

**MEZOPOTAMYA  
DİSİPLİNLERARASI ÇALIŞMALAR DERGİSİ**

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**MESOPOTAMIA  
JOURNAL OF INTERDISCIPLINARY STUDIES**



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## Amaç ve Kapsam

*Mezopotamya Disiplinlerarası Çalışmalar Dergisi*, yılda iki defa (Haziran ve Aralık) yayımlanan Uluslararası erişime açık bilimsel akademik bir dergidir. Dergide sosyal bilimler alanındaki makalelerin yanı sıra inter/multidisipliner makalelere de yer verilmektedir. *Mezopotamya Disiplinlerarası Çalışmalar Dergisi*'nin amacı, sosyal bilimler alanına geniş bir perspektiften yaklaşp disiplinlerarası karşılaştırmalı çalışmalara önem vermektir. *Mezopotamya Disiplinlerarası Çalışmalar Dergisi* bünyesinde; Arkeoloji, Coğrafya, Çeviri, Çocuk Edebiyatı, Dilbilim, Edebiyat, Eğitim Bilimleri, Ekonomi, Felsefe, Gazetecilik, Halkla İlişkiler, Hukuk, İlahiyat, İletişim, İktisat, İşletme, Kamu Yönetimi, Maliye, Muhasebe, Müzik, Psikoloji, Rehberlik, Reklamcılık, Resim, Sanat Tarihi, Sinema, Siyaset Bilimi, Sosyoloji, Spor, Tarih, Turizm, Yabancı Dil Eğitimi, Yönetim ve Organizasyon gibi sosyal bilimler alanına giren her türlü akademik çalışmaya, derleme ve kitap tanıtımlarına yer verilmektedir. Belirli bir konuyu kapsayan özel sayının yayınlanmasına, Yayın Kurulunun salt çoğunluğu ile karar verilir. Yayınlanmış yazının tamamının tekrar yayın hakkı derginin iznine bağlıdır. Daha önce, ulusal ya da uluslararası kongre ya da sempozyumlarda sunulmuş ve özeti yayımlanmış çalışmalar, bu nitelikleri belirtilerek gönderilebilir. Yayın ücretsizdir.

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*We would like to thank all our instructors for their contributions and wish them well in their studies.*



**MESOPOTAMIA: JOURNAL OF INTERDISCIPLINARY STUDIES**





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## THE IMPORTANCE AND AUDITING OF CARGO AND FREIGHT INSURANCE IN THE MARITIME INDUSTRY



Assoc. Prof. Dr. Mehmet YEŞİLYAPRAK<sup>1</sup>   
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Keywords	Abstract
Audit Control Insurance Logistics Maritime Risk Transportation	The processes of maritime trade and insurance, which developed in an integrated manner with each other, made serious progress as of the 19th century. With the impact of globalization, cost concerns and protection of the rights of the parties in international trade transactions have become increasingly important, and in this direction, maritime transportation, which is seen as the most effective in terms of both cost and volume, has begun to be preferred. The widespread use of maritime vehicles has contributed to the development processes of maritime trade and insurance activities and positive results have been achieved on the world economy. Products subject to commercial transportation by ship are separately protected against all existing and/or possible internal and external risks with the relevant provisions of the insurance policies, taking into account their technical characteristics before and after departure and also until the destination. In this study, using the literature review and legislation research method, it is aimed to emphasize that there is a strong link between maritime transportation and insurance processes, which covers the stages of logistics in the maritime sector, which is an important part of foreign trade transactions, and ensures safer exports and imports. In this context, it will be explained by whom and under what conditions the insurance should be made, and it will also be questioned whether the process and application stages of maritime trade are carried out under control or not, whether they are auditable or not.
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### INTRODUCTION

Nowadays, commercial enterprises have focused more on foreign trade activities due to the current domestic and international economic conditions. In this context, they have started to submit their sales and guarantee forms simultaneously during product sales. These sales and guarantee forms determined by the International Chamber of Commerce (ICC) prevent possible disputes that may arise between the buyer (importer) and seller (exporter), ensure that trade is carried out in accordance with the determined standards, and clearly determine the limits of liability of the parties.

It is very important that information exchange continues quickly and sustainably in order to prevent possible disputes or reduce the impact of the current problem arising from the dispute. As in

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all sectors, information sharing in the insurance sector is important in national and international integration.

The performance of enterprises in the transportation sector is highly sensitive to fluctuations in earnings and the pricing of transportation services. The main factors affecting the profits of businesses are fuel costs, labor costs, service demand, geopolitical events and relevant legal regulations. These factors contain risk elements depending on the type of business, its sector, and the geopolitical situation of the country in which it operates.

The concept of insurance plays an important role as an economic measure to eliminate the financial losses that businesses may incur in the event of a danger or risk. Risk covers all risks in general, can cause financial harm to the insured person and cause financial demands if it occurs in the insurance sector. It is used for dangers and situations that may give rise to the right to be present.

The transportation sector is an important sector of the economy that deals with the movement of people and products. Marine insurance is of great importance in the transportation and insurance sector, which is shaped over time according to the needs of the relevant parties. In transportation processes, marine insurance must be handled separately and independently from other transportation processes due to its unique characteristics. Although risk processes differ from other transportation risk processes, the legislation applied in marine insurance is also internationally accepted and implemented. Therefore, in case of possible disputes, internationally accepted standards, principles, legal regulations and guarantees are taken as basis.

For legal and practical reasons, security is of great importance in the transportation sector. For security plans and processes to be effective, the business must have security policies and procedures. In the transportation industry, businesses are audited for safety policies, equipment maintenance and legal compliance.

Transportation auditing, carried out by authorized organizations, covers a range of services from control to consultancy, certification and quality assurance in businesses. Transportation audit activities include observation, testing, analysis and evaluation studies to be carried out systematically in order to ensure that certain elements of a business are protected within the framework of quality and safety principles, standards and legal regulations.

## **1. FEATURES AND IMPORTANCE OF MARITIME TRANSPORTATION**

Maritime transportation is a type of transportation that started with the introduction of water by human beings and has great importance at the international level. According to all written sources, maritime first started with the condition of loyalty to the coast, and the types of ships built by human beings were entirely based on manpower and wind power. Later on, serious progress was made with the discoveries of the compass and binoculars. The first type of transportation used in maritime was the transportation vehicle made by combining bundles of reeds and wide-mouthed jars. Afterwards, human beings adopted the exact processes for transporting people and started to produce rafts.

Transportation is one of the most important determinants of the progress and expansion of countries' economic processes. For this reason, it is important to establish a strong political network for the countries that engage in maritime transportation and have maritime fleet investments to transit from other countries. For the continuity of ship trade, the ships produced by the relevant countries must be commercially and politically peaceful while passing through other countries due to their flags. (Güler, 1998). Countries that dominate maritime trade have made investments in naval fleets trade, even in landlocked countries, in order to have a reputation in international trade.

Since the maritime sector has a very important role in international transportation, the maritime sector makes serious contributions to the rapid development of the economies of the countries that invest in this field. Maritime transportation is the most economical one among existing transportation systems. It is the only method used for the transportation of products, especially those with large volumes and tonnages, from one country to another. For this reason, it is seen as a type of transportation that dominates the world economy.

Nowadays, it is observed that economic recessions are deepening around the world. The most important effects of this recession are political uncertainties such as the Russia-Ukraine war and China-US tension in the post-global pandemic period (Covid-19). According to OECD (Organization for Economic Cooperation and Development) "Global Outlook" report published in June 2023, the economic negativities experienced in the markets with low growth and high inflation, a limited growth of 1.6% on an annual ton basis is estimated in global maritime trade in 2023. In this context, Turkish maritime ranks 14th in the list of countries controlling the world's largest fleet (1000 GT<sup>3</sup> and above) with the number of 1700 Turkish-owned ships and a carrying capacity of approximately 40 million DWT<sup>4</sup> (IMEAK Maritime Sector Report 2023).

Table 1. World Trade and World Maritime Transport

World Trade and Maritime Routes Transportation	2016	2017	2018	2019	2020	2021	2022 (A)	2023 (E)	2024 (E)	10 Year Trend	5 Year Trend
Maritime Trade Per Capita											
World Maritime Trade (billion tons)	11,14	11,6	11,91	11,97	11,58	11,96	11,88	12,06	12,39	1,6%	0,2%
World Population (million people)	7,46	7,55	7,63	7,71	7,8	7,88	7,95	8,03	8,11	1,1%	1,0%
Trade Tonnage (Per Capita)	1,49	1,54	1,56	1,55	1,49	1,52	1,49	1,5	1,53	0,5%	-0,8%
Bulk Cargo Transportation (Per Person)	1,07	1,10	1,11	1,09	1,03	1,05	1,04	1,04	1,06	0,1%	-1,2%
Container Transportation (Per Person)	0,21	0,22	0,23	0,23	0,23	0,24	0,23	0,22	0,23	1,2%	-0,5%
Maritime Transport Multipliers											
World Maritime Transportation Development	3,0%	4,2%	2,7%	0,5%	-3,3%	3,3%	-0,7%	1,5%	2,8%	1,6%	0,3%
World GDP Development	3,3%	3,8%	3,6%	2,8%	-3,0%	6,0%	3,4%	2,9%	3,1%	3,0%	2,4%
Maritime Transportation/GDP Multiplier	0,91	1,10	0,74	0,17	1,11	0,55	-0,2	0,5	0,89	0,55	0,11
World Trade (billion tons)											
World Maritime Transportation	11,14	11,60	11,91	11,97	11,58	11,96	11,88	12,06	12,39	1,6%	0,2%
World Trade Volume (Whole modes)	12,95	13,56	13,99	14,00	13,27	14,04	14,1	14,32	14,8	1,5%	0,2%
World Transportation Maritime Rate	86%	86%	85%	86%	87%	85%	84%	84%	84%	85%	85%

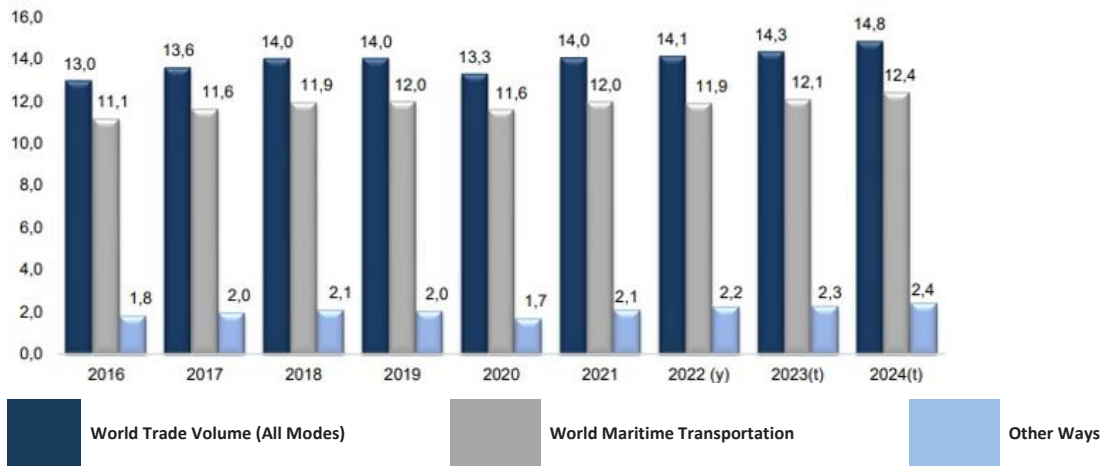
Source: Clarksons Research February Seaborn

The figures recorded in Table 1 are approximate (A) data for 2022. The dates 2024 and 2023 consist of estimated (E) data. Trends based on averages up to and including 2022 are the compound average growth rate over the period. As seen in the Table 1, "*Maritime Trade per Capita*" is higher than other types of transportation.

