

Ethics for the Prevention of Corruption in Turkey

ACADEMIC RESEARCH REPORT

ETHICS IN TITLE/LAND REGISTRY

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The overall objective of TYEC is to contribute to the prevention of corruption in Turkey in accordance with European and other international standards through the implementation and extension of the code of conduct, and the development of anti-corruption measures.



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The views expressed in this document do not necessarily reflect the views of the European Commission and Council of Europe.

FOREWORD

This study is one of 10 academic research studies conducted within the framework of TYEC Project, collaboratively by European Council and The Prime Ministry Ethics Council for Public Servants in Turkey.

We acknowledge that, a number of people and organisations have provided support for this research. The Prime Ministry Ethics Council for Public Servants in Turkey; particularly the Head of Council, Professor Bilal ERYILMAZ; The General Directorate of Titles and Cadastral Services (TKGM); particularly Zeki ADLI, the General Director, and Yener KARATAŞ, Head of Internal Audit Unit; directors and employees of line departments of the TKGM in Erzurum, Samsun, Ankara, Istanbul, Konya, Antalya, Izmir, Kocaeli, Yalova and Manisa Provinces; heads of Chambers of Real Estate and individual real estate agents have all participated in one way or another to this research. We thank them all.

Although we have devoted a great deal of effort for thoroughly conducting the research and for presenting its findings, we do not claim that it is out of any errors. We acknowledge that, the remaining errors should be credited to the researchers. We hope that this study would be useful for the related people and organisations as well as the researchers who work on the field of administrative ethics.

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INTRODUCTION

This study aims to explore legal, institutional and procedural framework of the General Directorate of Titles and Cadastral Services (from now on, TKGM); the complex structure in title service provision and risks and vulnerabilities related to title service provision, from an ethics perspective. The study particularly focuses upon opportunities and initiatives for misuse of their positions by public employees and their managers.

Aims and Scope of the Study

On the issue of aims and scope of this study, the following points are of importance to mention:

- As ethical problems are encountered in practice rather than theory, the study takes a more practical stand rather than theoretical debates and analyses produced on table. The difference between “what really exist on the field” and “what is assumed to exist” is of importance for this study.
- The study preferred a “bottom up approach”. It tries to find out dimensions of relationship between employees and citizens in title service provision and aims to produce a model for it. Major actors in title service provision; namely, citizen who benefit title services, central headquarters of TKGM, its line departments and real estate agents, all are included in that model. In this way, the question of which non-ethical behaviour are caused by which stakeholder would become easier to answer.
- The study does not only deal with attitudes and behaviours of public employees, it also deals with systemic roots of the issue. Therefore, in addition to behaviours of public employees in title services, cultural factors and perceptions behind these behaviours as well as the problems about organisational structure of TKGM, the legal framework and attitudes of citizens who use title services are dealt with. The study takes into account the fact that, the ethical problems encountered in title service provision has roots at procedural framework, administrative culture and structural problems as well as intentional non-ethical behaviours of employees and managers. Further, roles and views of other stakeholders of title service provision have been included to the scope of research.
- The study aims at improvement of title service system, not to blame any actor in service provision. By doing so, it strives to reach concrete results and to develop easily applicable suggestions. Therefore, various types of political corruption and other issues with political character, such as misuse of economic resources and non-ethical behaviour in political decision-making, have been put out of context in this study, as there are wide public debates about their reasons and their solutions require wide-range government reform. The study has been

limited to relative small scaled but quite widespread behaviours which can be classified as “administrative corruption”.

- However, the study focuses upon not to such popular corruption types as bribery, but also various administrative corruption and other non-ethical behaviours as a whole. In this respect, principles and guidelines developed by Prime Ministry Ethics Council for Public Servants provided a useful tool for this study.
- There are non-ethical behaviours which are forbidden by law and therefore are constantly inspected by state agents, as well as assumed as relatively innocent by both public officials and public at large. In other words, non-ethical behaviours are frequently classified in public opinion as non-acceptable in any time, acceptable in some occasions and relatively innocent and therefore acceptable behaviours. If a behaviour is seen as legitimate by population, it would be difficult to put some sanctions against it by authorities, as it will probably be some underperformance in law enforcement. Because citizens will not be willing to complain or use the legal mechanisms in such cases and therefore this kind of behaviours are habitually kept hidden. Therefore, this study seriously takes the vital role of popular legitimacy in development and prevention of non-ethical behaviours into account.

Review of the Literature on Ethics in Title Services

Although title services interest a considerable part of the population and the problems in TKGM have frequently been in debated in Turkish public opinion, there have been a few academic studies on title service provision in Turkey. Our literature search shows that, the issue of ethics in title service has not been studied academically so far. There are only a very limited number of academic researches that we have to mention.

An important work done by Fikret Adaman, Ali Çarkoğlu and Burhan Şenatalar in 2001 which in some way deals with ethics in title services in Turkey while not being totally about ethical problems in title services is “Reasons of Corruption in Turkey and Suggestions for Solution on the eye of Citizens”. This study which mainly deals with ethics perception in ten public sector organisations draws a pessimistic Picture about title services. For instance, title service is on the fourth rank on the issue of widespreadness of corruption and bribery list with 6,8 out of 10. Citizens’ suggestions for proposed reforms to prevent corruption in title services are presented as follows: increasing inspections (33%), increasing accountability mechanisms (17%), increasing salaries of employees (16%), increasing resources and capacities of TKGM (14%), reducing bureaucratic formalities and cutting red tape (12%) and preventing interference of politicians (6%).

The above-mentioned study is important for a number of reasons: It presents very important findings about reasons of corruption and solutions for them, it brings a new approach to the issue and it compares different organisations in one particular issue. However, its multi-subject approach does not permit it to explore in detail a

particular public service and to find out organisation or service-specific reasons of non-ethical behaviours and to develop strategies organisation-specific solutions for corruption and other non-ethical behaviours. Our study on "Ethics in Title Services" aims to fill this important gap, by focusing on a particular public service (title services) and on a particular public organisation (TKGM).

The only research about ethics in title services is a survey conducted by a trade union (Türk İmar-Sen) which looked at recent bribery cases in line departments of TKGM and tried to find out how employees working for TKGM are influenced by these events. The survey was conducted in 5-25 June 2008 and the survey questionnaire was filled out by 643 title service employees. Two findings of the above-mentioned research seem to be important for our topic: First, employees of TKGM are negatively affected by press coverage about bribery cases in title services, in that 77% of the employees' claims are in this direction. Further, 58% considers changing their organisation for this negative image. Second, majority of employees were offered a bribe in one way or another. 41% were offered more than 10 times in their work life, 38% were offered more than 5 times, 21% were offered once. The worst is that 48% of these offers were made for a request for an unlawful work. 39% of the bribe offers were made for a routine work in title services.

Although they are not about the ethical problems in title services, there are a number of previous researches that should be mentioned as they deal with one or more sides of title service provision such as human resource problems, problems of organisational structure and procedural framework.

One such work was undertaken by a team from Prime Ministry Administrative Development Unit in 2004, named as "Effectiveness in Title and Cadastral Services". Another research was conducted by a researcher team headed by Sami Şener from Deha Consultancy, "Work Performance and Institutional Projection in İstanbul Regional Office of TKGM" (2007). Another related research is an unpublished research note by Musa KAYA and Metin İPEKER, middle level managers in Elazığ province regional Office of TKGM, titled as Problems in Line Units of TKGM in Elazığ Regional Office and Suggestions for Solution". It is also an important work, as it reflects an insider view within the organisation to the problems of TKGM. The research note has also accompanied by a personnel satisfaction survey conducted within 44 line units of TKGM in Elazığ Regional Office.

In addition, a number of audit reports, written by TKGM inspectors in different times, which deals with some ethical problems in the organisation as well as some other issues. Moreover, in Activities Reports published by TKGM in 2006 and 2007 as well as in a book published by the TKGM in 2009 titled as "the General Directorate of Titles and Cadastral Services", some evaluations about recent issues and problems of the organisation can be founded. Our Research on Ethics in Title Services aims to fill the research gap which the above-mentioned works have failed to satisfactorily load. It would not be over enthusiastic to suggest that it will be the

first in its kind, as it covers many aspects of ethics in title services and tries to suggest solutions to many ethical problems encountered within the course of title service provision.

This study begins with a brief introduction to history, service areas, technological infrastructure, organisational structure and personnel structure of TKGM. Having described the research methodology utilised in the study, it presents research findings in detail. The findings are classified as views of title service employees about their profession and organisational image, observations about current situation, ethics perceptions of employees and citizens, reasons of non-ethical behaviours in title service provision, how widespread are non-ethical problems within the organisation, attitudes against cases non-ethical behaviours and efforts of TKGM to prevent corruption and other non-ethical behaviours within the organisation. The study ends up with conclusions and suggestions for solution.

INTRODUCTION TO THE ORGANISATION

This part of the study will briefly describe General Directorate of Titles and Cadastral Services (TKGM), which our study have been conducted in.

Historical Development and Functions

TKGM is one of the oldest and well-rooted institutions within the country. Its history dates back to 1847. However, it reached its current status through its Organisation Law on 26th of September 1984. Although, in Republican Period, it has been administered as a dependent of, in turn, the Ministry of Finance, Ministry of Justice and Prime Ministry, it has become a dependent of Ministry of Public Works in 2002.

TKGM consists of central headquarters, line departments and regional offices. Law 3045 draws a legal framework for organisational structure, mandates and responsibilities for TKGM. Article 2 of the above-mentioned law states that, the foremost responsible organisation for all kinds of title and land registry services (as well as cadastral services) is TKGM.

Mandates, responsibilities and functions of TKGM, according to Law 3045, are as follows:

- a. Making all kinds of official registration works about real estate and keeping records of these registration activities,
- b. Keeping land registry records and the related documents in secure places,
- c. Regularly inspecting all kinds of amendments in land registry records,
- d. Determining chief principles about establishing new land registry records and providing coordination in these matters,
- e. Doing all kinds of cadastral works
- f. Developing title /land registry and cadastral services within the country.

As can be seen, the roles and functions of TKGM are two-fold: Title services and cadastral services. Most of the title services are making some amendments in land registry records. Land registry records show whoever has legal rights over a particular piece of land. These records are under state guarantee and are open for check by the owners of real estates.

The services provided within title departments in provinces can be classified under three headings: operations with contract, operations without contract and other services. Although it varies greatly from province to province and even from a title service department in a province to another, approximately 1000 title service are provided by a title service employee each year. Title services provided by each employee are almost doubled in the last five years from 506 in 2003 to 1006 in 2008. This number reflects increasing workload in title services in Turkey.

Any individual who want a change in land records for example through selling or buying a land) may come to title service departments himself/herself or may opt to use some representatives. In practice, real estate agents serve as middlemen in many of title service operations. Although, since the last ten years, payments for title services (such as taxes and revolving capital payments) are made outside of title service departments, mostly in the nearest branches of national banks, claims about unlawful payments still continue in some title service departments by one way or another. The title operations with contract are supposed to be more prone to payments of this kind or misuse than other services provided by title service departments.

These services are considered as a part of the sovereignty of the state and are an important meeting point for state and citizens, as more than 6.5 million unit title services are provided each year. Furthermore, there is a steady growth in this number since the last decade (6.584.783 in 2008, while this number was 2.730.432 in 2003). In addition, TKGM provides a significant contribution to national treasury (2.156. 695.801 Turkish Liras in 2008). The budget assigned to TKGM was 422.447.000 Turkish Liras in 2008. It means that TKGM pays back four times more than it gets from the national treasury each year.

Technological Infrastructure

TKGM provides title and cadastral services to its users by utilising information technology and other technological infrastructure which such projects as TAKBİS (Title and Cadastral Information System Project) and MERLİS (Marmara Earthquake Emergency Restructuring Project) enable. In addition, the organisation uses such high-tech information systems as Enterprise Resource Planning (ERP), Title Application Software (TSUY), Portable Goods Management Automation System (TMYOS) and Map Information Bank (HBB). The efforts of TKGM to increase service quality by utilising information technology brought a prize of “New Project Development and Implementation for Efficiency and Economy in Public Services” in 2006, given by Prime Ministry Administrative Development Unit.

Taking into account its technological infrastructure and technological equipments, TKGM has had sufficient resources. By 2007, there are 11. 120 PC computers, 558 notebook computers, 7.290 printers, 6.659 telephones and 1.308 fax machines in use in central headquarters or in line departments. It also has 653 cars in various types and ages.

Organisational Structure

General Director is the most superior in the organisation and is assumed to manage it in accordance with legal framework, national security policies, development plans and government programs as well as to provide coordination between his / her organisation and other stakeholders in service provision. General Director is accountable to the minister about activities, accounts and policies of the

organisation. Three vice-general directors help the general director in managing and coordinating both central and line units of the organisation. The central headquarters of TKGM is composed of main service units, advisory and inspection units and assisting units. Main service units of TKGM are Titles Department, Cadastral Affairs Department, Geodesy Department, Titles Archive Department, Foreign Affairs Department, Technical Affairs Department and Dispositional Procedures Department.

Advisory and inspection units of the central headquarters of TKGM are Inspection Council, Internal Auditing Unit, Office of Legal Advisors and Strategy Development Department. Assisting units of the central headquarters of TKGM are Human Resources Department, Training Department, Administrative and Financial Affairs Department and Office of Civil Defence Experts.

The line departments are composed of regional offices, title registry directorates, and directorates and chiefdoms of cadastral affairs, which the latter two are subordinates of regional directorates of TKGM.

Personnel Structure

By 2009, total number of TKGM personnel is 16.890. 11.737 of them are public employees in status, and others are working as either contract personnel and worker or other personnel. In title departments which are the subject matter of this study, total number of personnel is 7.733 (46 % of all personnel).

There is considerably fast personnel mobility in the organisation in recent years. About 1500 personnel change its working place by such ways as promotion, rotation and leaving the organisation, each year. This is a major handicap for service provision in the organisation. On the other hand, regarding age distribution of the personnel, we encounter a middle aged and older personnel profile; in that 3.465 of them are under the age of 30, while 11.450 of them are between 30-49 and the rest are over 50. 43% of TKGM personnel are with high school or primary school graduation, 30% have graduated from a 2 years vocational university program, 26% are graduated from a 4 years course in a university and only 1% is with a postgraduate degree. Only 21% of TKGM personnel are female.

RESEARCH METHODOLOGY

Basic steps of the research study can be named as follows: Literature review; collecting information about legal, institutional and procedural framework of the organisation; interviews with high level managers of the organisation; interviews with real estate agents and representatives of real estate associations, personnel survey, and citizen Survey.

A literature search about the current situation of title services, recent reforms and improvements in title service provision and ethical problems encountered in title / land registry services in Turkey was conducted. Although a limited number of literature were encountered about general problems of the title service in Turkey and major efforts to reorganise the General Directorate of Titles and Cadastral Services, there no particular scientific research on ethical issues in title services up to now.

In addition, we collected information about administrative structure and service provision methods of the General Directorate of Titles and Cadastral Services, as well as its legal and procedural framework. Particularly, the official web site of the organisation, its annual reports, its draft strategic plan documents, and the laws and decrees about title services in Turkey have been investigated. In addition, some draft laws, prepared by the authority and still waiting for a parliamentary approval, about reforming the General Directorate of Titles and Cadastral Services as well as providing efficient title / land registry services have been examined.

In September 2008, high level managers of TKGM in its central headquarters were interviewed. Among the interviewees were; the General Director, Head of Ethics Commission, Vice-General Directors, Head of Title Services Department, Head of Legal Advisory Department, Head of the Commission of Investigations, Head of Internal Auditing Unit, Legal Advisor, Head of Strategy Development Department, Head of Human Resources Department, Head of In-Service Training Department and some middle level managers in these departments and other units in central headquarters of the organisation. Interviews were conducted on 28th of August, 17th of September and 18th of September 2008 in central headquarters of TKGM in Ankara, Dikmen district. Interviews lasted between 60 - 90 minutes. In the process of interview planning and implementation, Head of Internal Audit Unit of TKGM, institutional contact point of the TYEC Project, played a facilitator role. In addition, during the course of the research, particularly in the centres where our surveys were conducted, mini interviews about frequently encountered ethical problems, reasons of these problems and their suggestions for solution were undertaken with managers and employees from time to time. In order to encourage interviewees speak freely, interviews were taped but notes were taken about their remarks.

As real estate agents are important stakeholders in title service provision, they are also planned to be interviewed. Within this context, 21 real estate chambers and associations, the ones which have an e-mail address on internet, were sent a standard interview form. 6 of these forms were filled and returned back. Furthermore, during the citizen survey conducting phase of the research, detailed interviews with 42 real estate agents were also undertaken. Interview questions intensified on how real estate agents perceive non-ethical issues encountered in title service provision in Turkey and what are their suggestions for solution.

In addition to interviews, a field work, which seeks to get information about knowledge, consciousness and attitudes of the officials who work in branches of TKGM in 10 provinces as well as title service using citizens particularly on such issues as strategies and quality policies of the authority, factors which are effective in determining the levels of misconduct and corruption in title service provision and the role of ethical consideration in the decision-making in the organisation. Within the context of the field work, two surveys were prepared, one for citizens and one for employees. When preparing the survey questions, previous research on the field were reviewed. Pilot application of the surveys was made in a title service unit in Kocaeli province. In getting information about attitudes of employees and citizens, 5 scales Lickert measurement system were utilised. In determination of number of survey sample, reliability and accuracy of research findings were taken as a restrictive factor. In surveys, a sample size which conforms to 95% reliability level and 5% error rate was targeted.

In 2008, about 7000 personnel have been working in line departments of TKGM which deals with title affairs. In this case, the sample size which conforms to 95% reliability and 5% error rates is maximum 364. However, taking into account the fact that the topic of the research is quite sensitive and some people would not be willing to participate in our surveys as well as the possibility that some employees would not be in workplace for various reasons at the time we conduct surveys, conducting 500 personnel and 500 citizen surveys were planned.

The surveys were conducted in October and November 2008 in 40 service units in 10 provinces, taking into account country-wide differences in title service provision. The places where surveys have been conducted have been determined through a common work with officials from TKGM. The places where surveys were conducted and reasons why these places were selected are summed up below:

- Istanbul (Fatih 1, Fatih 3, Kadıköy 1–2–3, Ataşehir, Ümraniye and Sancaktepe units), as the greatest metropolitan city of the country and with most dense title work in the country,
- Ankara (Yenimahalle 1–2–3, Keçiören 1–2–3–4 and Pursaklar units), as the capital city of the country and greatest metropolitan city of the Central Anatolian Region,

- Konya, as one of major industrial and agricultural cities of the country (Selçuklu 1–2, Meram and Karatay units),
- Antalya (Konyaaltı, Muratpaşa, Aksu and Kepez units);, as tourism capital of the country,
- Kocaeli (İzmit 1–2 units), as industrial capital of the country,
- Erzurum (Aziziye, Palandöken and Yakutiye units), as the greatest city in Eastern Anatolian Region,
- Samsun (Atakum, Canik and İlkadım units), as the biggest city in Black Sea Region,
- İzmir (Bayraklı 1, Bornova 1–2 and Karşıyaka 1–2 units), as the biggest city in the Aegean Region,
- Manisa (Manisa 1–2 units), as a major city in Aegean region,
- Yalova (Yalova unit), as an agricultural and tourist centre.

Any major difficulty was not encountered during the course of survey conducting. Participation in employee survey were realised in the expected level, out of 500 distributed survey form, 471 were filled. 468 survey forms were evaluated, leaving 3 blank forms out of consideration.

However, participation in citizen survey was realised under the expected level. Some of the citizens who come to title service units were reluctant to fill the surveys by claiming that they are too busy or they feel that their work in can be negatively affected. Therefore, out of 500 survey forms, only 343 could be conducted. After an inspection of the forms, 5 were put out of consideration as they are not filled and 338 were analysed by SPSS statistics program.

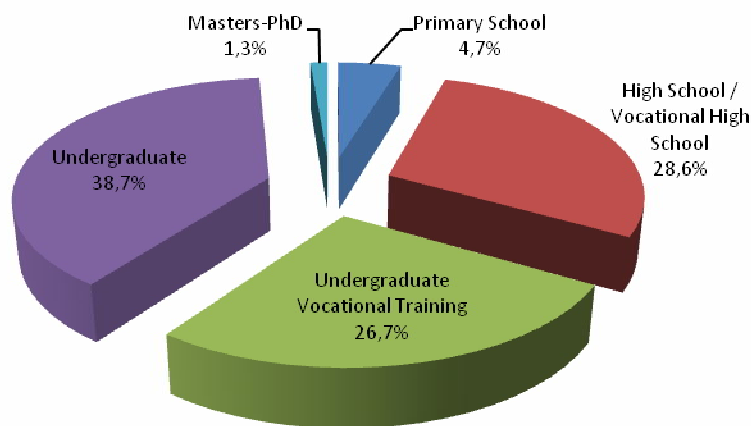
PROFILE OF SURVEY SAMPLE

In the section of profile of survey sample, the findings on the demographic characteristics of the personnel working at title service units and the citizens carrying out title service processes, e.g. age, gender, level of education, occupation, working period, and the frequency of the title service operations that citizens deal with are given.

Profile of the Personnel

61.9% of the officials participated in the survey conducted in the title service units are male, while 38.1% are female. In terms of marital status, 73.3% of respondents are married and 26.7% are single.

Above half of the respondents are graduated from high schools or universities. The ratio of those who have a primary school degree is quite low. These are mostly employed in archive departments.



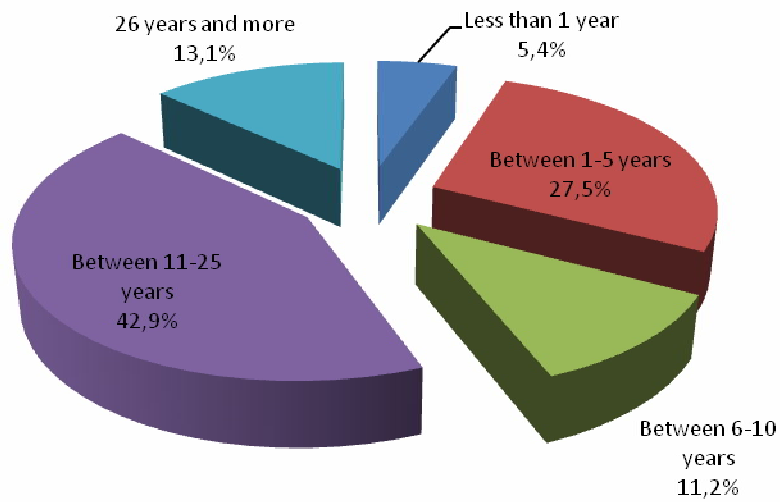
Graph 1. Personnel's Level of Education

The effective and efficient administration of title services requires employment of adequate and qualified personnel. In the interviews realized in TKGM, it is expressed that the problems related to the title services are mostly derived from the operations implemented by unqualified personnel. Hence, the personnel should be equipped with the knowledge in the fields of law, public finance, construction, cartography, etc.

In recent years, TKGM has begun to employ those who have a four-year high school degree; in recent 3-4 years, about 6,000 new personnel graduated from high schools or faculties have been taken into services. This situation has enhanced the level of operations and its positive results have been considerably recognized.

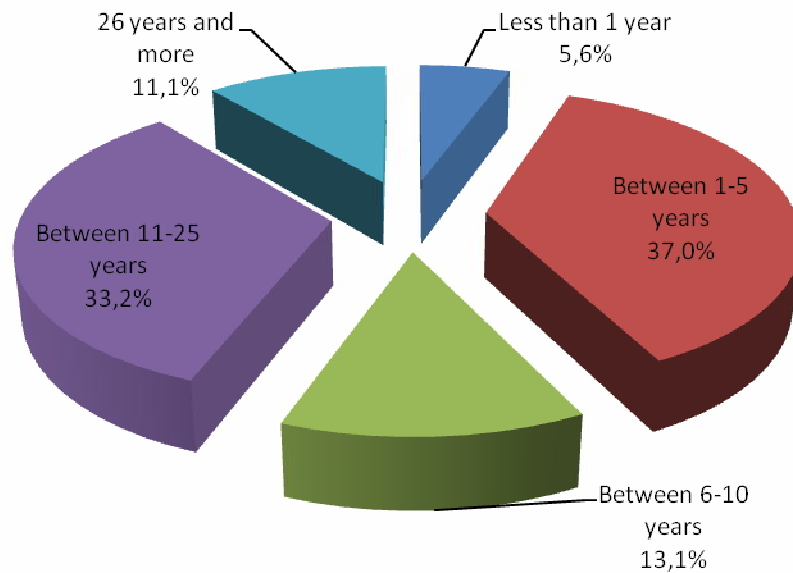
Although the number of the personnel graduated from high schools is quite high, due to the fact that these schools do not generally cover the fields required by title/land registry services, the institution has difficulty in hiring as much as necessary personnel equipped with adequate technical knowledge.

The 56% of the survey sample is composed of the experienced personnel whose length of service is 11 years or above. The ratio of those who have involved in public service recently or has an experience less than 5 years is 32.9%.



Graph 2. The Length of Service in the Public Sector

Compared with the years worked in the public service, there is just a small difference in the length of services completed in the institution. The ratio of the personnel whose length of service is 11 years or above decreases 11 points and happens to be 44.4% and the ratio of those who have involved in public service recently or has an experience less than 5 years arises to 42.6%.



Graph 3. The Length of Service in the TKGM

When compared the length of services in the public sector with that of in the TKGM, it is seen that the personnel circulation in the institution is high. According to the table below, 21.2% of those who are in the public service between 6-10 years, 24.4% of those who are in the public service between 11-25 years and 14.8% of those who are in the public service for 26 or more years have transferred from other institutions to the TKGM.

Table 1. The Survey Sample's Length of Service in the Public Sector and TKGM

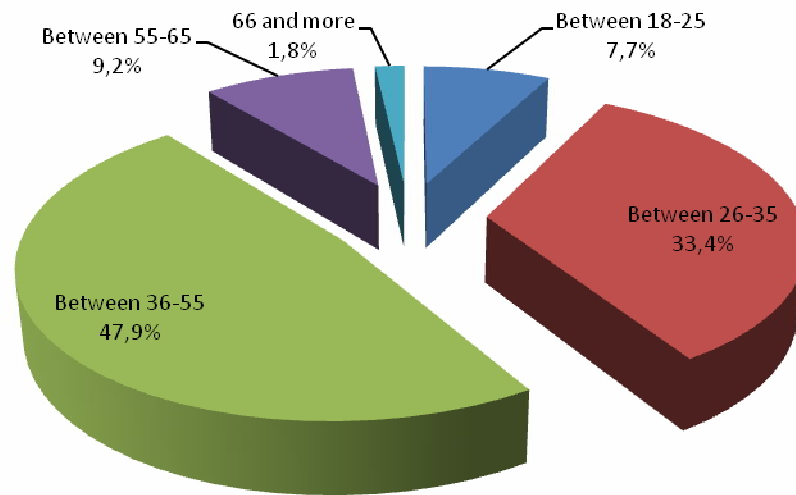
			For how many years you are working in public service?					
			Less than 1 year	Between 1-5 years	Between 6-10 years	Between 11-25 years	26 years and more	
For how many years you are working for TKGM?	Less than 1 year	Frequency	25			1		
		%	100,0			0,5		
	Between 1-5 years	Frequency		128	11	31	3	
		%		100,0	21,2	15,5	4,9	
	Between 6-10 years	Frequency			41	17	2	
		%			78,8	8,5	3,3	
	Between 11-25 years	Frequency				151	4	
		%				75,5	6,6	
	26 years and more	Frequency					52	
		%					85,2	
	TOTAL	Frequency		25	128	52	200	61
		%		100,0	100,0	100,0	100,0	100,0

The majority of the personnel transferred from other institutions come from those institutions that were privatized. According to TKGM, the personnel transferred from privatized institutions are very far to meet the expectations of the institution. Because of this quality question, some of the personnel are regarded as "hidden unemployed". On the other hand, the salaries of the personnel transferred from

privatized institutions are higher than that of the personnel of the TKGM. This situation may produce and provoke debates and troubles among the personnel.

