

# THE ROLE OF THE OMBUDSMAN IN THE PROTECTION OF PUBLIC VALUE IN THE CONTEXT OF GOOD GOVERNANCE PRINCIPLES

## İyi Yönetişim İlkeleri Bağlamında Ombudsmanın Kamu Değerinin Korunmasındaki Rolü

Dr. Öğr. Üyesi Emrah FİRİDİN\* - Arş. Gör. Saliha MAZLUM\*\*

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### Abstract

The ombudsman, whose roots in Europe go back to the 19th century, is an institution that functions in solving the problems that arise between public institutions and citizens. It conducts an impartial investigation by evaluating the complaints of citizens originating from public institutions within the framework of the principles of compliance with the law, fairness, and good governance. Therefore, although the decisions to be taken by the ombudsman are not binding, they contribute to the facts such as public order, public interest, and ethics in terms of the values it defends. The results that emerge based on these facts can also be evaluated as steps taken toward the protection of public values. Public values are a collection of values that hold society together and affect the perspective of the state. The Ombudsman, on the other hand, will contribute to the protection of these values with the decisions he will take. In the study, it will be emphasized that good governance principles, which are used as an evaluation criterion by the ombudsman, are an important factor in protecting public values.

**Keywords:** Ombudsman, Public Values, Good Governance Principles.

### Öz

Avrupa'daki kökleri 19. yy'a dayanan ombudsman, kamu kurumları ile vatandaşlar arasında çıkan sorunların çözümü konusunda işlev gören bir kurumdur. Vatandaşın kamu kurumlarından kaynaklı yakınmalarını hukuğa uygunluk, hakkaniyet ve iyi yönetim ilkeleri çerçevesinde bir değerlendirme yaparak tarafsız bir soruşturma yürütmektedir. Dolayısıyla ombudsmanın alacağı kararlar her ne kadar bağlayıcı olmasa da, savunduğu değerler bakımından kamu düzeni, kamu yararı ve etik gibi olgulara katkı sağlamaktadır. Bu olgular temel alınarak ortaya çıkan sonuçlar, kamu değerlerinin korunması yönünde atılan adımlar olarak da değerlendirilebilir. Kamu değerleri toplumu bir arada tutan ve devlete olan bakış açısını da etkileyen değerler topluluğudur. Ombudsman ise alacağı kararlar ile bu değerlerin korunmasına katkı sunacaktır. Çalışmada, ombudsman tarafından bir değerlendirme ölçütü olarak kullanılan iyi yönetim ilkelerinin kamu değerinin korunmasında önemli bir etken olduğu üzerinde durulacaktır.

**Anahtar Kelimeler:** Ombudsman, Kamu Değeri, İyi Yönetişim İlkeleri.

\* Karadeniz Teknik Üniversitesi İktisadi ve İdari Bilimler Fakültesi, ORCID No: 0000-0002-2957-7407, efiridin@ktu.edu.tr

\*\* Zonguldak Bülent Ecevit Üniversitesi İktisadi ve İdari Bilimler Fakültesi, ORCID No: 0000-0003-2035-8520, saliha.mazlum@beun.edu.tr

## INTRODUCTION

States have produced many institutions, organizations, and policies to ensure justice, peace, and trust. The aim is to create a peaceful society structure with ethical values by providing public interest and public order. The Ombudsman is one of these institutions. The Ombudsman operates in many countries. The Ombudsman aims to alleviate the burden on the administrative courts and to propose solutions to the problems between citizens and public institutions following the principles of equity, legal rules, and good governance. Therefore, the aim of the ombudsman is not only to alleviate the burden of the administrative judiciary.

The Ombudsman acts on behalf of the parliament and considers the principle of impartiality. The purpose of the advisory decisions made by the Ombudsman is not only about the solution to any question between the citizen and the state. The recommendations of the Ombudsman also include meaning for the protection of public values. Because the ombudsman also makes use of the principles of good governance when examining the incident that is the subject of the complaint. Each good governance principle corresponds to many public values, especially public order and public interest. Therefore, while the ombudsman researches the effectiveness of good governance principles in the incident that is the subject of the complaint, also helps the citizens to see the importance of these values again. Otherwise, the length of the processes in the administrative courts and the alleged loss of rights may harm public values. In this study, the function of the ombudsman, which applies the principles of good governance, in generating public values will be emphasized.