<sup>3</sup> Gross Tonnage: Frequently abbreviated as GT, G.T. or gt. It is a unitless indicator of the total internal volume of the ship.

<sup>4</sup> Deadweight Tonnage: Shows the load the ship can carry. This cargo includes: the weight of the cargo carried, the weight of the fuel, the weight of fresh water, the weight of ballast water, the weight of provisions, the weight of the crew and their belongings.

Chart 1. World Transportation by Transport Modes (Billion Tons)



Source: Clarksons Research February Seaborn

Chart 1 shows "**World Transportation by Transport Modes**". According to uncertain datas for the end of 2022, the world trade volume is 14.1 billion tons. and 11.9 billion tons of this trade is transported by sea. As can be seen, maritime transportation has a large volume in the transportation sector compared to other sectors. How much of this size is supported by the insurance sector is explained in more detail in the third part of the study.

## 2. MARITIME INSURANCE

The first step in maritime insurance was seen as merchants loading different ships with the same goods, taking into account the possible theft, piracy and other threats on ships carrying goods, and aiming for the other ship to arrive if one of them does not arrive.

The first written insurance contract and written law were seen in maritime transportation. The first written insurance practice in its most modern form was created by the Italians in the 12th century under the name "Consolto de Mare" (Varışlı, 2015). As maritime trade gained great importance in the 12th century, maritime transportation insurance started to be covered by providing coverage in return for premiums. (Gezginci, 2012). The most powerful maritime transportation in terms of the first commercial dimension are known as Greek, Phoenician and Roman sailors. When the ships going on a voyage or the products to be transported were delivered to the port of transportation, the price of the goods and also a interest were given to the owner of the product as a loan. In this case, if the ship could not reach the relevant port for various reasons and/or the cargo could not be delivered to the relevant person, the debt obligation of the merchant whose ship or goods were damaged was eliminated (Yorulmaz, 2009).

As in all sectors, international integration of country legislation and practices is important. Marine insurances are similar due to the close relationship between maritime risks and trade. Fast and sustainable exchange of information between sectors and integration between countries are also very important in terms of preventing possible problems or reducing the impact of the current problem. (Chao & Chou, 2019) However, in shipping processes, marine insurance needs to be handled separately and independently from other shipping processes due to its unique characteristics. Risk processes of maritime transportation differ significantly from other transportation risk processes. For example, since the legislation applied in marine insurance is prepared in accordance with international practices, provisions and guarantees called "Clause" abroad are taken as basis in case of possible disputes. Another issue is that in marine insurance, the insurer undertakes to pay compensation in case of damage during the policy period (Yazıcıoğlu, 2005).

### 2.1. Property Insurance in Maritime Transportation

Property insurance is a type of insurance with a defined framework for cargo owners and/or owners. This insurance aims to protect the cargo itself during the transportation of the cargo. Insurance provides protection against physical damage that the cargo may suffer during the transportation



process. For example, shipwreck, maritime accidents, theft, fire or damage are included in this scope. Property insurance protects cargo owners financially from losses and damages that may occur during transportation. The insurance policy covers situations where the cargo is secured from the beginning to the end of the transportation process. For example, if the products a company exports by sea fall into the waters as a result of a ship accident, property insurance covers this damage (Dagli & Miniero, 2018).

In such insurance policies, although the goods shipped seem to be insured, the interests of the policyholder are actually insured. If the relevant risk occurs, the loss compensation and the realized damage amount are paid to the policyholder. The amount assigned during the insurance policy becomes a loss when the event occurs. The policy validity period is valid until the starting and ending point, not the starting and arrival time (Özkan & Karayazgan, 2016).

For cargoes subject to import/export transactions and transported by sea, it is used as FOB-Free on Board, CIF-Cost and Insurance Freight or CFR-Cost, Freight. "Incoterms" (International Commercial Terms) rules were created in 2010 by the International Chamber of Commerce (ICC) in order to legislate the rights and obligations of international shipments, including the sales methods and were put into effect on 01.01.2011 (Ceylan, 2020). ICC's Incoterms rules are trading terms for the sale of goods. Incoterms rules guide those concerned when filling out a purchase order, packaging and labeling for a shipment, or preparing a certificate of origin.

## **2.2. Freight Insurance in Maritime Transportation**

Freight is a type of transportation fee and represents the financial aspect of freight transportation. The term freight is not limited to sea transportation, but can also be used in other types of transportation such as air, road and rail transportation. However, it is generally more commonly used in the context of maritime transport.

In the maritime industry, freight refers to the fee paid for the transportation of cargo. This fee is paid to ship owners or operators by cargo owners or shipping companies. Freight fee is determined depending on the type of cargo to be transported, quantity, transportation distance, transportation conditions and other factors.

Determining freight can be a complex process and is often regulated by carriage agreements or contracts. The transportation fee is usually calculated per ton, per container, or some other unit of measurement. The freight charge includes the profit of the shipping company providing the transportation service and may vary depending on factors such as market conditions, demand and supply. For example, if a transportation company damages customer goods during the loading of a ship, freight insurance covers such operational losses (Aytekin, 2019).

## **2.3. Service Insurance in Maritime Transportation**

In the maritime industry, service refers to the physical execution of the process of transporting cargo by ships. In other words, it includes the transportation of cargo from the loading port to the unloading port, their safe storage and the general management of the transportation process.

The service covers operational and logistical processes offered by ship operators, port operators, transport agencies and other interested parties. Service insurance also aims to protect various businesses providing services in the maritime sector. These businesses may be port operators, shipping agencies, transport agencies and other service providers.

These insurances address damages that service providers may cause to customer property or other parties during their activities. For example, if a port operator's ships are damaged as a result of an accident, service insurance may come into play. In order to ensure a healthy and sustainable development of service insurance, its promotion should be increased and foreign trade companies should make the insurance product a company culture (Yeşilyaprak, 2018).

## **2.4. The Importance of Insurance in Maritime Transportation**

As mentioned above, in the maritime industry, the concepts of property insurance, freight insurance and service insurance are frequently used, but separated concepts (Lee and Kim, 202). Since



they are different types of insurance, each of them has different purposes, scope and objectives. Property insurance covers cargo owners; freight insurance includes businesses that provide transportation services and the transportation fee; service insurance, which refers to the physical execution and logistics management of the transportation process, aims to protect businesses providing services in the maritime sector. Each focuses on different types of risks and covers different types of damages. Although the suitability of the three insurance types mentioned in the maritime sector may vary depending on the role and needs of the business, businesses generally use these insurance types together.

In addition to the three different types of insurance mentioned above, also called as P&I (Protect and Indemnity Insurance), the following insurances are also made to cover the risk factors encountered;

- FD&D (Freight, Demurrage & Defense) Insurance as complementary insurance to P&I Insurance.
- H&M (Hull & Machinery) Insurance, which is a type of insurance that insures the hull, machinery and equipment of the boat against various risks during the voyage, in the port, at anchor or during repair and maintenance.
- W&R (War & Strike) Insurance, which covers damages to the ship as a result of risks such as acts of war, terrorism, piracy, rebellion, civil unrest, hitting a mine.

Although the cost of trading with maritime vessels is high, the most important reason why maritime trade has a serious importance in the global economy today is the acquisition of new markets with the opportunity of intercontinental and international transportation. This is demonstrated by the fact that even in limited time, the profit is directly proportional to the volume of the cargo carried.

Due to the fact that maritime transportation, which has high risks, has more commercial returns than other transportation elements. It has been developed since ancient times, created its own defense processes and gave birth to insurance from the pool of experience gained. The most important value of insurance in maritime trade is actually right here. The sustainability of maritime trade means that the risks experienced can be overcome or transformed into evolvable processes over time.

According to the data of the United Nations Conference on Trade and Development (UNCTAD), world trade broke a record by reaching 32 trillion dollars in 2022, but growth in trade turned negative in the second half of the year. In 2022, global trade in goods will increase by around 10% compared to 2022, reaching approximately 25 trillion US dollars, and trade in services will grow by 15%, reaching 7 trillion dollars. According to the latest statistics announced by the International Union of Marine Insurance (IUMI), total Marine Insurance premiums reached 33 billion US dollars in 2021. There is an increase of approximately 10% compared to 2020. When the total premium of 33 billion USD is examined on the basis of its components;

- 23.5% Watercraft Insurances 7.76 billion USD
- 57.4% Transportation/cargo insurances 18.94 billion USD
- 11.8% Energy insurances 3.89 billion USD
- 7.3% Watercraft liability insurance amounted to 2.41 billion US dollars. (IMEAK Maritime Sector Report, 2023)

Relating with the volume of cargo handled by all maritime enterprises in the world, it is seen that no transportation vehicle has grown with such a volume, and those that bring the fastest update to green logistics processes in the new world are the maritime transportation enterprises. Complying with new laws and risk mitigations requires certain investments. It has taken much faster action than maritime transport, road and airline companies, aiming to reduce their carbon footprint through fuel type and storage changes. If these costs can still be sustained at a point where risks are high, the guarantees provided by insurance protect these businesses today. At the same time, in both property and liability insurance, the risks of the carrier as well as the interests of the port, merchants and other third parties are protected. This shows that the three values of maritime transportation (goods, insurance, transportation vehicle) are inseparable from each other. So, it can be said that insurance has caused the continuity of trade and has become the largest locomotive of world trade.

However, as in every sector, there are problems in accessing finance in the maritime sector. It can be said relating with the problems experienced in accessing finance that, financing needs are mainly tried to be financed with bank loans, and there is a concentration on short-term and high-cost loans. At this point, it is thought that the insurance policies, especially service insurance policies, created during the transportation activities phase will be considered as collateral in the eyes of banks and the guarantee problem in accessing financing will be solved to some extent.