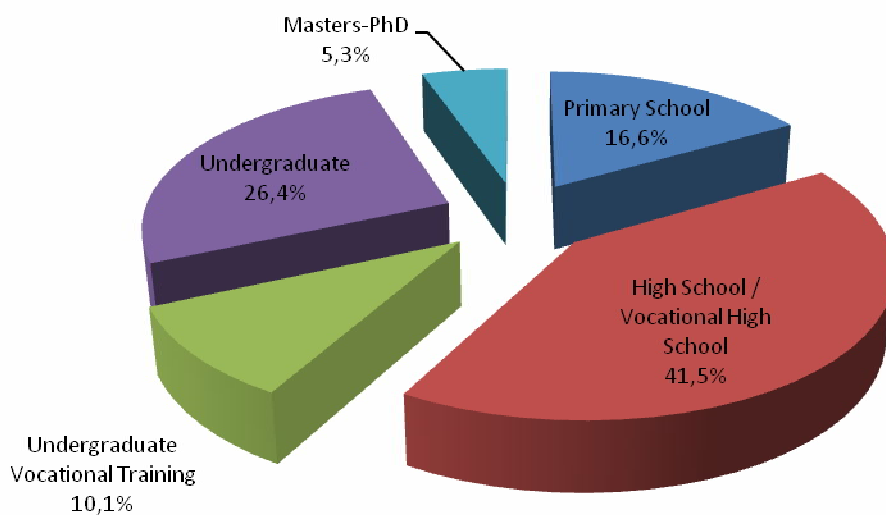
Profile of the Citizens

81.4% of the citizens participated in the survey are male while 18.6% is female. About half of the citizens in the middle age (36-55) group. Next, the 26-35 ages group comes.



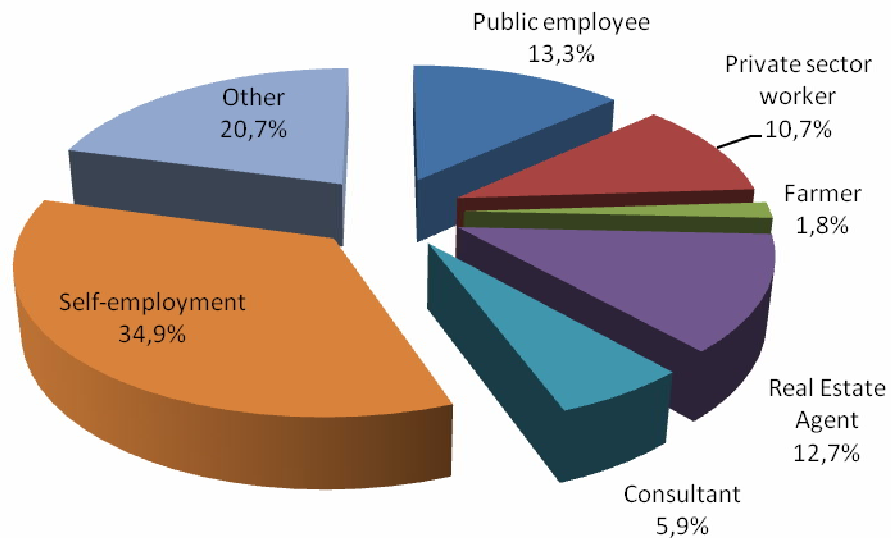
Graph 4. Age Distribution of Citizens

In terms of the level of education, the majority of the citizens who carry on actions in the title service units (41.5%) have a degree of lyceum or vocational school. The graduates of high schools come next (36.5%).



Graph 5. Citizens' Level of Education

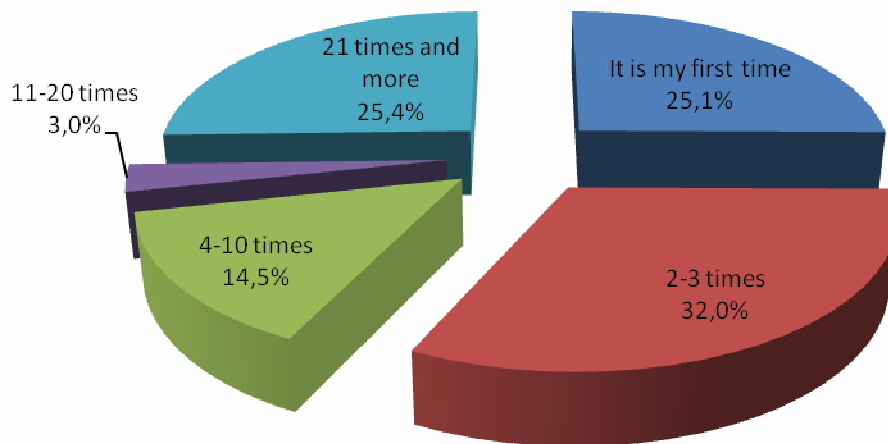
When the occupational situations of the citizens are considered, the citizens who are “self-employed” take the first rank, and the groups of “others” and “public servants” follow them.



Graph 6. Occupational Situation of the Citizens

It might be said that the ratio of those who identify themselves as mediator or real-estate agent (18.6%) is quite low. The basic reason for this is that despite of the explanations that the information about the identities of respondents as well as their private life is not asked in the survey and the data gathered through the survey will be kept secret, the mediators and real-estate agents because of the fear of being publicized and their affairs being effected negatively, are reluctant to classify themselves as mediators or real-estate agents.

While 62.4% of the citizens carry on their own actions in the title service units, 37.6% of the citizens act on others' behalf. From these findings, it might be deduced that about every one person among three is mediator or real-estate agent. However, during the implementation of the survey, it was observed that the number of mediators and real-estate agents are much more. The facts that the citizens who participated in the survey go to the title service units together with mediators and real-estate agents in order to complete the actions, and that the ratio of those who carry on 4 or more actions in the title service units almost reaches to 50%, support the view that mediators and real-estate agents perform too much actions in the title service units.



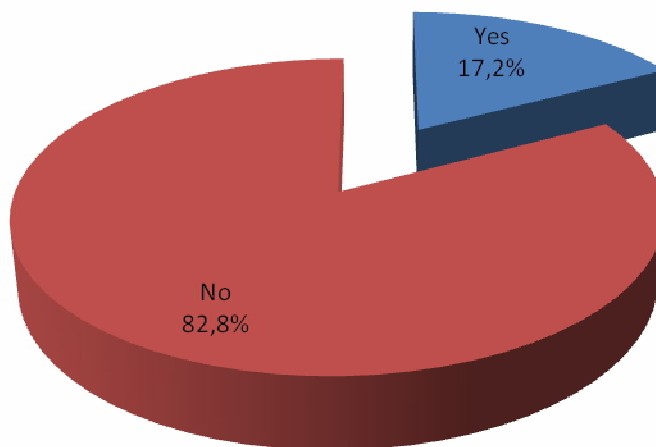
Graph 7. The Number of the Actions Carried in the Title service units

57.1% of the citizen sample reported that they have carried on actions between 1 and 3 in the title service units. One fourth of the respondents consist of those who have followed 21 or above actions.

PERSONNEL'S PERCEPTION OF OCCUPATION

For the elimination of non-ethical behaviours, and the formation of an administrative culture based upon ethics, it is required that the personnel is to be satisfied with their own occupation and personal and social image with respect to their occupation and institution is to be positive. In this respect, personnel's perception of the occupation and the image of the institution are primarily examined.

One of the factors that keep the personnel from undertaking non-ethical behaviours is the honour of the occupation. A public servant who enjoys his/her own occupation and tries to maintain its prestige is expected to avoid non-ethical behaviours. In this regard, following question is addressed to the employees in the title service units: "If you were in the position of choosing your profession again, would you prefer being a title service employee?"



Graph 8. Personnel's Perception of Occupation

It is very interesting that 82.8% of the employees answered that question as "No". Even more, some of the personnel's not confining themselves with the answer "no" and writing on the survey form such phrases as "absolutely not", "never", "in no way" "recommend to none" shows that their level of discontentedness is very high.

During the interviews in TKG headquarter and local title service units, some officials and employees stated that they can not invite their own children to their work places because of negative conditions; and some express they request that their children never be employees in the title services. Almost all of the personnel in the title service units where police operations and legal investigations are executed express that they want to transfer themselves to other institutions but the

institution

does

not

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assent.

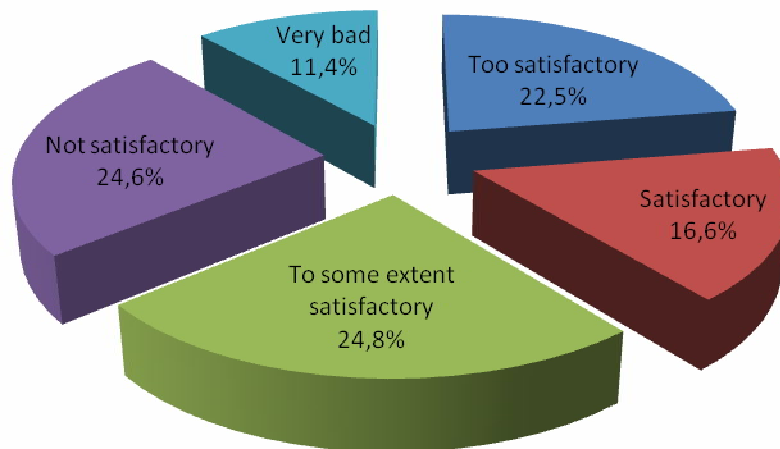
FINDINGS ON CURRENT SITUATION

In this part, the proficiency of the guidance and consultancy services, measures against the discrimination, the state of the practices that do not comply with the equality principle and the proficiency of the physical conditions in the title service units will be evaluated.

The Sufficiency of the Citizen Guidance and Consultancy Services

What is the most important reason for that the citizens can not carry on their own actions by themselves in public institutions and so resort to mediators is the insufficiency of guidance and consultancy services. So as to determine how the employees in the title service units conceive of the sufficiency level of guidance and consultancy services, two questions are addressed to the personnel in the survey.

First question is "To what extent are citizen guidance and consultancy services in your workplace satisfactory?"

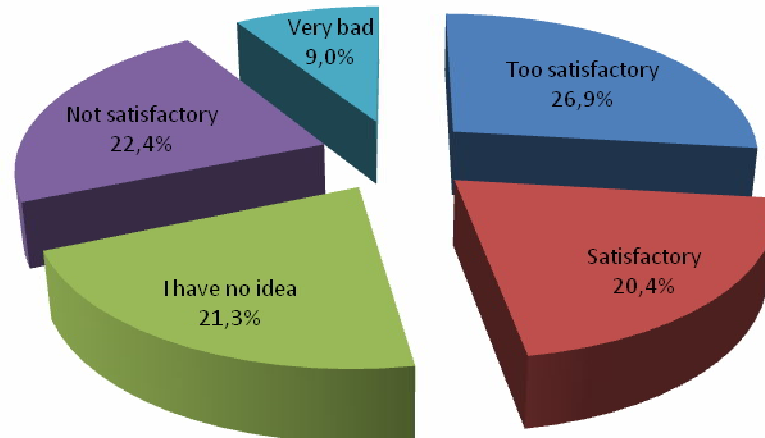


Graph 9. The Sufficiency Level of the Citizen Guidance and Consultancy Services

39.1% of the personnel think that citizen guidance and consultancy services are sufficient, while 36% believe that these services are not sufficient. The ratio of those who consider the services partially sufficient is 24.8%.

The second question is "Does your workplace have user-friendly information boards and guidance leaflets for service users? If so, is it in satisfactory level?"

information boards and guidance leaflets for services users



Graph 10. The Level of the Informational Means for Service Users

47.1% of the employees assume that information boards and guidance leaflets are satisfactory, while 22.4% insist that these are not satisfactory. According to 9% of the personnel, there is no such means in the title service units.

During the implementation of the survey, researchers have observed that the informative means and practices, and guidance and consultancy services in the title service units are not quite sufficient. In a title service unit, a manager stated that they prepared informative brochures by their own attempts for citizens for a while. Except that, user-friendly information leaflets, brochures, magazines, or bulletins are not seen in the title service units. In title service units, there are information boards and some printouts, containing information about title service processes, hold on walls and doors; but these are neither satisfactory nor do take the attention of citizens. In some centers, there are consultancy units at the entrances. Because these are not adequate, almost in all title service units that visited by the researchers, it is observed that the citizens resort to the directors even for the simplest processes and actions.

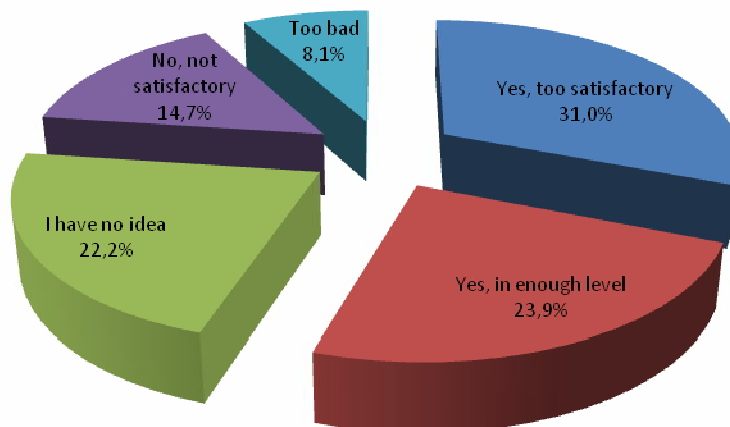
The extensive information on the official web page of the institution appears extremely confusing, so the citizens confront with difficulties in easily and simplistically reaching the information that they need.

Because of the insufficiency of the guidance and consultancy services, citizens turn their steps towards mediators.

The Measures Taken against Discrimination

In order to determine the current measures taken against discrimination and their effectiveness, following question is addressed to the employees in the title service units: "What do you think about anti-discrimination measures (for women, ethnic

groups and disabled persons etc) in your organisation? Are they in satisfactory level?"



Graph 11. Measures against Discrimination

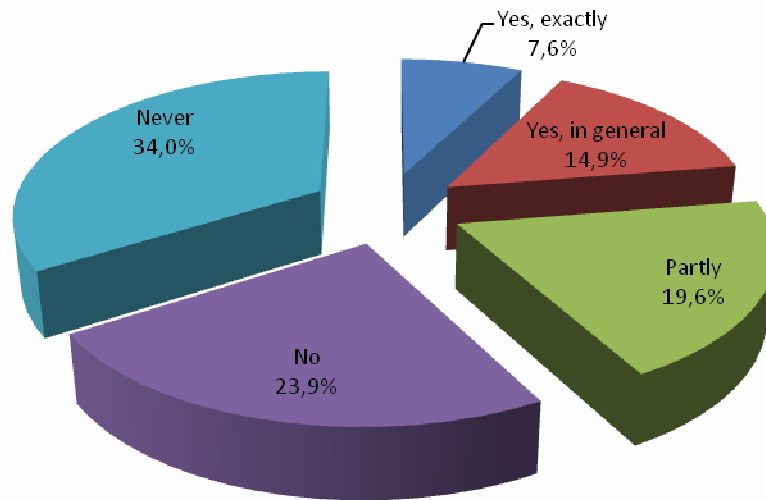
Above more than half of the employees state that measures are taken against discrimination and they are partially or completely satisfactory. 22.8% of the personnel consider the measures insufficient.

Application of Rules for Employees in an Equal Manner

To find out whether or not the institution, in present situation, treats towards all employees in congruence with the equality principle, following question is addressed to the employees: "Do you think that rules on such issues as promotion, rotation and using houses provided by the organisation are applied to all personnel in equal manner in your organisation?"

More than half of the respondents (57.9%) mention that the institution does not behave the personnel in compatible with the equality principle in such areas as promotion and rotation of the personnel, and distribution of the houses provided to employees by the organisation. The rest (42.1%) believes that the rules are applied to the personnel partially or completely in equal manner in the institution.

In the interviews, although it is stated that personnel appointments are implemented according to the regulation, it is also mentioned that the personnel ask for their appointment to popular places, and that the personnel whose demands are not realized resort to politicians, the Minister or the Secretary of the Ministry. It is stated that including those of ministers, the demand of any politician is not put in force; yet, since the personnel do not observe it generally, the long standing attitudes and demands continue to exist.



Graph 12. A Equal Implementation of Rules in Personnel Matters

Sufficiency of Physical Conditions

The General Directorate performs its services at the central headquarter building, and additional buildings at the Oran campus, and Demirtepe. However the buildings used by the General directorate are seen adequate, it is not valid for the local units. The majority of the local title service units (678 units) carry on their services in the government offices. 73 units operate in TKGM's its own buildings, 214 units in hired buildings and 53 of them in the buildings that are freely allocated to the TKGM. It is observed that that a great number of the buildings are not sufficient for providing efficient and comfortable service. In the government offices, that the rooms allocated to the title service units are not convenient for the service, that there is not enough area for the archives and records, and that there is not enough space and comfortable waiting rooms for the citizens carrying on actions in the units lead to decline in the quality of the services.

The employees of the title service units continue to work after the routine period. The reason for that is the necessity of responding all documents having time limitations and of controlling all actions due to the severity of legal responsibility. But the physical environment and working conditions appear to be deteriorating the motivation and institutional identity of the personnel. In the title service units, furnishing and design of the working environment varies to a great extent and seems to be far away from reflecting a corporate identity.

Physical environment plays a crucial role in the image of the organization. The neglected and poor situation of the space and working environment also affects the citizens in a negative manner. When the citizens come to a title service unit to do a business, they strive to finish the procedures and leave the office as soon as possible. In the interviews, attention is called to this issue and it is noticed that

rehabilitation of physical conditions are creating a positive influence on both the employees and the citizens, and increasing their satisfaction.

On the other hand, in the title service units there are security camera systems displaying the citizens who official documents, the bank on which employees and citizens do interact, and waiting rooms for citizens especially for preventing such events as pocket picking. In most of the title service units, it is observed that due to the scarcity of space, the waiting rooms for citizens are inadequate and neglected.

In the interviews performed in the title service units, it is stated that they are confronting with difficulties in providing cartridge and paper for printers and copying machines, and paying some bills. It is seen in some title service units that consumable materials are provided by mediators or real-estate agents; this situation seems to be regarded as a factor that decreases the prestige of the employees in the eyes of citizens. Meanwhile, it creates an environment that paves the way for those who provide the materials claim privileged treatments for themselves.

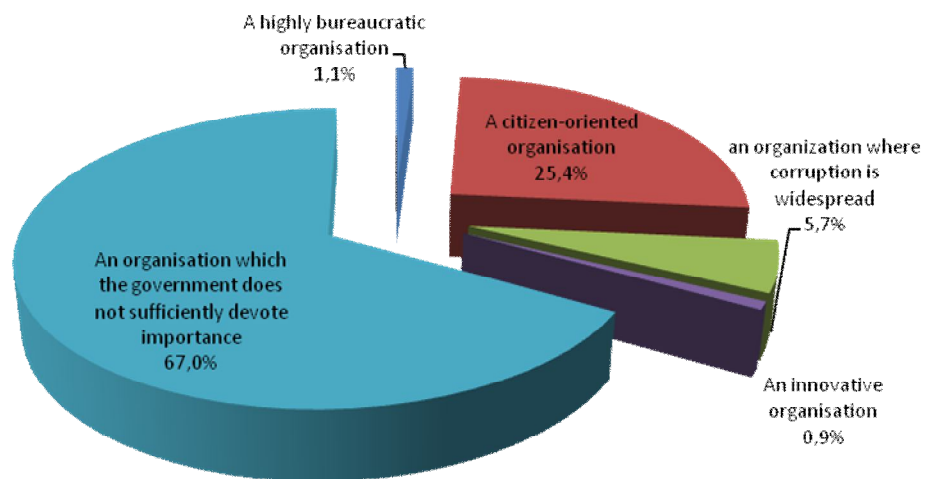
A major point underlined by public officials of various levels in title service units is the inadequacy of such opportunities as lunch and bus services, and houses provided by the government.

THE IMAGE OF THE ORGANISATION

In this section, the image of the organisation on the eye of employees, citizens, and top managers will be considered.

The Image of the Organisation: Perspective of Employees

In order to find out the image of the TKGM on the eyes of employees, following question is addressed to the employees: "Which expression below about the TKGM reflects more accurately the image in your mind?"

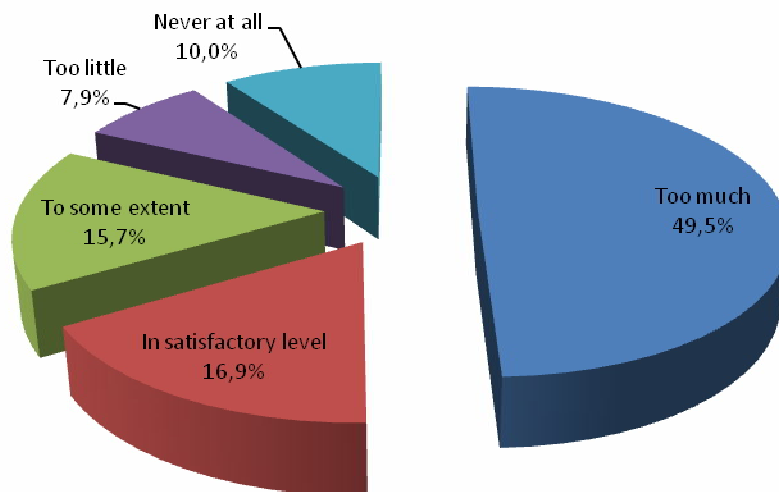


Graph 13. The Image of the TKGM on the Eye of Employees

According to 67% of those who participated in the survey TKGM is "an organisation which the government does not sufficiently devote importance". 25.4% believe that TKGM is "a citizen-oriented organisation". It is quite interesting that 5.7% of the respondents see the TKGM as "an organization where corruption is widespread".

An organisation culture based upon ethics can be achieved as long as ethical behaviours are adopted by all employees. For the prevention of corruption and extension of behaviours compatible with ethics managers are to be model for employees. In this regard, following question is addressed to the employees: "To what extent do your hierarchical supervisors and high level managers of the organisation give priority to preventing corruption and developing ethical practices?"

About half of the employees (49.5%) think that managers give very much priority to preventing corruption and developing ethical practices. The ratio of those who believe that the efforts of managers are insufficient or very insufficient is not so inconsiderable (17.9%).

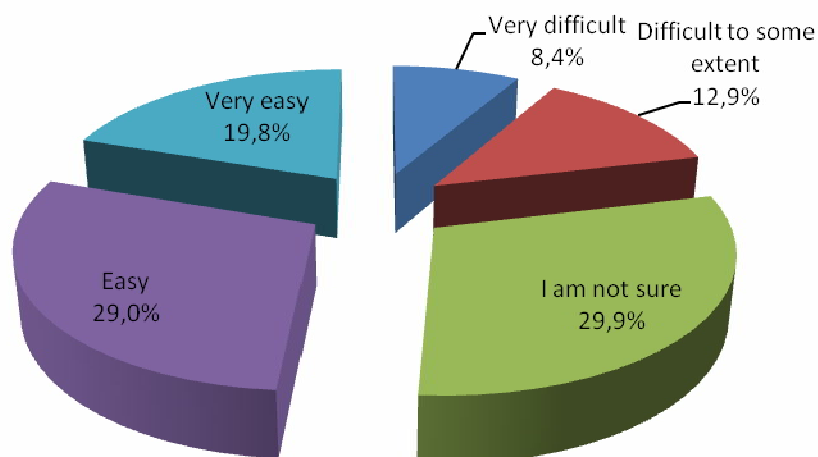


Graph 14. Priorities of Managers to Prevent Corruption and to Develop Ethical Behaviours

The Image of the Organisation: Perspective of Citizens

In the research, to determine the image of the organisation on the eye of the citizens, four questions are asked. First two questions aim at exposing the level of the non-ethical behaviours, and the latter ones intend to display the sufficiency of the measures that organisation and managers take against this phenomenon.

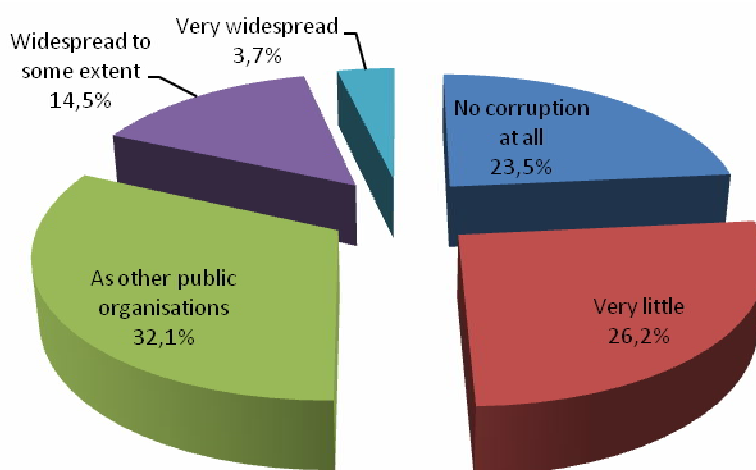
To determine the level of the non-ethical behaviours in the organisation, first of all, following question is asked citizens: "Do you think that it is possible in this organization to get a job done without giving a bribe or providing a favour to a public official?"



Graph 15. Easiness of Getting a Work Done in Title service units without a Favour or a Bribe

About half of the respondents think that getting a work done in title service units without a favour or a bribe is either "easy" or "very easy". 21.3% of the respondents assume that it is somewhat or very difficult. Those who believe that it is neither difficult nor easy constitute approximately 30% of the respondents.

In order to find out the level of the non-ethical behaviours, secondly following question is asked the citizens: "In your opinion, to what extent does corruption widespread in local service units of TKGM?"

