

AN EVALUATION OF THE REFLECTIONS AND ABSOLUTE NECESSITY OF INNOVATION IN ADMINISTRATIVE LAW

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ABSTRACT

Digital transformation causes radical structural changes in the field of administrative law and public administration; Technologies such as artificial intelligence, internet of things, blockchain and data-based governance necessitate a rethinking of administrative decision-making processes. With this study, it is aimed to explain why innovation is mandatory in terms of administrative law and public administration, and the literature is summarized in a holistic framework. In this study, the transformation in contemporary regulation models; the impact of digital technologies on administrative decision-making processes; what kind of structural change has occurred in the interaction between citizens benefiting from public services and the administration; and finally, the legal consequences of innovation are discussed. Attention was drawn to the necessity of restructuring administrative law by taking into account its contemporary features such as flexibility, transparency and adaptability while preserving the principles of legal security and legal stability.

Keywords: Administrative law, innovation, digital transformation, regulation, public administration, artificial intelligence, participation.

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1. Introduction

Administrative law is experiencing a new paradigm shift that changes the traditional way of functioning in the face of new technologies and changing social needs of society (Demir, 2022).

As stated in the "Governance Principles, Institutional Capacity and Quality" study of the United Nations Development Program (UNDP), the functioning of the administration should be strengthened with the principles of public administration governance. These institutional qualifications are; performance, adaptability and stability. In addition, the main governance principles are listed as the principles that form the basis of modern management, such as participation/inclusion, non-discrimination, equality and rule of law, and accountability. Many of these principles and features are absolute necessities for a modern administration that develops, receives technological support and does not turn a blind eye to innovations.

There are hundreds of different activities that are not similar to each other in the broad-spectrum field of activity of the administration, but all of them are aimed at the purpose of public interest (Yasin (2020). pp. 607-527). The public interest is directed towards meeting the common needs of the society. (Kaman, (2020): pp. 73-87).

"Public service", which is described as the "constitutive element" concept of administrative law (Gülan, 1998, p.102), is a traditional basis for the legitimacy of the administration. In contemporary public administration and administrative law, it is not limited to the execution of the public service and the control of compliance with the law; It establishes governance models that focus on efficiency, decision-making by making use of data-based and informatics elements, digital system integration and

citizens benefiting from public services, and it does this by adopting innovation as both a goal and a tool. This need for change reveals the necessity of administrative law to create a normative structure that supports innovative practices, beyond being a framework that determines only the legal boundaries of the administrative apparatus.

The rapid development in the IT sector and the worldwide change further support the provision of services that make public services faster, more transparent and easily accessible and that also ensures the participation of the public. Within the framework of this transformation, administrative law is not limited to being a framework that determines the legal boundaries of the state and administration; It wants it to turn into a normative structure that supports innovative practices and contributes to this transformation.

While citizens are now interacting more closely and intensively with the administration with e-Government tools, classical administrative procedures are insufficient. The increase in expectations of citizens regarding service quality clearly shows why innovation has become such a need in administrative processes (Karkın & Zor, 2017, p. 26). On the other hand, increasing competition and performance expectations in local governments require the development of innovative service models including digital systems (Esmer, Yüksel & Şaylan, 2019, p. 176). For all these reasons, innovation has now become a practice in terms of administrative law; It has turned into a basic element that changes and will continue to transform the present and future of administrative law and cannot be ignored.

When the international literature is examined, it is pointed out that there is an incompatibility between the static structure of administrative procedures and administrative law and the dynamism brought about by

digitalization, and it is also emphasized that the contemporary administration should establish a reasonable balance between "predictability" and "adaptation to change" (Kovač, 2017, pp. 94–96). The digital transformation of administration and public administration through innovation turns into a process that affects the basis of administrative law and public administration, forcing these areas to renew themselves. In addition to artificial intelligence and data-based governance, new technologies such as the Internet of Things and blockchain reveal the changes that the administration has to take into account today and make it necessary for the administration to review itself with these innovations.

