Artificial Intelligence and Emerging Technologies in Türkiye: Legal Adaptation from a Constitutional and Public Law Perspective[1]

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Abstract: The integration of artificial intelligence technologies into public administration in Türkiye is examined through a public law lens that encompasses both constitutional principles, particularly fundamental rights and democratic values, and administrative governance, including public policy and service delivery mechanisms. The use of AI in public institutions should be regarded not merely as a technical advancement but as a structural transformation concerning democratic governance, fundamental rights, and legal accountability. The article evaluates the tense relationship between algorithmic decision-making systems and the principles of the rule of law through concepts such as legality, transparency, accountability, and the prohibition of discrimination. The study analyzes shortcomings in the current legal framework in Türkiye in comparison with the European Union's Artificial Intelligence Act (AI Act), and discusses the potential impacts of international trends on Türkiye. It argues for guiding technological progress in alignment with constitutional values and the principle of safeguarding the public interest, emphasizing the need for a social justice-based, participatory, and democratic regulatory approach. Reflecting on these findings, the article proposes a legally grounded and ethically oriented regulatory framework that promotes fairness in algorithmic decision-making and strengthens equal access to public services.

Keywords: Artificial Intelligence, Public Law, Constitutional Review, Algorithmic Justice, Regulation, Public Service, Social Justice, AI Act, Türkiye, Technological Governance

1. Introduction

Since Heraclitus famously declared that "the only constant is change," this inevitability has been recognized as one of the most fundamental laws of social life, encompassing transformations at both individual and institutional levels. Historically, the study of human history has been characterized by a focus on the evolution and transformation of individuals, societies, and modes of production, aiming to clarify both the narrative and its comprehension. This process has been significantly accelerated by technological developments, which have influenced nearly every domain from production methods to structures of governance.

Although change has consistently shaped human history, its pace and impact on social structures have varied significantly over time. Historical transitions; from agrarian to feudal societies, and subsequently to capitalism, have unfolded with progressively increasing speed. The Industrial Revolution, in particular, marked a pivotal acceleration in this trajectory. Among all phases of societal evolution, technological transformation stands out as the most rapid and wide-reaching. However, this rapidity cannot be viewed in isolation; it is closely intertwined with simultaneous ideological and political shifts at the global level (Güneş, 2024).

Technological transformation, particularly in its contemporary, rapidly evolving manifestations, represents not only an instrumental advancement but also a complex and multilayered process that fundamentally reshapes social relations, modes of production, legal frameworks, and the individual's structural relationship with the state. Technological and societal changes are not merely parallel developments; rather, they are dialectically interconnected, continuously shaping and being shaped by each other. This reciprocal dynamic underscores the profound intricacy of the current transformation process. In the twenty-first century, emerging technologies such as artificial intelligence (AI), the

[1] In this article, the term *constitutional law* is used in reference to fundamental rights, constitutional principles, and the separation of powers, whereas *public law* is employed in a broader sense, particularly to address issues related to public policy and the organization and provision of public services. The simultaneous use of both concepts is therefore intentional, as each offers a distinct yet complementary legal perspective within the scope of the study.

Internet of Things, big data, and robotics have posed unprecedented legal, economic, and social challenges, thereby necessitating comprehensive and forward-looking regulatory responses.
Nevertheless, given the uneven pace of development and deployment of such technologies across nations, their impacts are neither homogeneous nor uniformly experienced. Therefore, each country confronts unique challenges in adapting to this transformation. Within this context, the present study critically examines the adequacy of Türkiye's current constitutional and legal frameworks in addressing these emerging technological advancements.
Recent advancements in AI and digital technologies are profoundly transforming public administration, the operational dynamics of the state, and the safeguarding of fundamental rights. Within the legal framework of the Republic of Türkiye, most notably the 1982 Constitution, the Law on the Protection of Personal Data (Law No. 6698), the Law on Regulation of Publications on the Internet (Law No. 5651), and other relevant public law legislation, the extent to which this transformation has been assimilated warrants comprehensive scrutiny. This study assesses the readiness of Türkiye's constitutional framework and public law norms to accommodate AI technologies. Utilizing up-to-date legal texts obtained from mevzuat.gov.tr, the research undertakes a normative evaluation and a comparative analysis vis-à-vis pertinent European Union (EU) regulations. Additionally, the study advances policy recommendations aimed at guiding Türkiye's prospective harmonization efforts.
Indeed, emerging AI technologies constitute not merely a technical transition but pose a profound challenge to constitutional frameworks, fundamental rights, and public governance structures. Ranging from autonomous decision-making systems to data-driven models of public administration, these innovations increasingly test the limits and adequacy of existing legal regimes. Consequently, Türkiye's legal infrastructure requires a thorough reassessment, encompassing both constitutional principles and the institutional dimensions of public law, to ensure its capacity to address and regulate these transformative developments.