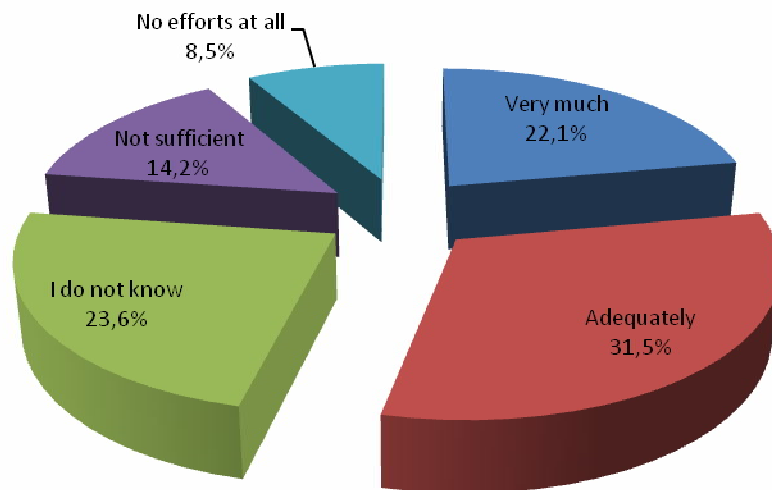


Graph 16. Prevalence of Corruption and Bribery in Title service units

For 23.5% of the respondents, there is no corruption at all at the title service units, for 26.2% it is very little, and for 32.1% it is widespread as other public organisations. And for 18.2% it is widespread to some extent or very widespread.

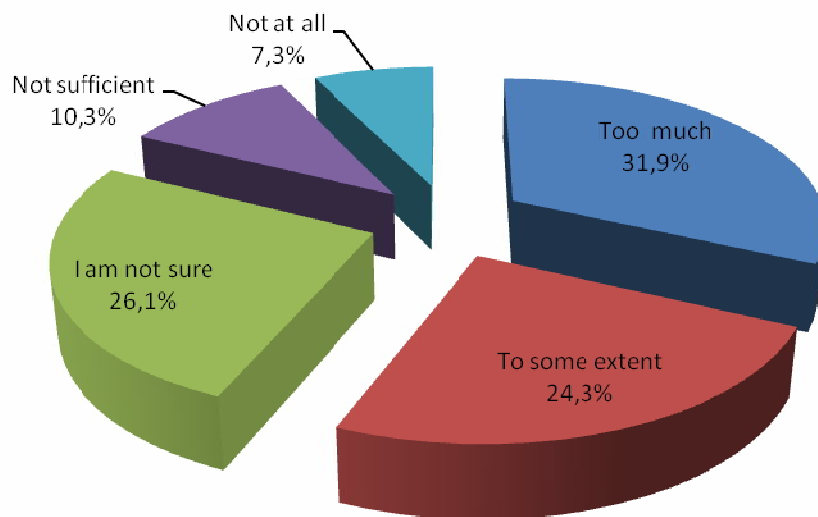
When the responses given to both questions are compared, it is seen that respondents are consistent in terms of their replies. The ratio of those who think that getting a work done in title service units without a favour or a bribe is either "easy" or "very easy" (48.8%) and the ratio of those who state that there is no corruption at all at the title service units or it is very little (49.7%) is very close to each one. Likely, the ratio of those who think that conducting an action in title service units without a favour or a bribe to some extent difficult (51.2%) and the ratio of those who assume that corruption is widespread as other public organisations or more (50.3%) is quite similar to each other.

First of the questions that aim at demonstrate the sufficiency of the measures that the organisation and managers take against this phenomenon is "Do you think that TKGM devotes adequate efforts to prevent corruption and other non-ethical behaviours?" 53.6% of the citizens who participated in the survey believe that TKGM puts forth an adequate or very much effort, while 22.7% the citizens think that it is "not sufficient" or "no efforts at all".



Graph 17. Sufficiency of the Efforts of TKGM to Prevent Corruption and Other Non-ethical Behaviours

The second question “In your opinion, do managers at the local title service units of TKGM give priority to preventing corruption and enhancing ethical behaviours in their workplace?” is directly aimed at measuring the efforts of the title service managers to prevent the corruption and to enhance ethical behaviours.



Graph 18. Priorities of Managers to Prevent Corruption and to Develop Ethical Behaviours

For 56.2% of the respondents managers at title service units give to some extent or too much priority to preventing corruption and enhancing ethical behaviours, while 17.6% state that their efforts are “not sufficient” or “no efforts at all”.

The Image of the Organisation: Perspective of the Top Managers

As the above-mentioned data suggests, the image of TKGM on the eyes of both employees and citizens is not in a satisfactory level. In this result, the failure of the organisation to adequately establish its own image plays a major role. According to top managers, title services are not seen as a priority and thus neglected by governments. Politicians and other decision-makers have the assumption that this organisation works adequately and give priority other issues. On the other hand, top management of TKGM is in difficulty to effectively communicate the problems of the organisation to executive and legislative institutions. Although ownership has been an important issue for human being since the age of Adam and Eve, the profession related to its registration, and thus title service employees, have never been on top of the agenda.

In the interviews, different comments and views about the relationship between central headquarters and line departments in provinces were encountered. Top managers claim that they give priority to communication with subordinates, any employee or low level manager can see a member of top management and they give employees permission to speak freely on views and complaints about management. However, some employees and low level managers working in line departments in provinces argue that top management does have interest in problems of subordinates and they have little knowledge about what is really happening in the field as they are inclined to stay at Ankara and seldom come to visit provinces.

TKGM employees who work in provinces further claim that top managers often accuse their subordinates, do not adequately help TKGM employees who are in need and there is an inadequacy of trust between the two sides. Top management partly accepts the problems in relationship between the central headquarters and policies, in that, in interviews, they mentioned about their plan to visit all provinces as soon as possible within year 2009. Top managers also think that a majority of citizens, whether they use title services or not, have a negative image about TKGM. A common view in top management is that institutional image cannot be well established because of an inadequacy in public relations activities and that the organisation need to focus more on public relations and advertising activities from now on.

According to top management, the image of TKGM is also negative on the eye of public prosecutors and police authorities. Negative perception of media institutions about the organisation plays a key role in prevalence of the negative perceptions on TKGM. Some top level managers claim that, in general, the relationship between TKGM and mass media is not good. For instance, managers claim that media often does not show interest in trial results as much as they do so about cases of arrest of TKGM personnel by police. However, trials against TKGM personnel about corruption cases frequently end up with acquittal.

The interview results suggest that citizens are stuck between interests of real estate agent and misbehaviours of public officials. Within this context, applications of citizens to the organisation with deficient documents increase problems and cause delays and complaints, as it would not be possible to do a work with deficient documents in title units because of the fact that the issue of title service is quite sensitive. TKGM managers list the problems arising from citizen attitudes as follows: Citizens use mediators and real estate agents instead of following their own work; they give their identity cards to mediators for that reason; some identity cards of service users are fake; they write value of their property to official documents as lower than they really are, they have prejudice about public officials and TKGM; they comment on delays in other organisations as if title units cause the delay; they sometimes make collusive selling of some properties; they do not show objection to demands of public officials for gifts and baksheesh, rather they often voluntarily offer gifts or baksheesh to officials; and they believe that after giving a gift to a public official, their work will be done more quickly.

Another factor which adversely affects on image of the organisation, in top management's view, is relations between TKGM and other public organisations. When other public organisations does not work efficiently and effectively, workload in title units increases and therefore citizens have to be directed to other organisations to complete the deficient documents. Furthermore, documents given by other public organisations such as some official documents designed in notary publics and court verdicts must be carefully inspected by officials in title service units through communicating the related public organisation in order to prevent forgeries. Citizens who are not aware of this fact complain about red tape in title service units.

Interviews with top management, employees and citizens suggest that non-ethical behaviours in title service units have decreased in recent years, it has become possible to make a title work done without using mediators or real estate agents, measures taken by TKGM management as well as some operations of police authorities have been effective in this result and most of the remaining non-ethical behaviours can be attributed to non-ethical behaviours of mediators.

PERCEPTIONS OF ETHICS

In this section, ethics perceptions of employees, citizens and top level managers will be explored. However, before presenting the findings about ethics perceptions, it would be useful to draw a brief conceptual framework for the notions of bribery, gift and baksheesh.

Bribery is the most prevalent non-ethical behaviour in public organisation as well as the one with most heavy attention in public opinion. Berkman (1983) argues that bribery can roughly be examined in two categories. First category is called as heavy or derailing bribery and happens if a public official gets a profit by "doing something which he / she is required not to do" or "not doing something which he / she is required to do". Second category is called as accelerating bribery and happens if a public official gets a profit in return for "accelerating a work which he / she is already required to do or not to do". Gifts are profits provided by citizens to public officials. Gifts are frequently given to public officials without their demand and would be given before or after works are done by the public officials. Profit provided by a service user to a public official with his / her own will and without a demand from the public official at the end of the work, in order to express his / her satisfaction and please is called as baksheesh.

It would be possible to divide gifts to public officials on the angle of intentions of the ones who give them (Şen, 2005: 366). In the first category, the one who gives a gift has expectation for a profit or return. In the second category, on the other hand, it has an expectation from the public official of a profit or acceleration of his / her work. In the latter case, the service user is with an intention for a secure bribery. In the phase of accepting the gift, the public official cannot figure out the real intention of the service user.

There are some differences between bribery and gift and baksheesh. The public official who accepts a bribe will certainly provide a profit to the service user, as there is an agreement between the two. Gift and baksheesh, on the other hand, are not always given someone to provide a profit. Public official does not guarantee a profit in return for a gift or baksheesh, but there may be a possibility for that. Therefore, in administrative ethics literature, gift and baksheesh are examined within the context of conflict of interest.

Our interviews with employees and managers of TKGM suggest that possibility of derailing bribery in title service units is quite low, because responsibility of the public official for such a case will be too heavy. The type of bribery which is claimed to exist in title service units is accelerating bribery. Citizens hurry up in completing the real estate trade with the fear that the other side would give up. A citizen who do not react slow workflow in other organisations becomes sensitive about the speed in title works. In order to speed up their own title works, the sometimes use such ways as bribery. This practice is called as "oiling the bureaucratic engine".

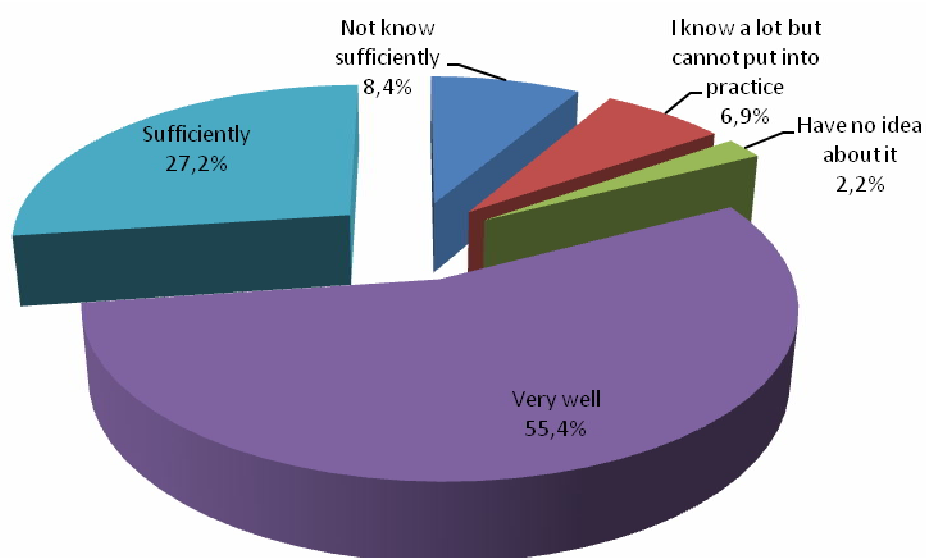
Is it possible to call all profits provided to public officials to accelerate workflow as bribery? In terms of its forms and timing, profits provided to a public official to accelerate works, can be divided into three, within the framework drawn above: First is “accelerating bribery” which happens when the parties agree beforehand about accelerating the works in return for a profits to be provided to the public official, whether the demand has come from the public official or not. If a service user cannot offer such a bribe, they use mediators such as real estate agents, mediators or a friend. Second is gift which happened when a public official accelerates the works a service user without user’s demand at the end of a profit (such as clothes, a dinner, a holiday etc) provided to the public official before the work. Here the intention of the gift provider is not certain; even if his / her intention is to get profits, he/she does not tell directly. As there is no agreement between the two parties, the public officials who are provided with a profit would not do / have not to do any privileged work for the service user, but there is only a “possibility” for that. In third method, baksheesh, there is no agreement between the two parties, a service user whose work has been done in a satisfactory level is providing a profit (money, food, clothes, etc.) as an expression his/her gratitude.

Although it would be possible to make distinctions for profits provided to public officials as such, in practice, the state of affairs would not always be in that line, in that problems occur in naming a particular case. If there is an agreement between the two parties about accelerating the works for a profit, it is an accelerating bribery (“Using the public authority for wrong purposes” in Turkish Punishments Code). However, the above mentioned agreement are frequently made in secret and not in a written way, it would be very difficult to find evidence for that. In this kind of cases, as proofs could not be found about an agreement, profits provided to public officials should be considered as baksheesh.

Regarding the legal and ethical side of the matter, Turkish Punishments Code (Law Number 5237) accepts only derailing bribery as a crime. According the Code, “bribery is getting profits by a public official through a contract with someone to do or not to do something against the necessities of his / her duties (article 252/3). The Code (which was recently enacted) accepts as the accelerating bribery as “Using the public authority for wrong purposes” (article 257). However, the previous Punishments Code (Law Number 765) was accepting the accelerating bribery as “soft bribery”. In short, the current legal framework does not consider gift and baksheesh as a crime. As they create a conflict of interest, however, they violate ethics principles mentioned in “Statue for Ethical Behaviours of Public Servants”. The practices of gift and baksheesh negatively affect performance and impartiality of public servants and decrease public trust in public services. This conceptual framework would be sufficient to evaluate ethics perceptions of employees, citizens and top managers.

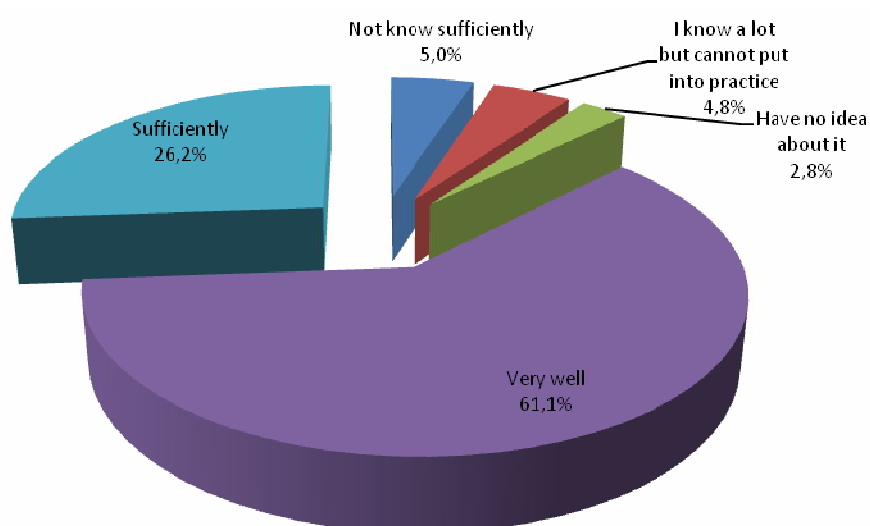
Employee's Perception of Ethics

Employees are primarily asked to what extent they know the values and principles of the organisation, and the ethical principles that have to be complied with during the title service processes.



Graph 19. TKGGM Employees' Level of Knowledge on Values and Principles of the Organisation

89.5% of the employees state that they know the values and principles of their own organisation, and 92.1% express that they know the ethical principles that have to be complied with during the title service processes.

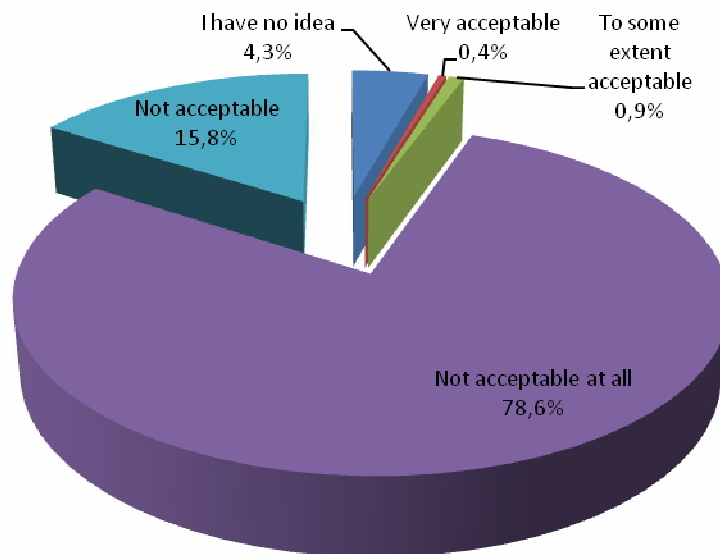


Graph 20. TKGGM Employees' Level of Knowledge on Ethical Principles

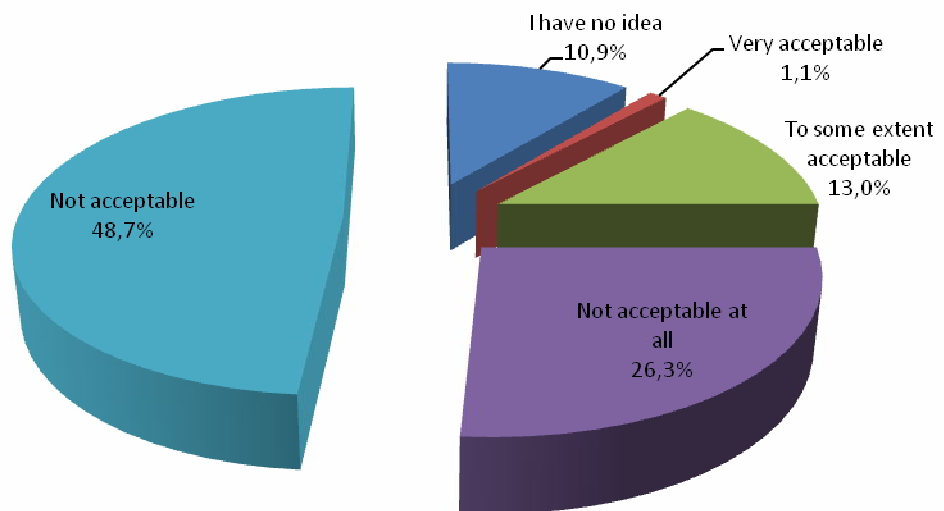
It is worthwhile to note that 6.9% of those who know the values and work principles of the organisation and 4.8% of those who know the ethical principles that must be observed during the title service processes state that they do not put them into practice. The ratios of those who do not know the mentioned values and principles are respectively 10.5% and 7.8%.

In terms of measuring the employees' perception of ethics, they are asked secondly whether they welcome some non-ethical actions or not. These are as follow:

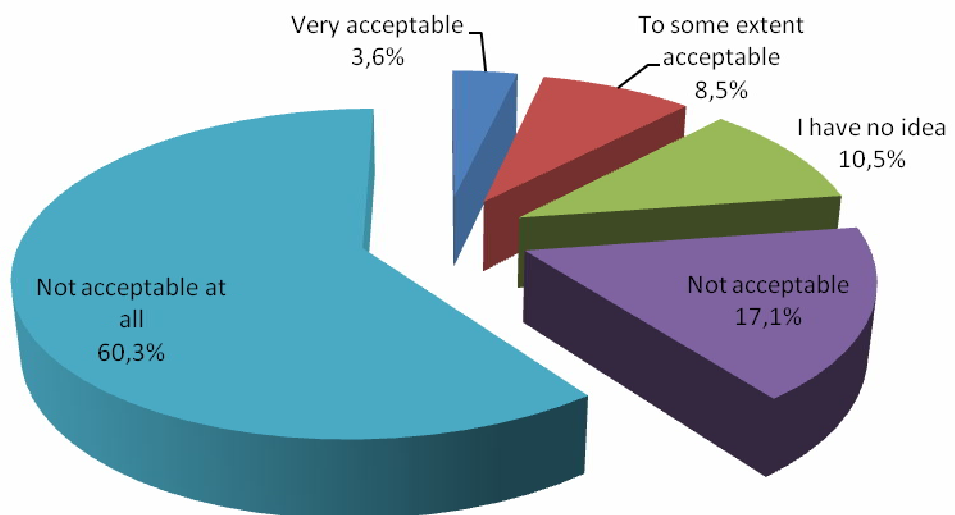
- Employees' demands for a bribe or a favour in order to do their official work,
- Accepting gifts from citizens before a work done,
- Accepting citizen gifts after a work done,
- Accelerating the actions of relatives and friends,
- In the case of a promise of favour by title service user, accelerating his/her processes by working after work hours.



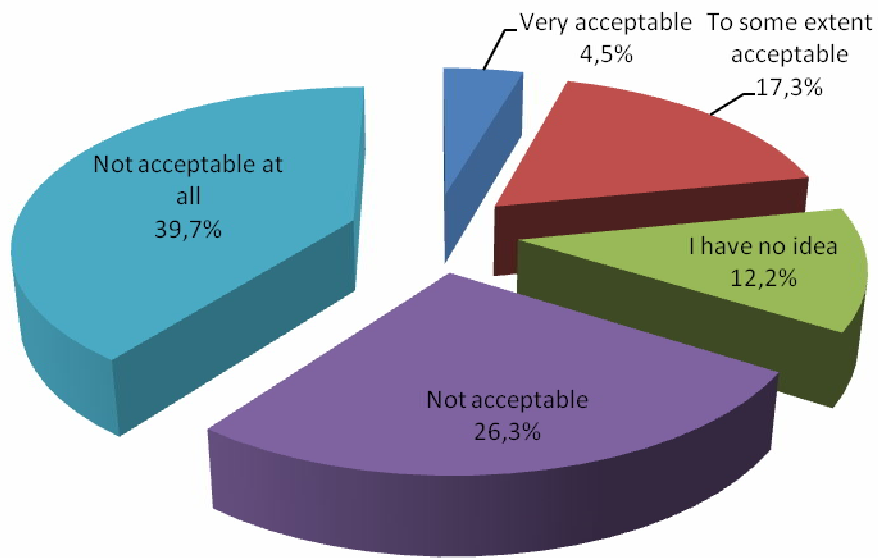
Graph 21. Employees' Demands for a Favour or Money in Return for Doing Their Work in Title Services



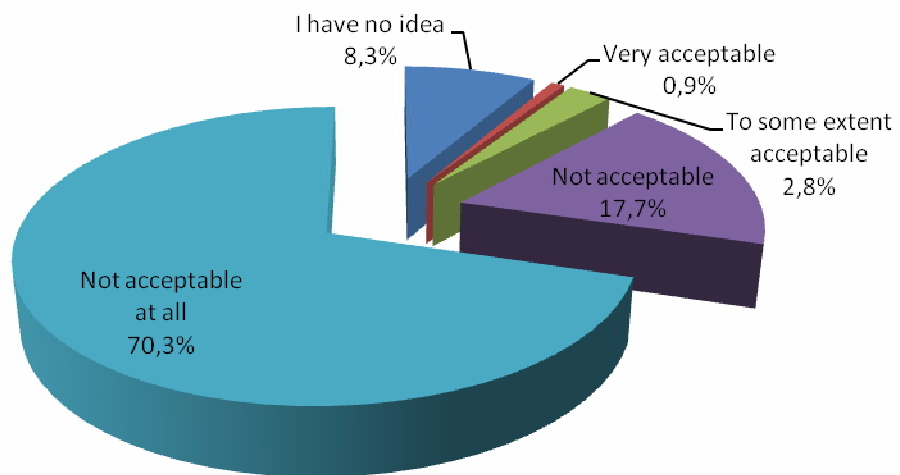
Graph 22. Accepting Gifts from Service User Citizens before Title Service Processes



Graph 23. Accepting Gifts from Service User Citizens after Title Service Processes



Graph 24. Accelerating the Actions of Relatives and Friends

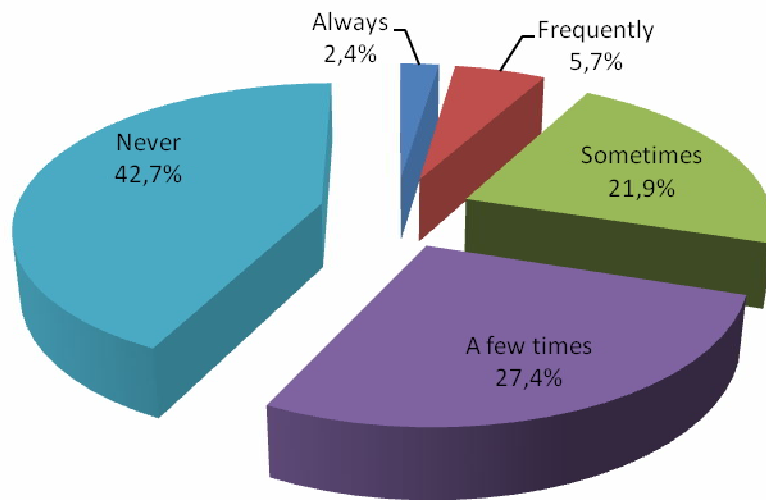


Graph 25. In the Case of a Promise of Favour by Title Service User, Accelerating His/Her Processes by Working after Work Hours

Among the five non-ethical behaviours, the one that employees consider the most acceptable is “accelerating the actions of relatives and friends”, that is service favouritism (21.8%). This is followed by gift acceptance before the work has done (14.1%) and gift or tip acceptance after the work has done (12.1%). Employees’ demands for a favour or money in return for doing their work and, accelerating a citizen’s processes by working after work hours in turn of a favour or money are very low, respectively 1.3% and 3.7%.

On the other hand, the most unacceptable activity for the employees is demanding for a favour or money in return for doing their work (94.4%). This is followed by accelerating citizens' processes through working after work hours in return for a favour (88%), and accepting citizen tips after a work done (77.4%).

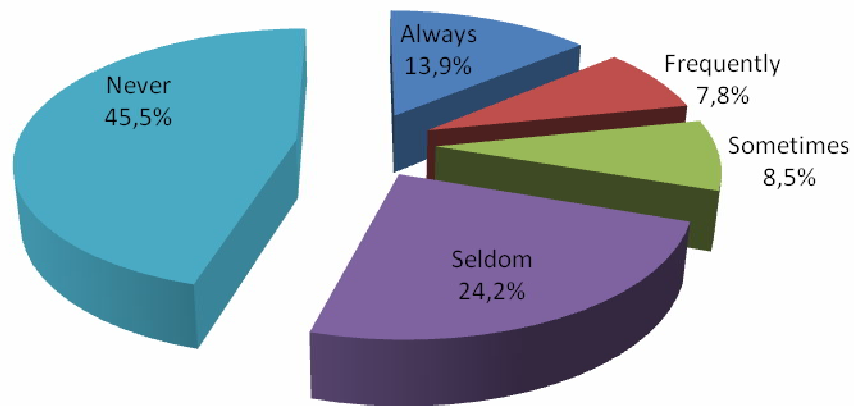
To determine employees' perceptions of ethics, thirdly, following question is addressed to the employees: "In your workplace, have you ever been forced to do some things that you consider as non-ethical?"



Graph 26. Frequency of TKGM Employees to Do Non-ethical Behaviours

According to the findings, 42.7% of the employees "never" do non-ethical behaviours. The ratio of those who have to do such actions "seldom" and "sometimes" is 49.3% while 8.1% of the employees assert that they are to be forced "frequently" or "always" to do non-ethical behaviours.