For all these reasons, in this study, while examining the literature, what kind of transformation model has started to emerge in the regulatory field of the administration, how new information technologies and datafication affect the administration, how this transformation has caused a change in the relations between the citizen and the administration, and finally the legal consequences of innovative regulation techniques are discussed.

The following answers can be given to the questions that form the basis of the research on "innovation" and the public service provided by the Administration

As a problem definition, it is determined that there is a tension between the fast, dynamic and difficult to mold nature of innovation in the face of the slow-moving and rigid structure of traditional administrative law. This tension arises between the need of the administration to maintain the normative framework that provides legal security and the necessity to adapt to the flexibility and agility required by digital transformation.

The aim and scope of the study is to analyze in which ways administrative law rules encourage innovation or in some cases have an inhibiting effect;

to put forward solutions to establish a harmonizing balance between these two areas. Thus, it is questioned whether an administrative framework that does not harm legal security and supports innovation processes is possible.

The main argument of the study is that administrative law should not only be limited to assuming a regulatory role; it should also evolve into a structure that facilitates access to innovative applications for citizens, supports the digital transformation of the administration and can adapt to technological developments. In this direction, administrative law should be able to fulfill both a protective and facilitating function at the same time.

In the study, it is stated that administrative law cannot remain insensitive to new technological developments in the world and especially rapid advances in the IT sector; In today's world, a framework has been adopted in which it is tried to determine the practices through which the administration adopts these developments and what kind of orientation it will take in the future. As a result of the public's expectation of a more modern, up-to-date, fast and accountable system in the provision of public services, it is observed that there has been a significant transformation around the world. Citizens' access to their right to information within the scope of new administrative procedures, and the ability to learn where and within what period they can apply against administrative decisions through digital application and tracking systems are among the most important innovations offered by modern administration. In order to better understand the study, it should be reminded that according to the practice of the "administrative regime", which is one of the two systems in the world, administrative actions and actions are carried out by the "administrative judiciary", which is independent of the "judicial judiciary".

2. Method and Methodology of the Article

This article is based on the normative-legal examination method. The study deals with how the transformation of administrative law in the face of digitalization and innovation has emerged in Turkey and on international platforms with a systematic method based on three basic data sets. Following such a method makes it possible not only to draw the theoretical framework, but also to clearly reveal the concrete transformation in practice.

A detailed examination of the foreign academic articles used in the study constitutes the first data set. These articles provide the opportunity to examine the effects of innovation on administrative law from conceptual, structural and normative perspectives (Kovac 2017, pp. 94–112). Dreyfuss (2008) emphasizes that there is a reciprocal interaction between global administrative law and innovation, which is another dimension of the issue, and analyzes that the regulatory role of the state is also affected by this transformation (pp. 4–14). Metzger (2010) evaluates the current constitutional position of the administration, new checks and balances and transparency principles in the age of digitalization (pp. 487–520). Hornstein (2005) discusses the concepts of "adaptive" regulatory models and "experimental governance" in the face of complex administrative disputes (pp. 914–949). Kovač & Dečman (2009) emphasize how Web 2.0 technologies affect administrative processes and the need for unity of interpretation in the face of digitalization (pp. 65–72). As a result of the evaluation of these studies, it is seen that the structural problems that the administration is exposed to in the process of encountering new technologies and digitalization are intensely evident not only in Turkey but also in other countries.

The second dataset includes a comprehensive analysis of the Turkish literature on new governance models and digital transformation in the field of administrative law and public administration in Turkey. The evaluation of the findings put forward by Gülan (1998), Oğurlu (2010), Şahin (2010), Ayata (2019), Yasin (2020), Düğer (2022), Atmaca and Geylani (2020), Demir (2022), Tamer (2024), Boyalı (2023) and Çeliksoy and Akça (2024) provides a theoretical analysis on issues such as the adaptation of the administration to digitalization, meeting new regulatory needs, ensuring a transformation in citizen-administration relations, and supporting administrative capacity by defining it in an innovative way. forms the basis.

