming to make the provincial special administration, as a local government unit, generally competent at the provincial scale (Oktay, 2010, p. 79; Soyocak-Özalp, 2018, p. 528).

After the meaning attributed above to the provincial special administration, the powers, duties, and responsibilities of its organs were also redefined accordingly. As a requirement of decentralization, participation, governance, and other democratic principles, the provincial general council, composed of elected members, was the first organ to be regulated (S. Koçak & Kavsara, 2012, p. 70). The provincial general council, which should be a decision-making

⁷⁷ This is a concept used by Marx to describe the rule and politics of Louis Bonaparte (Napoleon III). In brief, Bonapartism is used to mean the military and civil bureaucracy's use and control of classes outside itself in order to preserve its own positions and build, or maintain, a centralized structure. For detailed information, see Miliband (2001), pp. 55-56.

organ like all other councils, meant little more than a symbolic body under the authority of the governor in the 1913 Provincial Special Administration Law. The provincial general council, regulated between Articles 9 and 24 of Law No. 5197, including those articles, was turned into the decisive organ in the provincial special administration by increasing its powers and responsibilities (Art. 10). The innovations introduced regarding the provincial general council, which constituted the backbone of provincial special administration reform, may be listed as follows⁷⁸:

- The election of the chair and bureau members from among council members,
- The regular monthly meeting of the council, which had previously met twice a year,
- The participation in council meetings, without voting rights, of representatives of public institutions and organizations and of organizations with public-institution status,
- The members, alongside the chair, being able to have a say in the formation of the agenda,
- The reduction of meeting and decision quorums, taking into account the legitimacy of decisions,
- The abolition of the governor's approval required for council decisions to become valid,
- However, the decisions being sent to the governor and the governor being able to request that they be reconsidered,
- The possibility of judicial review rather than expediency review over council decisions,
- Civil society organizations also being granted the right to speak in specialized commissions,
- The establishment of education, culture and social services, zoning and public works, environment and health, and planning and budget commissions being made compulsory,
- The announcement to the public of commission reports as well as council decisions,

⁷⁸ This has been summarized from the article justifications of the draft of Law No. 5197 submitted to Parliament. The relevant text can be accessed at: <https://www.tbmm.gov.tr/sirasayi/donem22/yil01/ss583m.htm>

- The financial auditing of the provincial special administration through an audit commission, along with many other new matters.

To summarize briefly the innovations carried out on the axis of the provincial general council, three points may be said to stand out. The first consists of provisions aimed at reducing centralization and tutelage. Although the provincial general council consisted of elected members, its chair was not elected; the governor, an appointed bureaucrat, directly assumed this role by virtue of the law. This meant that the governor, as the head of provincial general administration, was also the head of the provincial special administration and of its decision-making organ, the provincial general council. With the innovations introduced, the governor's chairmanship of the provincial general council was ended, and some of the powers belonging to the head of the provincial special administration, that is the governor, were transferred to the provincial general council. When the abolition of the requirement to obtain the governor's approval for council decisions to become final is added to these changes, the council was freed from the shadow of the center and given the opportunity to work freely in a more democratic environment.

The second consists of provisions shaped around principles such as participation, governance, transparency, ethics, and accountability. Under the 1913 law, the activities of the provincial special administration were conducted by the governor, who was both the head of the administration and the chair of the council, and the governor was responsible only to central government. Leaving aside whether there was a legal infrastructure enabling the council to audit the financial affairs carried out by the governor, the decisions taken by the council were themselves subject to the governor's supervision. When the fact that the meeting agenda was also determined by the governor is added to this situation, even the participation of council members is questionable, let alone the participation of other stakeholders. With Law No. 5197, members were also granted a voice in forming the council agenda (Art. 13), council members were given the opportunity to audit the activities and financial affairs of the provincial special administration (Arts. 17 and 18), situations of conflict of interest for everyone, including the chair and all other members, were defined and what should be done in such situations was determined (Arts. 19 and 20), and the legitimacy of decisions was strengthened through specialized commissions (Art. 16), by giving both council members and other stakeholders related to the issue the opportunity to express their views on the matter.