Fourthly, the research attempts to find out the attitudes of the employees towards informing the top authorities about the non-ethical behaviours. In this regard, following question is addressed to the employees: "Do you communicate a non-ethical behaviour of your colleagues or superiors to the top authorities of your organisation?"

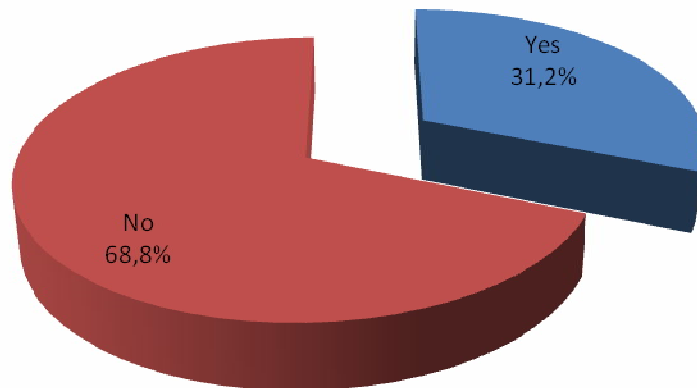


Graph 27. Frequency TKG Employees to Communicate Non-ethical Behaviours to Their Superiors

45.5% of the employees reported that they never communicate non-ethical behaviours to authorities. The rest of the respondents expressed in varying degrees that they inform the top authorities about the non-ethical behaviours.

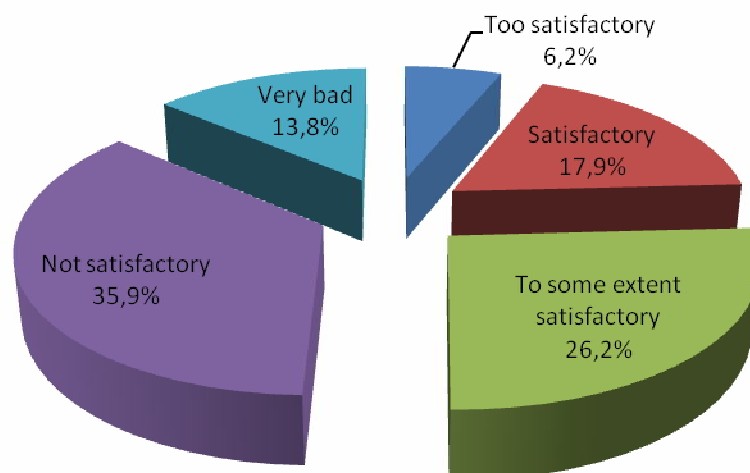
As it is known, communicating non-ethical behaviours to top authorities (whistle blowing) is welcomed neither by the people nor by the employees, the whistle blowers are seen as “squealer” or “fink” and such persons are isolated in the community. Especially in cases that the level of corruption within an organisation is high, the whistle blowers are generally declared “persona non grata” by their colleagues and superiors, and they are attempted to be removed from the organisation one way or another. In such an environment, it is very difficult for an employee to decide to inform the non ethical behaviours of his or her colleagues, with whom he or she works together or in close relations, or those of his or her superiors who are in a position to take the decisions for him or herself. Within this context, it is worthwhile to note that more than half of the employees’ looking such actions sympathetically is a considerable result.

Lastly, in terms of the perceptions of ethics, the employees are asked whether they have ever participated in in-service training about ethics, and if so, whether they think that it was satisfactory.



Graph 28. State of In-Service Training about Ethics

From the responses, it seems that 31.2% of the employees have taken an in-service education about ethics. About half of the ones who express they have participated in an in-service training about ethics consider it insufficient.

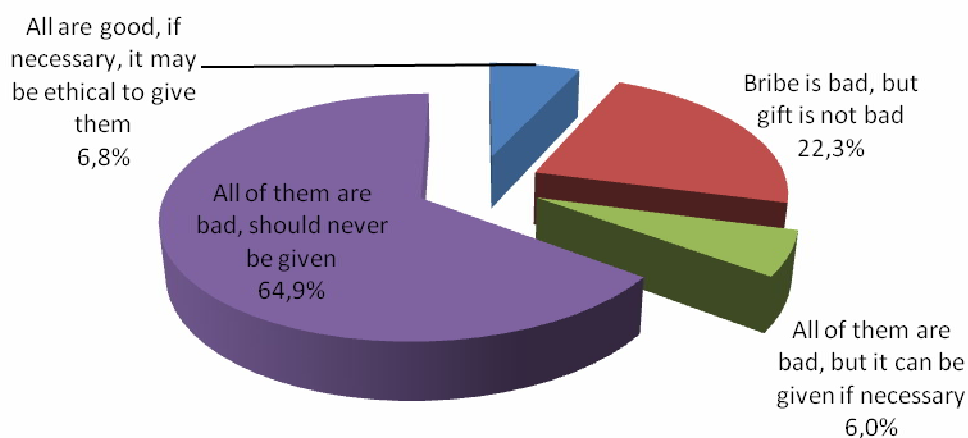


Graph 29. Level of Sufficiency of In-Service Training about Ethics

In the interviews conducted by the top administrators, it has been stated that in-service trainings are beneficial in terms of development of ethical behaviours. However, a training program directly related to ethics has not been applied yet. Ethics training within the in-service training programs aiming at improving the motivation of the employees takes place in a limited level. Although its content is quite insufficient, the course of "Occupational Ethics and Rules for Behaviour" has been taught in the promotion and orientation trainings organised since 2006. It is observed that the number of the personnel taking that course is getting increased. While the number of the employees participated in these courses were 1,257 in 2006, it decreased to 876 in 2007, and increased to 3,343 in 2008.

Citizens' Perception of Ethics

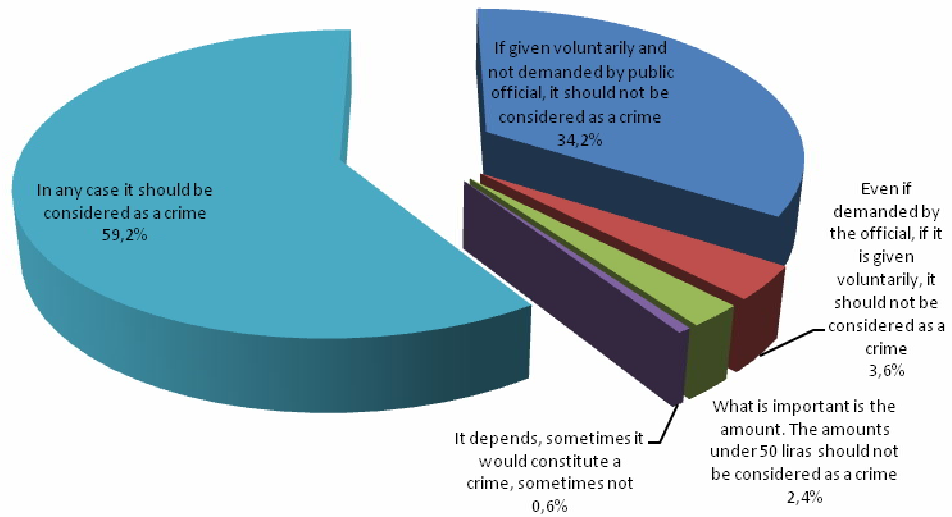
To determine citizens' perception of ethics, first of all, a question comprising of four statements is addressed to the citizens about their thoughts concerning gift, baksheesh and bribe.



Graph 30. Views about Gift, Baksheesh and Bribery

A majority of the citizens (64.9%) believe that gift, baksheesh and bribe are all bad and should never be given. The ratio of those who think that all are good and if necessary, it may be ethical to give them is low (6.8%). 6% of the citizens assume that all of them are bad, but they can be given if necessary. On the other hand, the ratio of those who see bribe as bad but gift and baksheesh as legitimate is quite high (22.3%).

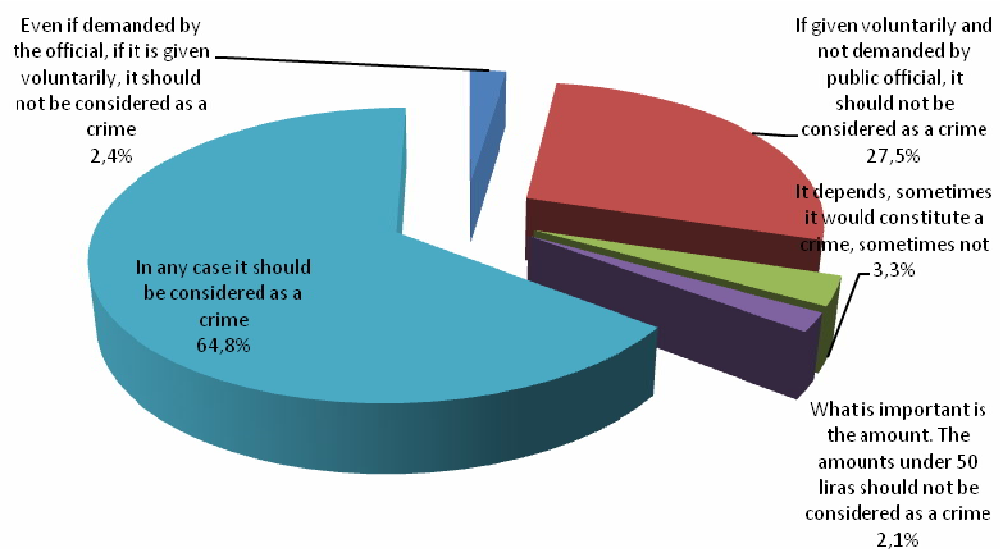
Secondly, following question is addressed to the citizens: "Do you think that baksheesh to public officials which are given after the job done should be considered as a crime?"



Graph 31. Views about Baksheeshs

More than half of the citizens (59.2%) state that in any case it should be considered as a crime. On the other hand, 34.2% of the respondents believe that if given voluntarily and not demanded by public official, it should not be considered as a crime.

The answer to the question “Do you think that gifts to public officials which are given before the job done should be considered as a crime?” is similar to the thoughts about the baksheesh. According to 64.8% of the citizens, gifts given before the job done should be considered a crime, while for 27.5%, if given voluntarily and not demanded by public official, it should not be seen as a crime.

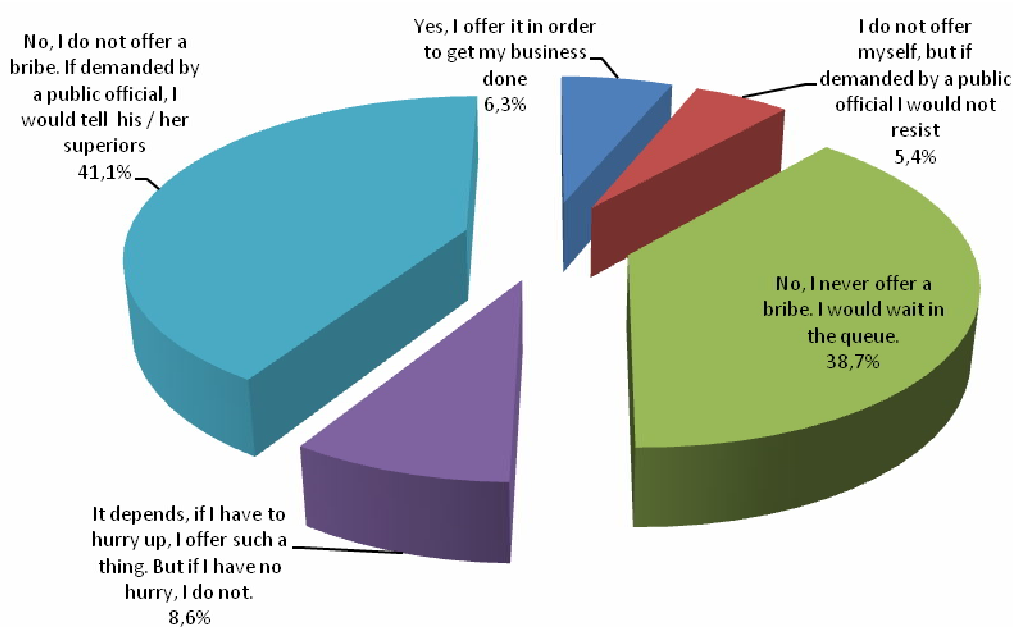


Graph 32. Views about Gifts

The last question addressed to the citizens for determining their perception of ethics is as follows: "If you feel that it would accelerate your work, would you offer an additional favour to employees?" Through the replies to this question, it would be possible to finding out the influences of the citizens on the non-ethical behaviours confronted in the title service units.

A considerable majority of the citizens (79.8%) say that they do not propose additional favour to employees to accelerate their own works. 41.1% of those who say they do not propose an additional favour state that "if demanded by a public official, I would tell his/her superiors" and 38.7% of those who do not propose an additional favour mention that they would wait in the queue to complete their own procedures.

The ratio of those who say they propose additional favour to employees in order to accelerate their own works is 6.3%. 5.4% the respondents note that "I do not offer myself, but if demanded by a public official I would not resist". And 8.6% of the citizens point out that "it depends, if I have to hurry up, I offer such a thing. But if I have no hurry, I do not".



Graph 33. Proposing Additional Favour to Employees to Accelerate One's Works in TKGM

Top Managers' Perception of Ethics

According to TKGM managers and managers of , corruption and bribery in title services are much lesser than people often imagine. Gift and baksheesh are relative prevalent and there is a historical background for that fact. In establishment of TKGM 162 years ago, gift system instead of salaries was implemented in the

organisation. Since then, gift has continued to exist as a tradition in society to some extent.

Although baksheeshs and gifts are habitually given to employees to accelerate the works; sometimes they are given as an expression of gratitude. Managers of TKGM in various levels accept the existence of gifts and baksheeshs in the organisation but they maintain that they consider them as non-ethical behaviours. The existing legal framework requires that public officials cannot get extra profit except salaries. Managers claim that they activate disciplinary process about the employees who accept gifts and baksheeshs.

On the other hand, according to managers, employees or managers in TKGM cannot do any operation contrary to legal framework or do a forgery, because the responsibility for that action returns them in accordance with Civil Code No 1007, and the punishment of that crime do not become invalid after a period of time has elapsed. Even, the inheritors of the public officials convicted of that crime become responsible if that public official die before paying the amount back.

An interviewed manager suggested that gift and baksheesh function as a kind of fuse against derailing bribery, while another manager claimed that works of gifts and baksheesh givers are often accelerated but works of other people are done on time, not delayed. Most of the interviewees claimed that employees and managers in TKGM accept gift and baksheesh from real estate agents and other mediators, rather than ordinary citizens. However, a number of real estate agents claimed that they do not play a major role in the cases of gift and baksheesh, on the contrary, they provide guidance to their clients but officials from TKGM accuse them wrongly. Further, representatives of real estate associations maintain that bribery cases are not as prevalent as the media presents and such cultural habits as baksheesh cannot be considered as corruption. Yet, some interviewed real estate agents state that they sometimes give baksheesh to help financially to title employees as their salaries are not sufficient. A top level manager explains this situation by stating that " Total amount given to an employee in an envelope is ten times bigger his / her salary. It would not be easy for him / her to reject it. What is needed is to establish a base for ethics in workplace".

PREVALENCE OF NON-ETHICAL BEHAVIOURS

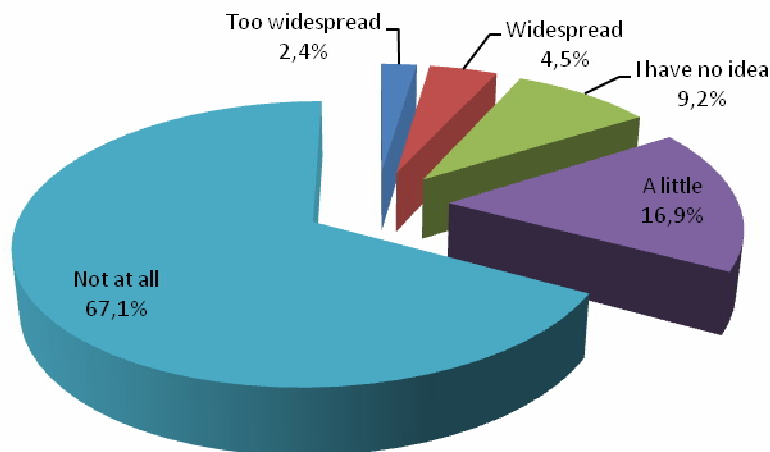
In this part, to what extent non-ethical behaviours are widespread in title service units will be considered from the perspectives of employees, citizens and top level managers.

Prevalence of Non-Ethical Behaviours: Perspective of Employees

In the survey applied to the employees, some of the non-ethical behaviours are listed and the respondents are asked for ranking these as "too widespread", "widespread", "I have no idea", "a little", or "not at all".

In order to find out citizens' thoughts on to what extent "derailing bribery" is common in the organisation, the citizens are asked for ranking the prevalence of "getting benefit through making unlawful operations" and "consciously doing unlawful title service operations".

As it is seen, two statements are almost identical. Unlike first phrase, "consciously" is added and "getting benefit" is discarded from the second one. By placing the statements into different places of the survey form, it is thought as a means of comparing both answers.

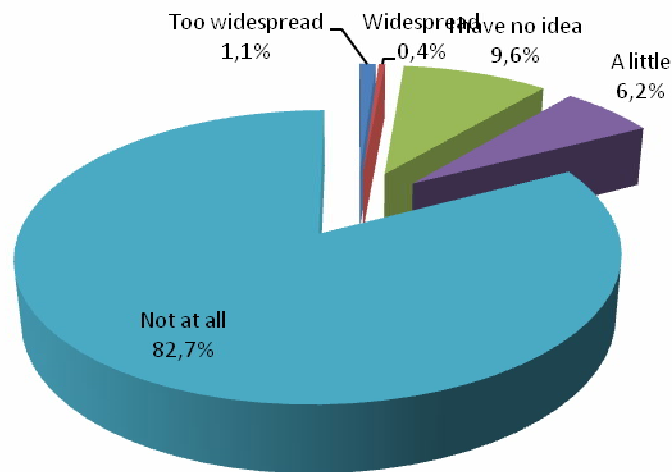


Graph 34. Getting Benefit in Return for an Unlawful Operation

For 67.1% of the employees, getting benefit through making unlawful operations is never seen in the title service units. But 16.9% think that such behaviours are seldom. What is the most important result is that 6.9% of the employees believe that derailing bribery is widespread or too widespread.

The ratio of those who think that "consciously doing unlawful title service operations" are never seen in title service units in provinces is 82.7%. The ones who

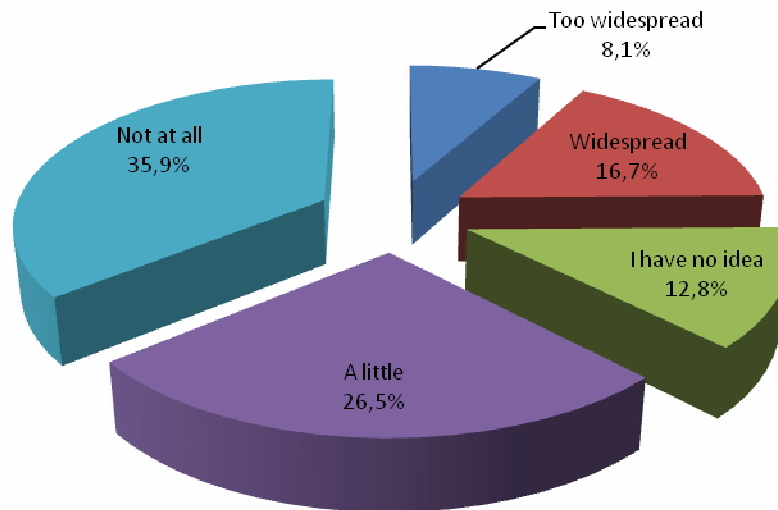
assert that such activities are seldom consist of 6.2% of the respondents, while those who believe that consciously doing unlawful title service operations are “widespread” or “too widespread” make up 1.5% of the respondents.



Graph 35. Doing Unlawful Title Service Operations Consciously

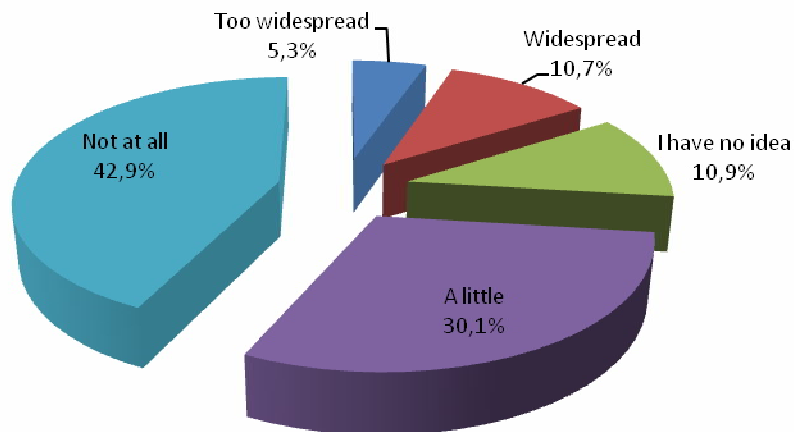
Actually, different replies for the statements concerning the non-ethical behaviours which differently stated but bearing the same meanings stem from the use of the term “consciously”. During the conduct of the survey, some employees responded that “no employee can do unlawful title service operations consciously, because their legal responsibility returns back to the heirs”. Yet, “getting benefit through making unlawful operations” is a conscious action.

In the context of the conflict of interest, employees are asked for rating to what extent two situation is widespread. These are “accepting gifts or baksheeshs before or after a lawful title service” and “allowing real estate agents to provide such materials as paper, printer cartridge and pen in the workplace”.



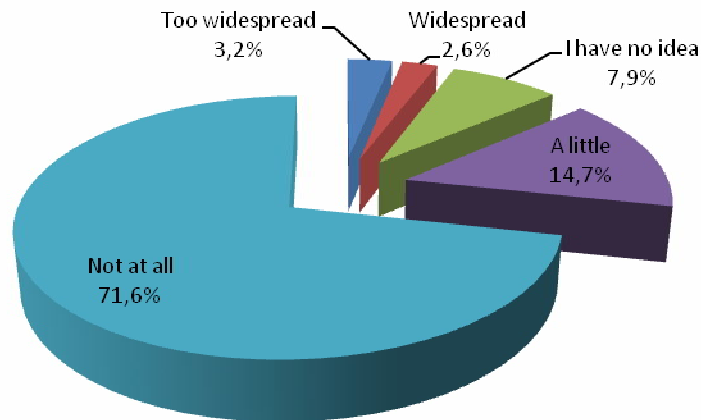
Graph 36. Accepting a Gift or Baksheesh in Return for a Normal and Lawful Work

According to 35.9% of the employees, gift or baksheesh is not accepted in the title service units. 26.5% think that it is seen seldom, while for 24.8% of the respondents, gift or baksheesh is widespread in the title service units.



Graph 37 Provision of such Commodities as Papers, Printer Cartridges and Pens by Mediators

For 42.9% of the employees, such commodities as papers, printer cartridges, pens etc. are not provided by mediators. 30.1% think that such situations are occurs rarely, while 16% of the respondents state that provision of such materials by mediators is widespread or too widespread.

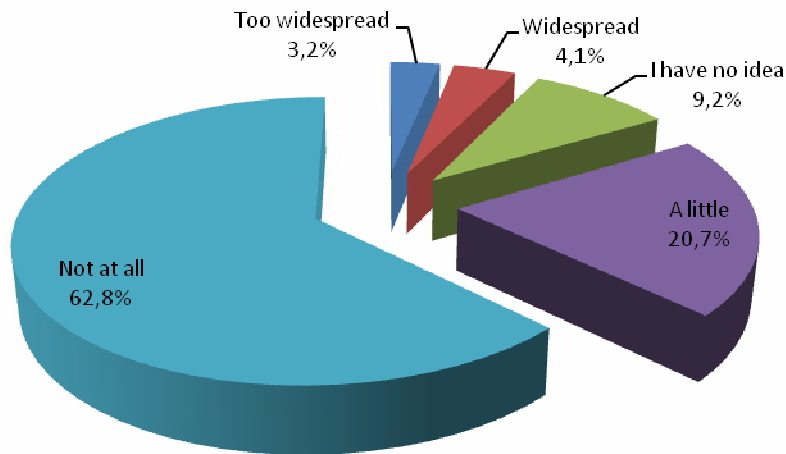


Graph 38. Refusing to Show Title Information to the Related People, even if they Provide Proofs of Their Relations about it

In performance of the public services the public officials should aim at facilitating the daily life of the community, meeting public needs in the fastest and the most active and effective way, increasing the quality of the service, increasing the satisfaction of the community, focusing on the requirement of those benefiting from the service and on the results of services. (Regulation on the Principles of Ethical Behaviour, Article 6). In this regard, the views of employees are asked to what extent "hiding title information from related service user" is widespread.

A great majority of the employees (71.6%) have stated that such behaviour is never seen in the title services while 14.7% think it is seldom. On the other hand, the ratio of those who believe that the mentioned situation is widespread or too widespread is quite low (5.8%).

The managers and other personnel of the public institutions and organizations should perform the public services in accordance with the determined standards and processes (Regulation on the Principles of Ethical Behaviour, Article 7). However, what is a prevalent illness in public organisations is to ask for unnecessary information and documents from the citizens. Following findings are attained concerning the prevalence of requiring unnecessary information and documents in title service units:



Graph 39. Asking for Unnecessary Information or Documents from Service Users

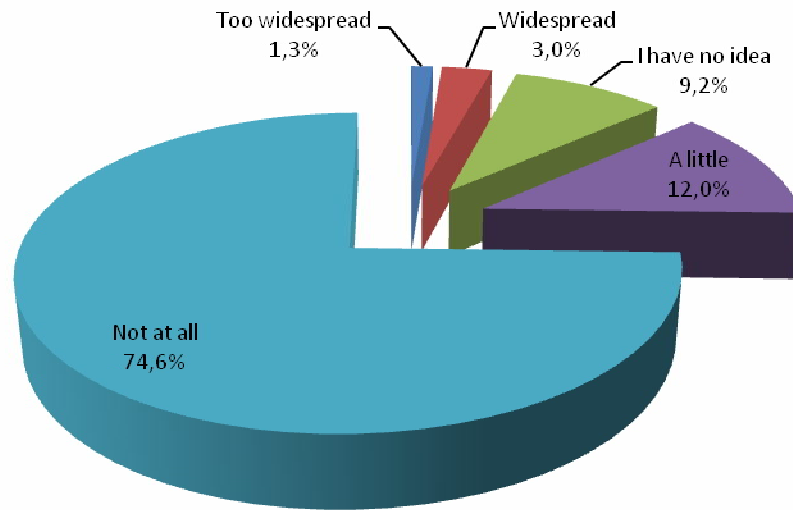
More than half of the employees (62.8%) think that citizens are not required to provide unnecessary information or documents. The ratio of those who believe that such situations are widespread in the organisation is 7.3%.