In addition, the third dataset is based on a comparative study that includes legal and governance analyses in other countries. Innovative practices in Turkish administrative law and models in international practices are discussed side by side in this set. In this context, within the scope of the digitalization of the administration in Turkey, the effects of new technologies such as digital application opportunities, follow-up of applications and objection to them, digitalization of the right to information (BIMER and CIMER), e-Government applications in local governments, artificial intelligence and blockchain applications and IoT on public administration and administrative functioning were evaluated. Again, in this set, adaptive regulation models in terms of administrative law are compared with more democratic participatory governance tools and digital practices. With this set, the compatibility of the administrative transformation towards innovation in Turkey with innovation trends in other countries was analyzed.

The methodology followed here has been determined in order to ensure that the article is presented in a strong way in terms of theory and practice. This method allows the evaluation of innovative studies and new

technologies in administrative law in terms of both explaining the normative bases of the need for innovation in Turkish administrative law and revealing the legal foundations of administrative structures that are reshaped in the face of digitalization.

In this context, the study allows the transformation in Turkish administrative law to be handled from a holistic perspective with both theoretical and practical aspects. Thus, it is possible to examine the change in administrative law in the face of new technologies and innovation with a balanced and comprehensive approach.

3. Findings

3.1. Transformation of Regulation

In the face of new technologies, the administration's entry into economic life and the way it intervenes are changing; With the advent of the digital economy, this process is taking place at a higher level. The function of eliminating disruptions in the traditional market now emerges with very different dimensions such as data security, privacy, competition equality and the promotion of innovation (Düğer, 2022). When we look at international developments, it is seen that modern regulation has transformed from static norm production to dynamic and adaptive regulation processes (Dreyfuss, 2008, pp. 10–14). In addition, although not directly related to administrative law, factors such as behavioral economics-based nudge tools, ethical rules and stakeholder participation have differentiated administrative procedures. In this context, it is understood that innovation in the field of administrative law is not only a regulatory area, but also a necessary transformation by undertaking facilitating functions. (Ayata, 2019)

Undoubtedly, traditional administrative law has rigid, hierarchical and predictable decision-making mechanisms. The dynamic, multi-actor and experimental nature of innovation challenges and transforms this classical structure. The tension between both structures reveals the need for a faster transformation in regulation.

3.2. Impact of Digital Technologies

3.2.1. Artificial intelligence

With the emergence of the digital economy, the administration has started to take more place in economic life and the forms of intervention have also changed. As Oğurlu stated, artificial intelligence causes a total development in administrative processes. And as in all branches of law, important changes are emerging in administrative law within the framework of artificial intelligence. (Oğurlu; Shagieva; Bersanov (2021)

Artificial intelligence offers important opportunities for the production of personalized public services with big data analytics of administrative processes and automation of administrative processes and e-government processes. (Tamer, 2024; Demirkıran, 2023). In addition, problems such as algorithmic transparency, predictability and limits of discretion and appropriateness control reveal new legal research in administrative procedure and administrative responsibility.

3.2.2. Internet of Things (IoT)

IoT technologies contribute to the strengthening of public services through real-time monitoring, maintenance, and optimization processes in smart city infrastructures (Demir, 2022). These developments, which are directly related to the principles of continuity, efficiency and security of public services, are closely related to public administration and administrative law in terms of the provision of public services.

These technologies contribute to the strengthening of public services and the effective maintenance of law enforcement services through maintenance and optimization processes and real-time monitoring in smart city infrastructures. These developments have important consequences in terms of the principles of continuity, efficiency and security of public services.

3.2.3. Blockchain

Blockchain technologies increase the transparency and auditability capacity of the administration through the immutability of official records kept in the public and decentralized verification methods. Blockchain technologies are considered an important innovation in the literature in terms of ensuring security in digital environments and strengthening the principle of equality for citizens. (Kovač & Dečman, 2009, pp. 65–70).