The third consists of provisions concerning the functioning of the council. As stated in the previous paragraph, the provincial special administration

was an institution left almost entirely to the governor's administration. With the amendments made, the governor's influence was minimized and room for action was opened for the council. This room for action was filled with regulations such as increasing the council's meeting schedule from twice a year to every month (Art. 12), reducing meeting and decision quorums to facilitate decision-making (Art. 14), abolishing the governor's approval required for decisions taken to enter into force (Art. 15), determining what would happen in cases of equality in voting (Art. 14), and narrowing the circumstances requiring the dissolution of the council (Art. 22). In this way, the necessary measures were taken to enable the provincial general council to work rapidly and without interruption, and an effective and efficient working environment was created.

The provincial executive committee, the second administrative organ regulated after the provincial general council, functions in a sense as the council of ministers, or executive, of the provincial special administration. The most important changes made to the provincial executive committee through Law No. 5197 may be summarized as follows: ending its authority to take decisions in place of the provincial general council, further strengthening its executive character (Art. 26), including in the committee five members elected by the council from among its own members in addition to five unit directors (Art. 25), requiring it to meet at least once a week, reducing meeting and decision-making quorums, prohibiting it from going beyond the agenda determined by the governor, and requiring matters referred to it to be concluded within no more than one week (Art. 27).

It is meaningful to evaluate the changes made to the provincial executive committee around two axes. The first axis concerns the authority relationship between the governor and the executive committee. Although the governor's dominance over the council was ended, the governor, as the head of the executive, was further strengthened in relation to the executive committee, and the committee was redefined in such a way that it would take decisions only on matters determined by the governor and assist the governor in his work concerning the provincial special administration. The second axis was shaped around the working procedures of the executive committee. The committee, which had previously had little function apart from taking decisions on behalf of the council, was freed from long, complex, inconsistent, and uncertain meeting and decision-making procedures and given a simple structure appropriate to its executive status, focused on technical and expert knowledge, solutions, and implementation.⁷⁹

79 For its comparison with the previous law, the relevant text submitted to Parliament can be accessed at: <https://www.tbmm.gov.tr/sirasayi/donem22/yil01/ss583m.htm>

Many of the innovations concerning the duties, powers, and responsibilities of the governor, the final administrative organ of the provincial special administration regulated in the law, were in fact already explained while discussing both the provincial general council and the provincial executive committee. The brevity of the articles of Law No. 5197 devoted to the governor confirms this. Yet in addition to these, activities placed under the governor's responsibility, such as the preparation of the strategic plan and performance plan (Art. 31), may be listed among the innovations not discussed above. With this innovation, it was aimed to increase the functionality of the provincial special administration and its ability to work in harmony with national and regional plans. Another innovation concerning the governor was the creation of the office of secretary-general to assist the governor in his affairs relating to the provincial special administration (Arts. 35 and 36). In this way, the institutional infrastructure necessary to ensure that the provincial special administration work of the governor, who is also responsible for provincial general administration, would not be disrupted and that problems could be solved quickly was established.

However, it would not be correct to say that all the changes envisaged under Law No. 5197 were put into practice. As emphasized earlier, Law No. 5197 was returned to parliament by President Sezer for reconsideration⁸⁰ on the grounds that it was contrary to Articles 123, 126, and 127 of the Constitution, and after a number of amendments⁸¹ it was accepted again on 22 February 2005 as Law No. 5302. The annulment cases brought against some articles of the municipal and metropolitan municipality laws, and the decisions taken by the Constitutional Court in this direction, were decisive in shaping the changes in Law No. 5302.

When post-2002 local government reforms are evaluated in broad terms, it is clear from both the content of the laws and the statements of policymakers that the early policies of the AK Party governments in particular were formed in line with the New Public Management approach. It may be said that reform

80 President Sezer did not approve Articles 3, 6, 7, 10, 11, 13, 15, 18, 25, 35, 45, 47, 52 and provisional Article 1 of Law No. 5197, and requested that Parliament reconsider the Law. For detailed information: <https://www.tccb.gov.tr/basin-aciklamalari-ahmet-necdet-sezer/1720/6323/5197-sayili-kanun>

81 Although some of the President's veto grounds were based on Articles 123, 126 and 127 of the Constitution, some were based on individual political views. The President openly defended centralization and stated that the law weakened the governor's authority within the provincial special administration. The Constitutional Court did not decide in line with the President's personal political views, but acted in accordance with the annulment requests grounded in the Constitution. Accordingly, Articles 3, 6 and 10 in Law No. 5197 were amended in line with President Sezer's views, and the relevant expressions and provisions were removed from the text of the law.

policies aiming to dismantle the rigidly centralist, hierarchical, legislation- and procedure-oriented structure and to build in its place an administration dominated by participation, transparency, governance, accountability, effectiveness, and efficiency were largely implemented despite the interventions of state elites.