Public officials should behave in a way that will establish confidence for the public administration and they should display with their behaviours that they deserve the confidence and reputation required by the duty. They should avoid behaviours that harm the sense of confidence of the community for the public service, raise doubts and impair the principle of justice. They cannot misbehave to those who benefit from the service, neglect their work, perform double standard and be partial (Regulation on the Principles of Ethical Behaviour, Article 10).

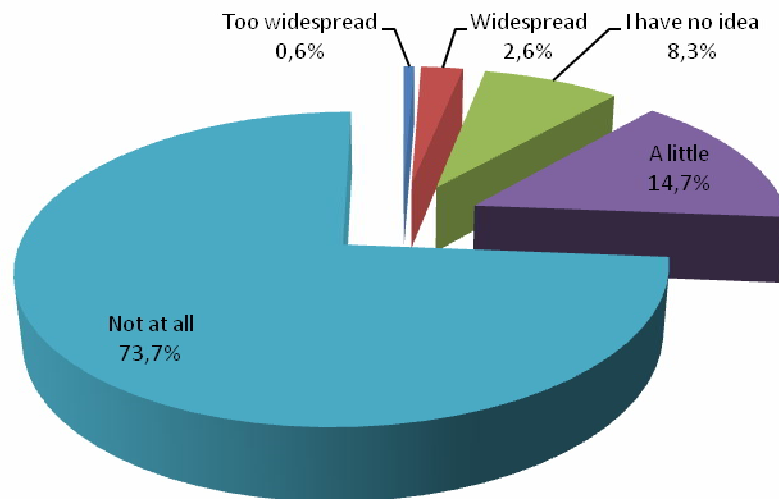
In this regard, the employees are asked what they think about the prevalence of following behaviours in the title service units:

- Directing citizens to real estate agents and mediators to do title service procedures,
- Unnecessarily extending a title service process through misdirecting citizens and,
- In order to make service users to feel fed up, presenting title service procedure as too long and too difficult.

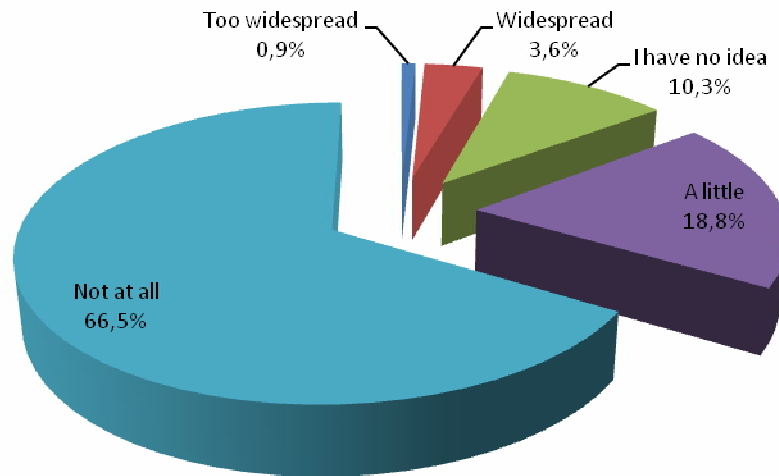
As seen in the following graphs, about three fourth of the employees state that first two situations are never observed in the title service units. The proportion of those who think the third situation is never seen is a little lower (66.5%). On the other hand, the proportion of those who believe that such behaviours are widespread or too widespread is quite low.



Graph 40. Directing Citizens to Real Estate Agents or Mediators



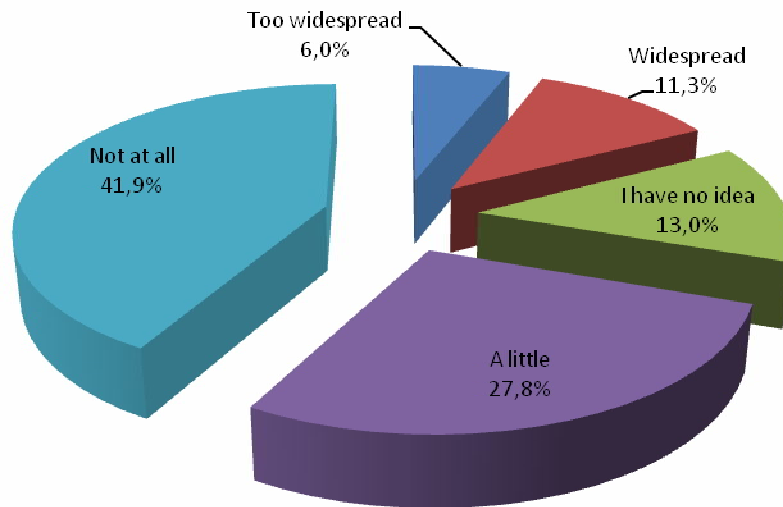
Graph 41. Unnecessarily Extending a Title Service Process through Misdirecting Citizens



Graph 42. Presenting Title Service Procedure as too Long and too Difficult to Handle in order to Make Service Users to Feel Fed Up

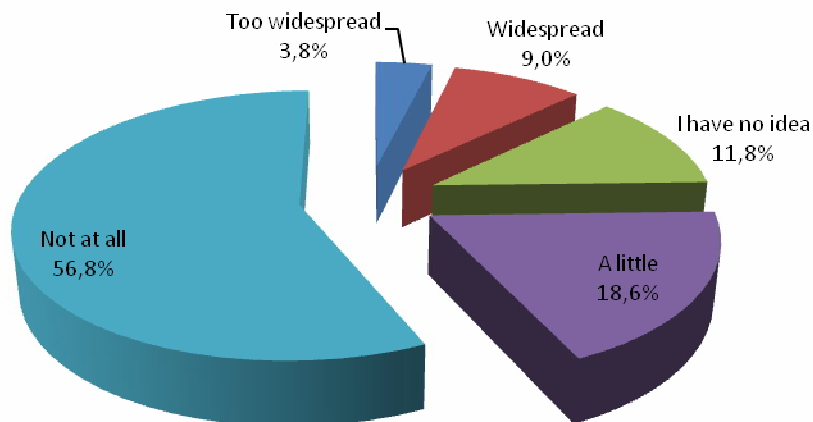
As it is known, public officials' interceding, favouring their relatives, friends and fellow townsman, performing political nepotism, discrimination or nepotism of any kind is contrary to ethical principles (Regulation on the Principles of Ethical Behaviour, Article 14). These non-ethical behaviours which are called as service favouritism are also contrary to the principles of justice, impartiality and equality (Regulation on the Principles of Ethical Behaviour, Article 9).

In this regard, the employees are asked, to what extent such behaviours "discrimination against or favour for somebody for any reasons (relative, wife-husband, political view, friendship etc.)" and "giving priority to real estate agents and mediators in title services" are widespread in title service units.



Graph 43. Discriminating against or for Some Citizen Groups for such Reasons as Political View or Being Relative and Friend

For the 41.9% of the employees, there is no “service favouritism” in the title service units. 27.8% of the respondents think that there is a little service favouritism, while 17.3% maintain that service favouritism is widespread in the organisation.

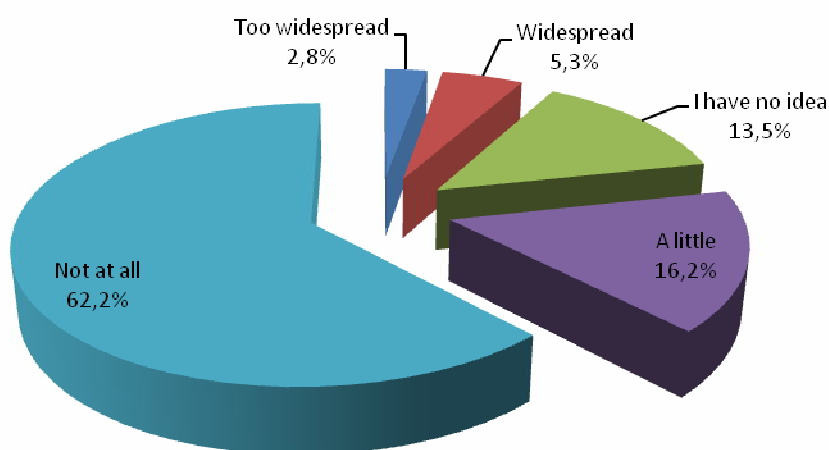


Graph 44. Giving Privilege or Priority to Real Estate Agents or Mediators

12.8% of the employees are of opinion that “giving privilege or priority to real estate agents or mediators” is widespread or too widespread. 18.6% think that it is seldom, while more than half of the employees (56.8%) think that it is never observed in the title service units.

Public officials’ deriving benefit in favour of themselves, their relatives or of the third persons by using their duty, title and authority is also contrary to the ethical principles (Regulation on the Principles of Ethical Behaviour, Article 14). “Continuing

to work when working hour ends in order to get a private benefit from service users” is a behaviour that can be considered in this context.

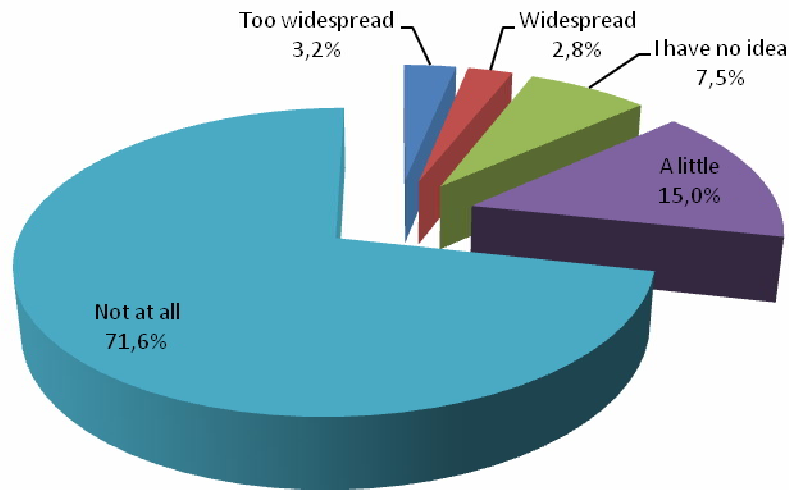


Graph 45. Continuing to Work when Working Hour Ends in order to Get a Private Benefit from Service Users

62.2% of the respondents maintain the view that such behaviours are not seen in title service units. The proportion of those who believe that “continuing to work when working hour ends in order to get a private benefit from service users” is widespread or too widespread is 8.1%.

Public officials, when they are on duty or they leave the duty, cannot use the official or secret information they acquired during performance of their duty or as a result of these duties in order to derive economical, political or social benefits for themselves, for their relatives or for third persons directly or indirectly, cannot explain this information to any institution and organization except from the competent authorities (Regulation on the Principles of Ethical Behaviour, Article 14). Hence, it is required for the employees of the title service units to maintain the information about the titles and not to give that information to third parties.

Hence, the question, to what extent “providing title information to non-related people” is valid in the title service units, is addressed to the employees.

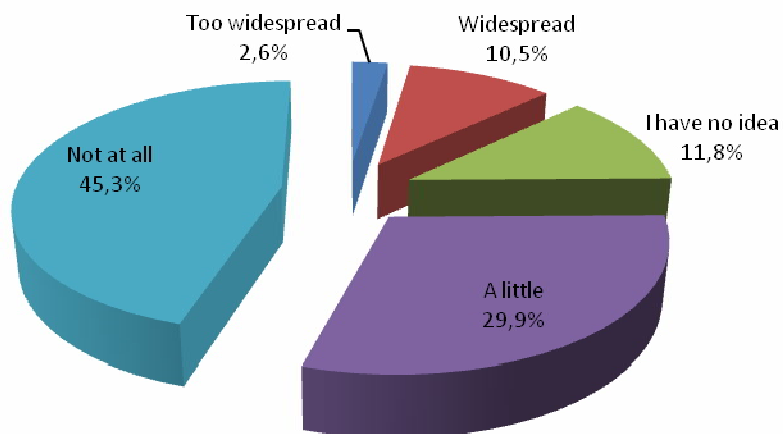


Graph 46. Providing Title Information to Non-Related People

A great majority of the employees (71.6%) assert that title information is not given to unrelated people. 15% think that it is seldom while 6% declare that it is widespread or too widespread.

In Turkish public administration, it is very common for retired employees to act as “mediators” under the name of contractor, commissioner, representative, expert, or petitioner. Former officials using the networks and status they acquired during their former duties provide privileges for third parties.

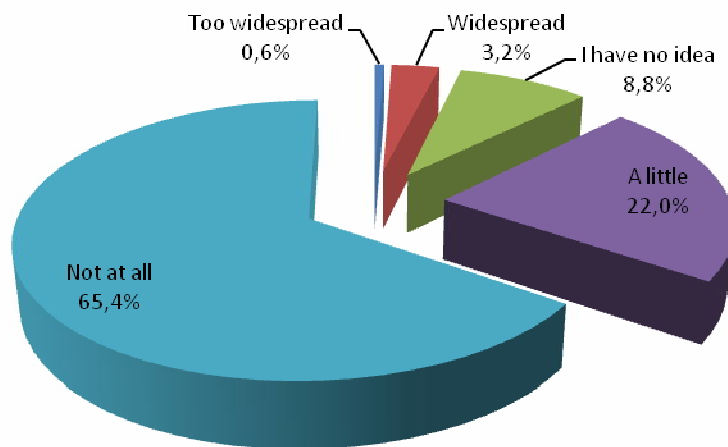
However, this behaviour is violates ethical principles. Public officials cannot make former public officials benefited from public services in a privileged way and cannot treat them in a privileged manner (Regulation on the Principles of Ethical Behaviour, Article 21).



Graph 47. Making Former Public Officials Benefited from Public Services in a Privileged Way

45.3% of the employees do not believe that the people who have retired or left their public duties be benefited from public services in a privileged way and treated them in a privileged manner. The sum of the employees who think that former employees are treated in a privileged manner is 43%.

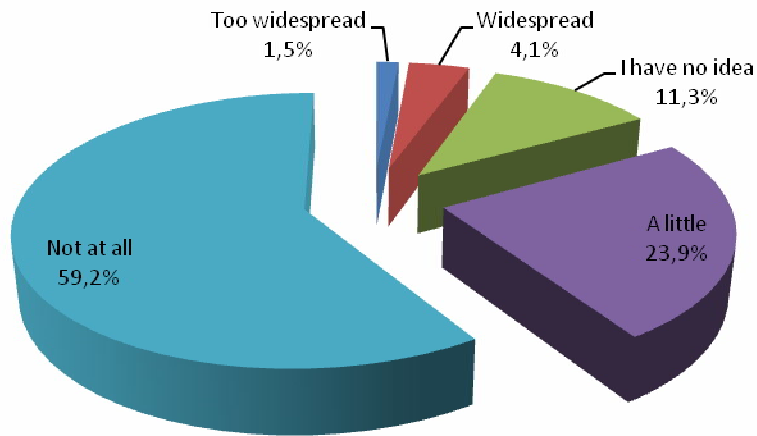
Another form of the corruption is peculation. Peculation means public officials' use of public sources for personal interests. Peculation is generally thought to be the use of public money for personal purposes, but it is not considered that the use of public goods and sources for personal intends is also contrary to the ethical principles. Yet, public officials' using the public buildings, vehicles and other public domains and sources except for the public objectives and service requirements is not consistent with ethical behaviours (Regulation on the Principles of Ethical Behaviour, Article 16). In this respect, the question, to what extent "using public commodities such as photocopying machines and printers for private purposes" is observed in the title service units, is addressed to the employees.



Graph 48. Using Public Commodities such as Photocopying Machines and Printers for Private Purposes

About two third of the employees claim that such a situation is never seen, while 22% believe it is seldom and for 3.8% of the respondents it is to some extent widespread.

On the other hand, even though they are not used for private purposes, public officials should avoid wastefulness and extravagance in using the public buildings, vehicles and other public domains and sources, behave in an effective and economical manner while using the office hours, public domain, sources, labour force and opportunities (Regulation on the Principles of Ethical Behaviour, Article 17).

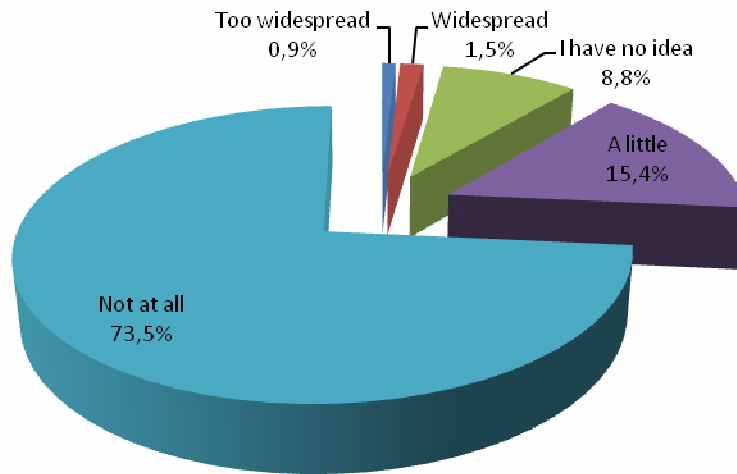


Graph 49. Extravagance in Workplace

More than half of the employees believe that they do not waste and extravagates in using the public buildings, vehicles and other public domains and sources. For 23.9% of the respondents, extravagance is rarely seen, and for 5.6%, it is widespread to some extent.

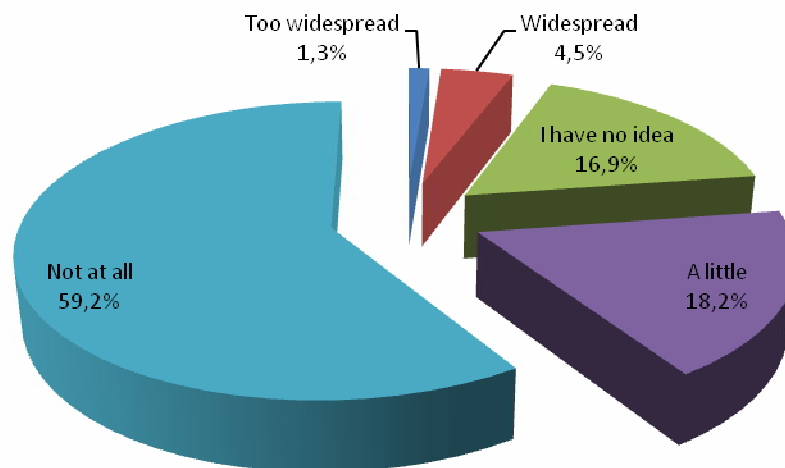
Citizens' one of the chief complaints about public institutions and organisations is that officials do not treat them decently and respectfully. However, public services are financed by the taxes collected from citizens. Public officials' treating seniors, subordinates, colleagues, other personnel and those benefiting from the service decently and respectfully and giving them necessary attention is a must of the ethical principles (Regulation on the Principles of Ethical Behaviour, Article 11).

About three fourth of the title service employees maintain that those benefiting from the service are not treated badly. The ratio of those who think on the contrary is quite low.



Graph 50. Misbehaviour against Service Users

As it is remembered, attitudes of the employees towards informing the top authorities about the non-ethical behaviours have been evaluated and 54.4% of the respondents in varying degrees have stated that they communicate non-ethical behaviours to the top authorities. Now, the prevalence of “hiding faults of superiors or colleagues and not informing the superiors” is asked to the employees.



Graph 51. Hiding the Faults of Superiors or Colleagues

Here, a similar result is found out. 59.2% of the respondents believe that the faults and non-ethical behaviours of officials are not covered up. Those who think that such behaviours are widespread constitute 5.8% of the employees.

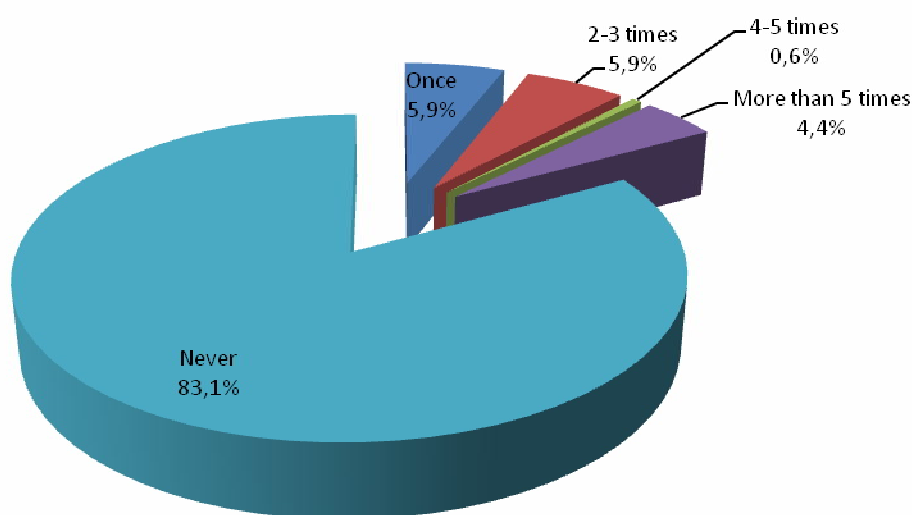
Prevalence of Non-Ethical Behaviours: Perspective of Citizens

The citizen survey also intends to explore how citizens consider the prevalence of non-ethical behaviours in title service units. Unlike the survey of employees, in the survey applied to the employees, non-ethical behaviours are not listed but three questions are addressed to the citizens in order to find out the prevalence of, ways of and volume of getting unlawful favours or gains.

It is worthwhile to mention an important point before dealing with the questions and findings. Even though it is stated to the respondent that the information about the identities of respondents as well as their private life is not asked in the survey and the private data of respondents participated in this survey will not be shared with any other person or organization, citizens might be reluctant to express their real opinions about the questions due to three reasons.

Firstly, giving a bribe or a gift to a public official in order to get a favour is a crime for the Criminal Code. Both the one who gives and the one who accepts a bribe are guilty. Secondly, bribery is committed secretly between the parts, and the rule of secrecy is observed as strictly as possible. The ones who involve in the corruption do not easily declare such events. Thirdly, some citizens maintain such a conviction that if they give negative responses in the survey, this may hinder their later processes. These are frankly expressed by some citizens during the interviews.

To find out the prevalence of bribe, gift and baksheesh in the title service units from the perspective of the citizens, following question addressed to the citizens: "Have you ever given a bribe or unlawful payment to a public official in order to get your actions done or to accelerate your procedures?"



Graph 52. Prevalence of Bribery and Unlawful Payment

A great majority of the citizens (83.1%) stated that they have never given an unlawful payment to a public official so far. The proportion of those who assert that they have given one or more unlawful payments is 16.9%.

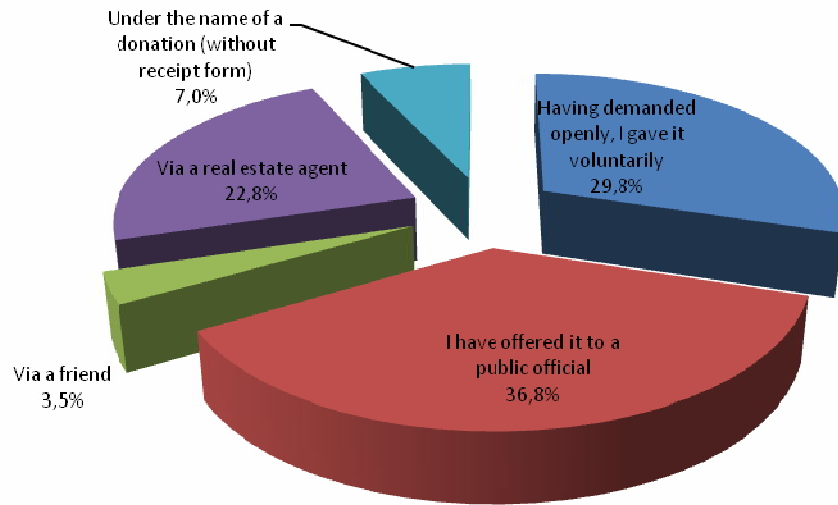
Table 2. Frequency of Unlawful Payment According to the Reasons of Being in Title Service Units

			The frequency of giving unlawful payment					TOTAL
			Never	Once	2-3 times	4-5 times	More than 5 times	
The reason for being in the title services	For my own business	Frequency	183	13	10	1	4	211
		%	86,7	6,2	4,7	0,5	1,9	100,0
	For the business of others	Frequency	98	7	10	1	11	127
		%	77,2	5,5	7,9	0,8	8,7	100,0
	TOTAL	Frequency	281	20	20	2	15	338
		%	83,1	5,9	5,9	0,6	4,4	100,0

The reason for being in the title services and the frequency of giving unlawful payment are given in the cross table. As it is seen, 22.8% of those who have come to the service on the name of another person have given one or more unlawful payment to the employees. This is declined to 13.3% for those who have been present for their own business. Again, 8.7% of those who have come to the service on the name of another person have given more than five unlawful payments while this ratio is 1.9% for the ones who are there for their own actions.

In terms of the occupations of the citizens, proportionally, 8.9% of public officials, 16.7% of the workers, 17.8% of self-employed people, 15.7% of others, 10% of mediators, and 30.2% of real estate agents; and with respect to the gender, 18.2% of males and 11.1% females have given one or more unlawful payments.

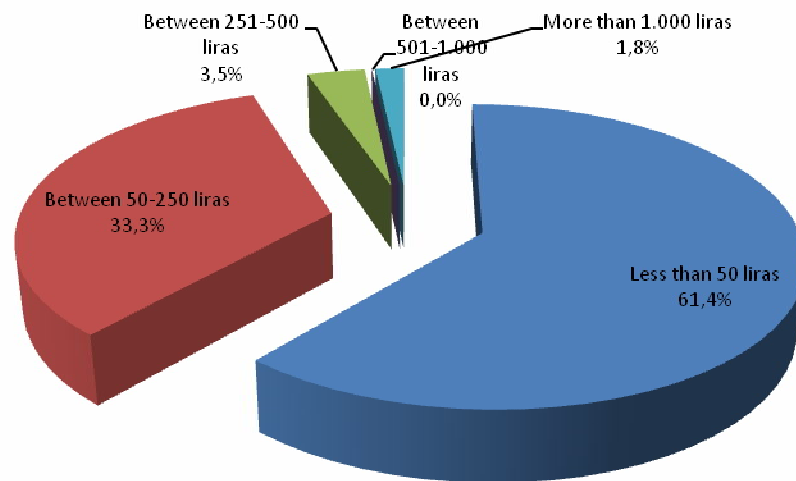
It is asked the citizens who stated that they have given unlawful payments in which way such a payment is realized.



Graph 53. Methods of Giving Unlawful Payment

36.8% of those who have given an unlawful payment have offered it to a public official for accelerating their procedures, and 29.8% have stated that it has been demanded openly, and they have given it voluntarily. The ratio of those who have given an unlawful payment via real estate agents is 22.8%.

Lastly, the question about the amount of the unlawful payment is directed to the citizens.



Graph 54. Amount of the Unlawful Payment

According to the findings, the amount of the unlawful payment is generally (61.4%) lower than 50 TL. The ratio of those who state that they have given a payment between 50-250 TL is 33.3%. And the ratio of those who assert that they give an amount over 250 TL is quite low.