3.3. Citizen-Administration Interaction

In classical public administration and administrative law, the participation of citizens was based on a one-way petition system. With digitalization, public administration and administrative law now enable two-way communication; Continuous feedback mechanisms are implemented through new systems based on transparency. Thanks to the Prime Ministry Communication Center (BIMER) and the Presidential Communication Center (CIMER) models in Turkey, citizens' capacities to interact with the administration, convey their problems and get results, as well as administrative control opportunities, have been strengthened; Thus, important participation tools have been put into practice. (Karkin & Zor, 2017). This transformation is described as the expansion of constitutional transparency mechanisms in the international literature. (Metzger, 2010, pp. 512–520).

Thanks to Digital Transformation, citizens can participate more in administrative decision-making processes, but their expectations in these processes are even higher. At the same time, digitalization enables the strengthening of contemporary public administration and administrative law principles such as transparency, accountability and participation. The increase in feedback rates, which is the response mechanism of the administration, improves the legitimacy of the administration and on the other hand, the opportunities to learn innovations as an institutional structure.

3.4. The Need for Innovation in Modern Turkish Administrative Law

Today, the modern administration must both maintain the speed of the provision of the public service and maintain the quality of the public service in the face of the increasing demands and expectations due to the increasing population and the increase in the standards of the people, and this is a difficult situation. In this respect, it should be noted that digital and information technologies are an important tool in terms of optimization by simplifying service processes on the one hand and ensuring that resource use is carried out in the most accurate way on the other. The widespread execution of administrative applications and administrative procedure processes in the digital environment in Turkey reduces the processing burden of the administration; on the other hand, it strengthens citizen-administration relations and contact. (Karkin & Zor, 2017, p. 28).

The increase in the cultural and social level of the society and the fact that access to information is becoming easier day by day increases the expectations for the administration to follow a reasoned, open and participatory policy and to be accountable while making its decisions and puts pressure on the administration. Innovation poses a normative

necessity that requires the administrative procedure to be reviewed in the decision-making processes of the administration and to strengthen the legitimacy capacity of the administration in the eyes of the public through digitalization processes.

On the other hand, when considered at the level of local governments, the competition between these governments and the increasing performance expectation of the public also strengthen the need for innovation by the administration (Esmer, Yüksel & Şaylan, 2019, p. 176). When all these issues are evaluated together, it should be determined that the need for innovation has emerged clearly in modern administrative law and that one of the main factors shaping the future of this branch of law is the expectations for innovation.

3.5. Applications: CIMER, Local Governments, Human Resources

When we look at the practices in Turkey, the most concrete areas in administrative law are digital administrative application mechanisms, e-municipality applications in local governments, innovative service models and activities to increase the institutional capacities of the administration within an innovative framework. It should be stated that the aforementioned practices are not only about the use of new technologies, but also about transforming philosophy and perspective. Because it is seen that legal consequences in which administrative procedure, administrative responsibility and public powers are directly affected arise due to innovation.

3.5.1. Right to Information and Digital Application Systems

The Presidential Communication Center, or CIMER, replaced the Prime Ministry Communication Center and is an important example of innovation in the digitalization of administrative remedies in Turkey.

These systems not only offer a fast and accessible application opportunity, but also undertake a legal function that ensures the transparency, accountability and healthy functioning of the administration in terms of transaction management (Karkın & Zor, 2017, p. 36).

Obligations such as justifying administrative acts, responding to them in a timely manner and detecting them when they are erroneous, as well as the traceability of digital applications, are of great importance for the effective and transparent administrative procedure law. It is clear that these expectations can be met from an innovative perspective. In this context, the Presidential Communication Center (CIMER) is an important legal mechanism that increases the traceability, transparency, auditability and accountability of the administration, beyond bringing a technological innovation.