2. Social Transformation, Technology, and Legal Adaptation

Despite variations in the development and infrastructural readiness of technological systems across countries, it is possible to assert that social transformation unfolds in a comparable and parallel manner. Within this context, such transformation, as observed in all other forms of societal change, primarily originates and evolves through shifts in the relations of production, subsequently compelling changes in the public sphere. The contradiction arising from the parallel progression of social transformation alongside technological development reflects Marx's (1990) analysis of the inherent tension between the 'forces of production', including technology, labor, and resources and the 'relations of production,' which encompass the social and economic relationships within production processes." The discord generated by advancements in production technologies not only disrupts the production process itself but also engenders fractures within the political and legal superstructures.
Every historical epoch marked by a leap in productive forces has introduced not only new technologies but also new class configurations, struggles for rights, and forms of social organization. Accordingly, technological change should not be conceived merely as a technical advancement; rather, it constitutes a comprehensive process of social transformation with profound political, legal, and ethical implications. Although approaches to social transformation vary, it is broadly accepted that three major waves of transformation have occurred. These stages can be delineated as the transition from agrarian society to feudalism, the establishment of capitalist production relations following the Industrial Revolution, and the rise of an information- and service-based labor regime accompanying digitalization. In the twenty-first century, technologies such as artificial intelligence, genetic engineering, big data analytics, and the Internet of Things (considered new instruments of capital accumulation) are often conceptualized as the fourth wave of transformation (Schwab, 2016). In this context, the fourth wave not only disrupts the means of production but also fundamentally unsettles labor structures, property relations, and the functioning of public law, with these upheavals increasingly taking on a global dimension.
Alvin Toffler (1980) theorizes major societal transformations as occurring in three distinct waves; agricultural, industrial, and informational,each marking a historical rupture in human civilization.

However, the fundamental contradiction underpinning these changes, namely the persistent antagonism between labor and capital, remains intact, rendering the notion of a complete rupture untenable. Despite all the "innovations" offered by the digital age, technological development increasingly serves as an instrument of domination in the hands of capital. Digitalization not only enhances productivity but also produces tools for monitoring, surveillance, and the devaluation of labor (Zuboff, 2019). It can be argued that similar processes, particularly in terms of surveillance, control, and the creation of self-regulation mechanisms for both individuals and society, are operative within social life. While law has always reflected existing production relations, and its transformation is linked to changes in economic relations (Marx, 1976: 20), it is evident that law, particularly the Constitution and its associated regulatory frameworks, lags behind these transformative processes and struggles to keep pace. In this context, despite the evolution of productive forces, legal systems often continue to rely on outdated class balances and forms of domination.

A similar situation can be observed in the context of Türkiye, where the evident structural lag remains a significant challenge. In particular, the existing legal framework, anchored by the 1982 Constitution, proves inadequate in regulating the societal impacts of artificial intelligence technologies. It fails to provide effective responses to emerging issues such as individual freedoms, privacy rights, algorithmic decision-making processes, and public data security. Despite the increasing demands for a new constitution and a growing consensus on its necessity across diverse discussion platforms, the debate must move beyond a mere adaptation to technological developments. It should critically examine whose interests these technological transformations ultimately serve. Accordingly, the role of law should not be limited to accommodating this transformation or merely regulating new power relations; it must also interrogate these relational structures and ensure a just distribution of benefits. Otherwise, debates surrounding the rule of law and public trust in justice will persist as perennial societal concerns.