### 1. Function of the Ombudsman

The problems arising from the administration have revealed the need for independent institutions that will protect the citizens from the actions and operations of the administration (Erdoğan, 2018: 234). It is an impartial institution that functions to solve the problems between the citizens and the public institutions, where the first applications of the Ombudsman appeared in Istec in 1809. However, it is stated that the ombudsman is also likened to the Divan-ı mezalim, which is a structure in the old Turkish states. Divan-ı mezalim are the

places where the complaints of the people about the administrators are heard. This tradition continued under different names and different institutions. It is also known that the Ottoman State tradition was also influenced by the ancient Turkish states and had practices similar to the Divan-ı mezalim. We can say that the Swedish King “Demirbaş” Charles, who lived in the Ottoman lands for a long time, was also influenced by these practices and had the first version of the ombudsman established for the solution of some administrative problems in his country.

The Ombudsman is an institution that operates in many countries and supranational organizations today. It operates in countries with strong administrative laws such as France and Türkiye, as well as in England, which tries to be at the forefront with values such as democracy and negotiation. The European Union, which has a supranational position, has appointed the EU Ombudsman for a fast, effective, and equitable solution to the problems between EU citizens and EU institutions. Therefore, the ombudsman institution has a necessary and important place in the contemporary management structure. Despite the existence of the administrative judiciary system in Türkiye, the fact that the majority of the problems arising from administrative transactions between the citizen and the administration cannot be resolved quickly and effectively has revealed the need for the establishment of an ombudsman institution in our country (Demir, 2014: 6). Indeed, what is apparent from a global perspective is that a key feature of the ombudsman technique is its flexibility and adaptability to new circumstances (Buck, et al., 2016: 14).

The Ombudsman may act upon the application of the citizen claiming to be the victim and the witness of the incident; It can also start its own investigation ex officio. Therefore, the ombudsman’s ability to act is broadened by law. In this way, the ombudsman can be more active in solving problems. Fair and fast solutions can be produced. Because delays in solving problems may cause a loss of rights. It should not be forgotten that not only citizens but also public institutions may suffer damage due to delays. As a matter of fact, the ombudsman not only acts as a legal supervisor on the prevention of loss of rights but also ensures the confidence of the citizens in public institutions, and laws, and the ombudsman acts on behalf of the parliament. In this direction, the ombudsman is chosen from among the people who have merit and are appreciated in socie-

ty. In **Türkiye**, 3160 applications were made to the ombudsman in 2021. The rate of compliance with the recommendations of the ombudsman was 79.50%. (KDK, 2021: 16).

There are many administrative and judicial cases in the courts. A key advancement in ombudsman practice that is explored here is the enhanced tendency to produce systemic reports and even pre-empt complaints on occasion by undertaking reviews akin to administrative audits ((Buck, et al., 2016: 21). Ombudsmen are authorized to receive the complaints of the people in the areas where they are assigned, to check the compliance and appropriateness of the law, to make examinations, to criticize the actions and actions, to suggest corrective measures, to meet and report with the relevant people (Sobacı and Köseoğlu, 2016: 107). Administrative courts are the place where the problems between citizens and public institutions and public institutions will be resolved. This increases the burden of administrative courts. One of the reasons for the existence of the Ombudsman is to reduce the burden on the administrative courts. The Ombudsman intervenes here at the first stage and works towards solving the problems between citizens and public institutions. The ombudsman, known as the Kamu Denetçiliği Kurumu (KDK) in Türkiye, makes this assessment by taking into account the laws and good governance principles and processes. Although the decisions taken do not have legal sanction power, the institution aims to be effective in solving problems thanks to its value and power to inform the public. In other words, the ombudsman has only moral sanction power for the implementation of its decisions (Sobacı and Köseoğlu, 2016: 108). In this way, the ombudsman contributes to many public values such as ensuring social order, obeying the law, and maintaining public order. Good governance principles are at the forefront of the tools that it will use to present output as a public value.