In fact, local government reforms, although they sprouted and developed in the environment opened by central administration reforms, were until recently the visible face of AK Party-period policies. Yet the essential struggle of the AK Party, or of the others it represented, with state elites who regarded themselves as the owners of this country, was shaped around the Constitution and central organization. The real reason why local governments came to the fore until the change in the governmental system may be shown as the failure of many policies targeted in this difficult struggle. The frequent occupation of the agenda by debates over constitutional amendment, events such as the presidential election and the 367 Crisis, and many developments from the Republic Rallies to coup insinuations and the E-Memorandum all support this claim.

Conclusion

In this study, public administration reforms in Türkiye have been examined not only as legal and institutional arrangements, but also as a process of transformation that proceeds in interaction with administrative culture. The basic assumption of the study is that reforms are not explanatory on their own. Laws may change, the names and organizational structures of institutions may be rearranged, and new principles and administrative techniques may be adopted. Yet the extent to which these changes find a response depends on the historical, cultural, and institutional dispositions of the actors who implement them. For this reason, understanding public administration reforms in Türkiye requires understanding not only the reform texts, but also the historical and cultural ground in which those texts are embedded.

As the first part of the study sought to show, Turkish administrative culture is not the product of a short historical period. Although the Republic of Türkiye emerged with the claim of constructing a modern, secular, and rational state, the roots of administrative culture reach much further back. The centralized administrative tradition of the Ottoman State, the understanding of the state embodied in the person of the sultan, the gradual transformation of bureaucracy into not only an administrative but also a political actor, and the continuation of this bureaucratic heritage during the Republican period have profoundly shaped Türkiye's administrative culture. In this context, making reforms in Türkiye has often meant not only rendering administration more effective, but also touching upon the question of by whom and according to which principles the state is to be governed.

For this reason, public administration reforms in Türkiye have almost always gone beyond a technical discussion. Concepts such as decentralization, transparency, accountability, citizen-orientation, performance management, or effectiveness in public services may at first appear to be administrative concepts, yet in the Turkish context each of them is directly related to the sharing of

power. The transfer of powers from central government to local governments has not meant only the delivery of services from a closer point; it has also meant the redefinition of the authority of the center. Similarly, regulations such as the right to information, the ombudsman institution, ethical principles, and fiscal transparency have ceased to be only technical instruments aimed at improving the quality of administration; they have become instruments that intervene in the traditional opacity of the bureaucracy.

From this point of view, the 1980-2002 period examined in the study represents an important turning point. Although the roots of reform thinking in Türkiye go much further back than the 1980s, the post-1980 period was one in which the New Public Management approach became more visible in public policies. The 24 January Decisions, the administrative structure formed after 12 September, Turgut Özal's period in power, and relations with the European Union were among the main determinants of this period. With the Özal period, important steps were taken towards reducing the role of the state in the economic sphere, encouraging the private sector, developing local governments, simplifying bureaucratic procedures, and giving greater prominence to the citizen in public service delivery.

Although the Özal-period reforms were among the first periods in which Türkiye came into more direct contact with the New Public Management approach, it is also clear that these reforms were reshaped within Türkiye's own particular conditions. Steps such as privatization policies, decentralization initiatives, the establishment of metropolitan municipality administrations, and the development of capital markets were compatible with the global reform wave, yet they were reinterpreted through Türkiye's centralized state tradition, weak civil society structure, and bureaucratic resistance mechanisms. In this respect, the Özal period was not simply a period in which external models were transferred to Türkiye. Rather, it was a period in which global reform ideas were reformulated within Türkiye's historical and cultural conditions.

The 1990s, by contrast, were a more contradictory period in terms of reform. On the one hand, the European Union accession process created an important external reference point for public administration reforms, and concepts such as governance, decentralization, human rights, transparency, and administrative capacity came more strongly onto the agenda. On the other hand, Türkiye's domestic political conditions, the security-centered understanding of the state, the fragile structure of coalition governments, and the resistance of status quo elites significantly limited the pace of reforms. For this reason, the 1990s were not a period in which reforms disappeared completely, but rather a period in which reform thinking matured and was

delayed. In this sense, it is more accurate to see this period as a preparatory and incubation phase for the post-2002 reforms.