3. Constitutional Framework and Fundamental Rights Related to Artificial Intelligence

The increasing influence of technological transformations, particularly artificial intelligence technologies, in the public sphere necessitates a reexamination of constitutional rights not only in theory but also in practical terms. Core rights such as the protection of personal data, privacy, freedom of expression, and the prohibition of discrimination have become directly intertwined with algorithmic decision-making processes due to technological advancements. While certain regulatory efforts exist in Türkiye to address these issues, such as the Law on the Protection of Personal Data No. 6698 (KVKK, 2016), the Law on Regulation of Publications on the Internet No. 5651 (2007), and the Electronic Communications Law No. 5809 (2008), these regulations predominantly function as sector-specific or administrative measures and have yet to be integrated into a cohesive constitutional normative framework. In particular, constitutional regulation—or that of a future constitution—must prioritize fundamental rights and ensure their central and authoritative role in governing the relationship between citizens and the state, especially within the realm of artificial intelligence and digitalization.

Throughout history, no power has been able to sustain itself by resisting change, particularly technological advancement. In Türkiye, statements made by certain political actors within the executive branch opposing such developments (Bianet, 25.04.2025) must not be allowed to exert a negative influence on legislative processes. Instead, the necessity of legal regulations should be reinforced and communicated through clear, collective responses that prevent the normalization of such approaches. The potential of new technologies, such as artificial intelligence, to generate rights violations increasingly challenges the established boundaries of constitutional rights and freedoms. While the Constitution of the Republic of Türkiye guarantees fundamental rights and liberties, it must also provide a clear perspective on how these rights should be interpreted under the new conditions of the digital age. Accordingly, the fundamental rights affected by artificial intelligence must be addressed at the constitutional level, and the adequacy of the existing normative framework must be subject to rigorous scrutiny. In this regard, it is useful to examine several key issues, including the protection of personal data, the prohibition of discrimination and the principle of neutrality, freedom of expression, and censorship.

3.1 Protection of Personal Data

The third paragraph of Article 20 of the 1982 Constitution explicitly guarantees the protection of personal data: “Everyone has the right to demand the protection of their personal data.” The right to privacy and the protection of personal data, as set forth in Article 20, constitute one of the fundamental rights directly affected by artificial intelligence technologies. The amendment introduced in 2010 specifies that personal data may only be processed “in cases stipulated by law” and “with the explicit consent of the individual.” However, this constitutional safeguard does not provide sufficient protection in practice. Most artificial intelligence systems operate through massive datasets derived from individuals' digital traces, and these processes often proceed without the explicit consent of data subjects. KVKK represents a significant step in this domain, yet it does not offer a comprehensive regulatory approach that fully accounts for the data-driven logic of AI systems and thus lacks effective mechanisms of enforcement in practice. In contrast, the European Union’s General Data Protection Regulation (European Commission, 2016) introduces innovative legal instruments such as the “right to object” to algorithmic decision-making, the “right to a reasoned decision,” and protections against profiling. In Türkiye, there has been no comparable development at the level of constitutional interpretation or judicial precedent. In this context, the boundary between the right to privacy and digital surveillance is becoming increasingly blurred, allowing AI algorithms to intrude upon both the public and private spheres of the individual while the normative guarantees provided by the Constitution remain insufficient. Indeed, violations of privacy are no longer merely technical issues but have evolved into structural problems that threaten individual autonomy and subjective integrity.

Although the Constitutional Court has issued several decisions regarding data security through individual applications (Constitutional Court, 2021), these rulings constitute only a limited body of jurisprudence and indicate that a systematic approach to digital rights has yet to be developed. Therefore, Türkiye's constitutional framework must be restructured in alignment with the realities of the digital age and reinforced from a perspective that prioritizes the protection of individual rights and freedoms in the face of technological advancements.