3.5.2. Innovative Practices in Local Governments

e-Municipality applications, which have emerged as a new digital view of classical municipalism, refer to the online provision of public services using new technologies and opportunities in the field of informatics. This system facilitates participation in administrative decision-making processes through electronic democracy, i.e. e-democracy. Although there are undoubtedly some shortcomings and aspects that are subject to criticism, e-Municipality applications have significantly exceeded the classical understanding of municipalism; It has accelerated transactions, provided 24/7 accessibility and contributed to the spread of public services. (Oğurlu, 2010, pp.233-265)

Smart city projects, e-Municipality platforms and data-based decision-making systems, which have become a part of modern settlements today, appear as visible examples of innovation at the local level. These applications, which are fast, lower cost and centered on citizen

satisfaction, transform public administration and administrative law. (Esmer, Yüksel & Şaylan, 2019, p. 184). These developments also have a special importance in terms of administrative law. Because innovation expands the service area and accessibility during the provision of public services, transforms the procedures by facilitating them, and makes the responsibility of the administration clearer and more traceable. For example, smart city sensors and data collection systems reveal new legal limits in terms of personal data protection and privacy; Traffic management becomes easier with artificial intelligence, and disaster predictions and post-disaster interventions can be carried out more effectively through artificial intelligence-based decision support systems. This situation adds new dimensions to the concepts of fault liability and service defect of municipalities.

Classical notification and administrative application procedures have started to change with the implementation of e-Municipality applications in municipalities and the formation of digital administrative procedure processes has become evident. In this context, local governments become the implementer of innovation on the one hand and an actor that shapes its legal framework on the other.

3.5.3. Institutional Structure and Human Resources

Sustainability of innovation in the transformation of public administration and administration is not possible only with technological infrastructure. In order to achieve and maintain this, it is necessary to improve the institutional culture of the administration and the quality of human resources. Only trained personnel can adapt to digital processes. In addition, the flexibility of the organizational structure and the adoption of a management approach that is open to learning and governance increase

the innovative capacity of local governments. (Esmer, Yüksel & Şaylan, 2019, p. 185).

At this point, if a legal evaluation is to be made, employing the right administrative personnel, that is, ensuring the quality of human resources, is a part of the administration's duty of care. The fault of the personnel who are inadequate in digital processes and information activities creates the responsibility of the administration for service defect and the administration is obliged to compensate for the resulting damage. Since the institutional innovation capacity of the administration is directly related to its effectiveness and efficiency, competent and innovative human resources become one of the basic elements that bridge administrative law and administrative activities.

3.6. Legal and Institutional Requirements for the Future

Innovation also provides a transformation on administrative organization. In this respect, all necessary legislative arrangements should be made at the normative level. It is imperative that the regulations to be made for digitalization, data-based management and participatory governance maintain the basic principles and structure of administrative law and are based on an innovation approach that observes the classical procedural understanding of administrative law in terms of procedural mechanisms.

3.6.1. Digitalization of Administrative Procedure

When administrative proceedings are established digitally, the safeguards arising from the administrative procedure and administrative trial procedure, such as the justification of the administrative decision, its notification, the periods it is subject to, and the burden of proof, must be clearly determined. Although innovation provides rapid development in administrative functioning, it is imperative to carry out digitalization processes without compromising the basic principles of administrative

law such as legal security, legal certainty, auditability, accountability and transparency. This requirement reveals the need to develop digital procedural codes in administrative procedural law (Oğurlu, 2010, pp.100-133).

3.6.2. Data-Based Management and Protection of Personal Data

Although digitalization and data-driven management in public services ensure the effective provision of public services, they pose certain risks in terms of the protection of personal data. Especially in cases where artificial intelligence is used, these risks increase even more. Therefore, it is necessary to clarify the reasons for algorithmic decisions legally. In addition, it should be clearly determined who is responsible for the data; The limits of automated decision-making processes and the principles regarding the supervision of profiling processes should also be legally definitive. Because digitalization and innovation require a reasonable balance between the protection of personal data and the effectiveness of public service. (Abudureyimu; Oğurlu (2021), pp.765–782.)

3.6.3. Innovative Governance in Local Governments

Applications such as online consultation mechanisms, open data platforms and participatory budgeting attract attention as new governance tools that will ensure the institutionalization of innovation in local governments. The legal definition of these tools by including them in legal regulations will establish a new innovation-ecosystem by strengthening accountability, transparency and democratic participation in local governments (Dirsek, 2007, p. 146).