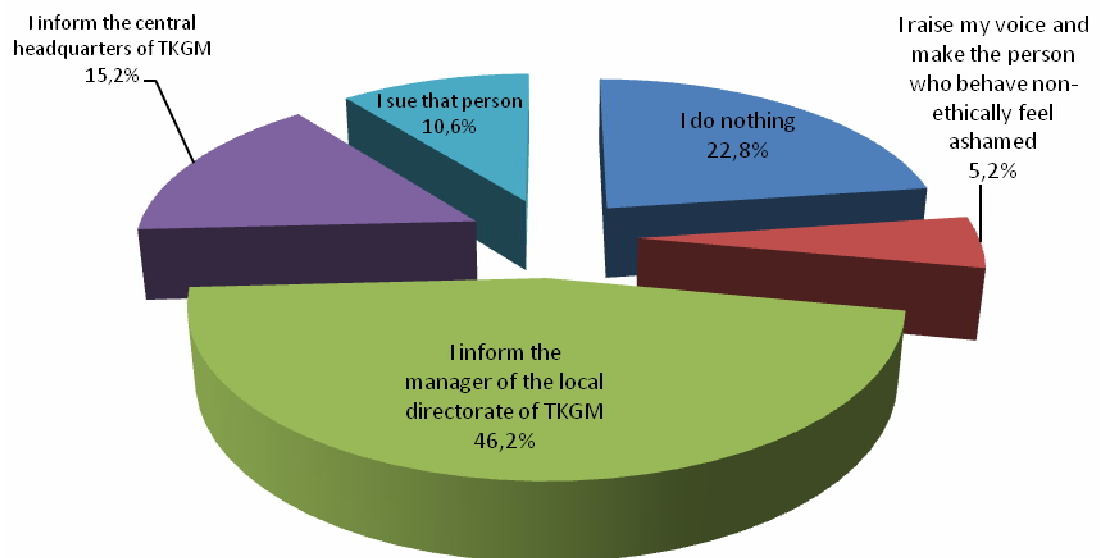
Meanwhile, during the interviews with the citizens, it is stated that generally an amount between 20-100 TL is given for each action. As it is known, in cases where the amount of gain is not too much, and where unlawful payments are widespread, the amount of the payment gets nearly stabilized; likely, the mechanisms of the payment develops. For these kinds of payments, citizens do not express strong reaction, and tend to consider acceptable. The finding that 36.8% of those who have given an unlawful payment state that they have given it voluntarily in order to make their actions to be done faster and better supports this attitude.

ATTITUDES AGAINST NON-ETHICAL BEHAVIOURS IN TITLE / LAND REGISTRY SERVICES

In this part, the attitudes of citizens and TKGM towards non-ethical behaviours in the title services are to be evaluated.

Attitude of Citizens towards Non-Ethical Behaviours

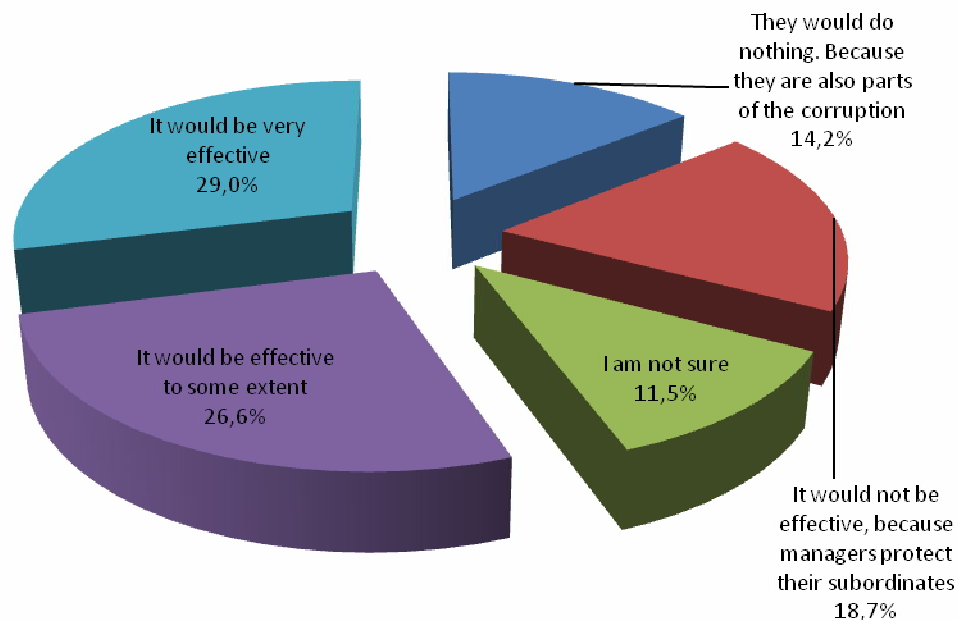
To measure the attitudes of citizens towards non-ethical behaviours, following question is addressed to them: "If you encounter a non-ethical behaviour or a non-ethical proposal in a title service unit, what would be your reaction?"



Graph 55. Reactions against Demands of Unlawful Favour or in the Case of Encountering a Non-Ethical Behaviour

According to the findings, about half of the citizens (46.2%) are inclined to forward their complaints to the manager of the local title service unit. About one third of the citizens (33.8%) state that they do nothing. 15.2% prefer to inform the central headquarter of TKGM. And the ratio of those who prefer to raise their voice and make the person who behaves non-ethically feel ashamed is 5.2%.

Next, the following question is addressed to the citizens: "In your opinion, how effective would be to inform the managers of the institution about non-ethical behaviours you have encountered?"



Graph 56. Effectiveness of Complaints

29% of the respondents believe that it would be effective because managers fear of reactions. The ratio of those who think that complaints would be effective to some extent is 26.6%. While 14.2% of the citizens state that the complaints would not be effective because employees can not do anything without the information of managers, 11.5% of the citizens maintain that it would be ineffective because managers protect their subordinates.

Attitude of TKGM towards Non-Ethical Behaviours

According to top managers of TKGM, one of the most effective means of preventing corruption and other non-ethical problems in title services is audit mechanisms. One out of three inspectors of TKGM spare their times for investigations and the rest for inspections. The organization aims at increasing guidance roles of inspectors in the light of new auditing approach in public administration. However, there major difficulties in this matter in that training and skills of the existing inspectors are not sufficient to take such a new role. Furthermore, some inspectors, particularly older ones, fail to renew themselves in the direction of the new public management principles. The organisation plans to train its inspector about new developments in auditing and to monitor the more closely. TKGM Board of Inspection strives to make the procedures and activities of TKGM appropriate with legal and ethics principles through such ways as hidden inspections. Hidden inspections by inspectors as well as managers through observing relations between employees and citizens (for instance, presenting themselves as ordinary citizens) have contributed positively on the fighting against corruption in the organisation, claimed by interviewees. Recent media coverage about ethics problems in TKGM also confirms this observation.

TKGM Board of Inspectors receives about 600 complaints each year. In addition, about 300 petitions of complaint are sent to governorates, sub-governorates, public prosecutors and regional offices of TKGM, mostly about initiatives of public officials of getting extra profit from their official duties. The Board of Inspectors declares that it examines all the complaint it received and, if seen necessary at the end of the examination process, it opens an investigation about the related public officials. We have seen upon our examination of the registrations of the board of inspectors, inspectors were ordered to perform examinations or investigations 285 times in 2006 and 263 times in 2007. In 2007, inspectors proposed 312 disciplinary punishments and declined to apply any punishment for 242 public officials. Head of the Board of Inspectors argue that the existing legal framework is sufficient to dissuade non-ethical behaviours in TKGM, and alleges that 3 public officials were dismissed out of the organisation by inspectors in 2003, and one person in the years of 2004, 2005 and 2007 because of their non-ethical behaviours.

However, there is an impression that citizens and public officials tend not to communicate to TKGM about corruption and other non-ethical behaviours they come across. In addition, some suspicions about effectiveness of organisational inspections in public opinion. For example, a significant number of interviewed real estate agents argue that title service units have not been thoroughly inspected over years or inspections are conducted superficially. Therefore, it is important to make inspection and auditing mechanisms more effective through such ways as utilising information technology more effectively. Another issue raised by interviewed real estate agents is that bribery cases they encountered happen outside of the workplaces any more. As a result of the recent events such as introduction of TAKBIS system, security cameras, unexpected visits of police officials to title service units and heavy media interest in corruption cases in TKGM, the parties of non-ethical behaviours meet outside of the organisation, therefore it has become more difficult to catch them. One proposed solution by interviewed real estate agents is to constantly monitor bank accounts and possessions of the title service employees and their managers.

On the other hand, Top managers of TKGM state that bank accounts and possessions of TKGM personnel are already monitored on a regular basis and this practice seems to be effective in preventing corruption cases to some extent.

In TKGM, there is a special call line which complaints about non-ethical behaviours can be communicated to the regional offices and the central headquarters of TKGM. Posters about this line can be found on the wall of each title service unit. The related units receive the complaints via this line and communicate to the inspection and auditing units. This line, argued by top managers, functions well in dissuading non-ethical behaviours of title service employees and their managers. Although all complaints received via this line have been analysed carefully, top managers claim, there is a feeling that managers and employees in TKGM act in solidarity in order to cover up cases of corruption and other non-ethical behaviours and not to communicate the case of bribery and gifts they came across to their superiors.

On the issue of power and potential of title service unit managers to prevent non-ethical behaviours in their workplaces, two divergent views are expressed. First view argues that these managers, if they are willing to do it, can prevent all non-ethical behaviours.

A significant number of interviewed managers, real estate agents, citizens and employees strongly were in favour of this view. Second view, on the contrary, claims that non-ethical behaviours have become planned and implemented outside of workplaces any more an in a more hidden way, in parallel with the measures taken by TKG. Therefore, managers could not have information about what are happening and could not prevent them.

REASONS FOR NON-ETHICAL BEHAVIOURS

In the interviews and surveys, some questions are addressed to employees, citizens and top managers of TKGGM about the reasons for non-ethical behaviours. It has to be noted that the replies concerning the reasons for non-ethical behaviours might be very crucial in terms of producing solutions for these problems.

Reasons for Non-Ethical Behaviours: Views of Employees

In the survey, employees are asked for ranking each of the 15 variables consisting of statements about the reasons for non-ethical behaviours as “very effective”, “effective”, “I have no idea”, “not much effective”, or “not at all”.

When the responses of “effective” and “very effective” are considered together, the factors that more than 50% of the employees observe among the non-ethical behaviours would be listed as follow:

- Insufficiency of social and financial rights of title service employees, relative to other organisations (83.1%),
- Overload in title service workplaces (81%),
- Low level of salaries (78%),
- Citizens yearn for their work done as soon as possible and have not a tendency to wait in queue (76.1%),
- Employees have to sign document which require too much responsibility (73.1%).
- Negative image of the organisation in public opinion to behave people in the same direction (68.8%)
- Insufficient internal communication in the organisation (62.7%)
- Inappropriateness of work environment (59.4%)
- Prevalence of such cultural habits of “baksheesh” and gifts” in society (55.8%)
- Existence of real estate agents and mediators (54.7%)

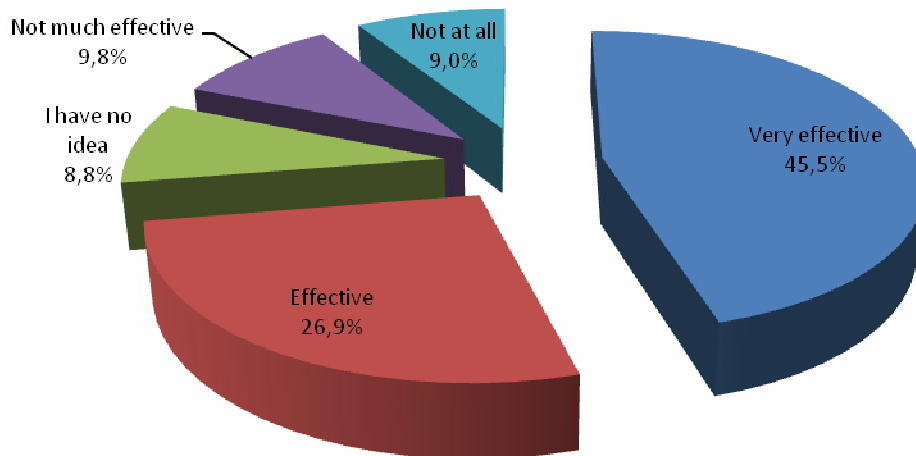
On the other hand, following factors are, for less than 50% of the employees, have an influence on non-ethical behaviours:

- Citizens’ encouragement of non-ethical behaviours in order to get their unlawful demands done (45.5%),
- Ignorance among employees about professional rules and ethical principles (45.1%),
- Title service procedures’ taking too long time (44.9%),

- Insufficiency of legal framework to prevent non-ethical behaviours (38.7%).

After this broad comparison, the findings of the survey will be evaluated in detail in the light of the observations and the information acquired through interviews.

72.4% of the employees assert that citizens do not possess sufficient information about title service procedures and it leads to non-ethical behaviours.

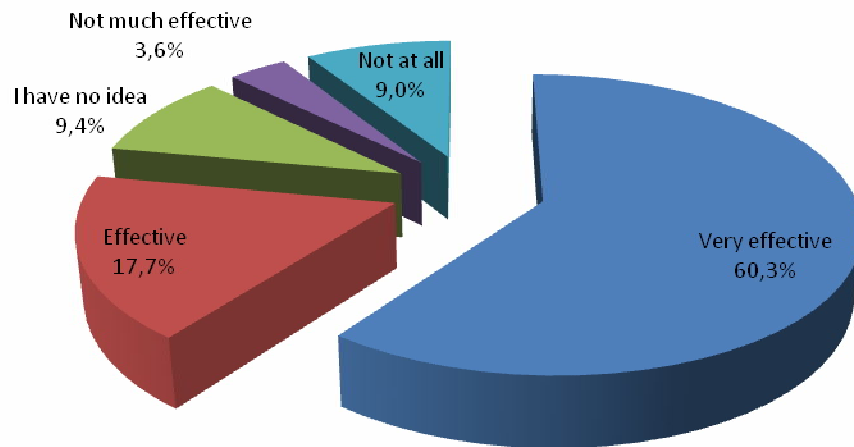


Graph 57. Citizens do not Possess Sufficient Information about Title Service Procedures

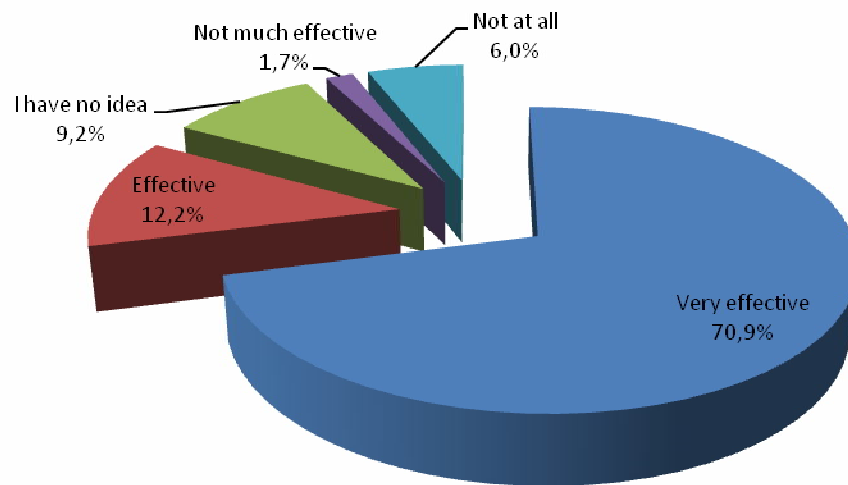
During the implementation of surveys, it is really observed that a great majority of service users lack of sufficient information about the title service procedures and so request for such demands that are not in congruence with the rules. For instance, in order to initiate a title service action between seller and buyer both are required to submit originals of their certificate of identity. However, the citizens who do not have the certificate of identity at that time can request for carrying on the process.

Among the reasons for non-ethical behaviours, 78% of the employees consider the low level of salaries, 83.1% see the insufficiency of social and financial rights of title service employees, relative to other organisations.

In the interviews, employees have stated that they are depressed due to overloaded work, that citizens push for their work done as soon as possible and have not a tendency to wait in queue, that their works cannot be completed in the work time, that though the employees of other public organisations leave the work place on time they are required to work till late hours, and that their salaries are not adequate. The majority of the employees feel that they are disadvantaged and so see the favours provided themselves in turn of carrying out title service actions as legitimate.



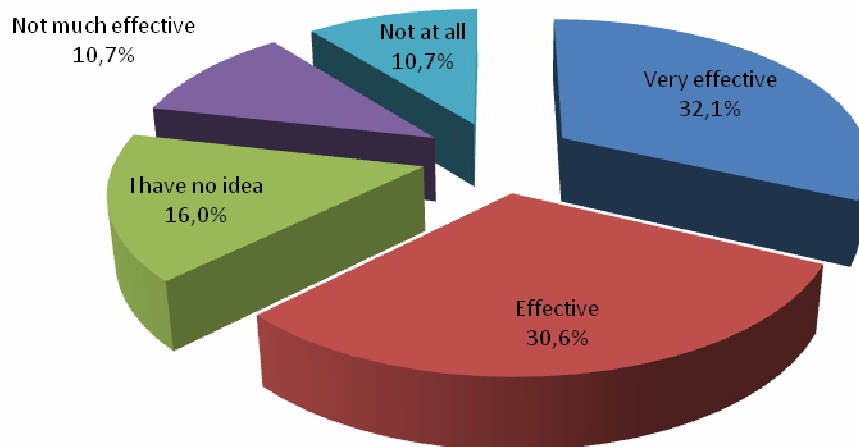
Graph 58. Low Level of Salaries Paid for Employees



Graph 59. Insufficiency of Social and Financial Rights of Title Service Employees, Relative to Other Public Organisations

A great majority of the employees believe that in case they are paid a sufficient and just salary non-ethical behaviours would be removed from title service units.

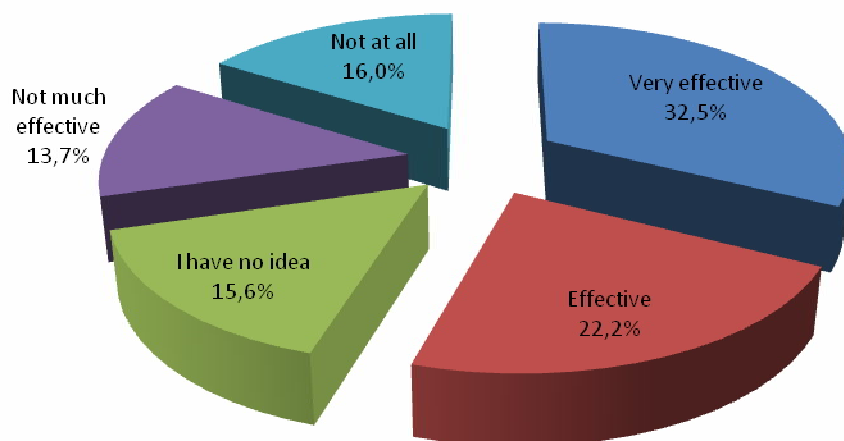
62.7% of the employees assert that insufficient internal communication in the organisation leads to non-ethical behaviours.



Graph 60. Insufficient Internal Communication in the Organisation

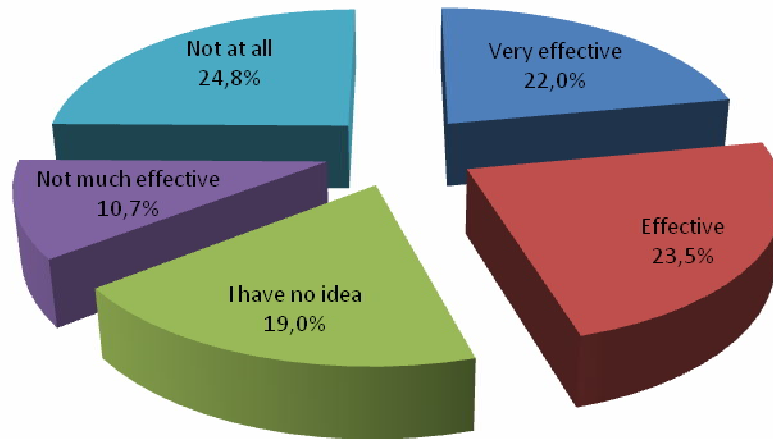
Especially the communication problems observed in the centre-local relations tend to result in the non-ethical behaviours. Due to the fact that consumable materials are not provided by the TKGM in sufficient amounts and at the proper time, their provision by mediators or real-estate agents might be given as an instance for this case.

54.7% of the employees see the existence of real estate agents and mediators a source of non-ethical behaviours. It is remarkable that 29.9% of the employees do not think so.



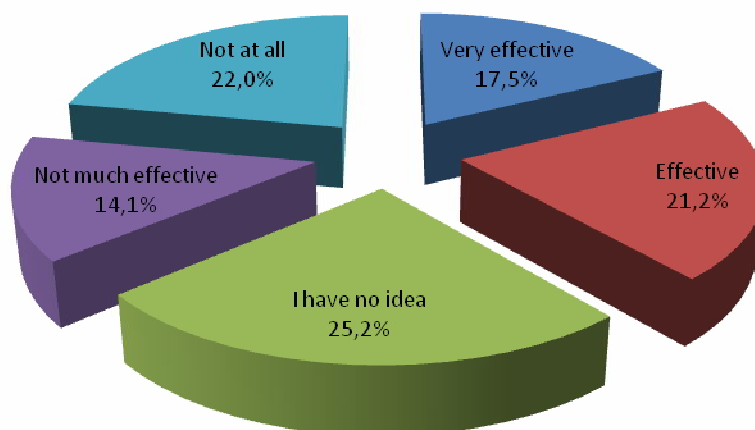
Graph 61. Existence of Real Estate Agents and Mediators

For the 45.5% of the employees, citizens encourage non-ethical behaviours in order to get their unlawful demands done. On the other hand, 35.5% of the employees do not think so, while 19% have no idea or undecided.



Graph 62. Citizens' Encouragement of Non-Ethical Behaviours in order to Get Their Unlawful Demands Done

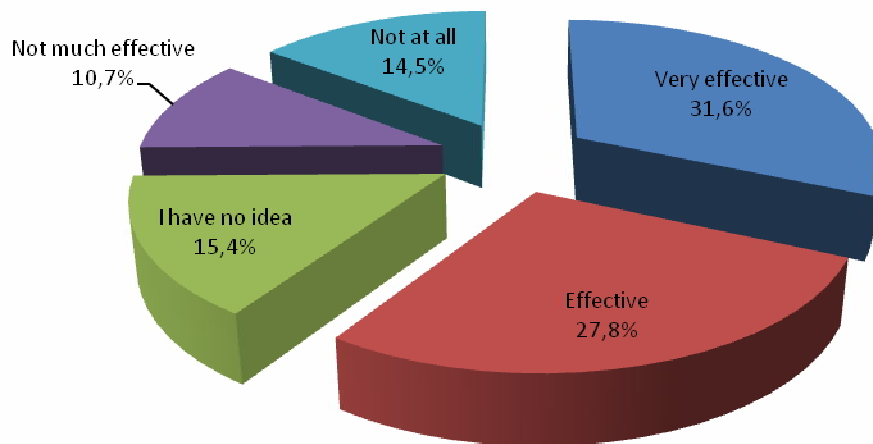
The ratios of those who think that legal framework is insufficient to prevent non-ethical behaviours and those who do not are close to each other, respectively 38.7% and 36.1%. However, one fourth of the employees are undecided on this issue.



Graph 63. Insufficiency of Legal Framework to Prevent Non-Ethical Behaviours

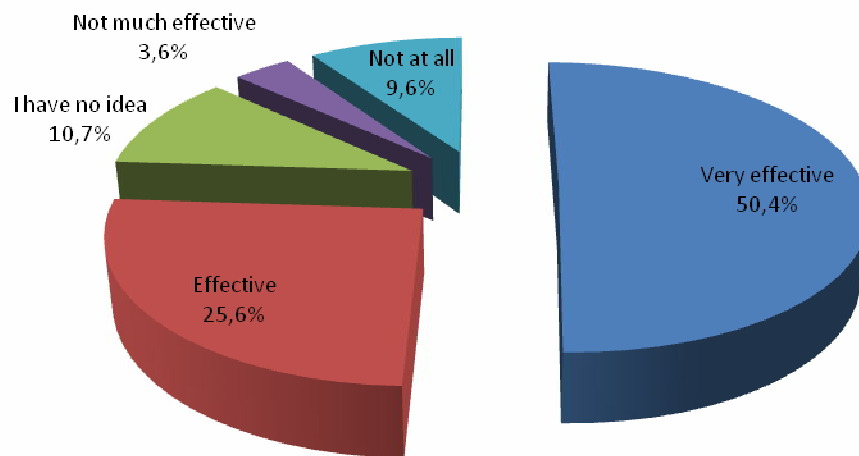
More than half of the employees establish a positive relationship between the inappropriateness of work place and non-ethical behaviours.

On the other hand, in addition to the negative physical conditions of the work places, it is observed that the service users' getting in touch with the employees directly plays an important role in the formation of non-ethical behaviours. In practice, an action is addressed by the manager or by an official who is authorized by the manager directly to a employee, service user takes the documents directly to the employee, and then both work together on the workbench until the signature stage. In the system of workbench, that all personnel, service users and mediators confront with one another in the same environment makes the auditing difficult, and this in turn paves the way for non-ethical behaviours.



Graph 64. Inappropriateness of Work Environment

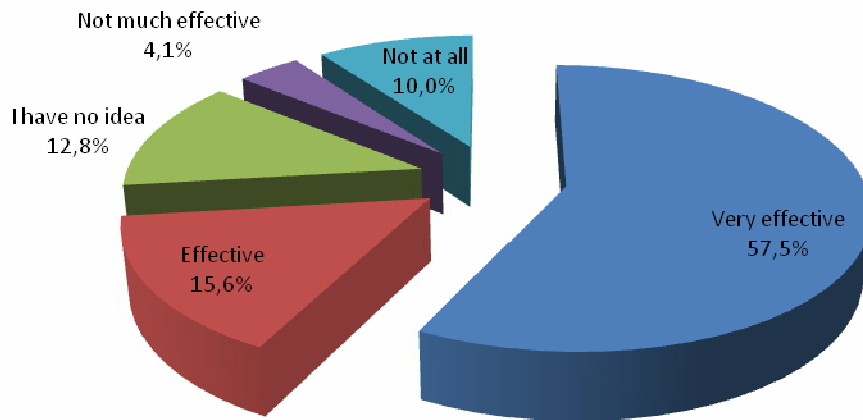
76% of the employees see citizens' yearning for their work done as soon as possible and having no tendency to wait in queue as a reason for non-ethical behaviours.



