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EVALUATION OF THE APPLICATIONS OF SOCIAL SERVICES FOR DISABLED IN TURKEY ON THE AXIS OF HISTORICAL DEVELOPMENT OF SOCIAL POLICY AND LEGAL REGULATIONS

Abstract

The basis of social service practices for people with disabilities in the world and Turkey are social policies and legal regulations shaped by the understanding of the social state. Like all members of the society, it is the responsibility of the states to make policies and legal regulations specific to the needs and problems of disabled citizens. Effective use of the basic constitutional rights, the right to work, the right to fair wages, the right to social security, the right to housing, the right to health and the right to education is the basic condition of social justice. The study, consisting of three parts, aims to evaluate the social work practice regulations for people with disabilities in Turkey with a critical perspective in the context of social policy and legal regulations. In the first part, the development of social policies regarding the disabled in Europe is briefly mentioned and the historical process of development in Turkey is discussed. In the second part, information is given about the historical development of legal regulations shaping social policies for people with disabilities in Turkey. In the third part, current social work practices shaped by the effect of legal regulations for the disabled are evaluated with a critical point of view.

Keywords: Disability, Social Policy, Social Service Practices.

**TÜRKİYE’DE ENGELLİLERE YÖNELİK SOSYAL HİZMET
UYGULAMALARININ SOSYAL POLİTİKA VE YASAL
DÜZENLEMELERİN TARİHSEL GELİŞİMİ EKSENİNDE
DEĞERLENDİRİLMESİ**

Özet

Dünya’da ve Türkiye’de engelli bireylere yönelik sosyal hizmet uygulamalarının dayanağı, sosyal devlet anlayışıyla şekillenen sosyal politikalar ve yasal düzenlemelerdir. Toplumun tüm bireyleri gibi engelli vatandaşların da ihtiyaç ve sorunlarına özgü politikalar ve yasal düzenlemelerin yapılması devletlerin sorumluluğundadır. Sosyal devletin vatandaşlarına sağladığı temel anayasal hakları, çalışma hakkı, adil ücret hakkı, sosyal güvenlik hakkı, barınma hakkı, sağlık hakkı ve eğitim hakkından engelli vatandaşların da etkili bir şekilde faydalanması sosyal adaletin temel koşuludur. Çalışma, Türkiye’de engelli bireylere yönelik sosyal hizmet uygulamalarının sosyal politika ve yasal düzenlemeler bağlamında eleştirel bir bakış açısıyla değerlendirilmesini amaçlamaktadır. Çalışma üç bölümden oluşmakta; birinci bölümde engellilere ilişkin sosyal politikaların Avrupa’daki gelişimine kısaca değinilmekte ve Türkiye’deki gelişimin tarihsel süreci ele alınmaktadır. İkinci bölümde Türkiye’de engelli bireylere yönelik sosyal hizmet politikalarını şekillendiren yasal düzenlemelerin tarihsel gelişimi hakkında bilgi verilmektedir. Üçüncü bölümde ise engellilere yönelik yasal düzenlemelerin etkisiyle şekillenen güncel sosyal hizmet uygulamaları eleştirel bir bakış açısıyla değerlendirilmektedir.

Anahtar kelimeler: Özürlülük, Engellilik, Sosyal Politika, Sosyal Hizmet Uygulamaları.

1. INTRODUCTION

Disability as a universal reality of humanity has been interpreted and lived in various ways in different societies and ages. Changing perspectives on people with disabilities have determined the way disabled people exist in societies. Disability, which was cursed in the European Middle Ages, explained with the influence of ominous and mystical powers, was seen as a burden to the economy in the industrializing world of the 18th century. Throughout history, individuals with disabilities have been at the forefront of the groups that were first discarded during war periods, when there were insufficiencies in their living resources, economic crises and when social problems were intense, and who had a high risk of neglect and abuse.

Disabled people were among the victims of the theory of eugenism, which influenced leaders, scientists and thinkers in the first half of the 20th century, based on the improvement of the human race through the elimination of disabled and sick people and the reproduction of healthy individuals. Braddock reveals the brutal practices of the period on disabled individuals with the statement that "The most extensive applications of eugenism were seen in the period of Hitler fascism and many disabled people, most of whom were mentally disabled, were taken to concentration camps and used as guinea pigs in medical studies" (Braddock and Paris, 2011, cited from Patır: 2012: 17).