3.7. Basic Principles – New Areas of Dispute

It is important to re-evaluate information technologies and new technologies by taking into account the basic principles of administrative

law. When the practices in these countries are examined respectively, problems may arise in determining which law the authority originates from in experimental innovation areas such as sandbox, especially in terms of the principle of legality. Secondly, in terms of the principle of public interest, the risk of the digital divide raises the possibility that technological services cannot be distributed equally to all segments of society. However, when equal access is provided to the whole society, it becomes possible to benefit from public services quickly and effectively.

The uncertainties caused by innovation in PPP projects highlight the need to manage these risks. This situation is expressed as the protection of assets. In addition, smart cities, artificial intelligence systems and blockchain applications, which are important developments in urban planning; It creates new types of disputes other than classical disputes such as data security, algorithm bias, unjustified administrative decisions, and digital evidence quality.

3.8. Digital Administrative Procedure

Digitalization in administrative law has brought about the digitalization of administrative procedures. Electronic notification, electronic signature, automatic decision systems and digital applications take the classical structure of administrative procedure to a different dimension. These new dimensions are indicative of the direct impact of innovation on legal outcomes. In the new process, effects such as the automatic conclusion of applications regarding administrative actions, the adaptation of procedural safeguards to the digital environment, and the increase in disputes related to the field of technology and informatics in administrative jurisdiction are emerging. When we look at the relationship between administrative procedural law and the normative limits of administrative law, it can be

said that innovation has become an element that redefines these boundaries and relationship.

3.9. Liability Law -Audit

There are significant gains provided by digitalization and innovation in the decision-making and public service delivery processes of the administration. However, new areas of responsibility may arise for the people who benefit from the service as well as for the administration. New problems that have not been seen before may come to the fore regarding the supervision of the administration. On the other hand, administrative transactions based on artificial intelligence and public projects based on high technology both change the boundaries of liability law and necessitate a reinterpretation of audit mechanisms. At this point, classical principles should be taken into consideration when determining the responsibility of the administration; however, adaptive inspection models should also be considered. Because classical administrative responsibility principles need to be reinterpreted within the framework of innovation and digitalization.

3.9.1. Artificial Intelligence-Induced Errors

The use of administrative decision processes based on artificial intelligence in administrative law necessitates new approaches to the responsibility of erroneous decisions. In this context, the first problem is to determine whether the liability of the administration will be determined within the scope of fault liability or service defect.

Algorithm-based AI decisions are not transparent due to their "black box" nature; therefore, it becomes difficult to determine who is at fault. In the international literature, Hornstein draws attention to this problem and states that classical administrative responsibility theories, especially the

fault liability test, are insufficient in the face of complex and difficult-to-predict algorithmic outputs (Hornstein, 2005, pp. 934–939). The "Adaptive Regulation" approach put forward by the author is based on the idea that the administration may not be able to foresee some of the technological risks and therefore can be held responsible within the framework of objective responsibility.

On the other hand, the fact that the algorithms on which artificial intelligence is based have prejudices can damage the principle of equality and cause various damages within the framework of the prohibition of discrimination. For this reason, algorithmic bias brings about new legal debates (Dreyfuss, 2008, pp. 10–12). The use of artificial intelligence in administrative decisions creates uncertainty about how the constitutional discretionary power of the administration will be used. Because in this case, the administrative decision is made by an algorithm, not by a human. The general trend in the international literature is not to impose administrative risk on individuals; the risk allocation principle should not be interpreted to the detriment of the individual and in favor of the administration. (Metzger, 2010, pp. 498–503).

Although the Personal Data Protection Law has found an active application area in Turkey, the limits within which the data processing processes of the administration will be carried out in terms of administrative law and what the legal effects of fully automatic decisions will be have not yet been clearly determined by court precedents. Developments in this regard continue. It is imperative that artificial intelligence-induced errors are placed on a predictable, transparent and normative basis that includes justification principles.