Graph 65. Citizens' Yearning for Their Work done as soon as Possible and having no Tendency to Wait in Queue

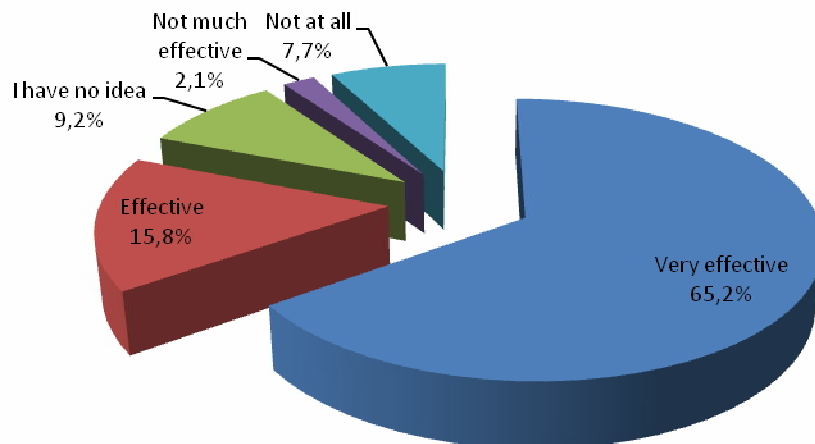
During the implementation of the surveys, it is really observed that the citizens who come to the title service units for an action want their procedures be carried out immediately. Researchers witnessed too many discussions between employees and the citizens who think that their own actions are delayed.

73.1% of the employees consider that signing documents which require too much legal responsibility lead to non-ethical behaviours. Majority of the personnel whom interviews were done have stated that the title service employees are signing under the documents having value of great amounts, that due to these processes not only themselves but also their heirs are held responsible, that they might make mistakes in such a hard environment, that they are not paid compensation of fiscal responsibility, and that in such a circumstance they are psychologically deteriorated. As in the case of the insufficient salary, a great number of the employees believe that they are ignored, hence consider the favours provided them by service users as an insurance for the fiscal responsibilities with which they might possibly confront in the years ahead.



Graph 66. Employees' Signing Documents which Require Too Much Legal and Fiscal Responsibility

81% of the employees see overload in title service workplaces as a reason for non-ethical behaviours.

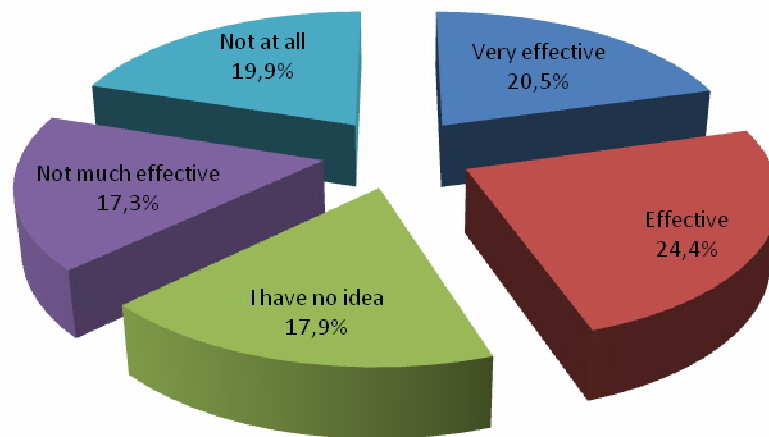


Graph 67. Overload in Title Service Workplaces

At the time of the implementation of the surveys, it was mentioned that the global economic crisis also influenced the real estate sector, and in this regard, the number of actions carried out in the title service units were also drastically decreased. However, it was observed that there was overloaded work in some of the title service units. Since there has not been a healthy personnel planning, it was noticed that there was an excess of personnel in some units whereas there were deficiency of personnel in several units.

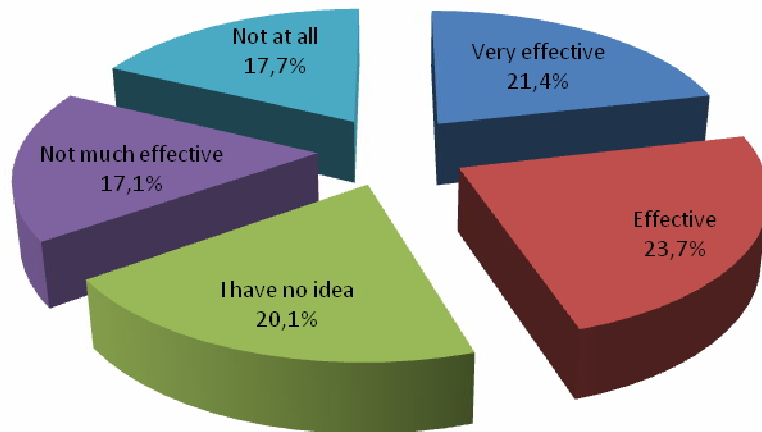
As it is known, corruption in economic terms appears in cases the service supplied by the public organisations does not meet the demands for it. In the units where too many applications are done, the ones who wish to benefit from the fast services incline to non-ethical behaviours since the demands cannot be met through current capacity.

Employees however regard title service procedures' taking too long time as an unimportant factor (44.9%) in the growth of non-ethical behaviours. In the interviews, it is stated that title service processes do not take long time in Turkey, a process which is carried out in 2-3 days here, in European countries can be completed in 20-25 days.



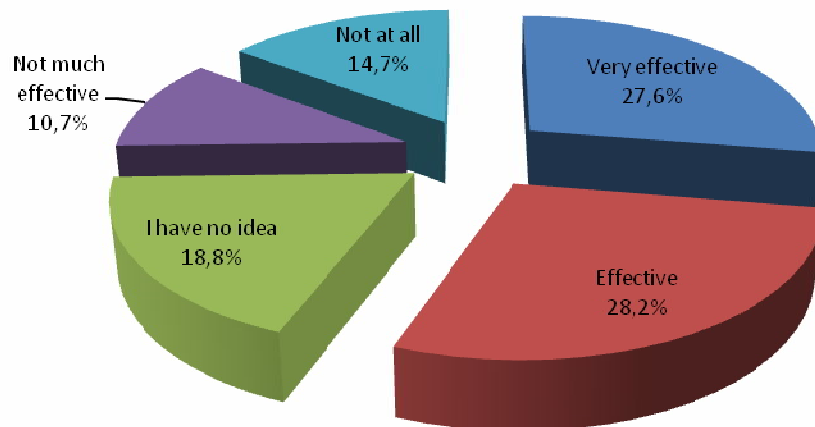
Graph 68. Title Service Procedures' Taking too Long Time

Another reason which is thought to be playing only a slight effect on the emergence of the non-ethical behaviours is "ignorance among employees about professional rules and ethical principles". 45.1% of the employees consider ignorance of professional rules and ethical principles a reason for non-ethical behaviours. It is worthwhile to mention that here the undecided ones constitute the 20.1% of the respondents.



Graph 69. Ignorance among Employees about Professional Rules and Ethical Principles

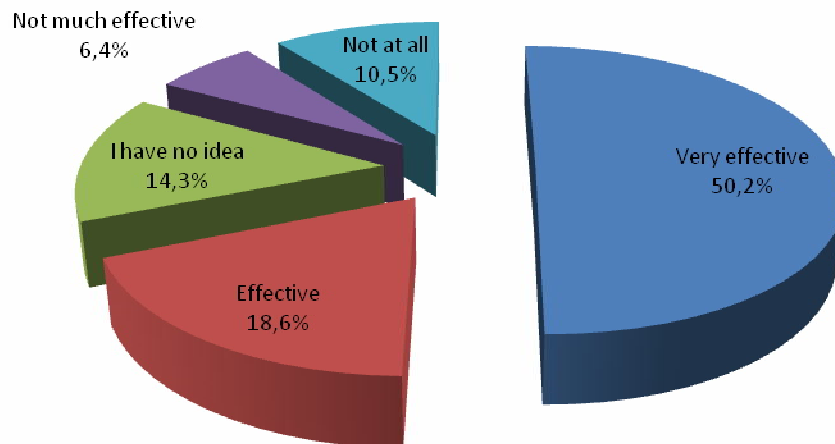
According to more than half of the respondents, prevalence of such cultural habits like “baksheesh” and gifts” in society is a reason for non-ethical behaviours.



Graph 70. Prevalence of such Cultural Habits like “baksheesh” and gifts” in Society

Some of the managers and employees interviewed have stated that there has not a problem in getting presents by service users and mediators, because giving and taking presents is a nice attribute, for instance when a box of desert presented by a service user is shared among all service users and employees, citizens too become pleased with such an environment.

More than two third of the employees believe that negative image of the organisation in public opinion lead people behave in the same direction.

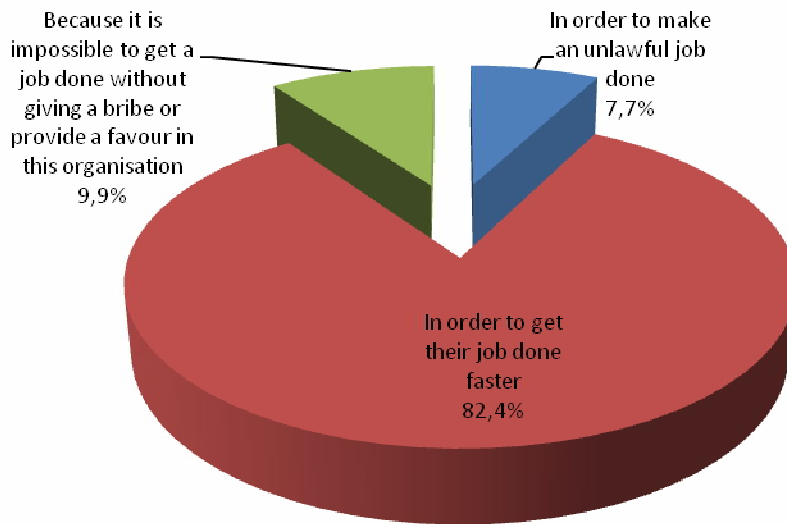


Graph 71. Negative Image of the Organisation in Public Opinion to Behave People in the Same Direction

Indeed, what constitutes the citizens' opinions about the organisation and determines their behaviours towards the organisation is how they perceive the organisation. A citizen who perceives TKGM as a corrupt organisation, when he or she is to carry out an action in a title service unit attempts to give bribe to accelerate the actions even though employee does reject it. That citizen's behaviour entirely stems from the negative reflection of the organisational culture of the title service to the external world.

Reasons for Non-Ethical Behaviours: Views of Citizens

In the survey, the question why non-ethical behaviours occur in the title service units is addressed to the citizens too.



Graph 72. Reasons for Unlawful Payments in Title / Land Registry Services: Citizens' Views

A great majority of the citizens (82.4%) believe that the reason for unlawful payments in title services is that citizens demand for completing their actions in a short time. As it is seen in the graph, the proportion of those who think it is not possible to carry out an action in title service units without an unlawful payment, or of those who think unlawful payment is required for making an unlawful job done are quite low.

Reasons for Non-Ethical Behaviours: Views of Top Managers

Top managers of TKGM stress that major reasons of non-ethical behaviours in the organisation are threefold: real estate is seen as a means of rent, real estate agents and mediators have problematic and undisciplined behaviours and insufficiencies in organisational structure and legal framework.

Real Estate as a Means of Rent

In evaluating sources of non-ethical behaviours, top level managers of TKGM stress that real estate is a perfect vehicle of investment in Turkey. They argue that movements in real estate market cause to increase in workload and queues in title service units. A serious workload happens particularly where rent is relatively high in real estate. In this case, in order not to wait in queues and make their works done as soon as possible, citizens use mediators and try to accelerate their worn works through providing profits to employees. The roles of mediators and real estate agents in this process are generally negative.

Although real estate is seen a means of rent and investment in Turkey, costs of title operations are relatively low in comparison with other countries. This fact increases real estate mobility, in that even in periods which serious economic crises occur,

changing ownership in real estates continuously hardly slows down. The increase in workload in title service units, in turn, makes to provide quality services more difficult.

Problematical and Undisciplined Stakeholders: Real Estate Agents and Mediators

A major issue raised in interviews in central headquarters of TKGM as well as in title service units is the undisciplined structure of real estate sector. Both top and middle level managers argue that a health infrastructure could not be established for real estate agencies. In a sector which about 20 million title operations happen annually, mediation services are put into action by a group of real estate agents whom majority of them are not with vocational education and some of them work without registering in a chamber of commerce. They are also not a homogenous group; from retirees of both public employees to private sector workers, from the ones who work in the profession for years to the newcomers, persons with almost all ages and with various educational qualifications work in the sector. Their relations with title service employees and managers also vary to a great extent. There is a group of real estate agents who are retirees of managers and employees of title service units. A representative of an Ankara-centred real estate association considers the heterogeneous character of real estate agents as a negative factor in organisational communication and relations between TKGM and Associations of Real Estate Agencies.

Top level managers of TKGM also assert that real estate agents comprise a pressure group with strong political backing and support. They further state that some real estate agents allege corruption in title service units if their demands are not met. Real estate agents and mediators reflect the institutional image of TKGM as negative and title procedures are very difficult to citizens in order to persuade them to become their clients.

In addition, some real estate agents get extra money from their clients by persuading them that they have given bribe to title service employees. For instance, a title service manager told that he saw within a file a piece of paper which lists the costs of title procedures. Interestingly, the list included bribes to employees and the manager. Another manager told another interesting story. An old man came to the manager telling that " O my son, last time I invited to the diner. But today I have not enough Money, please do my business as quick as last time". The manager was surprised and investigated the case. He found that a real estate agent got extra money from the old man by convincing him that he will invite manager of the service unit and other employees.

Top managers of TKGM argue that, with cooperation with some employees, real estate agents tend to use title service units just like it is their own home, even some of them provide extra salaries for some employees. In addition, they tend to recommend their clients to show the value of their properties lower than its real

value in order to avoid title taxation costs, but when the real value of the property is learned by title service unit, the citizens face major difficulties against law.

As can be seen, the relations between title service personnel and real estate agents are pretty problematical. Acknowledging that there is a gap on the issue of real estate agencies their works in , TKGM issued a circular about mediation services in title procedures and the role of real estate agents in activities of , in order to bring the profession of real estate mediation under registry and discipline and prevent unlawful and non-ethical behaviours of some real estate agents. Although real estate agencies which work under registration and their associations strongly support this practice, some real estate agents are not willing to obey the requirements of this circular in order to avoid title taxes. Top managers of TKGM pronounce that a change in legal framework is necessary to fundamentally solve this problem. A law should regulate the profession and make real estate agents responsible for their acts in title service units on the name of their clients. A draft law regulating these issues has been prepared by involvement of TKGM and is waiting to be enacted in Turkish Parliament (Turkish Grand National Assembly).

Insufficiencies in Organisational Structure and Legal Framework

Top managers of TKGM further argue that as property is basic human right and therefore autonomy must be a guiding principle of title and title / land registry affairs. Title Law, Law Number 2644 article 28, states that "title procedures cannot be stopped by administrative orders". According to the Civil Code (article 1016) and Titles Decree (article 23), title service unit managers are authorised to decline demands of any kind of title affairs, if they see inappropriate. They may also reject documents of other government organisations. These regulations, top level managers claim, require an autonomous organisational structure.

Furthermore, existing organisational structure of TKGM is also not sufficient for efficiency reasons. As a requirement of Law 5442, Law on Management of Provinces, there must be at least one title service unit in sub-provinces. For this reason, total number of title service units around the country has reached to 1018. However, because of inadequacy of qualified personnel, managers and title service employees cannot be appointed for some units, particular the ones with relatively low level of workload. At the moment, 35% of title service units are without a manager and 1.3% of units are without any personnel at all. Temporary personnel work in these units, but they face a number of difficulties both in personnel rights matters and in terms of effectiveness of work. For instance, as they temporarily work over there, they do not take themselves as the owners of the works.

Therefore, TKGM's proposal for closing down 280 units with less than 1000 annual operations or at least 92 units with less than 500 annual operations should be seriously considered. However, for political reasons, a resistance against initiatives in this line has been observed in various quarters. As the traditional guard-employee model was seen inadequate because of the fact that there was no middle

level layers, the current model was introduced in the Republican Period. Yet, the current structure resemble to the old model in practice. For instance, manager of a title service unit is the sole administrator in workplace; he/she divides the works among employees and checks all the completed documents at the end. In majority of visited title service units, vice-managers were seen to work with ordinary employees because of inadequacy of personnel. Managers do not or hardly do devolve authority to lower levels in hierarchy because of heavy responsibilities of the managers. In turn, this fact makes managers crushed under heavy workload and in these circumstances managers cannot do supervision and their other managerial duties well.

Regarding legal framework about title procedures, there are many regulations and it would be hard for an ordinary employee or manager to follow changes in these regulations and to apply in works. For instance, TKGM is among most circular - issuing government organisations, and public officials in TKGM must implement them. Some interviewed managers complain about these circulars, as some circulars are with uncertain content and this causes varieties and problems in implementation process.

A number of interviewees in title service units claim that when they face difficulties in providing such commodities as papers and printer cartridges, from time to time these are provided by mediators, even a circular in past was sent to in provinces that encourages to meet costs of these commodities through local sources. To be sure, this kind of practices encourages non-ethical behaviours in title service units.

Although top management of TKGM acknowledges that these bad practices happened in past, recently they provide all commodities needed in all units of TKGM are met with the sources received through revolving capital practice and this problem is over thanks to the above-mentioned new initiatives.

EFFORTS OF TKGM TO PREVENT NON ETHICAL BEHAVIOURS

Among the measures which TKGM has recently taken to prevent non-ethical behaviours, to increase quality in services and to develop an ethics culture in the organisation are utilising information technology, reengineering work in , increasing the effectiveness of inspection and audit functions, efforts at registering real estate agents and some measures about human resource issues.

- Title and Cadastral Information System (TAKBIS) is taking procedures in title and cadastral service units into on-line environment. Central headquarters, regional offices and title service units in provinces are interlinked through this system. A large number of title service units in provinces as well as the departments in central headquarters are using this system, and TKGM is striving to establish this system in rest of the title and cadastral service units. TAKBIS permits daily activities of title service units to be monitored in Ankara. From 2008 on, in places where TAKBIS is established, daily activities of title service units are required to be done on-line. In this way, workload of title officials are tried to be balanced, procedures are accelerated and forgeries and other non-ethical behaviours are aimed to be prevented.
- In order to prevent identity card forgeries in title services, a protocol between TKGM and Population and Citizenship Authority about common use of the latter organisation's databases was signed in 2007.
- In order to prevent non-ethical behaviours of employees and managers, to increase security in waiting rooms, and to confiscate burglars in title service units, security cameras have been positioned around common places in service units since 2007, beginning with busiest units. Today, security cameras have been placed in 214 centres with considerably higher workload. The cameras show entrances, meeting points of citizens with public officials, waiting rooms and contract desks. Although employees reacted against security cameras at first, by the time they got used to this innovation in workplace and have began to see them as a guarantee against burglary and wrong accusations by citizens and media. From 2007 on, 68 forgeries are determined by the help of security cameras.
- TKGM is preparing to establish a service user information system which will show the status of the work of a service user, title procedures, necessary documents for each procedure and workflow in title service units by the aid of LCD screens to be fixed in waiting rooms. By 2007, 20 service units have got this system fixed, while in 2008 this number is targeted to reach 302. Thanks to this system, citizens are anticipated to get more information about the procedures in title service departments and the status of their own work, and thus will less need to offer non-ethical favours or bribes to accelerate the works.

- In 2003, a telephone line for advice and support, Alo Tapu-Kadastro, was set up. Demands and complaints communicated by citizens through this line are investigated or communicated to the related department and the citizen is informed about the result. The main aims of this practice are, claimed by top management, to increase citizen satisfaction, faster and healthier meeting of the needs and expectations of citizens, getting information about employees or managers with unlawful and non-ethical behaviours and providing openness. Managers of title service units in provinces have been required to put posters about this line to open places where citizens can easily see. These posters include telephones, e-mail addresses and web pages of regional offices of TKGM, Central departments of TKGM and the Ministry of Public Works. As citizens have not fully comprehended and persuaded about the nature and working system of this line at the moment, the expected outcomes of this practice are far from being realised.
- In some title service units, queue machines are being tried. The expected outcome of this practice is to encourage service user to wait in queue and do not offer non-ethical proposals to title service employees or managers to accelerate their own works. Further, a pre-application system has been introduced in title service units in order to accelerate workflow, to complete works in one day and thus to increase user satisfaction and to warn citizens for not beginning with incomplete document files. However, assessments by inspectors have shown that pre-application system does not fully work in many title service units in provinces. Therefore, managers of title service units in provinces have been trained about this issue by TKGM, since 2007. This system has been integrated with TAKBIS system, and thus been made easier to monitor on-line. Thanks to pre-application system, all the application forms filled by service users are registered and monitored whether daily activities and works in title service departments are made in accordance with rules and regulations.
- In 2007, TKGM started a new practice in workplaces with heavy workload to limit applications for title works with a timeframe, for example getting applications at morning and afternoon do the only works that its application form was received at morning. The main aim here is to decrease workload and to prevent working after work hours. This practice would encourage citizens to follow their own works in title service units without using mediators, if applied transparently and citizens are informed beforehand.
- In TKGM, as a general rule, managers are not rotated to birthplaces of their own or their spouses. In addition, by 2008, TKGM personnel are began to be rotated to different regions, particularly working at least two years in underdeveloped parts of the eastern and South Eastern Anatolia Regions. Especially, managers who are working in the same place more than 7 years are subject to the rotation practice, while their choices for new workplaces are taken into account. Through rotation practice, TKGM aims to prevent groupings of public officials which facilitate non-ethical behaviours in workplaces.

- Some title service units accept temporary workers from other public organisations such as municipalities, in order to handle the increasing overload in title works. Further, even if it is relatively rare, there are some workers in title service units in provinces that their salaries are met by public officials using their own pockets or by some third parties. However, organisations which send their personnel to title service units frequently use this opportunity for some non-ethical demands of their own. To prevent this inconvenience, in 2006, TKGM issued an instruction to all title service units in provinces about prohibiting this practice except with permission by governorates in emergency cases.
- In order to prevent cases of forgery in workplaces, TKGM started to give a reward to the public officials who noticed forgeries. In the interviews with top management, 30 of 42 forgery cases were claimed to be noticed by title service employees in 2007 and all of them were given prizes.
- Another key issue which TKGM takes measure about is training public officials in pre-service, in-service and promotion phases. Vocational ethics is also thought in pre-service and promotion training courses. In 2008, 6.132 personnel were received some training, which is almost one third of the total workforce. These training include some courses about preventing forgery in workplaces. However, the organisation has not made any training needs assessment so far and courses in trainings are designed in accordance with foreseen practical needs. Top level management stresses that they give priority to in-service training and each year they designed some morale and motivation practices among employees and managers. For instance, since 2006, they give to successful managers such prizes as extra money and letters of commendation. In addition, the organisation plans to send some personnel to overseas to do research about title service practices abroad.
- In parallel with the increasing attention in public opinion and media coverage about corruption cases in TKGM, top management claim that they begin to make inspections and auditing processes more efficient. In addition to the existing mechanisms and units, a new inspection and assessment unit was established in Title Services Department in Ankara to investigate reports of inspectors as well as information, demands and complaints received through the special complaint line (Alo Tapu) and to monitor workflows in title services in provinces.
- Although a more structured solution with legal backing is still necessary, TKGM is trying to bring real estate agents and the institution of mediators under registration and discipline within the framework of existing legal procedures. TKGM is considering different methods which real estate agents are permitted to follow works of their clients while they work under registration. With a circular (number 2007/4-1642), TKGM permits real estate agents to follow works of their clients in if they present an identity card issued by a chamber of commerce and a contract signed by both real estate agent and his / her client to vest real estate agent with authority for a particular work in title service unit. This practice has created pleasure and satisfaction among majority of real

estate agents who work under registration and their associations. Yet, some of them claim that this practice has put into reality to please bigger real estate agencies and to punish smaller ones. In addition, some of the interviewed real estate agents have claimed that circulars of this kind are generally left in paper and not implemented properly, in that in practice almost all real estate agents do work in title service departments, while TKGM managers maintain that they strictly monitor the implementation process. Taking into account the fact that corruption practices and other non-ethical behaviours particularly become dense in the cases that real estate agents and mediators pursue works of their clients, the importance of continuing this kind of measures becomes apparent.

- Although TKGM has not had a strategic plan in force yet, it has prepared a draft strategic plan. Even if it is not satisfactory in a general sense, the organisation has determined some strategic goals about fighting with non-ethical behaviours and developing an ethics culture in the organisation. This could be considered as a sign that TKGM takes issues of ethics and corruption seriously. Furthermore, TKGM issued circulars in different times on such mechanisms of preventing non-ethical behaviours as avoiding misbehaviour to service users, accelerating services and doing works of service users with a smiling face, paying attention to citizen satisfaction, being sensitive to citizen complaints and demands, scrutinizing complaints of service users, informing service users about the procedures in , not providing privileged service to any person including the retirees of the organisation and permitting only real estate agents with legal documents to follow work on the name of their clients. What is interesting here is that these circulars, particularly the ones which are related to ethical matters directly or indirectly, become dense in recent years. This fact shows that the organisation is becoming more sensitive to its negative image in public opinion and struggles to prevent cases of corruption and other non-ethical behaviours.

CONCLUSIONS

The findings of this research study are listed together in this section under the headings of satisfaction level of employees from their profession, the current situation, the corporate image, ethics perceptions, prevalence of non-ethical behaviours and attitudes of TKG and citizens towards non-ethical behaviours.

An important finding of the research is that a great majority of the employees are not satisfied with their employee profession. 82, 8% of them declared that they would not choose the same profession if they had another chance. This negative attitude of employees about their profession can be attributed to low level of their salaries and other financial rights, heavy workload, unqualified personnel, low level of the government interest and care about the organisation, inadequacy of good relations between central and line units of the organisation, heavy responsibilities of employees and continuation of their responsibilities even after their retirement and death up to their legateses and negative image of the organisation on the eye of the society.

Findings about **current situation in** can be listed as below:

- More than half of the employees find guidance and advisory services and means for communication adequate. However, in our observations indicate that information tools and consulting services to inform citizens about the given services are not sufficient. Therefore, citizens tend to use mediators and mediators for title services.
- It is thought that there are precautions against discrimination in the institution. However, more than half of the employees think that the organisation does not act in accordance with equity and equality principles when it comes to recruitment, promotion and relocation practices as well as allocation of social facilities such as housing
- While the organisation takes measures efforts to improve the physical conditions in workplaces, there are still important difficulties in some centres about this issue.
- There are difficulties in some title service units about assurance of some spending supplies, maintenance of electronic equipments and paying some bills. In some title service units, those needs are provided by mediators and real estate agents. This situation creates an environment in which the providers are able to demand privileges for themselves
- Social facilities such as catering, transportation and housing are not sufficient according to the employees.

Major findings about **corporate image** can be summed up under these headings:

- More than half of the employees view TKGM as “an institution which governments do not value and show interest”. Top managers also agree with this point of view.
- A small amount of the employees perceive TKGM as “an organisation where bribery is prevalent”
- Almost half of the citizens who use title services think that it is possible to do business in title service units without giving bribe to an employee.
- However, a great majority of citizens (almost three quarter of the citizens) believes that there are cases of corruption in title service units more or less.
- More than half of the employees the administrators’ attempts towards preventing non-ethical behaviours constructive.
- Almost half of the citizens find efforts of TKGM and managers of title service units in provinces towards preventing non-ethical behaviours constructive. In their points of view, there are no major differences between TKGM and managers of title service units in provinces in terms of their efforts at preventing non-ethical behaviours.
- A considerable part of employees and top managers, there are communication problems between central headquarters of TKGM and its line departments in provinces.
- Top managers feel that the organisational image of TKGM is negative on the eyes of citizens, public prosecutors and police and that media coverage about TKGM plays a significant role in prevalence of this image.
- Efforts of TKGM’s attempts at correcting the negative image of the organisation on the eye public are inadequate partly because of inadequacy of public relations activities of the organisation
- Non-ethical behaviours in various units of TKGM are decreasing significantly in comparison with the past. This can be attributed to operations against corruption by police and measures taken by top management of TKGM.