The First and Second World Wars, which affect many countries of the world directly or indirectly, causing many social problems to emerge and the existing problems to become more burning, brought about a process in which hunger, poverty and misery for the disabled have deepened and the disabled population in societies has increased. With the devastation caused by the First and Second World Wars to increase the number of people with disabilities, the phenomenon of disability has been reflected in the social life more visibly in societies and has become awaiting a solution.

2. HISTORICAL DEVELOPMENT OF SOCIAL POLICIES RELATED TO THE DISABLED IN EUROPE

The history of humanity, full of wars, massacres, violations of rights and pain, has witnessed the emergence of the protests and demands for right of various groups and masses of people in many different geographies of the world.

Gökmen states that the First and Second World Wars drove millions of young people to the fronts, causing a serious loss of workforce, and this loss was tried to be compensated by women and the elderly, as well as disabled individuals. This situation has led to the acquisition of significant experience in the jobs that disabled people can do and the necessity of scientific business analysis in this regard. The cooperation between people who lost their health and / or limbs in war and anti-war organizations put the issue of the rights of the disabled before all modern societies. (Gökmen, 2007).

As an important achievement of the struggle to seek rights, with the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly in 1948, an international agreement was reached on the fundamental rights of people at the level of law.

Adopted on 6 April 1949 and made public on 27 May 1949 in Turkey, "Universal Declaration of Human Rights" has contributed to the Constitution of the Republic of Turkey. Article 25 of the Universal Declaration of Human Rights has formed an important basis for ensuring the health and welfare of the disabled and ensuring their social security (Akçamete and Kaner, 1999).

When looking at the development of social policies for people with disabilities in Europe, it is seen that individualist approaches based on medical models were dominant until the 1960s. This approach has also influenced the development of social policies towards persons with disabilities. In this process, services in the field of disability were limited to medical care and rehabilitation services, and people were expected to accept their situation and adapt. Barnes et al. argue that in western societies, disability was only limited to function until the 1980s and that the measures taken for the disabled aim to adapt the individual to the society (Karçkay, 2002).

After the 1960s, as a part of human rights movements, with the development of disability rights movements and social models that consider the individual within the context, it has been brought to the agenda to go beyond the medical and rehabilitation approach in terms of disability. In this sense, it has become a necessity to include the disabled individuals and their demands on the political agenda of the countries with the contribution of the Disability Rights Movement. Countries such as the USA, France and the UK brought the problems of disabled individuals, which became both an economic and social problem, to the UN agenda in the 1960s.

These developments have been an important first step in the field of disability rights, when the Declaration of the Rights of the Disabled, adopted by the United Nations General Assembly on December 9, 1975, was the first declaration for disabled individuals. In the declaration, which consists of 13 items, a general framework was determined, including the rights of disabled people to medical, psychological and functional treatment such as health rights, education, vocational education opportunities and social rights such as dignity and participation in social life (UN, 1975).

The year 1981 was determined by the United Nations as the International Year of Persons with Disabilities under the theme of full participation and equality. The decade covering the years 1983-1992 has been declared the "World Disabled Decade". Among the universal regulations regarding disabled people following the United Nations Decision; there were international conventions such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Declaration of the Rights of the Disabled, the European Social Charter, the European Council Decision, and the ILO No. 159 Convention (Gökcan, 2011).

In Turkey, when we look at the development of policies relating to disability and disabled, although the impact of developments in the world is not denied, it is seen that the first foundation was laid during the Ottoman Empire.

In the Ottoman Empire, until the end of the 19th century, there was no mention of an educational activity for the disabled, the School for Deaf and Dumb was opened in Istanbul in 1889 and in the same building a "School for the visually impaired" was opened in 1891 (Gündüz, 2014). The statement from Evliya Çelebi's Travel Book, "The Deaf and Mute people can reach the level of apprenticeship, journeyman and even mastership, according to the professional knowledge they have acquired in the guilds within the Ahi organization" is an example of the efforts made by various organizations to enable disabled individuals to take part in the economic and social life of the Ottoman society.

The "School for the Blind", which has been serving visually and hearing impaired people in Istanbul for more than 20 years since 1891, was closed in 1912, and a dark period was experienced in special education from this date until 1921. A school named "İzmir Private Institution for the Deaf and the Blind" was opened in 1921 and served between 1924 and 1950 under the Ministry of Health and Social Aid (Akçamete and Kaner, 1999).

During the Ottoman Empire period, Darülaceze institution (hospice) was opened in 1896 for the orphans, the sick, the elderly and the disabled as well as the educational institutions for disabled children. It should be noted that health, social assistance and practices aimed at including individuals with disabilities through various foundations, hospitals and bimarhaneler (old Turkish hospitals) have an important place in the historical process.