The post-2002 period is one of the periods in which public administration reforms in Türkiye came onto the agenda in their most comprehensive and rapid form. The loss of legitimacy created by the 2001 economic crisis, the external reference provided by the European Union accession process, the AK Party's coming to power alone, and the power struggle experienced with state elites determined both the scope and the direction of the reforms. Although the Basic Law on Public Administration became void, many of the principles it contained were later implemented through different laws. The Public Financial Management and Control Law, the Right to Information Law, ethics regulations, ombudsman arrangements, regulatory and supervisory institutions, digitalization steps, and local government laws demonstrate the breadth of the reform agenda in this period.

However, it is not possible to say that all post-2002 reforms moved in the same direction. In the early years, reforms were shaped more around democratization, adaptation to the European Union, transparency, accountability, and participation. Yet in later years, especially with the transition to the Presidential Government System, the tendency towards centralization regained strength. This situation reveals one of the fundamental paradoxes of public administration reform in Türkiye. On the one hand, flexibility, performance, speed, effectiveness, and a result-oriented approach were brought to the fore as requirements of the New Public Management understanding; on the other hand, decision-making power was gathered in an increasingly centralized structure. Reforms have thus at times served to reduce bureaucracy and accelerate administration, while at other times producing a new form of executive-centered administrative concentration.

Local government reforms are also among the areas in which this contradictory structure is most clearly visible. In the post-2002 period, significant changes were made in terms of the powers, duties, and resources of municipalities, the metropolitan municipality model was expanded, and local services were intended to be delivered more effectively. Despite this, the extent to which decentralization was realized in an institutional and democratic sense has remained contested. This is because local government reforms in Türkiye have often been justified on the basis of service effectiveness and economies of scale, while the dimension of local autonomy and local democracy has not been strengthened to the same degree. This too is related to administrative culture. In Türkiye, the transfer of authority to local governments has always

been a field approached with caution — and often with suspicion — from the standpoint of the centralist state tradition.

In light of all these assessments, the main conclusion of the study is this: public administration reforms in Türkiye have been shaped between a strong will for change and a strong culture of continuity. The will for change has been fed by global reform waves, economic crises, the European Union accession process, social demands, and the programs of political governments. The culture of continuity, on the other hand, has emerged from the centralized administrative understanding transferred from the Ottoman State to the Republic, the legacy of the bureaucratic status elite, high power distance, uncertainty avoidance, and the reflex to preserve the state. This two-way interaction explains why reforms in Türkiye can be evaluated neither as entirely unsuccessful nor as wholly successful.

Put more plainly, reforms in Türkiye have produced important results. Public financial management has changed, local government legislation has been renewed, information and audit mechanisms have been developed, digitalization has provided significant convenience in the delivery of public services, and the citizen-state relationship has been redefined in many areas. Yet despite all these changes, the fundamental cultural problem behind the reforms has not entirely disappeared. The central position of the state, the bureaucracy's tendency to see itself as the natural representative of the public interest, the top-down functioning of decision-making processes, and the limited trust placed in local and societal actors have often narrowed the impact of reforms.

For this reason, the most important issue for the future of public administration reforms in Türkiye is not merely making new laws or changing the names of institutions. The real issue is to establish a more genuine fit between the principles carried by reforms and administrative culture. Transparency should not remain only a procedure for sharing information; it should become the ordinary behavioral form of administration. Accountability should not be seen only as a reporting and auditing mechanism; it should be accepted as a basic condition in the use of public power. Decentralization should not be understood only as the redistribution of service duties; it should also mean the sharing of political and administrative authority. Citizen-orientation, in turn, should not mean only the rapid delivery of services, but should also mean the acceptance of the citizen as a subject vis-à-vis public administration.

In conclusion, the story of public administration reforms in Türkiye is the story of an interrupted but continuous search. This search has at times accelerated through economic crises, at times through external pressures, at

times through political struggles, and at times through social demands. Yet each time it has encountered the same basic question: to what extent is the state ready to share its central and protective position? Unless the answer to this question changes, reforms may produce important progress, but they will continue to remain limited. For this reason, a real transformation in public administration depends not only on the renewal of institutions, but also on the transformation of the established assumptions concerning the state, authority, rules, and change itself.

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