The most important feature of insurance against maritime risks is that the principle of generality of the insured risk is valid in this type of insurance. According to this principle, insurance provides assurance not only against some individual risks, but also against all risks that may be encountered during the journey, other than those listed in legal regulations and general conditions. Another feature of insurance against maritime risks is that insurance compensation is paid only in cases where the insured interest is directly damaged, but in cases where the damage can be reflected to the insured interest by using a legal rule (Sabih, 1982).

Maritime risks and the characteristics of the values insured against them are regulated by special rules within the scope of marine insurance in all countries. In institutions such as general average and salvage assistance specific to maritime trade, the determination of the insurer's status varies depending on the nature of the marine insurance (Kender/Çetingil, 2019). Another feature of marine insurance law is that it is regulated with general conditions separate from the law. Conditions added to marine insurance contracts (Institute Clauses) have been regulated by the London Insurance Institute and have been developed over time according to changing needs. Insurance related to maritime risks aims to provide insurance protection against risks that "the ship, passengers, cargo and freight" may be exposed to. The main examples of these risks can be listed as meteorological events, ship sinking, grounding and maritime accidents, ship fire, pirate attacks and malicious behavior. Therefore, this type of insurance covers damage to the ship or damage in case of complete loss of the ship, freight damage, damage to the cargo, bodily damage to the passenger and "lost profit" due to the inability to complete the voyage (Uluğ, 2023).

### **3. AUDIT OF GOODS AND FREIGHT INSURANCE IN MARITIME TRANSPORTATION**

Auditing is an independent and objective assurance and consultancy activity that aims to improve the activities of a business and add value to them. It is an activity function that helps businesses achieve their goals by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes (IIA, 2019).

According to the internationally accepted auditing standards, the appropriateness and adequacy of all functions carried out by the enterprise are monitored in order to achieve the expected target. In this context, all or some of the following activities are carried out with the audit activity;

- The internal control and risk management practices of the business are monitored, and the adequacy and effectiveness of the practices are evaluated.
- The financial records of the business are monitored and assurance service is provided regarding the accuracy and reliability of financial reports.
- The compliance of the activities carried out by all units of the business with the determined laws, legislation and procedures is tested and monitored.
- The reliability of the information system adopted and implemented by the enterprise is reviewed.
- Special audit programs are carried out to reveal possible deficiencies, errors and abuses regarding the operational activities carried out by the business.
- Consultancy is provided to the senior management of the business by providing opinions and suggestions on preventing the reoccurrence of deficiencies, errors and abuses detected in the operational activities carried out by the business, and on the effective and efficient use of business resources.

The audits that businesses use their own human resources or get support from external service providers, are carried out on the basis of the relevant laws, regulations and other legislation, as well as the legislation regarding audit activities in the insurance sector.

The insurance sector is one of the sectors that is directly and constantly faced with risks and these risks must be managed accurately, effectively and efficiently. Therefore, the applied audit function provides significant guidance in the decisions of the boards of directors and company senior management regarding the assurance and consultancy services it provides to both the companies it serves and the businesses in the insurance field in effectively managing risks. In this context, audit activities must be regulated in detail, taking into account all activities of the enterprises, their structures, market shares, production/damage structures and the classes and levels of risks related to them. On the other hand, the audit scope should be created based on risk, and for this, how audits can be carried out; which areas, processes, control points, and risk types it will apply to; planning should be made regarding which control technique will be appropriate and how resources can be used.

Although risk management in the insurance sector can be done by various methods, in its most basic form, the risk management system contains business acceptance/production limits and authorizations, standards and reports, investment guides and strategies, and compensation management practices. Thanks to these tools, definitions, procedures, limits, authorities and methods regarding the management of risks are determined and it is ensured that risk management activities are carried out in accordance with the goals and objectives of the institution (Babbal and Santomero, 1996). In addition, audit function, along with the assurance and consultancy services it provides, makes significant contributions to the effective, efficient, accurate and adequate realization of risk management activities for both the process management and senior management of businesses.

Special attention should be taken to ensure that audit activities are carried out in a certain manner and that internationally accepted and applied standards are adopted regularly. Also, the people carrying out the audit activities should meet the necessary qualifications and performance in accordance with these standards. In this regard, it is recommended to comprehensively determine the employment principles for the employees who will carry out the auditing activity, as well as to determine in detail the obligations regarding performance measurement and the implementation of assurance programs to ensure quality standards. In this way, it will contribute to ensuring the effectiveness, independence and impartiality of audit activities and auditors, and will contribute to further strengthening the audit function, both in the field of activity of the business, and in the insurance sector.

Authorizing person or institution who will provide both observations services and audit activities is an important issue regarding maritime trade and insurance transactions. For this reason, it is necessary to determine legally authorized person or entity who will perform observation services and audit activities within the framework of maritime trade. Also, scope of observation and audit should be underlined in a written manner.

Audit activity will be carried out by taking into account whether the company complies with national legislation and international maritime rules. First of all, the scope of audit should be covered with the responsibility of the companies engaged in maritime transportation. In this regard, it should be examined whether the relevant enterprise has an authorization certificate issued in its name regarding the maritime transportation it carries out. On the other hand, it is important to employ employees who know the technique of the job, to use quality approved tools, and to take the necessary occupational health and safety measures during the surveillance and audit activity.

Within the scope of transportation, customs and cargo issues, operations such as moving incoming or outgoing goods without changing their properties or damaging them, differentiating their locations, placing them in different containers or shapes, transferring them, repairing the goods or renewing the outer container, ventilating the goods, and mixing them are carried out. In this context, it must be ensured that cargo tanks and all other equipment are suitable for cargo transportation, as well

as a document stating that the cargo to be carried by the ship is suitable for transportation. In addition, necessary checks must be made to ensure that the cargo transport units loaded on the ship are appropriately marked, plated and loaded safely.

As a result of investigating the relevant certificates, documents and equipment, if necessary, some kind of sanctions such as warning, administrative fine, suspension of activity, revocation of authorization should be applied within the scope of national and international rules.

In order to carry out the mentioned monitoring and auditing procedures effectively and efficiently, it is important to provide special training programs for both ship employees and those performing auditing activities. Necessary studies must also be carried out to implement the advisory IMO trainings that are required or deemed necessary by IMO. In this regard, necessary information should be provided on the risks of dangerous cargo, safety procedures, safety and emergency measures, intervention methods and similar issues. Necessary training and information should be provided about all possible dangerous cargo and possible risks, especially on ships.

The controlling, monitoring and auditing activities should be designed to help the businesses carrying out the transportation operations in question meet all regulatory compliance and legislative requirements and to enable them to better manage their relevant processes. In this way, businesses are helped to better prepare, adapt and comply with possible risks and constantly changing processes. Additionally, businesses will benefit from all regulatory compliance and adherence to legal regulations.

It is seen that data mining applications, which have recently increased in use around the world, enable businesses to achieve effectiveness and efficiency in many areas. Most importantly, businesses increase their profitability from the moment they bring competitive conditions to an analytical level. It is to reveal how important data mining applications are in an area such as the insurance sector, where data must be evaluated and interpreted correctly. Data creates value for insurance companies only if it is evaluated correctly and appropriate actions are taken based on this information. An insurance company can understand which customer prefers which product, when and why, as a result of accurate analysis of the available data through data mining applications. As a result, insurance company will have the advantage of both creating demand and meeting and presenting the right demand. At this point, while the profitability of the companies will increase, customer satisfaction will also increase, and customer loyalty will also be ensured.

## **CONCLUSION**

In this study, maritime transportation, maritime insurances at the transportation stage and the collateral features of these insurances at the financing stage are explained. It can be said that transportation by sea vehicles without insurance is a dangerous and even impossible form of transportation. Because transportation without insurance will be risky and cause high costs due to possible damage and loss.

Although the processes within and outside the coverage of cargo and liability insurances show similar situations, there are different coverage chains within the main values (ship, cargo and freight). When detailed according to its purposes, it appears as an insurance structure that is realistic and appropriate, protects all interests, and goes down to a fair micro detail. Correct analysis of traders is of serious importance. Need- and purpose-oriented insurance is an important resource for the sustainability of trade. Otherwise, incorrect insurance policies will increase costs, affect product prices in a highly competitive market, and reduce international trade and diversity.

As stated in the study, according to uncertain figures for the end of 2022, maritime transportation has a larger volume in the transportation sector compared to other sectors. Therefore, the maritime sector should turn this volume into an advantage and use the insurance instrument more intensively and use these insurances as collateral in financing needs.

The goods, freight and service insurances described in the study are important for all marine vehicles in terms of their commercial activities. It is important for maritime sectors and maritime merchants to read the scope of these policies correctly. Being well-equipped on the subject and reading the plans and possible risks will provide great advantages, especially for traders.

Some special activities have begun to equip ships, which are the instruments of today's maritime Trade. Likewise, there are some investments in ports to adapt unmanned evacuation processes to the latest technologies. At the same time, while political or physical wars continue in some geographies, there are new epidemics that humanity has not experienced for many years. Quickly updating policies according to today's problem. As technology advances rapidly, the order and laws established years ago need to be adapted to the present day in the same way. In the Covid 19 epidemic that has surrounded the whole world, the effects of this case, which is not included in the policies, are still continuing. While the continuity of such cases may be in question in the new world, there may also be wars or preparations in nearby or distant geographies.. In this case, perhaps the customary maritime trade policy conditions that have survived from ancient times to the present need to be updated more quickly and their scope needs to be expanded.

Today, there are problems in accessing finance in the maritime sector, as in many sectors both internationally and nationally. It is seen that financing needs are mainly tried to be financed with bank loans, and there is a concentration on short-term and high-cost loans. At this point, the insurance policies created during the transportation activities phase, especially the service insurance policies, will be considered as collateral in the eyes of banks, and the guarantee problem in accessing financing will be resolved to some extent. Insurance companies should focus on financial insurance as well as primary and life insurance. Thus, companies that have insufficient limits in banks will turn to insurance companies. Insurance companies will be able to act faster than banks because they share their risks with reinsurance companies. Moreover, they will meet the demands of companies more easily.

Considering both the high added value of the audit function and the responsibilities that international legal regulations impose on the audit function, it is possible to say that audit is one of the most important risk management tools in institutions.