The transition period from the Ottoman Empire to the Republic period is the years when our society started to gain the consciousness of being a citizen rather than a subject, and started to recognize the country's administration, democracy, scientific education and human rights in intellectual and institutional terms. This period, when services were perceived and offered as a right beyond philanthropy, brought along positive developments in terms of social services and services provided to disabled individuals in our country.

The year 1951 is a milestone in the development of social policy for the disabled in Turkey. While the activities related to the disabled until the 1950s continued as medical care, special education services, which were previously affiliated with the Ministry of Health, were transferred to the Ministry of Education. The main reason for this change is the realization that the issue is not just a health issue, and the fundamental policy changes in the direction that more emphasis should be placed on the education dimension (Özgökçeler and Alper, 2010: 41).

By the transfer of special education institutions to the Ministry of National Education, enabling the disabled to participate in the education life in line with their special needs represents an important development in the policies for disabled individuals.

In 1951, the School for the Blind was opened in Ankara. In 1963, upper special classes for gifted people were opened in Ankara and Istanbul. In 1969, Children Primary School who are difficult to educate in Istanbul, and the Orthopaedic Disabled School in Ankara in 1974 were put into operation (Gökcan, 2011).

As in other countries, studies for disabled people in our country have gained momentum after the 1980s. The National Coordination Board for the Protection of the Disabled was established in 1981 in order to coordinate and monitor the services for the disabled. The rights of the disabled were guaranteed in the 1982 Constitution (ADP, 2009).

In 1983, the "Children in Need of Special Education Law" was enacted and entered into force. In addition, the "Special Education and Guidance Department" was established in the Ministry of National Education, which includes guidance services. With the Social Services and Child Protection Institution Law that entered into force in 1983, the establishment duty of "Care and Rehabilitation Centres" was given to the Social Services and Child Protection Agency. In the same year, the Law on Children in Need of Special Education came into force (Gökcan, 2011).

The establishment of the General Directorate of Social Services and Child Protection in 1983, the realization of social service as a professional activity is an important development in terms of providing social services to individuals in need of social services in a more systematic and principled manner. Services for the disabled were carried out under the General Directorate of Social Services and Child Protection Agency established on the basis of Law No. 2828. In 2011, all assets, personnel and service areas of the Social Services and Child Protection Agency were transferred to the Ministry of Family and Social Policies. Since then, Social Services and Child Protection Agency has pioneered the institutionalization of social services and professionalization of the profession and practice in Turkey.

3. HISTORICAL DEVELOPMENT OF SOCIAL POLICY AND LEGISLATION ESTABLISHING A BASIS FOR SOCIAL SERVICES FOR DISABLED PERSONS IN TURKEY

Speaking directly from social policy and legislation for people with disabilities in Turkey, it is necessary to touch upon the main pillars of the 1961 and 1982 Constitutions.

The 1961 Constitution, as a constitution in which the principle of the social state was adopted for the first time and in which fundamental rights and freedoms were given a wide and systematic place, included all segments of society. Article 50 under the heading of Providing Education has formed a basis for Special Education Regulation and therefore Special Education

services with the statement "The State takes the measures that will make those who need special education beneficial to the society" (Constitution of the Republic of Turkey, 1961).

"In 1976, the law numbered 2022 was enacted to provide unemployed disabled people and elderly people over 62 years of age with a certain income. In 1971, by making changes in the Labour Law numbered 1475, 2 per cent quota was granted to the disabled. Thus, some progress has been observed in the education, rehabilitation, employment of disabled people and providing a certain income for the unemployed until the 1980s, albeit partially" (Gökmen, 2007).

The 1961 Constitution paved the way for institutional services for disabled individuals, especially in the field of education, as an important development in terms of bringing the social state understanding and rights-based service provision to the agenda in our society. However, the constitution, which was suspended with the military coup of 1980 and abolished with the 1982 Constitution, did not exist for a long time enough to convey its content, which gives a wide place to social rights, to large segments of society.

The clause "everyone is equal in the eyes of the law without discrimination due to language, race, color, gender, political opinion, philosophical belief, religion, sect and similar reasons" in Article 10 of the 1982 Constitution, which is still valid though does not directly point to individuals with disabilities, but it has a meaning that includes the whole society and therefore also the disabled individuals. Taking measures to ensure the protection of crippled citizens which is still referred to as "disabled" in the Constitution, and their adaptation to social life (Article 61), and Article 42, which obliges the state to take measures that will make those who need special education beneficial to the society due to their circumstances, constitute the basis for the services to be offered to disabled individuals (Constitution of the Republic of Turkey, 1982).