3.9.2. Audit of the Court of Accounts and Innovative Projects

Smart city applications, blockchain-based recording systems and artificial intelligence-supported decision mechanisms, which are public projects based on technology and innovation, reveal the need for a new audit mechanism beyond classical audit methods. In Turkey, the audit of the Court of Accounts is largely carried out based on criteria related to compliance with the law, cost-benefit analysis and resource utilization. However, when it comes to the above-mentioned innovative projects, it is seen that there is an experimental, risky and uncertain structure.

The Court of Accounts also pays attention to many new factors when evaluating innovation projects: technological risks, data security and protection of personal data, human rights violations arising from automation, and the verifiability of algorithmic administrative decision-making processes.

In the international literature, it has been stated that innovation projects, which are high-tech public investments, can be understood and sustained with the logic of "learning-by-doing". (Hornstein, 2005; Dreyfuss, 2008). Metzger (2010) states that in the age of digitalization, it is essential for the audit mechanisms of the administration to take into account the principles of transparency, accountability and public ethics, not limited to compliance with the law (pp. 512–520). It will always be beneficial to have an "innovation-friendly" flexibility in the regulations regarding the supervision of the administration.

3.9.3. Administrative Jurisdiction and Specialization

The use of information technologies more intensively in administrative law and the increase in administrative disputes related to this have revealed the need for an informatics-based and innovation-oriented

specialization in administrative judiciary. Disputes that require technical knowledge, such as auditing artificial intelligence decisions, examining the legality of IoT-based data flows, and auditing the legality of blockchain-based transactions, are increasing. The number of such disputes is increasing day by day.

Kovač (2017) states that as a result of the digitalization of the administration, members of the judiciary with new areas of expertise are needed for the administrative judiciary to resolve disputes with intense technical content (pp. 98–102). The role of experts in these new types of disputes, which have intense technical content and arise as a result of innovation, is inevitably increasing. Because the judge cannot be expected to have all of this innovative and technical information. However, in case of excessive use of expertise, doubts may arise as to whether the decision was made freely and based on legal knowledge by the judge, which may indirectly affect the independence of the judiciary.

In more technical terms, in this period of digitalization of the administration, it may not be sufficient to carry out legal supervision carried out by traditional administrative jurisdiction or judicial jurisdiction; Since this audit requires technological literacy, it is stated that a new approach is necessary for the constitutional state of law to effectively fulfill its audit duty. (Metzger (2010) pp. 501–504).

For these reasons, it is imperative to ensure the aforementioned specialization in the administrative judiciary—and in the judicial judiciary in countries where the supervision of the administration is carried out by the judicial judiciary. Accordingly, it is necessary to establish specialized departments in the field of technology law within the judiciary, to provide up-to-date information to existing judges and prosecutors through continuous training programs, to regularly update and raise expert witness

standards, and to establish guiding case law in areas that require innovative and technical knowledge, such as artificial intelligence and data protection.

4. Discussion

The findings of the study reveal that technological developments and innovation are a normative requirement in terms of administrative law and that regulations should be made on these issues. The findings of the study reveal that technological developments and innovation are a normative requirement in terms of administrative law and that regulations should be made on these issues. The findings of the study reveal that technological developments and innovation are a normative requirement in terms of administrative law and that regulations should be made on these issues. The findings of the study reveal that technological developments and innovation are a normative requirement in terms of administrative law and that regulations should be made on these issues. The findings of the study reveal that technological developments and innovation are a normative requirement in terms of administrative law and that regulations should be made on these issues. It has been determined that it contributes to more legitimacy and adoption to the administration.

In the international literature on public administration, it is especially emphasized that the administration should go beyond its traditional, hierarchical and bureaucratic structures and work with new mechanisms. In this context, it is stated that the administration should operate with new methods such as experimental management and the operation of feedback loops, as well as adaptive regulation mechanisms used in classical administrative law. (Hornstein, 2005, pp. 934–949). This determination requires a review of both the normative framework and the institutional capacity of administrative law in terms of legislation.