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## STRATEJİK YÖNETİM VE TURİZM: WEB of SCIENCE (WoS) VERİ TABANINA DAYALI BİBLİYOMETRİK BİR ANALİZ



Arş. Gör. Yağmur CAN GABERLİ<sup>1</sup> 

<b>Anahtar Kelimeler</b>	<b>Öz</b>
Bibliyometrik Analiz Stratejik Yönetim Turizm Yönetim	Bu çalışma, stratejik yönetim konusunda yayınlanmış çalışmaların bibliyometrik bir analizini yapmayı amaçlamaktadır. Web of Science veri tabanında başlığında “stratejik yönetim ve turizm” ibaresi bulunan yayınlar taranmış ve 74 sonuç bulunmuştur. Web of Science veri tabanı seçildiği için arama bulguları bu veri tabanı ile sınırlıdır. Ancak tarama işlemi sırasında herhangi bir alan filtrelemesi yapılmamış ve toplam yayın sayısına ulaşılmıştır. Arama 1994-2023 arasındaki yılları kapsamaktadır. Yayınların kaynak ülkeleri incelendiğinde en çok Amerika Birleşik Devletleri, İngiltere ve Çin Halk Cumhuriyeti kaynaklı olduğu belirlenmiştir. Bu çalışmada turizmde planlanlama için büyük önem taşıyan stratejik yönetimle ilgili çalışmaların sayıları, atıfları, ait oldukları ülkeler ve yazıldıkları yıla dair istatistiklere ulaşmak amaçlanmaktadır. Böylece stratejik yönetimin turizm alanyazınındaki çalışılma yoğunluğuna yıl, ülke ve yazar bazında ulaşılmaktadır.
<b>Makale Bilgisi</b>	
Araştırma Makalesi  Gönderim Tarihi: 27.10.2023 Kabul Tarihi: 06.12.2023 Yayın Tarihi: 29.12.2023	

## STRATEGIC MANAGEMENT AND TOURISM : A BIBLIOMETRIC ANALYSIS FROM THE WEB OF SCIENCE (WoS) DATABASE

<b>Keywords</b>	<b>Abstract</b>
Bibliometric Analysis Strategic Management Management Tourism	This study aims to make a bibliometric analysis of published studies on strategic management. It was scanned from the Web of Science database based on the publications with the phrase "strategic management and tourism" in the title. There are 74 results for this title. The search findings are limited to this database since the Web of Science database was chosen. However, no field filtering was done during the scanning process and a total of publications were reached. Searching includes the years between 1994-2023. When the source countries of the publications were examined, it was determined that they mostly originated from the United States of America, England, and the People's Republic of China. In this study, it is aimed to obtain statistics on the number of studies on strategic management, which are of great importance for planning in tourism, their citations, the countries they belong to and the year they were written. Thus, the intensity of study of strategic management in the tourism literature is reached on the basis of year, country and author.
<b>Article Info</b>	
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**ETİK BEYANI:** Bu makale kuramsal bir çalışma olduğu için etik kurul izni gerekmemektedir.

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## INTRODUCTION

Strategic management is an imperative process to guide external change (Jasper and Crossan, 2012: 838) that is a kind of management (Zengin, 2023: 124). Strategic management includes all the searches, planning, evaluation, decision, and examining processes to apply politics. It also controls the process after these applications (Zengin, 2023: 124-125). This concept also is about the survival and growth of businesses and organizations and has two dimensions. The first one is the "overall effect" or the "overall space effect" about the survival or growth of organizations as a whole. The second one is "future effects" about the survival or growth of businesses and organizations over time (Bao, 2015: 434-435). Strategic management focuses on the integration of processes and resources to achieve long-term strategic aims. The most substantial phenomenon in strategic management is the future. Strategic management includes all the business and transactions that aim to define the plan and project about the future for public, private, and nonprofit organizations to reach their goals (Birinci, 2021: 253).

The benefits of strategic management planning are as follows;

- Has the power to evaluate changing situations.
- It enables the emergence of future thoughts and plans.
- It systematizes decisions.
- It helps managers find and identify problems.
- It focuses on the performance of the organization.
- It develops and contributes to short-term planning, such as communication, correct allocation of resources and budget.
- It creates an organizational culture that employees can conveniently adapt to.
- It ensures the participation of stakeholders in directing the organization to its goals and objectives (Birinci, 2021: 263).

The fundamental elements of strategic management are top managers of the organization, mission, goals, and internal and external environmental sources (Ağın, 2000: 307). All these elements exist in organizations. Even though strategic management is substantial for all businesses, it is much more vital for tourism organizations. Since the tourism industry has an intangible, nontransferable, perishable, heterogeneous, inseparable, and immovable structure (Tourismnotes, 2023). Strategic management plays a vital role in the sustainability of the organizations.

This paper aims to reveal the retrospective nature of strategic management and tourism issue and also provide bibliometric data for researchers. In this way, the study aspires to provide producing scientific knowledge and constitutes a general framework of the relevant research field. In this respect, a bibliometric analysis of 74 works referred to strategic management and tourism in the “Web of Science” database between 1994 and 2023 was performed by the VOS (visualization of similarities) viewer program. The reason for choosing this database is that it is older and rooted compared to databases such as Scopus and Google Scholar.

In the first part of study the relationship between strategic management and tourism is explained. Then method and data set is clarified and findings exist in the third part. There is a conclusion in the last part of study.

### 1. Strategic Management and Tourism

Strategic management is a management technique that demonstrates what an organization does for plans and targets. The features of strategic management concern senior management. Plans are defined by top management and followed and implemented by lower-level managers. Businesses consist of interacting and interconnected parts, coordinating different business units and different levels of hierarchy. It is aimed to increase the future performance, profitability, and efficiency of the organization by using strategic management plans. One of the most substantial features of strategic management is identifying and solving the problems of organizations. According to research, it is

much more efficient to apply more than one process rather than using a single strategic management technique (Kahveci, 2008: 3-4).

The reason why strategic management is much more vital in terms of tourism is due to the characteristics of the tourism sector. Since the goods or services supplied in tourism are diverse, investments are required in many different areas. Also, production, service, and sales processes in tourism are intangible. Service quality may vary from person to person, and the marketing of intangible goods and services is different from tangible products. Negative experiences on holiday can affect all the preferences of tourists. Therefore, the establishment and organizational structure in tourism are closely related to customer experience.

The tourism sector is a labor-intensive sector. The supply cannot be changed shortly in the tourism sector. In other words, a hotel, organization, or business can't start from zero and launch in the short term. In addition, service in tourism is a whole, and do not possible to separate products and services from each other. Because the production of services and goods occurs together with consumption (Turizme Bakış, 2023). The characteristics of the tourism industry make strategic management policies much more substantial. It is of great importance that tourism has intangible goods and services and has a labor-intensive, seasonal, and perishable management process. Many different features and elements can cause many problems at the same time.

Tourism contributes to the development of national economies and is also one of the fastest-growing industries internationally. However, Tourism has a structure sensitive to crises. It is vital for tourism businesses that decisions, practices, and strategic management policies are global and sensitive. Tourism demand is delicate due to factors such as war, terrorism, epidemics, and natural disasters. Political instability in one part of the world can affect tourism demand in other regions. In addition, changes in technology, economy, politics, and society's demands and needs also affect the tourism sector. Businesses experience crises when they cannot predict events and changes or when they cannot adjust the relationship between external adaptation and the internal system. Therefore, to reduce or prevent the consequences of crises, strategic management should be one of the basic skills of managers (Göral, 2014: 89).

## 2. Method and Data Set

In this section, firstly the bibliometric analysis method is mentioned. After introducing the data set, bibliometric analysis findings are included.

### 2.1. Bibliometric Analysis

Bibliometrics was a kind of analysis first used in 1969 by Alan Pritchard in the study called Statistical Bibliography or Bibliometrics (Pritchard, 1969). Bibliometric analysis is a very useful and popular method to examine and search numerous scientific data. Citation and publication numbers and the distribution of keywords or titles can be objective by the nature of large volumes of data in the bibliometric analysis. Interpretations are based on aims such as performance analysis and thematic analysis, with knowledge-based techniques and procedures (Sarıbaş, Ö., Kömürçü, S., & Akbaba; 2020: 54; Sarıbaş and Demir, 2020: 272; Donthu et al., 2021: 285; Gaberli, 2023: 30; Yardımcı and Balcı, 2023: 225). The method of this study is bibliometry because the aims to search the number of documents, citations and organizations, and active countries about the issue of strategic management and tourism area. It is aimed that this study will be a guide to see the deficiency in the literature. To achieve this goal VOSviewer (visualization of similarities) and Excel programs are used in this study to demonstrate the relationship between sources, citations, organizations, countries, and authors.

### 2.2. Data Collection

Document types, countries, publishing years, research areas, and writers exist in the study. The reason for using the VOSviewer program is it is used to focus and separate details of the articles easily and systematically (Van and Waltman, 2013: 1-3). This study contains SSCI, ESCI, SCI-EXPANDED, CPCI-SSH, BKCI-SSH, CPCI-S, and A&HCI indexes, and there is no limit for any categories in the WoS database. Only in the time dimension 1994 and 2023 period is taken. Seventy-four studies found in the WoS were obtained as a file on May 30, 2023. The VOSviewer program is an alternative for the measurement of numerical data or creating maps. Even if there are any other

programs like that, VOSviewer pays attention graphical representation of data for a large number of bibliometric items (Effendi et al., 2021: 2-3).

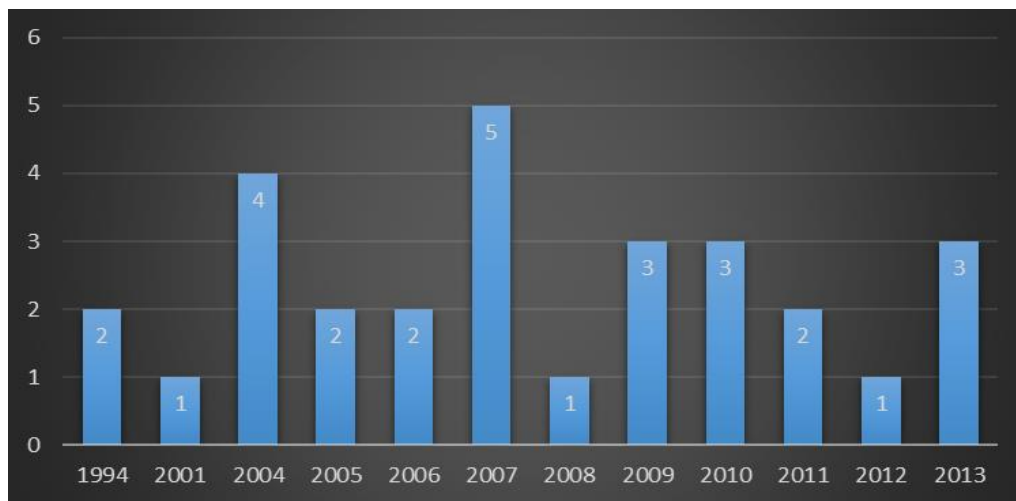
### 3. Findings

There are two groups of numerical analysis of data and keywords co-occurrences for the bibliometric analysis of the data from Web of Science (WoS) with 29 years and 74 studies with the title of strategic management and tourism.