Until 1996 in the Inspection Report of the Administration for Disabled People, it is stated that a separate law has not been enacted for disabled individuals in Turkey. The report states that the issues regarding the disabled are included in the international laws, the constitution and in laws on social services and benefits, health, education, business and local governments issued based on this. These laws contain provisions on the disabled through the Regulation on the Employment of the Disabled dated March 16, 1987, the (old) Municipal Law No. 1580 of 1930, the (old) Special Provincial Administration Law No. 3360, Public Health Law No. 1593, Maritime Labor Law No. 854, Labor Law No. 1475, Law No. 657 on Civil Servants, Law No. 2022 on Paying Salary To Needy, Weak and Orphaned Turkish Citizens Over 65 Years Old, and Social Services and Child Protection Agency Law No. 2828 (ADP, 2009).

It is known that the first direct institutional organization for the disabled in Turkey, is the Administration for Disabled established by the Decree Law No. 571 dated 30.05.1997, based on the Law No. 4216 dated 03.12.1996. The decree includes a wide range of duties such as to ensure cooperation and coordination among relevant institutions and organizations in the prevention of disability, education, employment, rehabilitation, social adaptation and other issues to follow the developments in institutions and organizations operating for the disabled. Besides, it includes carrying out examinations and researches on the issues related to disabled people, ensuring the collection of statistical information and the creation of a database, preparing projects on this subject, examining, evaluating and implementing the projects,

following international developments regarding disabled people, monitoring and evaluating the implementation of treaties and conventions in our country, examining the draft laws, bylaws and regulations and proposals regarding the disabled, giving opinions and preparing proposals in this regard. In addition to these duties, a wide range of tasks such as creating awareness and responsibility on the basis of public and local administrations in the field of disability, cooperating with voluntary organizations and local administrations, preparing joint projects and supporting the projects presented, carrying out broadcasting and promotion activities via visual and written media and making educational films are also included (ADP / Decree Law, 1997: 571).

Gökcan mentions that this legal regulation, which aims to gather social services under one roof, brings along an application that does not comply with the purpose of the Social Services Law No. 2828, adopted on 24.05.1983. This practice is the fact that the Administration for Disabled People and the General Directorate of the Status of Women, which plan the needs of disabled individuals and the services to be provided to them, were established under a separate roof (Gökcan, 2011).

He criticized the fact that the determination and implementation of social service policies for persons with disabilities and their families, as one of the important application areas in the field of social work, developed outside of the social workers serving within SHÇEK, in terms of breaking away from the systematic and expert execution of services for the disabled.

While discussing the development of legal regulations and practices for disabled individuals after the 1980s, it is also necessary to mention local governments.

Especially the municipalities, whose powers and resources increased after 1980, added also social municipal practices to technical and mechanical municipalism after the 1990s. These practices include social assistance and social services for the disadvantaged segments of the society. Disabled people have started to receive the services required to meet their needs from the social assistance and social services of the municipalities. Until the 1990s, disabled groups were mostly associated with the local units of the central government, today they are increasingly included in the service activities of local governments, especially municipalities (Kesgin, 2014: 10).

Considering the types of care services of the Disabled Law No. 5378 adopted on 01.07.2005, in the context of participation in social life and equality, habilitation and rehabilitation services, preventive services for early diagnosis and diagnosis of diseases that may cause disability and existing disabilities, opportunities for the disabled to make occupational choices, occupational habilitation / rehabilitation and employment services for creating employment areas and equal participation in education and training and special a wide range of services, including educational evaluation services that evaluate the training need, draws attention. In the provision of this service, the Ministry of Family and Social Policies, the Ministry of Labour and Social Security, the Ministry of National Education, the Ministry of Culture and Tourism, Universities, the Turkish Language Institution and Local Governments are also responsible (Law No. 5378).

Within the scope of the 13th article of the Disabled Law No. 5378, the phrase "social and vocational rehabilitation services are also provided by the municipalities. Municipalities cooperate with public education and apprenticeship training centres, when deemed necessary

during the provision of these services. The expressions such as “in the event that the rehabilitation request of the disabled cannot be met, the disabled person receives the service from the nearest centre and the relevant municipality pays the amount determined in the budget instruction every year to the centre where the service is purchased” impose responsibility on local governments (Law No. 5378 Article 13). In this context, the responsibility of providing reasonable arrangements for the transportation and accessibility of disabled people in urban living areas and preventing individual, social and economic exclusion has been placed on local governments as well as many institutions and organizations. This has brought the importance of disability to the agenda within the scope of local social policies.