According to findings of the research, the following points come into prominence on the issue of **ethics perceptions of employees, top managers and citizens**:

- A great majority of employees have information about values and work principles of their organization as well as ethics principles of title services
- Employees and top executives usually do not tolerate non-ethical actions. Service clientelism and taking gifts and baksheeshs are partially tolerated.
- Almost two thirds of the citizens do not tolerate such non-ethical behaviours as bribe, gift and baksheesh. On the other hand, there is a considerable amount of citizens who think that only bribe is bad and giving gift or baksheesh is tolerable.
- More than half of the citizens have the opinion that gift and baksheesh should be accepted as a crime in any case. However an important portion thinks that it

should not be named as crime if it is given voluntarily and without a demand by a public official.

- More than half of the employees are obliged to do non-ethical actions in various frequencies.
- Great majority of citizens do not support providing additional benefits to employees in order to speed up the process.
- More than half of the employees transmit non-ethical behaviours to higher authorities in various frequencies.
- Almost one third of the employees have taken in-service training. However, almost half of them think that the training was insufficient.
- According to top management of TKGM and managers of title service units, bribe and corruption is hardly possible in title service units, but gift and baksheesh are societal realities with a historical background. However, they strongly declare that taking gift and baksheesh are non-ethical behaviours.

Research findings make it possible to come to such conclusions about **prevalence of non-ethical behaviours** in title service units as;

- The most prevalent non-ethical behaviour perceived by the employees is "accepting gift or baksheesh about transactions done which are in fact appropriate to the legal framework". "Favouritism and discrimination with a reason such as being friend, relative, compatriot, etc." and "providing consumable materials such as paper, printer cartridge, pen etc by follow up men" follow this.
- The least common three non-ethical behaviours are "making title deed operations which are against the legal framework on purpose and voluntarily by the employees", "mistreatment of the service using citizens" and "dragging out the process by misleading the citizens".
- Most of the citizens do not provide profit for employees illegally. The most common reason among the ones that provide profits is "providing profit to make their work done better." It should also be kept in mind that some employees ask for profit clearly or it is provided with the mediation of real estate agents.
- More than half of the profits provided to public officials are less than 50 Turkish Liras.

Findings about **attitudes of TKGM and citizens towards non-ethical behaviours** can be summarised as follows:

- Almost half of the citizens that are confronted with a non-ethical behaviour (46. 2%) have the tendency to complain to the director. What is remarkable is that almost one third of the citizens (33. 8%) have acknowledged that they would remain silent in such cases.

- More than half of the citizens believe that complaints towards demands for a bribe would be partially or very effective, as directors are very sensitive about this issue and they would be afraid of any reaction. One fourth of the citizens think that complaints to directors would not be effective, as subordinates cannot perform anything without directors' awareness and superiors protect their employees.
- According to top managers of TKGM, one of the most important instruments to decrease corruption and other non-ethical behaviours in title services is an effective supervision.
- According to top level managers, the organisation seriously acts upon all the complaints it receives. However, they believe that employees tend to hide non-ethical behaviours in their workplaces and to cover the mistakes with a feeling of solidarity.
- After recent corruption operations to title service units by police and measures taken by TKGM, parties of negotiations about non-ethical behaviours are slipped out of the workplaces. Therefore it is getting harder to provide evidence about bribes and corruptions in the workplace.

TKGM has several important problems such as inadequacy of physical conditions in some title service units, inadequacy of qualified personnel, increasing workload, deficiency of salaries, inadequacy of the existing organisational structure, inefficiency and inadequacy of the legal framework, problems in relations with citizens and estate agencies and the negative image of the organisation on the eyes of citizens and media. Some of non-ethical behaviours can rightly be attributed to these problems, while some of them have roots in inherent cultural habits. Table 3 explores the factors which encourage public officials in title services for non-ethical behaviours in five categories.

Table 3. A Categorisation of Factors which Encourage Public Officials in Title Services for Non-Ethical Behaviours

Personal Factors	<ul style="list-style-type: none"> •Lack or inadequacy of information about vocational ethics principles •Lack of a habit to behave in accordance with vocational ethics principles
Cultural and Social Factors	<ul style="list-style-type: none"> •Prevalence of such cultural habits as baksheesh and gift •Social status of the employees •Inadequacy of social utilities provided for the employees
Economical Factors	<ul style="list-style-type: none"> •Insufficiency of salaries and additional payments •Accepting real estate as a tool for investment and rent
Institutional Factors	<ul style="list-style-type: none"> •The weak image of the institution in public opinion •Disadvantageous working environments and working conditions •Heavy workload •Complicated work processes and procedures •Insufficient organisational structure and legal framework •Insufficient ethics training •Ineffective supervision and auditing practices
Factors about Stakeholders	<ul style="list-style-type: none"> •Not bounding real estate sector by legal and organisational restrictions •Encouraging unethical behaviours by some real estate agents and middlemen •Proposing some bribes by business owners in order to speed up the process •Dealing with the some businesses that other public organisations should take responsibility •Increase in workload of various units of TKGM as a result of some decisions and policies of governments and new developments in public administration

Of course the weights of these factors in non-ethical behaviours vary to a great extent. For instance, employees pay more attention to such factors as inadequate social and economical rights of the title service employees in comparison with personnel of other public organisations, heavy workload, low salaries, citizens' wish to make their work done without waiting for their turn and the fact that employees sign under the assignments that require a greater responsibility. On the other hand, they consider relatively less important such factors as existence of estate agencies and mediators, lack of information about vocational ethics and other ethics principles, encouragement by some citizens for non-ethical behaviours in order to fulfil their unfair demands, long time period for title procedures and inadequacy of

legal framework for preventing non-ethical behaviours. An alternative view about important factors comes from top level managers of TKGM in that they perceive real estate and acts of real estate agencies as a more important factor for non-ethical behaviours in title services. They argue that as real estate is a profitable investment tool, mobility in real estate market is always high and this causes intensive workload and queues in title service units. They further claim that citizens tend to force employees to complete their works quickly, to use mediators and real estate agents for this purpose and try to speed up the process by providing some profits. As a result of a perceived lack of a fine basis, corruptive effects estate agencies and other mediators in this process cannot be effectively prevented. However, TKGM strives to take measures to prevent non-ethical behaviours in its service units and thus to restore the negative image of the organisation and to increase citizen satisfaction. These measures can be categorised as utilising information technology, reengineering work in title service units, increasing the effectiveness of inspection and audit functions, efforts at registering real estate agents and some measures about human resource issues.

SUGGESTIONS

The main aim of this study is to find out problems about ethics issues in title services and to provide concrete and applicable solutions. Before presenting our suggestions for solution, it would be useful to make brief evaluations about strategies for solution.

There are two different approaches on the issue of directing public officials to behave in accordance with ethics principles and standards. The first is "rules ethics" approach in which ethics rules are determined together with their sanctions and these sanctions are applied if someone does not act in line with the determined rules. In this way, public officials are "force"d to comply with ethics rules. However, rules ethics are inadequate to lead public officials to behave ethically. For example, accepting gifts are totally forbidden in State Personnel Law (Law Number 657) but this prohibition have not had prevented public officials to accept gifts so far. The second is "virtue ethics" in which virtuous public officials lead to ethical behaviours as a result of their internal motives rather than external rules and inspections. In other words, they would obey ethics principles voluntarily. In order to prevent non-ethical behaviours in title services, measures which are appropriate for these two approaches together should be taken simultaneously. It would be overoptimistic to suggest that non-ethical public officials (Steinberg-Austern, 1996: 79-80) are expected to act ethically without resorting to force in short run. While taking some measures in short term to force title service employees and managers to obey ethic principles is necessary, however, we need further measures to convince them to behave ethically in the long run.

Another significant strategy would be to take measures to wipe out the factors which cause or encourage non-ethical behaviours. As Merton claims that corruption survives in workplaces despite the fact that it is against societal and legal rules and this fact reminds us that it has a hidden function. In other words, if legal and legitimate structures and processes do not exist or are inadequate, new structures and processes fill the gap (Berkman, 1983: 100). In title services, for various reasons, citizen expectations and demands cannot be met adequately and this, in turn, encourages such non-ethical practices as gift and baksheesh. In this way, the personnel who have been provided with some extra profits complete the works of the gift-givers by working hard, and thus the processes are accelerated. The extra profit provided to title service personnel function as a kind of performance-based bonus.

Within the framework of these general explanations, taking into account hitherto presented research findings, our suggestions to improve citizen satisfaction and to prevent non-ethical behaviours in title services are summed up below under the headings of "human resource development and reorganisation", "improving relations with public and with other organisations", "restructuring real estate

sector", "revising legal framework", "utilising information technology", "improving work processes" and "increasing the functions of ethic commission".

Human Resource Development and Reorganisation

First of all, TKGM needs to take measures on changing title service personnel's views about their profession, strengthening their institutional faithfulness, removing their feelings of being lack of a protector, and increasing their morale and motivation. Within this context, it is important to establish an effective problem-solving and communication mechanism.

One of the measures should be taken immediately is to establish a just and adequate salary regime. Title service personnel must be paid in parallel with their responsibilities and their performance, and a balanced salary level must be determined taking both inter-organisational and intra-organisational factors into account. Further, title services personnel should get a share from the revolving capital. Recently, thanks to Law Number 5831 which was enacted on 15.1. 2009, employees and managers working in central headquarters as well as in provinces are given the right of getting a share from their revolving capital until the end of 2012. Although this is a progress in increasing the level of title service personnel, it has not been sufficient for two reasons. First, it is a temporary practice which will end at the end of 2012. Second, it does not establish a relationship between pay and performance.

Another important issue is the need for restructuring TKGM. A revision in the institutional structure and making TKGM an autonomous organisation should be considered. If the organisational structure remains as it is at the moment, more authority must be devolved to lower levels, particularly to the regional offices of TKGM.

In addition, in order to improve organisational and personnel structure, a human resource planning and reorganisation project should be conducted. Within this context, through an organisational analysis, organisational structure of both central and line departments can be revised. The existing organisational structure fails to provide a balance among title service units in terms of both personnel division and workload. Therefore, title service units in some sub-provinces with low population should be abolished. Through work analyses within the context of the proposed project above, duties of each personnel as well as requirements of each position can be determined, work titles can be standardised, the hierarchical structure can be optimised, optimum personnel requirement of each title service unit can be determined, a more balanced division of title personnel among title service units can be provided and the personnel gap in title service unit with heavy workload can be filled.

In order to increase skills and qualities of TKGM personnel, TKGM needs to train the existing personnel and to recruit more qualified personnel, particularly graduates of

law faculties and public administration departments in the near future. Another strategy can be used to fill the qualified personnel gap is to revise title and cadastral affairs schools; making them 4 years, increasing their capacities and appointing their graduates to newly established title experts positions.

To increase morale and motivation of title personnel, TKGM should such measures as improving social rights of employees, betterment of organisational climate and improving the qualities of food and travel services. Within this context, selection of the most successful personnel of the month, setting intra-organisational prizes and giving all personnel one day off in their birthdays and wedding anniversaries would be among suggested best practices. In addition, giving prizes to the personnel with exemplary ethical behaviours could facilitate prevalence of such behaviours.

Another ways to prevent non-ethical behaviours in TKGM is to provide trainings of administrative ethics, vocational ethics and ethics values to all title personnel. For example, in-service training programs should include ethics issues. As the role of title service unit managers in both occurrence and prevention of non-ethical behaviours, TKGM needs to work hard on selection and training of managers as well as equipping them with ethical values.

On the other hand, regarding the fact that erosion in such basic societal values of honesty and straightness contributes to a great extent to increase in corruption and other non-ethical behaviours, an ethical consciousness campaign is needed for the society as a whole not only for public servants. Even, an effective ethics education in various levels of national education system, perhaps beginning with primary schools must be provided in order to make citizens more conscious about ethics issues and t prevent some problems in service provision resulting from citizens. Because, demand and supply dimensions of non-ethical behaviours go hand in hand.

Developing Relations with Public and with Other Organisations

Findings of this research remind once again that TKGM should take further measures to develop good relations with public and other public organisations and make professional works in this direction. Further, changing positively the image of the organisation on the eyes of media, citizens and other organisations must be a priority for the organisation.

In order to put these aims into reality, TKGM must share its organisational culture with the society. It should communicate its organisational culture to media and service using citizens from time to time, particularly the issues which are related with ethics. In this way, recent improvements in ethics culture in the organisation can be learned by media and other stakeholders of the title services and thus institutional image can be improved to some extent. In order to further improve institutional image, TKGM can further take such supplementary measures as establishing comfortable sitting and waiting places for citizens in , making the

service buildings more suitable for requirements of quality title services, holding ethics principles of the organisation to walls of the service units, accelerating the works of establishing an institutional identity for TKGM project, getting citizen demands and complaints more efficiently and assessing them thoroughly and increasing prevalence of security cameras without giving inconvenience to the employees.

In addition, TKGM should regularly inform its service users, in short and brief style, and make more conscious of title procedures in such matters as basic information about title procedures, how citizens should behave when they face non-ethical behaviours in title service units, the fact that they can do title works without using real estate agents and other mediators and what will be their responsibilities if they themselves behave non-ethically. In order to change the negative image of the organisation, TKGM should devote more importance to public relations activities. Various campaigns about informatising people about the organisation and frequently providing accurate information about the organisation and title services to media organisations would contribute to change the negative image of the organisation to a positive one.

In order to remove feelings of TKGM personnel as being lack of a protector and as the government does not value them, inter-organisational and intra-organisational relations and ties should be more developed. For instance, establishing close ties and good relations with such decision-makers as the Prime Minister, Council of Ministers, individual ministers, the undersecretary and vice-undersecretaries and the general manager should be strengthened in order to better make them see the problems of TKGM. Particularly, the guiding ministry of TKGM, Ministry of Public Works should be more involved in a wide number of issues arisen in TKGM, as it would make easier for TKGM to establish better links with other public organisations.

Restructuring Real Estate Sector

Currently, the profession of real estate agencies have not been disciplined and standardised thoroughly. This situation causes unjust competition among real estate agencies and provides advantage for unregistered real estate agents who do not pay taxes vis-à-vis those who are working under registration and are taxpayers. Furthermore, non-ethical behaviours of the former negatively affect the image of all real estate agents. To solve this problem, a draft law prepared by TKGM in collaboration with major associations of real estate agencies about this issue should be enacted. In this way, real estate agents will be standardised, unregistered work will be prevented, trust in real estate agencies will be increased and complaints by managers of title service units towards real estate agencies will be lessened.

An effective way to decrease workload in title service units and to divide responsibility in title services among shareholders is to make mediators in title services as official and make real estate agents as directly responsible for their acts

on the name of their clients. The registered real estate advisors can provide all kinds of title information to their clients and they can do some of the title works. Thus, as real estate agents will be presented in all phases of title procedures, they will also be held responsible in cases of forgery. This system can be put into reality through making TAKBIS system be accessible to real estate agents.

Revising the Legal Framework

Another important means of preventing non-ethical behaviours in title services is to revise legal framework of title services in accordance with new developments and needs of TKGM. Some steps taken in order to improve efficiency, effectiveness and quality of title services and to prevent non-ethical behaviours frequently have been hindered by the existing legal framework. For example, as Civil Code Article 1007 brings heavy responsibilities for title service managers and employees, they tend to check every document they receive in detail. This situation slows down the title procedures to a great extent. To accelerate title procedures, a vocational insurance system should be introduced. In this way, works stresses of managers and employees resulting from heavy responsibilities can be lessened and the responsibility of the treasury can be minimised. However, whether this practice could encourage new kinds of corruption and other non-ethical behaviours should also be taken into account. In addition, a change in the existing legal framework towards increasing the level of punishments for corruption and other non-ethical behaviours could provide relatively more dissuasion. However, it must be kept in mind that implementation of the existing rules are as important as bringing new rules.

Utilising Information Technology

In order to accelerate title services, more utilising information technology and making prevalent such software as TAKBIS which automates title services and decreases the initiatives and powers of employees in title procedures are important, as this kind of software also decrease the chances of non-ethical behaviours. For example, it is not possible to start a new title procedure before completing the existing title procedure. This situation diminishes the tendency to put pressure on a title service employee or to provide a profit in order to accelerate works. However, rapid development of technology requires public organisations to follow the new technology and adapt their existing technology to new ones, as business become faster and easier and capacities to prevent non-ethical behaviours are increased thanks to new technology. For instance, if some documents, such as documents of power of attorneys in written form are taken into on-line form and made appropriate for TKABIS system or identity cards are designed as appropriate for TAKBIS system, forgeries made by identity cards can be prevented more easily. However, taking into account that new technology created new kinds of corruption, data security must become a priority for public organisations. In addition, a data share system between TKGM and such public organisations as Ministry of Justice, Ministry of Interior, Ministry of Finance, municipalities, public notaries and courts

dealing with debt cases would facilitate information sharing among these institutions and would lessen workload in .

On the other hand, payments about title works are currently done in banks which many of them are far away from title service units, in order to keep title service units without any money exchange. Although this practice is useful for preventing corruption, it causes citizen complaints, it slows down title procedures and it causes forgeries of bank receipts. Therefore, a cashier's office could be opened in each title service unit or some mechanisms for on-line money transfer could be introduced to facilitate title payments.

Another monetary problem is that, as there frequently is a lack of confidence between the two parties, money exchange does not happen before the title contract is signed in title service units. Soon after the contract signed, that exchange happens, mostly within title service units. This situation encourages not only thefts and picking pockets but also unregistered money transfer. In some cases, the seller is wronged as the buyer does not make any payments. TKGM could solve this problem through an agreement with one or more banks, in that buyer can deposit the money and the manager of the title service can open the system and authorise money transfer soon after the contract is signed and the money can be included to bank account of the seller. This system would prevent cases of theft as well as unregistered money transfer.

Improving Work Processes

Reengineering work processes in the organisation, simplifying some processes, evaluating various proposals for facilitating the works and implementing the appropriate ones, will weaken the reasons of non-ethical behaviours in title service units. A chief factor which causes such non-ethical behaviours as bribery, gift and baksheesh is the fact that title service procedures are so slow. Simplifying work procedures will increase speed in title service procedures and thus will lessen non-ethical behaviours. Although, in comparison with major European states, title service procedures are quite well in terms of speeding Turkey, it would be possible to further accelerate them through reducing bureaucratic procedures and more utilising information technology.

Increasing Role and Functions of the Internal Audit Unit

63th and 64th articles of Law Number 5018 (Public Financial Management and Control Law) define the Notion of internal audit, regulates the profession of internal auditing and describe roles and mandates of internal auditors. In accordance with this legal framework, an internal audit unit has been established in TKGM and several internal auditors have been appointed.

Internal audit is an activity of guidance and advising which is carried out in order to improve economic, efficient and effective use of resources of the organisation. Internal auditing is carried out by independent internal auditors. By doing so,

internal auditors might play a significant role in improving efforts of the organisation in ethics field. Particularly, they would monitor newly introduced ethical procedures to be well established and may seek way to improve ethical practices within TKGM.

Increasing Functions of the Ethics Commission

In TKGM, works about developing ethics consciousness is quite new and will need time for their maturation. For instance, in accordance with the legal framework, "Ethics Contract" was signed by all TKGM personnel. However, we have witnessed in our interviews that some employees, even some managers too, are not in aware of such a contract, and some personnel have not comprehended its importance despite they have information about it. As works about ethics in the organisation are not developed well, the functions and activities of the Ethics Commission become more important. According to the instructions issued by Prime Ministry Ethics Council for Public Servants, main functions of ethics commissions are developing an ethics culture in their organisations and continuously improving it, providing advice and guidance about ethical problems and dilemmas which public officials in their organisations encounter and to evaluate ethical practices in their respective organisations. In short, ethics commissions do not have an authority for implementation. The instructions foresee that any complaint for non-ethical behaviour by public officials other than the ones which directly Prime Ministry Ethics Council for Public Servants involves will be made to disciplinary committees of their organisations. Although decisions of disciplinary committees about existence of non-existence of a violation of ethic rules are communicated to top managers of the organisation, to the public official which was complained about and to the complaining person, however, they are not shared with public.

Yet, as ethics principles and standards are not disciplinary rules, complaints about violation of ethics principles should not be made to disciplinary committees. If ethics principles are transformed into disciplinary rules, public officials who have violated these rules are punished by the disciplinary committees. However, the only sanction which may be applied to public officials who have violated ethics principles is "to condemn those persons". Therefore, ethics commissions who conduct research and evaluations about ethics principles and determining ethics principles and standards for their respective organisations should be empowered to inspect the cases of violations of thee principles and to apply sanctions for the responsible public officials. On the other hand, like the authority of Prime Ministry Ethics Council for Public Servants to publish its decisions on cases of violation of ethics principles and the names of the responsible public officials, similar decisions taken by ethics commissions should be published on web pages of the organisation. The instructions should be changed in this line.

REFERENCES

- Adaman, Fikret, Ali Çarkoğlu ve Burhan Şenatalar (2001), **Hanehalkı Gözünden Türkiye’de Yolsuzluğun Nedenleri ve Önlenmesine İlişkin Öneriler**, İstanbul: TESEV Yayınları.
- Adaman, Fikret, Ali Çarkoğlu ve Burhan Şenatalar (2003), **İş Dünyası Gözünden Türkiye’de Yolsuzluğun Nedenleri ve Önlenmesine İlişkin Öneriler**, İstanbul: TESEV Yayınları.
- Aktan, Coşkun Can (Ed) (2001), **Yolsuzlukla Mücadele Stratejileri**, Ankara: Hak-İş Yayınları.
- Başbakanlık Kamu Görevlileri Etik Kurulu (2005), **Kanun ve İlgili Düzenlemeler**, Ankara: Kamu Görevlileri Etik Kurulu Yayınları.
- Berkman, A. Ümit (1983), **Az gelişmiş Ülkelerde Kamu Yönetiminde Yolsuzluk ve Rüşvet**, TODAİE Yayını, Ankara.
- Bowman, S. James (2000), "Towards a Professional Ethos: From Regulatory to Reflective Codes", **International Review of Administrative Sciences**, Vol. 66, pp. 673-687.
- Çay, T. ve diğerleri (2005), "Tapu Kadastro Genel Müdürlüğü'nün Yeniden Yapılandırılması Üzerine Bir Çalışma", **TMMOB Harita ve Kadastro Mühendisleri Odası 10. Türkiye Harita Bilimsel ve Teknik Kurultayı**, 28 Mart - 1 Nisan, Ankara.
- Gül, Hasan (2006), "Etik Dışı Davranışlar ve Ussallaştırılması: Devlet Hastanelerinde Bir Uygulama", **Selçuk Üniversitesi Karaman İktisadi ve İdari Bilimler Fakültesi Dergisi**, Cilt: 9, Sayı:10, ss. 65-79.
- Şener, Sami (2007), **TKGM İstanbul Bölge Müdürlüğü'nde Çalışma Performansı ve Kurumsal Projeksiyon**, İstanbul: Deha Danışmanlık, Yayınlanmamış Araştırma Raporu.
- Kaya, Musa ve Metin İpeker (2007), **TKGM Elazığ Bölge Müdürlüğüne Bağlı Taşra Birimlerindeki Sorunlar ve Çözüm Önerileri**, Yayınlanmamış Araştırma Notu.
- Koçak, Süleyman (2005), "Teşkilatımızın Sorunları, Yeniden Yapılandırılması ve Çözüm Önerileri", **Mülkiyet Dergisi**, Sayı 53, ss. 24-25.
- Mataracı, Orhan ve Mustafa İlker (2002), "TAKBİS-Tapu ve Kadastro Bilgi Sistemi", **Selçuk Üniversitesi Jeodezi ve Fotogrametri Mühendisliği Öğretiminde 30. Yıl Sempozyumu**, 16-18 Ekim, Konya.

- Muncy, J.A. and S.J. Vitell (1992), "Consumer Ethics: An Investigation of the Ethical Beliefs of the Final Consumer", **Journal of Business Research**, No. 24, pp.297-311.
- Özsemerci, Kemal (2005) "Türk Kamu Yönetiminde Yolsuzluk ve Yozlaşmanın Kültürel Altyapısı" **Sayıştay Dergisi**, Sayı 58.
- Steinberg, Sheldon S. Ve David T. Austern (çev. Turgay Ergun) (1995), **Hükümet, Ahlak ve Yöneticiler**, Ankara. TODAİE Yayınları.
- Şen, Mustafa Lütfi (2005), "Kamu Görevlilerini Yoldan Çıkararak Bubi Tuzakları: Hediye ve Kişisel Kullanım Amacıyla Yapılan Bağışlar", **2. Siyasette ve Yönetimde Etik Sempozyumu Bildiriler Kitabı**, Sakarya, ss. 361-376.
- Stevens, B. (1999), "Communicating Ethical Values: A Study of Employee Perceptions", **Journal of Business Ethics**, No. 20, pp. 113-120.
- Tapu ve Kadastro Genel Müdürlüğü (2007), **2006 Yılı Faaliyet Raporu**, Ankara: TKGM.
- Tapu ve Kadastro Genel Müdürlüğü (2008), **2007 Yılı Faaliyet Raporu**, Ankara: TKGM.
- Tarhan, Bülent (2006), **Yolsuzlukla Mücadele: Kanunlar, Yönetmelikler, Uluslararası Sözleşmeler, Eylem Planları**, Ankara: TEPAV Yayınları.
- TBMM (2003), **Yolsuzlukların Sebeplerinin, Sosyal ve Ekonomik Boyutlarının Araştırılarak Alınması Gereken Önlemlerin Belirlenmesi Amacıyla Kurulan Meclis Araştırması Komisyonu Raporu**, Ankara.
- Türk İmar-sen Sendikası (2008), **Tapu'da Çalışanların Yüzde 79'una Rüşvet Teklif Edilmiş**, <http://www.turkimarsen.org.tr/content/view/389/56/>, 17.08.2008.
- TÜSİAD (2002), **Kamu Reformu Araştırması**, İstanbul: Lebib Yalkın Yayınları.
- Wong, S. C. K. (1998), "Staff Job-Related Ethics of Hotel Employees in Hong Kong", **International Journal of Contemporary Hospitality Management**, Vol. 10, No. 3, pp.107-115.
- Yıldırım, Arif ve diğerleri (2004), **Tapu ve Kadastro Hizmetlerinde Etkinlik**, Ankara: Başbakanlık İdareyi Geliştirme Başkanlığı.
- Yüksel, Cüneyt (2005), **Devlette Etikten Etik Devlete: Kamu Yönetiminde Etik**, İstanbul: TÜSİAD Yayınları.
- Zimmerman, Joseph (1994), **Curbing Non-ethical Behavior in Government**, Connecticut: Greenwood Press.