#### 3.1. Numerical Analysis of Data

There are 74 studies on "strategic management and tourism" title between 1994 and 2023. The first paper was published in 1994. Figure 1 and 2 shows the quantitative distribution of studies between 1994- 2023.

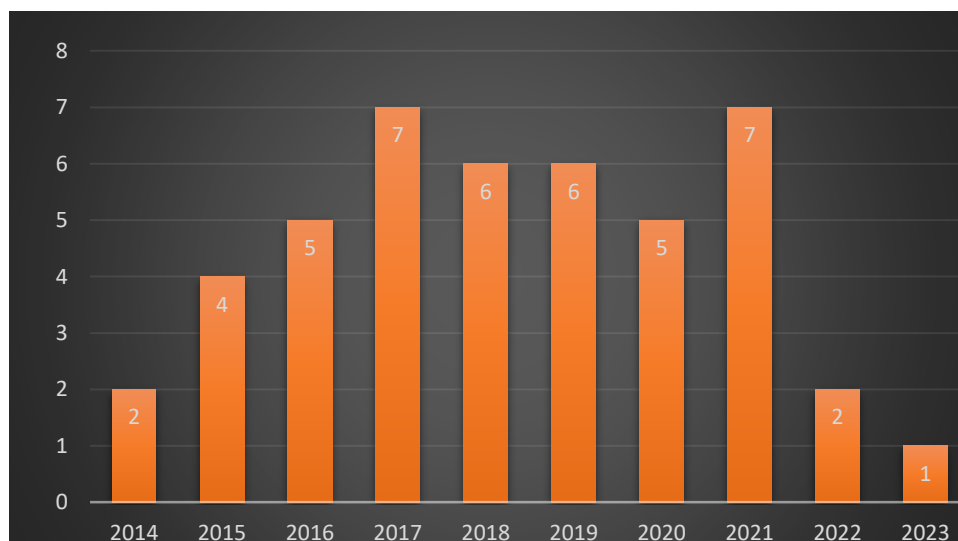
**Figure 1. The Number of Strategic Management Studies, 1994- 2013**



Source: Created by author.

Figure 1 shows the number of strategic management studies from the first publication in 1994 until 2013. In order to clarify clear and limpid the number of studies the figure was seperated by periods. There is no stability in the number of studies, and 2007 is the most publication year, with five papers.

**Figure 2. The Number of Strategic Management Studies, 2014-2023\***



\*: The year 2023 covers work until May 30, 2023

Source: Created by author.

Figure 2 shows the number of studies about strategic management and tourism between 2013 and 2023. Even though the number of studies tends to increase after 2011. However, there are fewer studies than in other years in 2022 and 2023.

**Table 1. Distribution of the Type of Publications**

Document Type	N	Share (%)
<i>Article</i>	44	59.45
<i>Book Review</i>	12	16.21
<i>Proceeding Paper</i>	11	14.86
<i>Review</i>	4	5.40
<i>Editorial Material</i>	1	1.35
<i>Book</i>	1	1.35
<i>Book Chapter</i>	1	1.35
<b>Total</b>	<b>74</b>	<b>100</b>

Table 1 shows the distribution of types of strategic management and tourism studies between 1994 and 2023. The most published genre is an article, with a 59.45 ratio in total. The studies can be grouped into more than one group, but the most used classification is tourism, and the other is knowledge management. Thirty studies are in tourism, and six are in the knowledge management area.

**Table 2. Journals Ranked by Total Publications**

Rank	Journal	Quantity	Citations	Number of Average Citations
1	Tourism Management	6	597	99.50
2	Tourism Review	4	30	7.50
3	Annals of Tourism Research	4	10	2.50
4	Strategic Winery Tourism and Management Building	3	8	2.66
5	International Journal of Contemporary Hospitality Management	2	106	53
6	Tourism Analysis	2	0	0
7	Zeitschrift für Tourismuswissenschaft	2	0	0
8	Journal of Hospitality Marketing Management	2	14	7
9	Environmental Engineering and Management Journal	1	6	6
10	Journal of Destination Marketing Management	1	18	18

Table 2 shows the top ten journals ranked by total publication about strategic management in tourism. The most common language used in studies is English with 58 documents, Spanish with seven documents, Russian with three studies, and German with two studies. Arabic, Croatian, Latvian, and Slovak languages have only one study.

Table 3. Most Cited Papers

Rank	Author/s	Title	Journal	Year	Citations
1	Ritchie	Chaos, Crises and Disasters: A Strategic Approach To Crisis Management in the Tourism Industry	Tourism Management	2004	581
2	Madera et al.	Strategic Human Resources Management Research in Hospitality and Tourism a Review of Current Literature and Suggestions for the Future	International Journal of Contemporary Hospitality Management	2017	72
3	Job et al.	Protected Areas in a Neoliberal World and the Role of Tourism in Supporting Conservation and Sustainable Development: an Assessment of Strategic Planning, Zoning, Impact Monitoring, and Tourism Management at Natural World Heritage Sites	Journal of Sustainable Tourism	2017	60
4	Sheehan et al.	Strategic Talent Management: A Macro and Micro Analysis of Current Issues in Hospitality and Tourism	Worldwide Hospitality and Tourism Themes	2018	38
5	Harrington et al.	Strategic Management Research in Hospitality and Tourism: Past, Present And Future	International Journal of Contemporary Hospitality Management	2014	34
6	Lak et al.	Urban Regeneration Through Heritage Tourism: Cultural Policies and Strategic Management	Journal of Tourism and Culture Change	2020	31
7	Dobrovic et al.	Implications of the EFQM Model as a Strategic Management Tool in Practice: A Case of Slovak Tourism Sector	Journal of Tourism and Services	2019	25
8	Mikulic et al.	Strategic Crisis Management in Tourism: an Application of Integrated Risk Management Principles to the Croatian Tourism Industry	Journal of Destination Marketing and Management	2018	18
9	Okumuş et al.	Scientific progress on strategic management in hospitality and tourism: a state-of-the-art	Tourism Review	2017	17
10	Gilmore & Simmons	Integrating Sustainable Tourism and Marketing Management: Can National Parks Provide The Framework For Strategic Change?	Strategic Change Briefings in Entrepreneur Finance	2007	15

Table 3 presents the most cited studies. Ritchie (2004) takes part at the top of the most cited papers list, with the study entitled Chaos, Crises, and Disasters: A Strategic Approach To Crisis Management in the Tourism Industry. Ritchie mentioned in the study the importance of management crises and disasters in the tourism industry. According to Ritchie (2004), even if it is not possible to stop the crises, it is possible to decrease the probability of disasters with the partnership between public and private sectors. Madera et al. (2017) emphasized the significance of human resource management in tourism and hospitality by investigating literature. According to Madera there are six

dimension in his research. First one is; human capital and firm performance then high-performance human resource management practices and performance, international or global issues and strategic human resources management, individual human resource management practices and performance, qualitative searches of the hospitality and tourism human resource management literature and country-specific strategic human resource management. In the study it is recommended to fill the gap in literature. Job et al. (2020) highlighted the strategic planning for the protected areas in the tourism industry by the boundary of sustainable development. In the article it is emphasized embedding the World Heritage Sites benefits. Sheehan et al. (2018) highlighted the responsibility of government for education and training agenda and talent management examples need to externalize the inimitableness and complexity of the sector. , Harrington et al. (2014) searched the literature to review the hospitality and tourism strategy to find trends related to the main topical research areas between 1980 and 2013. In the literature, some searchers use the landscape or a specific area to investigate strategic management in the tourism sector. Lak et al. (2020) investigated the potential for heritage tourism to regenerate historic cities by utilizing urban cultural capital with SWOT analysis and strategic management. In the literature while some researches examine the issue as a whole, on the other hand some studies searches specific regions. Dobrovic et al. (2019) focused on the strategic management tool as a holistic perspective for Slovakia's tourism sector when Mikulic et al. (2018) evaluated crisis management in the Croatian tourism industry. Dobrovic et al. (2019) aims in the study disclose management tools within the 600 tourism-related enterprises in Slovakia and determine the obstacles reveal during management process. According to Mikulic et al. (2018) strategic management of crises and disasters is vital for continuation sustainable tourism development. In the study the terrorism actions globally dangerous is highlighted and also focuses risk assessment processes. In particularly the risks and dangers for Croatian tourism is examined and evaluated Okumuş et al. (2017) intend to critic the reviews of strategic management in hospitality and tourism field. In the study that the borders of strategic management investigated with three dimensions intellectuality, conceptual, and social structure, it is mentioned in the research there are few studies strategic management studies in hospitality and tourism area. Gilmore and Simmons (2007) argue the possibility of a strategic marketing management role in improving sustainable tourism principles with national parks perspectives. In the study there are two themes are examined. The first one is the integration and coordination of tourism activity and the other one is strategic marketing for sustainable tourism enterprises.

**Table 4. The Density of Main Research Countries**

Rank	Country	Documents	Citations	Number of Average Citations
1	United States of America	9	201	22.33
2	England	8	718	89.75
3	People's Republic of China	6	44	7.33
4	Spain	6	1	0.16
5	Germany	4	104	26
6	Turkey	4	16	4
7	Iran	4	54	13.5
8	Russia	4	2	0.5
9	Italy	3	21	7
10	Mexico	3	1	0.33

Table 4 shows the density of the fundamental research countries. According to the table, the United States, England, and the People's Republic of China are the most active, efficient, and productive countries on the issue of strategic management and tourism. Additionally, most citations belong to England.