3.2 Prohibition of Discrimination and the Principle of Neutrality

The increasing integration of artificial intelligence systems into decision-making processes necessitates a reconsideration of the scope of the traditional prohibition of discrimination. Article 10 of the Constitution states that “Everyone is equal before the law without distinction as to language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such grounds.” (Official English translation, Republic of Türkiye Constitution, 1982). This provision guarantees not only individuals’ equality before the state but also the equal implementation of public policies. However, although algorithmic decision-making systems operate based on ostensibly neutral data sets, they often embed structural biases that may violate this principle of equality.

Since algorithms are structures that learn from data, if the datasets they are trained on contain historical inequalities or distinctions based on race, gender, or socioeconomic status, these systems may reproduce such biases. Indeed, various international examples demonstrate that women candidates have been systematically excluded during recruitment processes, that credit scoring algorithms have disadvantaged ethnic minorities, and that predictive policing algorithms have disproportionately targeted certain neighborhoods (Eubanks, 2018: 59-61, 76-79, 103-107; O'Neil, 2016: 68-70, 92-94, 125-130).

In the context of Türkiye, constitutional oversight and regulatory mechanisms regarding algorithmic neutrality have yet to be fully developed. Neither the 1982 Constitution nor the relevant legislation includes provisions that explicitly define or limit the potential discrimination embedded in algorithmic decisions. As a result, decision-support systems or digital service infrastructures employed by public institutions may be implemented without adequate transparency and accountability mechanisms. This situation risks undermining the constitutional principle of equality through indirect means enabled by technological tools.

In order for the prohibition of discrimination to be effectively applied in the digital age, the principles of *explainability* and *accountability* with respect to algorithmic processes must be constitutionally

guaranteed. The European Union's Artificial Intelligence Act Proposal (European Commission, 2024) serves as a significant example in this regard. Türkiye, likewise, needs to develop constitutional regulations in this direction. Otherwise, artificial intelligence systems will further deepen technical complexities. When the supposed neutrality of algorithmically produced decisions leads to outcomes that reproduce inequality in social reality, these processes must, pursuant to Article 10 of the Constitution, be subject to judicial and public scrutiny. In this respect, algorithmic equality should be addressed not merely as a technical concern, but as a constitutional obligation.

3.3 Freedom of Expression and Censorship

Article 26 of the Constitution states: "Everyone has the right to express and disseminate their thoughts and opinions by speech, in writing, in pictures or through other means, individually or collectively." This provision places freedom of expression—one of the cornerstones of a democratic constitutional order—under constitutional protection. However, the widespread adoption of digital technologies has not only transformed the ways in which this right is exercised, but has also led to the emergence of new forms of intervention and censorship mechanisms. While social media platforms control the flow of content through algorithms, states have increasingly established direct or indirect control over these platforms, thereby creating new avenues of pressure on freedom of expression (Gillespie, 2018). In particular, Law No. 5651 and the associated practices of content removal and access blocking have created a serious tension between the right to freedom of expression and the state's regulatory authority. In this context, freedom of expression should be considered not merely as an individual right, but also as a critical safeguard for preserving the democratic character of the digital public sphere (Balkin, 2018). In the context of Türkiye, the use of AI-supported content filtering systems to make decisions about what is considered "inappropriate" or "harmful" through algorithms results in censorship operating in non-transparent ways and complicates judicial oversight. Although the Constitutional Court has found in some individual application rulings that such interventions are incompatible with the democratic social order, the systematic nature of digital censorship diminishes the effectiveness of constitutional safeguards (Constitutional Court, 2022). Digital censorship is not merely a technical regulatory issue; it is a political matter directly related to the scope, limits, and protective mechanisms of freedom of expression at the constitutional level. Therefore, the current constitutional framework in Türkiye must possess normative clarity regarding the transparency, proportionality, and legal accountability of digital content regulation.

4. Evaluation from the Perspective of Public Law and the Administrative System

The integration of new technologies such as artificial intelligence into public administration is not merely a technical modernization process; it also constitutes a transformation that produces structural consequences for the functioning of the constitutional state. The increasing role of algorithms in decision support systems, resource allocation, citizen interaction, and the delivery of public services has brought about challenges concerning compatibility with the fundamental principles of public law. In this context, especially foundational principles of public law, such as legality, generality of authority, judicial review, transparency, and accountability, must be reassessed in relation to algorithmic systems (Binns, 2018).