## 2. Good Governance

The term “governance” includes actors such as local governments, the private sector, and non-governmental organizations; adopting the sharing of the power and authority monopolized by the state with these stakeholders (Sobacı, 2007: 220); It describes a process in which there is a transition from a one-sided passive governing approach to a dynamic governance approach that is constantly influenced by all stakeholders. Although some authors refer to the origin of the

word "gouvernance" used in France in 6-8. centuries (Gaudin, 1998: 47), according to the general opinion, the concept with its current meaning was first used by the World Bank in 1989 "From Crisis to Sustainable Growth: Sub-Saharan Africa" report. In the World Bank's view, underlying Africa's development problem is a governance crisis and governance means the use of political power to manage a nation's affairs (1989: 60).

Although the concept of governance is very popular today, it does not have an agreed meaning (Rhodes, 1996: 652-653; Kooiman and Jentoft, 2019: 819; Sobacı, 2007: 220). According to Rhodes, the term governance refers to at least six uses: Minimal state, corporate governance, new public administration, good governance, socio-cybernetic systems, and self-organizing networks (1996: 652-653). While governance refers to the change in state activity and the relative decrease in the state's capacity to act, it refers to the greater participation of NGOs and other non-governmental organizations and units in the management processes (Yüksel, 2000: 158-159). Although there is no agreed definition of governance, the definitions of governance of international organizations are separated by a fine line from each other and these organizations generally make very close definitions (Weiss and Steiner, 2006: 1548).

While UNDP defines governance as the use of political, economic, and administrative authority to manage the affairs of a nation (1997: 9), in the White Paper published by the European Union Commission, governance is "with openness, participation, accountability, effectiveness, and consistency regarding the use of power on a European scale". It includes related processes and behaviors. Similar to UNDP, OECD and World Bank define governance as the exercise of political authority and control in a society with the management of resources for social and economic development (Weiss, 2000: 797).

In addition to the fact that the concept of governance does not have a common meaning that is agreed upon, it is often used in the same sense as the concept of government is confused. Governance includes government institutions. On the other hand, it is a more inclusive phenomenon than government as it includes informal, non-governmental mechanisms (Rosenau, 1992: 4). The concept of governance makes up for the deficiencies of the passive and static representative electoral system, and non-governmental organizations that cannot

participate adequately outside the elections are more involved in the system. The concept of governance refers to a dynamic, more democratic system in which all kinds of views and opinions of people from all groups are taken into account, as opposed to unilateral decisions.

Good governance refers to additional criteria included in the governance process. Transition from the concept of governance to good governance includes a meaning related to the quality of governance. A good governance system emerges by giving importance to certain principles in both decision-making and public policy formulation (Weiss and Steiner, 2006: 1548). Bøås, on the other hand, explains what principles good governance brings with it, based on the World Bank's statement of the governance crisis that Sub-Saharan African countries are going through: "If a governance crisis can be defined as bad governance, then good governance should be its natural opposite... It is, therefore, at least implicitly, a call for political and economic liberalization, democratization, accountability, and respect for fundamental individual human rights" (1998: 119). Thus, the World Bank uses the expression "good governance", which describes the inclusion of certain principles are seen as indispensable of a democratic administration, into the administration, instead of the phrase "bad governance", which expresses the lack of certain principles.

Although the concept of governance is often used with good qualifications in the literature, there are some criticisms about it. For example, the word governance becomes more complex with the contrary usage and does not have an agreed definition on it. Today, it is used as a comprehensive term sometimes associated with the concept of 'regime' and sometimes 'global order'. It also continues to be used by international financial institutions to justify the political conditions under which they put pressure on countries they think are inadequately equipped for the proper management of the loans they receive (Smouts, 1998:81).