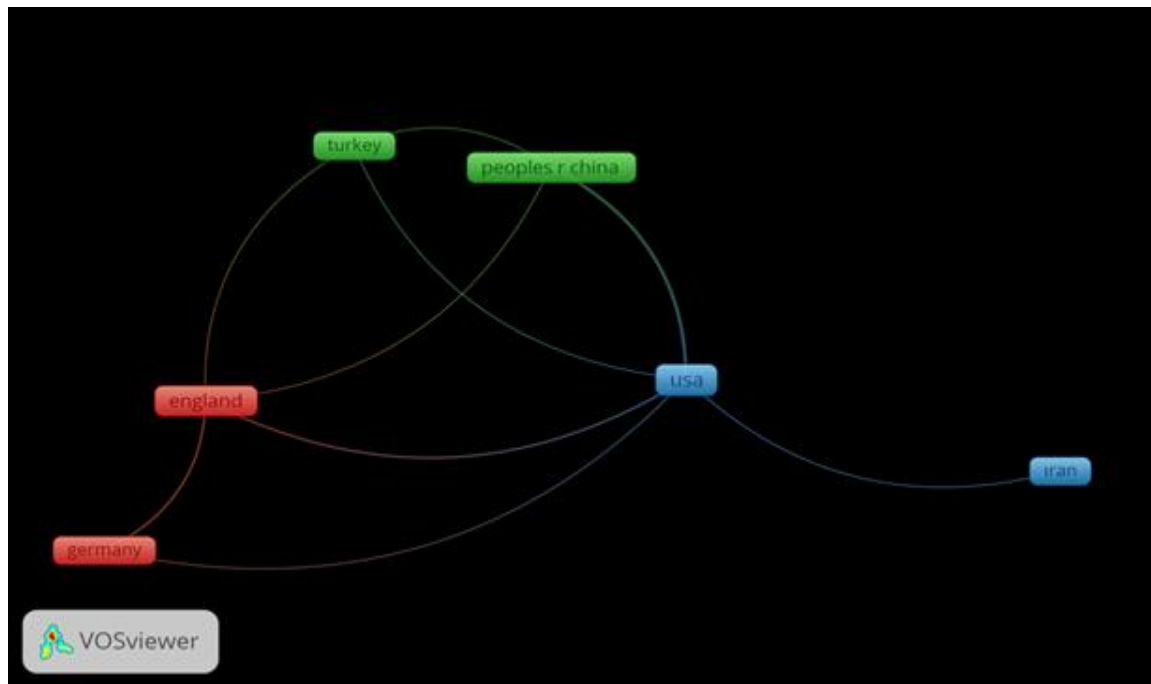
**Figure 3. The Network Between Countries in Strategic Management and Tourism Studies**

Figure 3 shows the relationship between the countries have studies about strategic management and tourism. England and USA are the countries not only with the most study but also have a strong relation with each other. China that in the third order according to number of studies, has a relationship with Turkey, USA and England. Then Germany has a connection with England and USA. Even Turkey has a connection with USA, England and China; Iran has relationship only with USA.

**Table 5. Organizations Ranked by Number of Average Citations**

Rank	Organization	Country	Quantity	Citations	Number of Average Citations
1	University of Central Florida	United States of America	4	43	10.75
2	The Hong Kong Polytechnic University (PolyU)	Hong Hong	4	43	10.75
3	Islamic Azad University	Iran	3	16	5.33
4	Kherson National Technical University	Ukraine	2	1	0.5
5	College of Natural Resources	Bhutan	2	21	10.5

Table 5 shows the number of universities that possess at least two studies. The most cited papers owners are from the only one university, both Hong Kong and the United States of America.

### Conclusion

Tourism is a labor-intensive industry with high investment costs that serves intangible and perishable goods and services. With a hierarchical structure, tourism is also seasonal and sensitive to such cases and issues as war, terrorism, epidemic disease, natural disasters, economic factors, and destination image. Political instability or war occurring in a zone of the world can change the tourism demand of other areas. Moreover, changes in technology, economics, politics, and the occurrence of the wants and needs of society affect the tourism industry. The businesses can not foresee events and



changes or are not able to adjust the relationship between external rapport and internal system. Therefore, to reduce the results of crises or obstruct them. It is vital to use strategic management tools in the tourism industry.

Strategic management is all the processes for following organizations to reach the aims, goals, and plans of the future. The loss and damage of external factors or internal elements can be decreased With strategic management. Beyond that, strategic management evaluates changing situations and provides the emergence of thoughts and plans about the future. It is possible to make decisions systematically, helping managers find and define the problems and focus on the organization performance by using strategic management tools. As a result of these analyses, organizations can plan economic and structural regulation. Then, developing and contributing to communication, correct allocation of resources, short-term planning such as budget, creating an organizational culture that workers can adapt well and with these results-oriented the organization to its goals and objectives as a whole, ensuring the participation of stakeholders.

As a result of this study it is reached that there are 74 studies about the issue of strategic management and tourism. The studies are between the years 1994 and 2023. According to the density of studies the most productive country is United States of America with 9 studies. England is in second place with 8 studies and the third country is Republic of China with 6 studies. The most cited paper is; Ritchie with the study Chaos, Crises and Disasters: A Strategic Approach To Crisis Management in the Tourism Industry with 581 citation. In the second row Madera et al. exists with the study Strategic Human Resources Management Research in Hospitality and Tourism a Review of Current Literature and Suggestions for the Future with 72 citation and Job et al. is in the third row with the study Protected Areas in a Neoliberal World and the Role of Tourism in Supporting Conservation and Sustainable Development: an Assessment of Strategic Planning, Zoning, Impact Monitoring, and Tourism Management at Natural World Heritage Sites with 60 citation.

In this study, because of importance governance and management it is recommended to increase the number of studies on strategic management and tourism. In the literature there is no similar study about relationship between strategic management and tourism using the bibliometrics analysis method and the Vos viewer program.

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## EXTENDED ABSTRACT

Strategic management is an imperative process to guide external change that is a kind of management. Strategic management includes all the searches, planning, evaluation, decision, and examining processes to apply politics. It also controls the process after these applications.

The fundamental elements of strategic management are top managers of the organization, mission, goals, and internal and external environmental sources. All these elements exist in organizations. Even though strategic management is substantial for all businesses, it is much more vital for tourism organizations. Since the tourism industry has an intangible, nontransferable, perishable, heterogeneous, inseparable, and immovable structure. Strategic management plays a vital role in the sustainability of the organizations.

Strategic management is a management technique that demonstrates what an organization does for plans and targets. The features of strategic management concern senior management. Plans are defined by top management and followed and implemented by lower-level managers. Businesses consist of interacting and interconnected parts, coordinating different business units and different levels of hierarchy. It is aimed to increase the future performance, profitability, and efficiency of the organization by using strategic management plans. One of the most substantial features of strategic management is identifying and solving the problems of organizations. According to research, it is much more efficient to apply more than one process rather than using a single strategic management technique.

The reason why strategic management is much more vital in terms of tourism is due to the characteristics of the tourism sector. Since the goods or services supplied in tourism are diverse, investments are required in many different areas. Also, production, service, and sales processes in tourism are intangible. Service quality may vary from person to person, and the marketing of intangible goods and services is different from tangible products. Negative experiences on holiday can affect all the preferences of tourists. Therefore, the establishment and organizational structure in tourism are closely related to customer experience.

The tourism sector is a labor-intensive sector. The supply cannot be changed shortly in the tourism sector. In other words, a hotel, organization, or business can't start from zero and launch in the short term. In addition, service in tourism is a whole, and do not possible to separate products and services from each other. Because the production of services and goods occurs together with consumption. The characteristics of the tourism industry make strategic management policies much more substantial. It is of great importance that tourism has intangible goods and services and has a labor-intensive, seasonal, and perishable management process. Many different features and elements can cause many problems at the same time.

This paper aims to reveal the retrospective nature of strategic management and tourism issue and also provide bibliometric data for researchers. In this way, the study aspires to provide producing scientific knowledge and constitutes a general framework of the relevant research field. In this respect, a bibliometric analysis of 74 works referred to strategic management and tourism in the "Web of Science" database between 1994 and 2023 was performed by the VOS (visualization of similarities) viewer program. The reason for choosing this database is that it is older and rooted compared to databases such as Scopus and Google Scholar. When the source countries of the publications were examined, it was determined that they mostly originated from the United States of America, England, and the People's Republic of China. The importance of study comes from it's originality. In the literature there is no similar study about strategic management and tourism issue. The study suggest to increase the number of searches about this issue. The researches will be guide for not only managers but also governors in private and public sector

In the first part of study the relationship between strategic management and tourism is explained. Then method and data set is clarified and findings exist in the third part. There is a conclusion in the last part of study.



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## THE PROBLEM OF FULFILLING RESPONSIBILITY FOR SOME CRIMES COMMITTED IN THE FIELD OF ENERGY



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Keywords	Abstract
Energy; Energy security; Right to ownership of energy resources; Security of energy objects; Crimes in the field of energy	In the contemporary economy, relationships within the energy sector hold significant importance. The stable development of any state relies heavily on the efficient utilization of resources. Therefore, particular attention should be directed towards the legal regulation of relationships in the energy sector. On the other hand, it is crucial to comprehend the field of energy in its broadest sense. Consequently, there is a need to understand energy law, specifically the law governing the management of energy resources. This encompasses both traditional and alternative energy sources. Regulation, protection, and the assurance of energy security should be integrated at all stages of the management, use, or exploitation of energy resources. This field essentially spans across various branches of law, and in most cases, its goals and objectives can be achieved through inter-branch cooperation. Presently, considerable emphasis is placed on international cooperation in the energy sector, leading to the formation of robust economic, infrastructural, and legal relations aimed at harmonization and convergence. In terms of criminal protection in the energy sector, two distinct directions should be recognized where legal safeguards are applied: norms that safeguard the right to ownership of energy resources and norms that ensure the protection of public security and order in the energy sector. Given the paramount importance of the energy sector, the imperative to ensure its secure exploitation necessitates continuous improvement and refinement of criminal law norms. This involves establishing responsibility for specific actions within a separate norm and assigning a proper place for it in the legal code. Considering the significance of the energy sector, it is particularly relevant to draw insights from foreign experiences within the framework of legal cooperation to enhance security in the field of energy.
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**INTRODUCTION**

In the contemporary economy, relationships centered around the energy sector play a crucial role. The stable development of any state hinges on the efficient utilization of resources, with energy standing out as a fundamental economic product. A seamless energy supply, accompanied by reasonably affordable prices, constitutes a vital prerequisite for prosperity and development. Consequently, it becomes imperative to give special consideration to the legal regulation of energy-related affairs.

On the flip side, it is essential to comprehend the field of energy in its broadest context. Understanding energy law, particularly the law governing the management of energy resources, is pivotal. This area encompasses both traditional and alternative energy sources, including primary energy sources such as coal, oil, natural gas, nuclear energy, and renewable energy sources like hydro, wind, solar, and geothermal energy. Secondary energy, such as electricity, is also part of this comprehensive scope.

The regulation, protection, and assurance of energy security must be implemented throughout every stage of the energy resources management, use, or exploitation process. This field essentially spans across various branches of law, and in most instances, its objectives and tasks can be achieved through inter-branch cooperation.

In the contemporary landscape, special emphasis is placed on international cooperation in the energy sector. As a result, robust economic, infrastructural, and legal relations are established, aiming at harmonization and closer collaboration (Opperman, Klasen, Netesheim 2001, p. 571).