Another law that forms the basis for the services of local governments for the disabled is the Municipality Law No. 5393. According to Article 77 of the Law No. 5393, the municipality; in order to ensure solidarity and participation and to increase efficiency, savings and productivity in services in the town implements programs for the participation of volunteers in terms of health, education, sports, environment, cultural services, social services and assistance, library, park, traffic and services for the elderly, women and children, the disabled, the poor and the needy (Law No. 5393).

Today, the importance given by local governments to the accessibility of disabled individuals to various services and social facilities in transportation, infrastructure and landscaping varies greatly according to the sensitivity in their management understanding, budget possibilities and the level of expressing the demands of the disabled people. In municipalities operating by prioritizing a democratic management style, Local Agenda 21 Disabled Rights Councils, which are structured within City Councils, are valuable mechanisms in terms of enabling disabled people and their families to exist by expressing their own demands and needs in the city administration. Participation of persons with disabilities and their families in management processes is of great importance in order to increase the quality of life and social functionality of persons with disabilities and their families and to encourage them to use their rights and resources.

Another important development underlying services offered to people with disabilities is the Convention on the Rights of Persons with Disabilities envisages the full and equal enjoyment of human rights and freedoms of persons with disabilities, which was signed on 30 March 2007 by the Republic of Turkey. Convention was approved by the Law No. 5825 adopted Turkey's Grand National Assembly on 3 December 2008 and it was published in the Official Gazette on 27.05.2009 and has gained in terms of binding Turkey as of 28 September 2009 (Official Gazette, 2009). The definition of "discrimination based on disability" finds expression in accordance with the content and spirit of the Turkish Penal Code No.5237, with the prohibition of disability discrimination and definition as a crime in the legislation. In case of discrimination based on disability in the acts determined in the Law No.5237, criminal sanctions are foreseen. In terms of "reasonable regulation", the legislation; It stipulates organizing educational environment and materials and workplaces for disabled people and providing the necessary tools and equipment so that rights such as employment and education can be used by the disabled (Official Gazette, 2009).

It is also necessary to mention the perspective of development plans, one of the arrangements giving direction to social services policy in Turkey, towards disabled individuals.

Development plans gain importance in the context of social work practices in that they direct governments' policies in the field of economy, education and employment as well as in the field of social services. In Turkey, the use of resources more effectively and efficiently and to ensure services are coordinated execution created, starting with the 1963-1967 period, five-year development plans, especially discourse on policies for people with disabilities since the 90s and the level of service became more sensitive and a process of increasing awareness.

In the Forth Five-Year Development Plan (SPO, 1979), covering the years 1979-1983, "providing social services and social assistance to the elderly, disabled, orphans, children in need of protection, young people with social problems, people with disabilities and other disabled groups, for this purpose, establishment and development of nursing homes, nurseries, rehabilitation and other social service facilities will be provided by the establishment of a social services institution that will collect these services in a single hand" is written. This statement shows that in those years Turkey was still inadequate in terms of social policies and planning regarding issues such as defining disadvantaged individuals and providing them with care and protection.

While the V. and VI. Five-Year Development Plans focused on assistance, care, protection and employment issues prioritizing children, the elderly and the disabled and the term "disabled" continued to be used in these plans.

When it comes to the years 1990-1994; it is seen that the VI. Five-Year Development Plan (SPO, 1990) puts the emphasis on "ensuring equal opportunities" especially in terms of education and employ. Within the scope of article 915, it is aimed to encourage foundations and private sector initiatives in the construction of rehabilitation centres and social facilities for the disabled and to improve the capacity of existing services .Although this planning includes the phrase "handicapped", it is observed that the concept of "disabled" has a wider use, but the emphasis on "equality of opportunity" in services indicates that an awareness of the human rights of persons with disabilities has begun to occur. The World Action Program for the Disabled, which was adopted in 1982 after the declaration of 1981 as the International Year of Persons with Disabilities, has been effective in these developments.

The Council Recommendation on the Employment of Persons with Disabilities at the European Community Level on 24 July 1986 and the HELIOS (1988-1992) and HELIOS II (1993- 1996) programs' contribution to the process is important. On 20 December 1996, a decision was made by the UN Council and government representatives on "equal opportunities for the disabled", and in this direction, a communiqué titled "Equal Opportunities for the Disabled - The Community's New Disability Strategy 1996" was published. This communiqué reflects the approach put forward by the United Nations Standard Rules for Persons with Disabilities. This strategy emphasizes the necessity of defining the barriers faced by disabled people in all areas of social life and the elimination of the obstacles that prevent disabled people from enjoying equal opportunities (Engellilik, 2018).