4.1 Algorithmic Decision-Making Processes and the Redefinition of Administration

The use and proliferation of new technologies such as artificial intelligence and algorithmic systems in public administration significantly alter the nature of administrative procedures and the role of the administration. While decision-making processes in traditional public administration are generally human-centered and bound by legal norms, the use of AI-based algorithmic systems automates decision-making processes, reducing human intervention and increasing the speed of these processes (Kummitha, 2020). In Türkiye, it is known that algorithmic systems have started to be used in various digital services, particularly within the scope of e-Government[2] applications. For instance, data analytics and algorithms

[2] In Türkiye, **e-Government** – the digitalization of public administration and services – has expanded rapidly in the last two decades, reshaping the relationship between citizens and the state.

are employed to determine beneficiaries in social assistance programs. However, these practices raise new questions concerning transparency and accountability (Erdem, 2021).

The use of algorithmic decision-making systems and their integration into public administration particularly necessitate the redefinition of the administration's scope of authority and responsibility. For instance, the legal nature and scope of oversight over administrative procedures involving algorithmic decisions remain unclear. The explainability of how and with which data algorithms make decisions directly affects individuals' access to legal remedies. Therefore, transparency of AI-supported administrative decisions and the clear presentation of their justifications are imperative from the perspective of legal certainty (Yılmaz, 2022). Furthermore, incorporating algorithmic systems into administrative decision-making processes increases the state's responsibility, particularly through its public authorities, to ensure compliance with principles of impartiality and equality. Automated decisions may reflect biases, and discriminatory effects present in existing data sets.

Therefore, algorithmic decision-making processes in public administration must be structured in a manner consistent with legal and administrative norms. Achieving this requires updating legal regulations and implementing the principles of transparency and accountability in administrative practices. Otherwise, the use of artificial intelligence in public services will lead to the infringement of individual rights alongside existing legal uncertainties.

4.2 Equality and Accessibility in Public Services

The integration of new technologies such as artificial intelligence into public services offers positive gains like efficiency and speed in the state's delivery of services to citizens; however, it also brings significant risks regarding equality and accessibility. During the development and implementation of algorithmic systems, particularly the needs of socially and economically disadvantaged groups are often overlooked, leading to new forms of discrimination in access to public services. This situation especially exacerbates inequalities in digital literacy and infrastructure access. Considering issues such as infrastructure deficiencies in Türkiye, injustices in accessing new technologies, and the neglect of digital literacy, the gravity of the situation becomes more apparent.

Although the digitalization process in public services in Türkiye accelerated with the e-Government Gateway project initiated by the Prime Ministry in 2004, infrastructure deficiencies and disparities in digital literacy levels in disadvantaged regions have posed significant barriers to equal access to services during this process (Public Informatics Platform, 2021). Rural areas and the elderly population, in particular, face considerable difficulties in accessing services offered by new systems, which further deepens inequality. Moreover, although Law No. 7194, enacted in 2019 to promote digital transformation in public services, emphasizes the use of artificial intelligence and digital technologies, it lacks provisions that concretize standards for equality and accessibility. This situation reveals a structural deficiency that especially hinders disabled individuals and socially disadvantaged groups from benefiting equally from public services.

From a legal perspective, although Article 10 of the Constitution of the Republic of Türkiye stipulates that "everyone is equal before the law without discrimination on grounds of language, race, color, gender, political opinion, philosophical belief, religion, sect, or similar reasons," it is difficult to assert that artificial intelligence applications fully reflect this principle. Structural issues, such as the lack of transparency in algorithmic systems used in administrative procedures and the inability to effectively oversee decision-making processes, complicate the detection and prevention of discrimination (Akyüz & Yıldırım, 2022).

In the process of digitalizing public services in Türkiye, addressing the equality and accessibility dimensions of artificial intelligence applications more explicitly and effectively within constitutional and legal frameworks appears to be not only a requirement for technological advancement but also essential for ensuring social justice.