5. Conclusion

In terms of administrative law, it is an absolute necessity to follow new social and sociological changes and technological developments in a way that meets the needs of the people and to renew them accordingly. It is clear that this renewal should be carried out with an innovative perspective. With the digitalization of administrative law, on the one hand, the perspective on administrative procedures is expanding; On the other hand, an innovative approach is adopted that does not only consist of the use of technology, but also expresses a holistic paradigm shift that increases the development of the normative framework of the legislation, the reorganization of the use of authority, the transformation of decision-making processes and the participation of citizens. The transformation at this point shows that administrative law, which is often thought to be a static and rule-based rigid structure, is already prone to provide a more flexible and participatory structure through basic principles such as adaptability. In order for such a change to be sustainable, it is imperative that the modern administration adopts the Adaptive Regulation approach, which is expressed as "harmonizing regulation" . This model, which flexes according to new conditions, allows for experimental applications and transforms feedback loops into corporate structures, not only creates a sustainable innovation environment; it also ensures the establishment of more robust structures in terms of the legal security of the people.

In addition to all these, it is of great importance to train administrators who know, understand and manage technology. In this direction, the administrative law curriculum should be enriched with sub-headings such as electronic government, artificial intelligence and law, technology law and internet law; It is necessary to create a course content that establishes a relationship between administrative law and these fields. In addition, adding areas related to algorithmic decision processes and personal data

protection law to the curriculum in order to understand the world of the future will strengthen the mental capacity of members of the administrative judiciary. This need is also valid for law faculties and academics who provide education in the field of judiciary.

In addition, making the Regulatory Impact Assessment mechanism, which is extremely important in terms of regulating innovation processes, mandatory will be one of the main features sought in the management of the future.

The first of the scientific conclusions reached as a result of this study is the fact that administrative law cannot remain indifferent to technological developments and especially innovations in the field of informatics. The flexibility and adaptability capacity of administrative law must be constantly renewed and expanded. Administrative law has to rethink this renewal and expansion in line with the needs of the society depending on social and sociological developments.

Second, the nature of innovation involves uncertainty, and therefore the pace of change and experimental applications do not fit into overly static and rigid normative frameworks that are kept closed to development. The flexibility and rapid decision-making capacity to ensure the harmonization of innovation and technological developments with normative regulations are important for the effective use of legislative power.

Thirdly, digital technologies must be structured by taking into account legal security, personal data protection and ethical principles. Automated decision-making systems are an important tool within the framework of administrative procedures permitted by the administration. However, algorithmic bias and data-intensive practices must be implemented in a

way that does not violate legal security, personal data, and ethical principles. In case of violation of these principles, administrative responsibility mechanisms and administrative judicial review should step in and provide compensation for the damage.

Fourthly, in order for administrative law to function in a democratic framework and to strengthen administrative legitimacy, greater participation of citizens in administrative decision-making processes should be ensured through digital tools. At this point, open data portals, online consultation mechanisms, online voting systems and practices based on feedback loops should not be exceptional, but should become digital tools that the administration regularly uses.

Fifthly, experimental governance and data-based management capacity, which are among the regulatory models of administrative law, should be constantly reviewed and strengthened. Especially e-Municipality applications and smart city projects, digital control mechanisms and information systems will increase administrative efficiency by enabling the administration to make faster and more costly decisions.

As a result, technological developments, advances in the field of informatics and innovative perspective should not be seen only as a follow-up of technical developments. The ultimate purpose of these processes; to ensure the public interest, to provide public services effectively and healthily, to guarantee the legal security of citizens, to strengthen the transparency and accountability of the administration and to ensure the sustainability of the democratic legitimacy of the administration. For this reason, innovation has become one of the central elements of administrative law and has become an undeniable necessity.

In the administration of the future, innovative approaches, especially digitalization, should be combined with legal guarantees and created and

implemented by establishing more flexible structures, but within the framework of a supervised and accountable administration.

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