With the VIII. Five-Year Development Plan (SPO, 2001), the principle of "mainstreaming" was been included in the plan and aimed to ensure that inclusion schools, where children needing special education would receive education together with children with normal development, had space, equipment, personnel and program flexibility and to support the initiatives of the private sector in this field. In that period, it was stated that active and

passive employment policies preventing unemployment and increase qualifications would be implemented for the disadvantaged groups in the society, including the disabled. In addition, increasing the accessibility and quality of public transport services for urban transportation was among the targets. It is striking that the plan pays attention to the use of "disabled", except for the use of the phrase "defective" to meet the definition in the legislation. In the context of services, the goals of equating disabled individuals with other citizens in terms of participation in all areas of life are remarkable.

In the IX. Development Plan (SPO, 2007), it is stipulated to provide equality of opportunity for disabled people in the labor market, to meet the educational needs of disabled children in rural areas and to facilitate their access to education.

Articles 147 and 148 of the X. Development Plan covering the period of 2014-2018 aim at equality of opportunity in education and strengthening the physical and human infrastructure of private educational institutions. Article 273, on the other hand, emphasizes the achievement of previously determined goals in terms of home care, education and employment support for the disabled, and states that the need to make the physical.

4. CURRENT SOCIAL SERVICE PRACTICES FOR DISABLED PEOPLE

According to the results of the "Turkish Disability Survey" commissioned by the Directorate of the Prime Minister's Office of Disability Administration to the State Statistical Institute, the rate of the disabled population in the total population is 12.29%. Accordingly, 8.431.937 disabled individuals are living in our country (TÜİK, 2002: 6). Considering that disability is a problem that affects not only the person who has the problem, but also his family and his immediate environment, it can be said that the number of individuals who have social, economic and psychological problems in our society due to disability can rise up to three times the number of disabled individuals. In this context, the quality of the services provided to the disabled in our society and the life satisfaction of the disabled have an important place for the happiness of the other members of the society. Witnessing the difficulties experienced by the disabled individuals with whom we live together in business life, on the street, in corporate services and in all areas of life makes other individuals unhappy and causes despair and pessimism about the future and the value given to human. When the "Problems and Expectations of the Disabled" survey conducted with the disabled individuals registered in the National Disabled People Database established by the General Directorate of Disabled and Elderly Services is evaluated, it is observed that the most important expectations of the disabled are about 61.22 % monetary contribution, 9.55 % employment expectation, 3.51% legal rights defense and 4.12 % expectation of home care and treatment services (TÜİK, 2010: table 15).

Republic of Turkey, providing certain economic contributions to people with disabilities because of the responsibilities its being a social state. Disabled individuals receive disability pension (2022 pension), needy pension and home care pension. Of these pensions, the 2022 pension is given by the Social Assistance and Solidarity Foundation. This pension is a financial right given to disabled people without social security with a disability rate of at least 40 percent or more and whose age is over 18 or to people having a disabled relative under the age of 18. Needy pension is paid in accordance with the provisions of the "Regulation on Foundations" published in the Official Gazette dated 27.09.2008 and numbered 27010. This pension is given by the General Directorate of Foundations to needy people with a disability of 40 percent or more and needy children under the age of 18 without a mother or father. Home care pension is a

cash support provided by the Ministry of Family, Labor and Social Services to those who take care of the disabled individuals who cannot take care of themselves without the help of another person. This disability pension is given for disabled people with a disability rate of 50 percent or more and in whose medical board report "Severely Handicapped" is written (MFLSS GDSA, 2021).

The pension for the disabled does not change the fact that they are dependent on others. In some cases, the relatives of the disabled may feel obliged to make false statements in the fear of losing their current opportunities or in hopes of gaining other opportunities. Because the relatives of the disabled who have to take care of the disabled, have to make great sacrifices and most importantly, they experience economic difficulties because they are deprived of the opportunity to do another job. On the other hand, when disabled people are left in a care institution, they feel unhappy because they are separated from their families and their limited social environment. For this reason, either their relatives who will take care of the disabled should be trained in a way that they can provide a professional care service within the limits of possibilities, or a care staff should be assigned by the Ministry of Social Policies to provide home care services. The shortcomings of institutions that provide care services to the disabled should be eliminated according to the conditions of the time, and the employees of the institution should be continuously trained through planned in-service trainings. More importantly, institutions should be constantly inspected in all respects.