5. Regulation and Legal Governance Models

The widespread adoption of new technologies such as artificial intelligence in the public sector can be defined not only as a technical transformation but also as a process that restructures political and legal power relations. This transformation increases the state's capacity for oversight in its relationship with citizens while simultaneously challenging assumptions regarding the administration's supposed "neutrality." However, the existing legal infrastructure in Türkiye does not appear to possess a normative framework capable of addressing this transformation. Therefore, including a new constitution, regulation must be constructed within a model that prioritizes public interest, takes social inequalities into account, and guarantees democratic participation, rather than conforming to market-oriented governance patterns (Zuboff, 2019). This approach will not only determine the direction of regulatory preferences but also indicate the orientation of the choices to be made. Hence, it is possible to argue that it is not the regulation itself but its orientation that will constitute the key decision.

This orientation will shape how legislative gaps related to artificial intelligence in Türkiye are addressed. Whether the regulation will constitute a legal framework that prevents arbitrary administrative practices and guarantees citizens' fundamental rights, or merely ensure the continuation of the current state of affairs, remains to be seen.

As an example of regulation, the European Union's Artificial Intelligence Act, adopted in 2024, although framed within a neoliberal context aligned with its internal dynamics and existing role, is significant as a point of comparison for Türkiye. However, adapting these regulations to Türkiye is only feasible by taking into account the country's unique political structure and authoritarian tendencies.

Artificial intelligence regulation must be based not only on technical standards but also on an understanding of the political nature of law, the risk of reproducing inequalities, and democratic accountability. In this regard, it will be beneficial to address both the legislative gaps in Türkiye and the potential impacts of international trends on the country.

5.1 Gaps in Artificial Intelligence Legislation in Türkiye

The development of artificial intelligence technologies in Türkiye is largely shaped by private sector-driven initiatives and the government's digitalization strategies. However, the legal infrastructure supporting these developments appears significantly lacking from the perspective of fundamental rights and freedoms. Furthermore, there is currently no comprehensive legal framework in Türkiye that specifically regulates artificial intelligence. Existing regulations either remain limited within the scope of general data protection principles (such as the Law on the Protection of Personal Data, No. 6698) or consist of abstract norms that fail to keep pace with the rapid technological advancements.

Türkiye's "National Artificial Intelligence Strategy," published in 2021, primarily focuses on neoliberal development goals such as entrepreneurship, competition, and efficiency, while failing to adequately emphasize social equity, a rights-based approach, and principles of democratic oversight (Presidency of the Republic of Türkiye Digital Transformation Office, 2021). Therefore, Türkiye urgently requires not only a technical and economic but also a legal and ethical framework for artificial intelligence regulation.

The legal gap in Türkiye obstructs the transparency, accountability, and oversight of algorithmic decision-making systems used by the private sector and especially public administration. Considering that algorithms are effectively utilized in areas such as directing access to public services, distributing social assistance, migration policies, or judicial oversight, this legal gap is not merely a technical deficiency but a structural problem with class-based and political consequences (Eubanks, 2018). When combined with Türkiye's authoritarian tendencies, AI applications further increase the risk of citizens being surveilled, profiled, and discriminated against. This situation reflects not only a lack of legal regulation but also a broader political crisis manifested in weak oversight mechanisms, the exclusion of civil society from decision-making processes, and the erosion of judicial independence (Akdeniz, 2020).

5.2 International Legal Trends and Their Potential Impacts on Türkiye

The increasing significance of artificial intelligence technologies in social life has brought not only a technological transformation but also a need for restructuring in terms of the principles of the rule of

law. In this context, at the international level, the European Union's Artificial Intelligence Act (AI Act), which came into effect in 2024, stands out as the first comprehensive binding regulation on artificial intelligence. This regulation categorizes algorithmic systems according to risk levels, imposing stricter oversight mechanisms and transparency obligations on high-risk applications (European Commission, 2024). This development enables the redefinition of public intervention amid the increasingly sharp tension between the economic interests of technology companies and the rights and freedoms of individuals.