Neo-liberalism, especially since the 1980s with the 'minimal state' rhetoric, has been implemented through policies of downsizing the state and privatization practices. These practices, which are in the process of re-establishing themselves in the capitalist order, are "the neo-liberal ideology's attempt to establish a hegemony over the whole of social relations" and a new state and social order are sought to be imposed with these attempts. international order and nation-state

forms need to be reshaped according to this new formation. One of the most important projects contributing to this formation is governance. Governance, since the 1990s, includes the International Monetary Fund (IMF), the World Bank, the World Trade Organization, as well as the Organization for Economic Development and Cooperation (OECD), some organizations of the United Nations (UNDP), which have been organized as superstructures covering the capitalist world system, and are among the official discourses of the European Union institutions. However, the largest share in such dissemination of governance is given to the World Bank (Güzelsarı, 2003: 18). As can be seen here, governance is often seen by its critics as something that aims to disseminate the ideas of some organizations and hide their goals.

Despite the criticisms about it, the expression of governance has been thrown in a different direction from the target of international organizations and has reached a state that affects many different views today. And from this point of view, ombudsman has an essential role to keep good governance principles effective and active. Ombudsman ranks as a premier statutory body to facilitate good governance (Cheung, 2016:74). Due to its neutral position, the ombudsman is at an important point in ensuring agreement between the stakeholders who are active in good governance and ensuring that the principles are carried out with maximum efficiency. Good governance includes many complementary principles to create a robustly functioning democratic system. These principles are participation, responsiveness, accessibility, accountability, transparency, morality and ethics, effectiveness and efficiency, strategic planning, effective use of resources, equality, and consistency. All good governance principles are important as they form the basis of a democratic governing system. And all these principles are also a part of the ombudsman's role that keeping the relationship calm and sound between the stakeholders in management and society.

### **3. EFFECTIVENESS OF THE OMBUDSMAN IN CREATING PUBLIC VALUE**

Public value is a concept used to express the effects of economic activity on the public. Later, the concept started to be used as "public values" a concept that covers the effects of concepts such as social welfare, public order, public interest, social ethics, and morality. In defining the word 'values', it is worth noting that

there is a debate about the exact meanings of the three words: values, ethics, and principles. The definition of values presented here is similar to, but not the same as, what is sometimes used for ethics (Bannister and Connolly, 2014: 120). The concept of "public value" used in the literature is explained with reference to Moore. Besides, it is possible to see other conceptualizations. For example, Bozeman (2007: 14) prefers to define "public values", differing from Moore's conceptualization (Alford and O'Flynn, 2009: 187). "This literature on public values (in the plural) seems to have originated quite independently of the debate about public value (in the singular), but there is now some cross-referencing between the two previously separate literatures" (Benington and Moore, 2011: 17).

Although Moore brought the concept of public value to the public administration literature, he did not give a clear definition of public value (Köseoğlu and Tuncer, 2014: 153; Karkın, 2015: 257). But, with some references that public value includes, we can say that for a phenomenon to become a public value, it must be accepted and implemented by a significant part of society. Therefore, the attainment of the umbrella concepts such as respect, tolerance, justice, and ethics as public values depends on the existence of the same process. In terms of public order, the concepts of right, ethics, and justice are among the important principles of the European public order understanding, but they are widely accepted values (Sunay, 1999: 313). "Public value thinking and action is now even more relevant in helping to make sense of the new complexities and tough challenges facing governments and communities, and public policymakers and managers" (Benington and Moore, 2011: 11).

"There is no more important topic in public administration and policy than public values." (Jorgensen and Bozeman, 2007: 355) and public values are defined as the values that enable society to exist together and regularly (Rutgers and Jorgensen, 2014). In general, the concept of public value is seen together with concepts such as public space, public good, and public benefit (Köseoğlu and Tuncer, 2014: 148). Public values are seen the causes and consequences of actions and activities that are subject to the relationships of different actors in society with each other and include what they should and should not do (Bozeman, 2007).



“Those values providing normative consensus about (a) the rights, benefits, and prerogatives to which citizens should (and should not) be entitled; (b) the obligations of citizens to society, the state, and one another; and, (c) the principles on which governments and policies should be based” (Bozeman, 2007: 13).

Services, laws, actions, and regulations produced by public institutions can all create public values, and the existence of public values depends on the compliance of all actors in society (Mulgan and Muers, 2002). This situation has a two-way effect. The protection and creation of public values are directly related to the practices of public institution managers and the support of citizens for these practices.