In addition to paying monthly pension for disabled individuals, there is a disability discount in income tax, exemption from special consumption tax when buying a vehicle, exemption from motor vehicle tax and exemption from property tax when purchasing a house. Besides, exemption from value added tax when purchasing special vehicles and equipment produced in accordance with their disabilities, and customs tax exemption are provided when importing vehicles and equipment specially produced according to the type of disability.

There are also certain discounts and rights provided by public institutions for disabled citizens. First of all, citizens with disabilities of 40 percent or more are given disabled ID cards so that they can quickly benefit from all public and private aids included in the legislation. Speech and hearing aids, prosthetics, free wheelchairs, accommodation, food and cash assistance are provided to disabled individuals by Social Assistance and Solidarity Foundations. Municipalities make reductions in water consumption fees and ferry fees for disabled citizens, and for them public transport services are offered free of charge.

While aid campaigns for people with disabilities, on the one hand, contribute to the disabled economically, on the other hand, it underlines that they are individuals who need the help of other members of the society in order to survive. For this reason, instead of carrying out such campaigns for the disabled, it is a better attitude to tell both the disabled and the whole society that the disabled have the same rights as other people in the society and that these rights are guaranteed by international agreements and laws signed by the state. Because when this is not done, the disabled both accept that they are helpless people more easily and make it easier for other members of the society to perceive the disabled as not equal with them. Thus, the disabled are seen as helpless and needy people who cannot stand on their own feet, are excluded from social life and imprisoned in the houses they live in. Therefore, instead of organizing campaigns for them, it is an important necessity to accept disabled people as individuals who can contribute to the society in which they live, after making all the necessary arrangements for

them to participate in social life without any barriers, removing all the obstacles in front of them and meeting all their needs.

Certain regulations have been made and are still being made to ensure that disabled people are employed in both public and private sectors. As a result of the exam held by the government for the disabled, the State Personnel Office employs the disabled at public institutions. According to the Labor Law 2003/4857, it is a legal obligation for public sector workplaces employing 50 or more workers to employ at least 4 percent and private sector workplaces employing at least 3 percent disabled people. In addition, the insurance premiums of the disabled employees employed by private companies employing more than the legal rate of 3 percent, are paid by the state. However, in addition to the regulations made in order for the disabled to continue their lives in a manner worthy of human dignity, first of all, they should be seen as independent individuals and employment opportunities for them should be increased more.

Social services offered by central administrations for disabled individuals in Turkey are organized and provided by the General Directorate of Services for the Disabled and the Elderly under the organization of the Ministry of Family and Social Policies established with the Decree No. 633 dated 03/06/2011. On 08/06/2011, the General Directorate of Disabled and Elderly Services was established by merging the Disabled Care Services Department and the Elderly Care Services Department under the General Directorate of Social Services and Child Protection Agency and the Directorate of Administration for Disabled People. Later, the name of this general directorate was changed to "General Directorate of Disabled and Elderly Services" with the Law for Disabled 2013/6462.

The General Directorate Services for Persons with Disability and the Elderly Services is a public institution affiliated with the legal entity of the Ministry of Family and Social Policies, which carries out its activities in cooperation with relevant institutions and organizations in order to encourage the disabled to exercise their rights and to develop policies and services for the disabled. In this context, in the administrative services in Turkey, the disability dimension is aimed to include to the state's overall planning tools with a holistic approach and in addition, action plans are prepared in priority areas determined within the framework of the basic problem areas faced by disabled people and are reflected in the implementation (MFLSS GDSPDE, 2021)

In this context, the legal regulations that form the basis of the services are the "Convention on the Rights of the Disabled" decided to be approved on 27/5/2009 and the Law on the Disabled entering into force on 1.7.2005. With the amendment dated 25/4/2013, the phrase "malformed" was replaced with the phrase "disabled" in the law. the disabled person was defined as "the person who has difficulties in adapting to social life and meeting their daily needs due to the loss of physical, mental, spiritual, sensory and social abilities for any reason, congenital or subsequently and in need of protection, care, rehabilitation, counseling and support services" (Law for Disabled, 2005/5378).

Within the scope of the law, under the heading of support and care, the necessity of providing psychosocial support and care services for the disabled people in accordance with their situation in order to be able to live independently in their environment is stated. In the provision of support and care services, the biological, physical, psychological, social, cultural

and spiritual needs of the person are taken into consideration, taking into account the family as well. The studies required for the standardization, development and dissemination of support and care services are under the responsibility of the Ministry of Family and Social Policies (Law for Disabled, 2005/5378).