The rights-centered approach of the AI Act naturally affects not only countries within the EU but also those in close interaction with the union due to economic, legal, and technological ties. Türkiye, due to Customs Union relations and mutual recognition processes of digital services, falls within the indirect sphere of influence of the AI Act, even if not directly. However, Türkiye has yet to establish a systematic and binding legal framework specific to artificial intelligence, and the existing legislation is largely shaped by incentives for the private sector and an emphasis on entrepreneurship (Republic of Türkiye Ministry of Industry and Technology, 2021).

Another important dimension of international regulations is that they are not limited to technical standards and oversight tools, but also encompass ethical principles and a social justice perspective. The Recommendation on the Ethics of Artificial Intelligence, adopted by UNESCO (2021), highlights principles such as human dignity, privacy, prohibition of discrimination, environmental sustainability, and cultural diversity. Incorporating these values into AI governance mechanisms holds the potential to prevent the further deepening of social inequalities.

When examining the digitalization policies and strategic documents implemented in Türkiye, neoliberal goals such as competitive strength, domestic software production, and technological superiority in the global market are predominantly prioritized; public oversight, citizen participation, and rights-based governance principles are regarded as secondary (Kurt, 2023). This situation creates a significant gap both in terms of the democratic legitimacy of technology and the establishment of social justice. Particularly, the widespread use of algorithmic decision-making processes in public services, combined with a lack of legal oversight, carries the risk of deepening class inequalities and discrimination among citizens.

Türkiye's compliance with international artificial intelligence law should be considered not merely as a technical or economic necessity but also as an essential step for the creation and maintenance of a democratic constitutional system. This compliance must be achieved not only through external pressures but also through a governance approach focused on social demands, societal needs, and public benefit.

6. Conclusion and Recommendations

The rapid proliferation of new technologies and artificial intelligence technologies in the 21st century is causing profound transformations not only in production relations but also in the organization of public services, citizen-state relations, and the functioning of the law. This transformation is not merely a technical development; it also entails the reshaping of forms of political power, the distribution of public resources, and the accessibility of fundamental rights. Therefore, regulations related to artificial intelligence are not only texts that pave the way for innovation but also political documents in which constitutional principles, the public interest, and social justice are redefined. Consequently, the integration of artificial intelligence technologies into public administration poses significant challenges to the fundamental principles of classical public law, such as legality, limitation of authority, transparency, accountability, and judicial review through administrative courts.

The process of adapting to new technologies and artificial intelligence technologies in Türkiye is largely managed through a market-prioritized, investment-incentivized, and entrepreneurship-focused discourse, which relegates the democratic oversight of technology and citizens' rights-based participation to a secondary status. The administration of public services through digital tools, rather than facilitating access to services, carries the risk of producing new forms of inequality among citizens due to algorithmic disparities, data-driven discrimination, and non-accountable automated systems.

In Türkiye, the legal and regulatory framework concerning artificial intelligence is still fragmented, sectoral, and reactive in nature. This situation not only hinders the fulfillment of constitutional obligations but also complicates integration with evolving international legal norms. Drawing on pioneering regulations such as the European Union's AI Act, the aim should be to establish a public ethic that centers not only on technological oversight but also on the protection of human dignity, respect for fundamental rights, and the assurance of democratic legitimacy, thereby taking artificial intelligence beyond mere market logic.

In this context, Türkiye needs to develop a legal governance model that not only invests in technology but also regulates it for the public interest, safeguards citizens' rights, and centers labor. Democratic oversight of artificial intelligence technologies can only be achieved through a public deliberation process that involves not just technical experts but also organized workers, citizens, and social opposition. This governance approach, mandated by the constitutional principles of the social state, equality, and human dignity, is also a fundamental prerequisite for the social legitimacy of technology.

In conclusion, it is essential for Türkiye to move away from a market-centered approach in its strategies and regulations concerning artificial intelligence technologies and adopt a social justice–based legal and governance paradigm. This paradigm shift offers not only an opportunity to update the constitution or constitutional law but also to build a more egalitarian, libertarian, and democratic social structure.

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