According to the Ombudsman, to achieve good governance it is important not simply to blindly follow the ‘rule is a rule’ principle, but also to deal with individual members of the public in a proper manner (Castro, 2019: 260). While the Ombudsman examines the subject of the complaint, he prepares a report on whether it complies with the principles of good governance. Good governance principles such as participation, transparency, rule of law, accountability, and responsiveness, which are widely expressed today, have an active role in ensuring social order.

Due to the density of administrative courts, thousands of files can be examined in the following years. For citizens, such a delay will have negative effects. The same is true for citizens and public institutions. However, the state of the citizen is always one step more important here. Because citizens feel weaker in the face of the administration. Cases that do not conclude may cause reactions from the citizens. The emergence of a process in which principles and values such as transparency, accountability, responsiveness, ethics, rule of law, and participation cannot function effectively may harm citizens. Therefore, the values of public order, public interest, social morality, ethics, and respect for laws, which are expressed as public values, may be injured and the public value qualification may be damaged. The activities of the Ombudsman institution for the equitable solution of the problems that arise between the state and the citizens will contribute to the strengthening of the facts of public values. At the very least, these values will not hurt, although the ombudsman’s decisions are not binding.

## 4. OMBUDSMAN, GOOD GOVERNANCE PRINCIPLES, AND PUBLIC VALUES

The Ombudsman Institution conveys the demands of the citizens to the administrations in the most appropriate way in terms of good governance (Şahin, 2018: 132). Ombudsman institutions act as the guardians of citizens' rights and as a mediator between citizens and the public administration (Zuegel and Bellantoni, 2018). The Ombudsman plays an active role in the protection of contemporary public values. Thanks to the role of the Ombudsman, the existence of activities aimed at protecting public values such as justice, order, solidarity, and trust, which are reflected in people's daily lives, becomes more visible. This situation may cause citizens to embrace and respect these values.

**Table 1:** Values of Good Governance

Values	Contributing to Good Governance
Accountability	Legislature Audit Commission Ombudsman
Integrity	ICAC (Commission Against Corruption) Ombudsman
Transparency and openness	Code on Access to Information Privacy Commissioner Ombudsman Legislature (legislative process, policy panels) Public consultation and engagement
Fairness and equality	Judiciary Ombudsman EOC (Equal Opportunities Commission) ICAC
Efficiency and effectiveness	Audit Commission (value for money audit) Efficiency Unit Ombudsman
Human and civil rights	The Bill of Rights Judiciary Ombudsman EOC
Predictability	Ombudsman The rule of law, protected by the Judiciary
Participation	Legislature Public consultation and engagement

**Source:** Cheung, 2016: 84.

Ombudsman can better promote transparency, integrity, accountability, and stakeholder participation; how their role in national open government strategies and initiatives can be strengthened; and how they can be at the heart of a truly open state (Zuegel and Bellantoni, 2018). As a value, good governance has an axiological character and is considered *prima facie* as the best; understood as such, good governance can be considered as a goal in itself (Castro, 2019: 139). Although good governance principles are seen as a tool used in the administration, in fact, each good governance principle serves the public interest and public order. In the evaluations made by the Ombudsman, the determinations made regarding the implementation of good governance principles indirectly and directly affect the protection of public order and the strong belief of the citizens in these values. Because the ombudsman investigates the effectiveness of good governance principles as well as seeking fair and legal solutions while examining the events that are the subject of the complaint.

#### 4.1. Participation

Innes and Booher (2007: 420), after emphasizing that the primary aim of participation is legitimacy, say that there are five objectives regarding participation: the first objective is the necessity of being aware of the demands, preferences, and expectations of the people; the second aim is to make the decisions taken stronger by conveying their knowledge and experience of the local people in the decision-making processes; third, to operate a more fair and open process by involving people in decision-making processes; fourth, its importance for the legitimacy of the decisions taken; the fifth is since it is a situation that needs to be demanded in today's world. Participation can also be expressed as a technique used by social scientists to influence the party with authority and to ensure good governance (Genç, 2012: 49). Public values pluralism is pervasive in public administration and particularly in public policy, where nearly all controversies boil down to choices among competing values (Nabatchi 2012: 700).