**1. Energy Law**

Energy law encompasses a set of rules, rights, and obligations that regulate the exploitation of all energy resources. It governs interactions among individuals, between individuals and the state, and among different entities. Like any branch of law, its definition is derived from its subject, and in this case, the subject is the regulation of energy-related activities. The development of energy law gained momentum in the latter half of the previous century, drawing considerable theoretical and practical attention. This heightened interest was primarily driven by the need for legal frameworks to facilitate the expansion and enhancement of the economy's energy infrastructure. Defining the substantive basis of energy law is a complex process, marked by lengthy scientific discussions.

The intricacy of delineating the subject of energy law arises from its intermediate position compared to well-established, specialized law fields such as civil, administrative, or criminal law. Unlike these fields, which have clearly defined subject areas, energy law occupies a unique position. In both Georgia and foreign legal systems, specialized fields have already addressed crucial and structured aspects of social reality (Samkharadze 2018, p. 66).

Despite the existing delineation of subject areas by traditional branches of law, the dynamic socio-economic and scientific-technical developments in public life create a complex network of social relations. These relations often do not fit entirely or partially into existing legal frameworks, necessitating the use of sophisticated legal regulation methods. Energy law deals precisely with such complexities, holding an intermediate and interdisciplinary character in relation to other branches of law. This indicates its non-standard and fragmentary nature. If we employ classical theories of separation as a benchmark, energy law should regulate or "act" within the framework of the exercise of public authority by the state or the relations arising between individuals. Finding such a boundary is quite problematic, as the regulating norms of energy law encompass both private and public law elements. Therefore, it should be assumed that energy law is partly private and partly public (Gorodov 2010, p. 33).

The core subject of energy law is the relationships formed in the energy field, encompassing energy resources, their extraction, transformation, transfer, and use of various types of energy. However, this is not the sole element constituting the subject of energy law. It is crucial to remember that these elements often give rise to separate legal branches or directions. It should be noted that the subject of energy law is the field of relations related to the production/extraction, transformation, transfer, sale, and use of various types of energy resources, as well as their conservation.



Consequently, the subject of this field is the exploitation of energy resources in its broadest sense (Gorodov 2010, p. 26).

Seven main principles of modern energy law can be identified:

1. Sovereignty of national resources.
2. Access to modern energy services.
3. Fair energy regulation.
4. Wise, rational, and sustainable use of national resources.
5. Environmental protection, health, and climate change.
6. Energy security and reliability.
7. Economic sustainability.

Georgia is consistently advancing and refining its regulatory legislation in the energy sector. Notably, several key initiatives stand out, including the new resolution endorsed by the Parliament of Georgia on June 24, 2015, titled "On the main directions of the state policy in the field of energy of Georgia" (24/06/2015). Another crucial document for shaping Georgia's energy policy is the "Georgia 2030" strategy, sanctioned by the Georgian government in 2022 (Gorodov 2010, p. 31).

The Ministry of Economy and Sustainable Development of Georgia bears the responsibility for formulating the fundamental aspects of the state's energy policy and initiating the necessary legal framework to ensure effective implementation. While acts issued by the Ministry are significant, they do not constitute the sole foundation for regulating the sector. The national regulatory framework for the energy sector encompasses both legislative and subordinate legal acts, along with resolutions and other legal instruments adopted by the National Energy and Water Supply Regulatory Commission of Georgia.

Several pivotal legal acts contribute to the regulation of the energy field, including the Law of Georgia on Energy and Water Supply (20/12/2019), the Law of Georgia on Oil and Gas (16/04/1999), and the Law of Georgia on Encouraging the Production and Use of Energy from Renewable Sources (20/12/2019). These legislative measures collectively shape and guide the energy landscape in Georgia (Samkharadze 2018, p. 70).

## **2. Criminal protection of the field of energy**

The full disclosure of the specifics of energy law is only possible concerning criminal liability, as criminal law aims to protect legal goods and prevent criminal infringement. Therefore, energy resources, the normal functioning of the energy complex, energy security, and related events are considered legal goods that fall under the purview of criminal law (Heffron, Ronne, Bradbrook, Tomain, Talus 2018, p. 34-38).

It is important to emphasize that there is no dedicated chapter or section labeled "energy crime" in the criminal laws of any country. Consequently, at first glance, discussing the existence of a specific object of encroachment (legal good) within the energy field, encompassing energy resources, the normal functioning of the energy complex, energy security, and related events, may seem impossible. However, a closer examination of the objective composition of certain crimes outlined in the Criminal Code provides a basis to argue that criminal activities within the energy sector do indeed occur ("On the main directions of the state policy in the field of energy of Georgia").

It is noteworthy that the majority of foreign countries, excluding those in the post-Soviet space, adopt a broad understanding of criminal law. Within this framework, we can assert that the energy sector, with its legal goods, is protected at the criminal law level, despite the absence of a distinct "energy crime" chapter or section (Resolution No. 517 of the Government of Georgia).

It should be understood that a crime committed in the field of energy not only constitutes a violation of societal norms, public security, and order individually, but also represents a failure to comply with the stipulations of the pertinent law governing such relations. In terms of criminal



protection within the energy sector, the absence of a dedicated chapter in the Code of Civil Law necessitates the identification of two key areas for safeguarding legal interests (Samkharadze 2019, pp. 161-162).

Firstly, the protection of the right to ownership of energy resources is crucial, as exemplified by Article 177 of the Civil Code, specifically Subsection (d) of Section 4, which addresses theft of oil or gas in main pipelines. Additionally, Article 185 of the Civil Code addresses property damage resulting from deception (Law of Georgia on Oil and Gas).

Secondly, norms ensuring the protection of public safety and order in the energy domain are paramount. For instance, Article 2401 of the Civil Code pertains to the violation of safety rules at facilities related to electric, thermal energy, gas, oil, or petroleum products. Article 241 of the Civil Code addresses violations of safety rules at nuclear energy facilities. Moreover, crimes committed in the energy sector fall under the purview of Article 283 of the Civil Code, specifically pertaining to violations of safety rules during the construction, operation, or repair of main pipelines (Law of Georgia on encouraging production and use of energy from renewable sources).

Recognizing the significance of the energy sector, the imperative to ensure its secure operation underscores the need for continuous refinement of criminal law norms. Establishing distinct responsibilities for certain actions within a dedicated norm and assigning it a fitting place in the legal code becomes essential in this context. The foundation for the organization of the private portion of the Criminal Code of Georgia lies in the object of classification, namely the surname, aligning with specific sections of the Code. Conversely, the generic object is further categorized into specific objects, or chapters, which encapsulate a cohesive set of socially interconnected relations.

Typically, the most granular classification of crimes involves their grouping into subtypes. This classification conventionally centers on the direct object of violation, a mandatory element of the crime, with its essence explicitly reflected in the title of the relevant article (Tatarinov 2018, p. 320).

Within these chapters, it is evident that the legislator endeavors to informally cluster articles based on their contextual significance. The decisive factor in this classification is often the level of public peril inherent in a specific article. Criminal law mandates that crimes grouped within a particular chapter should coalesce into a unified system, exhibiting a logical correlation. This logical nexus can be rooted in various factors, such as the protected legal good or object of the crime. Crimes committed within the realm of energy are characterized by both the object of their violation and the subject of the crime. Identifying the subject and immediate object of energy-related crimes is crucial for establishing a comprehensive set of norms, forming the basis for their classification in a dedicated chapter (Dodonov 2009).

The object in question encompasses the energy sphere in its broadest sense, extending from the ownership of energy resources and energy-related entities through all stages of their utilization. This includes exploration, extraction, production, processing, storage, transportation, distribution, trade, and consumption of energy resources. Furthermore, it involves the operation and safety of the energy complex, as well as the layout, design, construction, operation, and repair of energy facilities, culminating in considerations of ecological safety.

Determining the subject of crimes committed in the field of energy is of paramount importance. These crimes manifest in various forms, such as those related to traditional (non-renewable) energy resources like oil, gas, and coal. Atomic energy occupies a distinct category as a separate energy resource. Additionally, crimes may involve renewable energy resources like hydropower and bioenergy, as well as alternative sources such as solar and wind energy, and less developed options like geothermal and other energy sources.

The spectrum of subjects further extends to electric or thermal energy, gas, oil or petroleum products, hydro, nuclear facilities, and main pipelines responsible for transporting energy resources. Clarifying the subject of these energy-related crimes is crucial for a comprehensive understanding and effective classification (Esakov 2013, pp. 43-45).

### **3. Completing the composition of crimes committed in the field of energy**

The type of economic crime occurring in the energy sector, specifically embezzlement, involves the theft of oil from the main pipeline, as outlined in Chapter 25 (Crimes against Property) of Chapter 8 (Economic Crime) of the Criminal Code of Georgia, Article 177, Part 4. This provision also applies to gas theft. The inclusion of this clause is a noteworthy addition to Georgia's legislation, and its approval is indeed commendable. It specifically categorizes such crimes as aggravated offenses, indicating thefts with high public danger, with the primary objective being the illicit possession of oil and gas.

This legal provision is crucial for Georgia, given its role as a transit country for energy resources. Therefore, safeguarding ownership rights to energy resources is a top priority in terms of criminal protection. The transnational nature of protecting this legal interest should be considered, as criminal violations of the right to ownership of energy resources in one state can occur on the territory of another. In such instances, adhering to the principle of double criminality in state legislations, i.e., criminalizing the same or similar actions by different states, becomes particularly important. International cooperation in holding individuals accountable for energy-related crimes hinges on this principle (Lekveishvili, Mamulashvili, Todua 2019, p. 20).

In addition to designating oil and gas as the subjects of illegal appropriation, the legislator specifies the location from which these resources should be stolen—the main pipeline. Consequently, if these resources are unlawfully taken from elsewhere, such as a specialized oil or gas tank in a freight train, the offense outlined in the legislation does not apply directly.

According to Article 2, Part 1, Clause A of the Government of Georgia Resolution No. 365 dated December 24, 2013, outlining the rules for the protection of main pipelines (oil, oil products, natural gas, and their transformation products) and establishing their protection zones, a main pipeline is defined as a pipeline, along with related facilities, intended for transporting oil, oil products, oil-related and natural gas, as well as their transformation products. These pipelines are not utilized for distribution and delivery to consumers. Additionally, point b of the resolution defines a facility connected to the main pipeline as an underground or above-ground building directly linked to the main pipeline, including equipment related to its operation, such as taps, pumping stations, compressor stations, gas measuring and distribution stations, cathodic and electrochemical protection systems, and more (Yakovlev 2012, p. 488).

The auxiliary pipeline, designed for delivering the mentioned product to consumers and functioning as a subsidiary branch of the main pipeline, is not deemed a *locus delicti* under Article 177, Part 4, Clause d. Such a location does not encompass storage pipelines or storage farms where oil or gas is stored temporarily or permanently. The act of pumping oil and gas can occur both through specialized, so-called intermediate taps on the main pipeline and through holes cut in the pipe wall itself (Vasilkova 2023, p. 16).