One of the main goals of the social state is to ensure the participation of disabled individuals in every stage of social life. For this purpose, in order for disabled people to have access to certain rights offered to healthy individuals and to be provided the certain services to them, in some cases, albeit with the influence of the EU, many regulations are made in Turkey. The new buildings of the Credit and Dormitories Institution are built without ignoring the disabled, and individuals with 40 percent or more disabilities are given priority in dormitory and scholarship applications. In addition, disabled people receive discounts for their entrance to national parks, nature protection areas and natural parks, and museums and archaeological sites. People with disabilities can watch the plays of the State Theater for free.

Free travel right from the services of the Ministry of Family and Social Policies for disabled individuals is an important service in terms of the presence of the disabled in social life and benefiting from transportation facilities. From this service, "disabled Turkish citizens who document that they are disabled for 40% or more with a medical board report and also the severely disabled citizens themselves and only one companion traveling with them can benefit". State Railways of the Republic of Turkey, for people with disabilities gives the opportunity to free ride on all lines, including high-speed trains (Free or Discounted Travel Card Regulation, 2014). However, the application is insufficient to ensure the right to safe and independent transportation for the disabled, and the physical conditions of the road and transportation vehicles should be arranged in an appropriate way that the disabled can use, taking into account all types of disability. Unfortunately, most of the buses in Turkey are not regulated in an appropriate manner for disabled guests. Certain studies and arrangements are made on transportation, but unfortunately, the current situation falls behind the desired level, as instantaneous solutions are usually produced to solve the problem. Besides, making arrangements for transportation and removing the obstacles will contribute to the solution of the employment problem of the disabled as well.

The inability of disabled individuals to benefit from education opportunities sufficiently causes them not to be able to participate in social life sufficiently. A school was opened within the Istanbul Commerce School in 1889 for the education of hearing-impaired children, but unfortunately this school was closed after thirty years. In the last periods of the Ottoman Empire, a private school for the deaf and the blind was opened in Izmir in 1921, and this school, which continued to provide education until 1950, was later transferred to the Ministry of Education. Then, the educations launched for disabled within the scope of the guidance of American education experts invited to Turkey in 1955 under the Marshall Plan, it could not be long-lasting. With the "Law on Children in Need of Special Education" numbered 2916, enacted in 1980, the framework of how to give education to disabled children was drawn. However, the principles of special education were redefined with the law numbered 3797 enacted in 1992 to eliminate the deficiencies observed with the implementation process (Kargin, 2003).

Considering that the services provided for private individuals in education and rehabilitation centers are ultimately an educational service, these centers, which were previously serving under the General Directorate of Social Services and Child Protection, were transferred

to the Ministry of National Education in 2006. Individuals with disabilities who are decided by the Counseling Research Centers to be in need of special education can receive education services according to the disability group in special education schools established to serve the disabled in all provinces. The expenses of these private schools opened by private individuals are paid by the Ministry of National Education. The transportation of disabled students attending special education classes by public transportation is provided by the cooperation of the Ministry of Labor, Social Services and Family and the Ministry of National Education. A suitable environment is created for disabled students to be comfortable in their exams. According to the needs, appropriate question booklets are prepared by considering the type of disability of the individual taking the exam. For example, exams of students with orthopedic disabilities are held in buildings with elevators or in classrooms on the ground floor, exam questions of visually impaired students are written in Braille Alphabet and they are given additional time and additional points.

However, unfortunately, despite all the regulations and well-intentioned efforts, it is known that not all disabled people can access qualified education opportunities due to various reasons. In Turkey, to ensure that students with disabilities receiving education with other students, inclusive education is applied for those who are deemed appropriate among students with disabilities. Unfortunately, most of the disabled students who are entitled to receive this training have to endure verbal and physical abuse, humiliation and exclusion. Worst of all, such attitudes are demonstrated not only by the students, but also by the students' families and even the classroom teacher. Sometimes, both parents and classroom teachers put pressure on disabled students to make them leave the classroom they have education (İHA, 2014).

Though social policy and legislation for disabled citizens are continuously developed since the 1960s in Turkey, it can be seen from current practices that what has been done is not enough and that there is still a long way to go. In addition to social policies and legal regulations for disabled people, they should be given the necessary respect and understanding in order to encourage them to take part in all areas of social life. Positive discrimination should be applied to disabled people in order to make them more visible in social life. To reduce the number of new births with disabilities, health services provided to citizens should be increased even more before, during and after pregnancy, and continuous health screenings should be carried out. Individual and problem-specific solutions should be found for people with disabilities. All kinds of social living spaces should be made accessible and usable in a safe and easy way for people with disabilities.

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