One of the basic principles of good governance principles is the principle of participation. Because governance consists of stakeholders and different ways of thinking involved in the system at every stage. To reflect these differences, participation, which is one of the most basic elements, must be implemented effectively. Toksöz (2008: 9) says that there are some prerequisites for increasing par-

participation, which is the basis of good governance. The first of these conditions is to do what is necessary to establish processes open to participation. In short, it is necessary to carry out studies to prevent events or to integrate all kinds of thinking into the system in a way that will interrupt the involvement of any segment in the decision-making mechanisms. The second condition is the establishment of Non-Governmental Organizations that will ensure effective participation and the implementation of the procedures for their functional work. Non-Governmental Organizations, which will ensure the effective representation of the ideas, orientations, and ideologies that form the basis of society, should be allowed to act freely and independently following the intellectual orientation to which they belong. The third condition is to inform the public, who are at the center of good governance, in a way that they can comprehend the essence of participation. If these conditions are met, the participation mechanism will function correctly.

First of all, thanks to the ombudsman, citizens can participate in a participation mechanism that can affect the decisions of the administration. Citizens, who are involved in the unilateral process of the administration by using the complaint method, can participate in the decision-making processes, which is one of today's contemporary management processes. Thus, allowing the Ombudsman to participate, albeit indirectly, from the principles of good governance, will contribute to the fact that the citizens are seen as interlocutors and thus to the development of their sense of belonging.

## **4.2. Responsiveness and Accountability**

Responsiveness, one of the principles of good governance, means that an individual can get answers from administrators regarding services and studies in public administration or from politicians regarding political decisions (Çukurçayır, et al., 2012: 18-19). Responsiveness, which is accepted as one of the basic elements of good governance, means that citizens will be listened to by the government or state institutions and their questions will be answered by them (Acar, 2003: 51). In this sense, individuals have the right to receive clear, precise, and understandable answers to their questions related to the subject they want to be answered. To achieve this, countries are enacting laws in this direction, and many international organizations are working on this issue. Accountability is seen by the WB as one of the principles that will play an important role in

strengthening NGOs by changing the understanding of public administration (World Bank, 1989: 6). Therefore, accountability is essential for governance. In the absence of accountability or fear, those in power may do inefficient and faulty work (World Bank, 1989: 60-61).

Accountability is the principle that expresses being able to determine whether the authorized persons act as expected from them, whether they obey the rules and whether they use their power legitimately. In line with this principle, the people have the right to hold the administrators they have authorized to account as the source of their authority. Today, managers who abide by these principles know that it is their responsibility to be accountable for any service they provide or any practice they do. Managers who avoid accountability lose their legitimacy and create a negative public value on society. (Biricikoğlu and Güleler, 2008: 203).

### 4.3. Transparency

The principle of "being open and accountable" implies that public bodies should be open and clear about policies and procedures, and information should be handled as openly as the law allows (Castro, 2019: 300). Transparency refers to an attitude that follows the rules and regulations in decision-making and implementation. In addition, access to information should be easy and accessible to those who will be affected by decisions and practices. To ensure transparency, the information of official authorities must be accessible and this information must be transparent to meet the needs of individuals and groups (Johnston, 2015: 5).

"Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media." (ESCAP, 2007: 2). Transparency means that the people, who are under the influence of the plans and programs where services are provided and to be implemented, can easily access information about these services, plans, and programs without any hindrance or coercion. This principle has two aspects in meaning: On the one hand, it means easy access for the public to information about the services that concern them, on the other hand, it also means that the administrators share the

services they provide or the practices they do and their stages without any prior request.

#### **4.4. Morality and Ethics**

It is one of the most basic principles that should exist to establish a moral and ethical transparent management, to act within the framework of merit and justice, to treat all segments of society equally, and to avoid problems in accountability and response. If moral and ethical principles are followed, all processes and aspects of management work in harmony with each other. Moral and ethical principles are important tools of legitimacy in terms of expressing respect and commitment to the basic values of a society.

The parties participating in the good governance process, taking advantage of the illegal or ambiguities and gaps in the laws and avoiding acts that undermine trust will make an important contribution to the realization of the purpose of the good governance process (Firidin, 2017: 43). Ethics, when examined historically and practically, expresses a concept that consists of the combination of meta-ethics, which is the answer to the question of why we should do something, and prescriptive ethical understandings, which corresponds to the problem of knowing and finding how to comply with what needs to be done (Reyhanoğlu, 2004: 2008).

#### **4.5. Effectiveness and Efficiency**

Efficiency refers to the efficient use of resources and the availability of targeted results (Sariso, 2010: 280). A goal is effective to the extent that it can be achieved. It can also be said that the right steps can be taken in line with the determined goals. "The most important step that needs to be taken to make an activity effective and efficient is to determine the right strategies to reach the goals and to channel human resources to the business in the right way. In this case, since the common point in both concepts is the realization of activities with minimum time, cost, and human resources, it can be said that efficiency is a concept that also includes effectiveness" (Dilaveroğlu, 2020: 51-52). Effectiveness and efficiency bring along the principle of using resources effectively. Accordingly, the scarce resources at hand should be used correctly to provide maximum benefit in line with the goals desired to be achieved. In fact, the outputs formed in one goal

should be turned into inputs for another goal, so that the highest efficiency that can be obtained from the resources should be obtained.

#### 4.6. Equality

Equality includes the participation of all existing groups and ideas in the management system. It envisages that any group or idea is not favored and at the same time excluded from the system. It also includes supporting especially the most sensitive and vulnerable ones of society to have equal opportunities with the rest of the society (ESCAP, 2007: 3). In this respect, equality becomes fundamentally dependent on principles such as morality, ethics, and participation. As can be seen here, during the implementation of a principle, many other principles can also come into play and these principles can work in coordination with each other.

If these principles are correctly incorporated into the management wheel, the requests and complaints of the public can be better understood. Thus, effective, efficient, and correct use of scarce resources is ensured. With these principles, more ideas and ways of thinking are included in the system, and the operability and functionality of the system increase. Thus, good governance provides a solid ground for the formation of a participatory and democratic administration, and a management system with active sharing is formed. On the other hand, these principles create a positive public value in the people who see that their thoughts and wishes are considered important in the decisions taken, practices, and services provided within the system. In addition, when good governance principles are applied, the public checks oversees and monitors the services provided much better, thus, there will be multiple actors controlling the administrators within the system. The governing sector, which is controlled by many actors in various ways and at various stages, also provides its legitimacy in this way.

### CONCLUSION

Public values impose very important duties on citizens and public administrations for the establishment of public interest, the protection of social order, and the continuation of public morality and public ethics. At the core of public values are mutual trust, respect, rule of law, and fairness. The ombudsman's purpose of existence is to produce solutions that are in line with equity and respect

the rule of law. Therefore, the functioning of the ombudsman and the protection of public values overlap at this point. In particular, the role of the ombudsman in the protection of public values is the supervision of public institutions.

Since the Ombudsman can supervise public institutions, he can play an impressive and active role in the protection of public values. Good governance principles are useful tools for safeguarding public values. Compliance with the law is one of the principles of good governance. In many countries, as in Türkiye, the burden on administrative courts is high. Therefore, cases take a long time. This may negatively affect trust in justice and law. The solution proposals prepared by the Ombudsman are concluded more quickly. It will contribute positively to the functioning of law like public values.

Good governance principles such as transparency, accountability, and responsiveness are the facts examined by the ombudsman in research files regarding the actions of public institutions. It is the principles of public values that ensure the trust of the citizens in public institutions and public order. Participation, another good governance principle, cannot be provided directly by the ombudsman. However, thanks to the Ombudsman, citizens can be involved in the decisions to be made by public institutions. Therefore, since the principles of good governance, which the ombudsman uses as an evaluation criterion, serve to protect the values that are important to the citizens, the activities of the ombudsman will be effective in the protection of public values.



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