A slotted hole can be categorized as unqualified, lacking any special equipment, or qualified, with specific equipment installed to drain the pipeline's contents. Typically, this type of theft is opportunistic, involving the use of concealed spaces and infrastructure, particularly in areas where the main pipeline traverses deserted locations. Committing this theft necessitates technological expertise and the involvement of a certain number of individuals, raising the likelihood of organized group involvement.

In addition to the illicit possession of another's property constituting a crime against property, the primary concern lies in encroaching upon the energy sector. This encompasses violations of property rights over energy resources (oil and gas), extending to encroachments on the main pipeline, as it is an integral part of the energy domain. The resulting damage manifests as interference, indicating intentional harm, ultimately impacting the energy security of Georgia as a whole.

On the subjective side, it is evident that the perpetrator's motivation is solely driven by surreptitiously acquiring oil or gas from the main pipeline for misappropriation. It would be beneficial to treat the theft of oil or gas from the main pipeline as a distinct offense, possibly forming a separate chapter in the Criminal Code, such as "Crimes Committed in the Field of Energy," akin to practices in other analogous cases. Notably, criminal laws in certain U.S. states treat theft from oil pipelines as a distinct crime, for instance, Title 14 Louisiana Code §67.7 and Texas Penal Code §31.19. These

provisions closely align with the theft of oil or gas from the main pipeline outlined in Article 177, Section 4, Clause d (Lekveishvili, Mamulashvili, Todua 2019, p. 484).

Article 185 of the Civil Code of Georgia deserves special mention, particularly in cases involving property damage by deception. Our focus within this article pertains to situations where energy resources (such as electricity and gas) are consumed without corresponding fees being paid. This non-payment results in harm to the owner in the form of lost profits, making it distinct from a capital offense.

For instance, this article addresses instances where electricity or gas (or any other energy resource) is consumed, and the corresponding payment is either partially or fully neglected. This often involves the falsification of meter data and similar fraudulent activities. Unlike tangible objects, electricity lacks physical parameters like number, quantity, weight, volume, or spatial distribution. It cannot be stored or pumped, but it can be conserved.

The unlawful reduction of the amount to be paid on an electricity consumption meter is therefore categorized not as a misdemeanor but as property damage by deception. Consequently, we find grounds to discuss crimes committed in the energy sector. It becomes feasible to separate cases of energy resource consumption (electricity, gas, or others) without payment from Article 185 of the Civil Code (Tatarinov 2018).

Drawing from foreign experience, the complexity of UK law allows prosecution under various statutes for theft of energy resources. These may include the Theft Act 1968 Section 13 (theft of electricity), section 25 (preparation of theft), Theft Act 1978 (Obtaining Services by Fraud, Evading Obligors by Fraud), Criminal Damage Act 1971, Criminal Law Act 1977, and the Utilities Act 2000. Specific provisions exist for England, Wales, and Scotland under the Gas Act 1986 and the Energy Act (Northern Ireland) 2011 in Northern Ireland.

While British investigators often do not categorize energy crimes within a unified system, the theft of electricity and gas—particularly when executed through non-payment, meter interference, or tampering—is commonly treated as a form of theft. This approach poses challenges in both common and continental law countries, as the classification of electricity as an object of civil circulation leads to diverse perspectives (Resolution No. 365 of the Government of Georgia).

Notably, in the British legal framework, offenses related to electricity and gas are often termed as embezzlement and are subject to specific statutes. In the UK (excluding Shetland), criminal liability for non-payment of fees for energy consumption is established through a separate, specialized legal composition. This model is essential to be considered for implementation in the legislation of Georgia, alongside addressing crimes related to the consumption of energy resources and failure to pay corresponding fees, resulting in harm to the owner in the form of lost profits (Sundurova 2012, pp. 234-235).

Norms ensuring the protection of public safety and order within the energy sector encompass various aspects, such as violations of rules governing the use of energy resources. Notable examples include Article 2401 of the Civil Code, which pertains to the breach of safety rules at facilities for electric, thermal energy, gas, oil, or petroleum products. Additionally, Article 241 of the Civil Code addresses violations of safety rules at nuclear energy facilities. Crimes occurring within the realm of energy are also covered by Article 283 of the Civil Code, which deals with breaches of safety rules during the construction, operation, or repair of main pipelines.

Evidently, the security of the energy sector in the criminal justice system of Georgia is intertwined with the overall security and order of society. These crimes, by their secondary nature, are classified under the Criminal Code's 9th door, focusing on crimes against public security and order in Chapter 31, specifically addressing violations of safety rules during work (as seen in Articles 2401 and 241 of the Civil Code). Notably, Article 283 of the Civil Code is categorized under traffic offenses (LA Rev Stat § 14:67.7.).

Considering the direct object of criminal infringement, it can be asserted that these articles collectively denote a breach of public security in the context of energy (Lekveishvili, Mamulashvili, Todua 2019, pp. 539-540).

There is no dispute that Article 2401 of the Civil Code, concerning violations of safety rules at facilities for electric, thermal energy, gas, oil, or petroleum products, and Article 241 of the Civil Code, addressing safety rule violations at atomic energy facilities, fall under crimes committed within the energy sector. The criminalization of such actions stems from the heightened dangers associated with the exploitation and utilization of these energy sources. International economic projects, such as oil pipelines, gas pipelines, and transit power lines, implemented in Georgia necessitate special security measures. Consequently, the primary object of criminal protection is public safety during the design, construction, and operation of these energy sources. The same principle applies to nuclear energy facilities, where the legal protection object is public safety during their design, construction, and operation.

Separately, we would like to address the violation of the safety rule related to the construction, operation, or repair of the main pipeline, as stipulated in Article 283 of the Civil Code of Georgia. According to the prevailing opinion, the legal interest protected by the aforementioned article is public safety, as manifested in adherence to safety regulations governing the construction, operation, or repair of main pipelines. In our perspective, the subject of the offense is the main pipeline itself, through which the transportation of liquid or gaseous substances occurs, placing this violation within the domain of energy-related crimes.

The main pipeline constitutes a complex system of technical facilities and resources in the energy sector, facilitating the movement of substantial quantities of substances—such as oil, oil products, and natural carbon gases—over considerable distances from extraction points to production, processing, storage, and consumption sites. Main pipelines transport highly pressurized, flammable, inflammable, and explosive substances, posing an elevated threat to human health, life, and the environment, underscoring the significance of addressing such violations.

As previously mentioned, in accordance with the Resolution of the Government of Georgia No. 365 dated December 24, 2013, outlining the regulations for the protection of main pipelines (for oil, oil products, natural gas, and their derivatives), a pipeline is defined as a conduit, along with its associated facilities, intended exclusively for the transportation of oil, oil products, oil-related substances, natural gas, and their derivatives, and not for their distribution or delivery to end consumers (Lekveishvili, Mamulashvili, Todua 2019, pp. 456-457).

It is crucial to note that the misinterpretation of the concept of mechanical transport occurred in the case of the violation of safety rules pertaining to the construction, operation, or repair of main pipelines. This misinterpretation stemmed from wrongly attributing a pipeline to a vehicle in the classical sense, overlooking the fact that traffic crimes typically involve mechanical vehicles or structures essential for their normal functioning. The categorization of the violation of safety rules for main pipelines as traffic crimes is conditional, similar to the conditional equivalence of main pipelines to conventional modes of transport (Theft act 1968).

Furthermore, it is indisputable that main pipelines and their auxiliary facilities fall under the purview of the energy complex, encompassing elements of the energy sector. In traffic crimes, the subject of the offense plays a pivotal role, forming the structural basis of this legal framework. Consequently, the subject is mechanical transport (land, air, or water transport), along with the buildings and infrastructures that ensure their proper operation and traffic safety (Theft act 1968).

It is essential not to be misled by the terms "main pipeline" or "pipeline transport." Despite their nomenclature, these terms bear no relation to the vehicles specified in Chapter 34 of the Criminal Code of Georgia. The key distinction lies in the stationary nature of pipelines—they do not move through space and time but remain in a passive state. The sole mobile components within the pipeline are the materials being transported, such as oil and gas. Therefore, the main pipeline lacks the fundamental characteristic of mechanical transport (a vehicle) as a moving source of danger (Criminal damage act 1971).

In essence, the main pipeline is not self-propelled and does not pose a direct threat as a means of transport. The transported material (oil, gas, etc.) represents the primary source of increased danger. Consequently, the role of criminal law in this context is to establish safety conditions during industrial



activities in the energy sector, specifically concerning the transportation of the given cargo, with the aim of protecting its material (energy resource) value (Criminal damage act 1977).

In our view, the violation of safety regulations in the construction, operation, or repair of the main pipeline should not be classified as a traffic offense, given the unique nature of the main pipeline itself. We have endeavored to demonstrate this point earlier, focusing on the specifics of the crime's subject. The pertinent section within the Criminal Code of Georgia for this offense is primarily found in Article 283 of the Civil Code (Utilities Act 2000).

Article 283 addresses the breach of safety regulations in the construction, operation, or repair of the main pipeline, resulting in either minor or serious health damage. A parallel offense with a comparable context is outlined in Article SSC-2401, concerning the violation of safety rules in the layout, design, construction, or operation of facilities related to electric, thermal energy, gas, oil, or oil products. This violation may lead to lesser or severe health damage or substantial material harm (Gas act 1986). Another relevant provision is found in Article 241 of the Civil Code, which pertains to the breach of safety rules in the placement, design, construction, or operation of nuclear power plants. This offense, when committed due to negligence, has the potential to cause loss of human life or radioactive contamination of the environment. These three offenses can be seen as interconnected, differing mainly in the immediate object, with the commonality being an energy-related entity. The resulting criminal consequences are largely similar (Energy Act 2011).

It is evident that the criminal accountability for violations of safety rules in the construction, operation, or repair of the main pipeline should be at least included in Chapter 31 of the Civil Code, which addresses safety rule violations during work performance. However, a more comprehensive approach would be to consolidate these offenses, along with the aforementioned components, into a distinct chapter specifically addressing crimes within the energy sector. This would provide a more coherent legal framework (Shestak, Tsyplakova 2022, p. 73).

Given the critical nature of the energy sector, there is a clear need to prioritize enhancing production safety by refining legal mechanisms. Consequently, individuals responsible for accidents in this domain through their actions should be held criminally liable. Standardizing the compositions of such crimes or grouping them within a logical sequence, based on similarities or differences in the crime's subject, while maintaining a uniform approach to the object of infringement, is crucial for establishing consistent conditions of criminal liability (Matiyashchuk 2008, pp. 94-99). We have previously established that Article 2401 of the Civil Code, pertaining to the Violation of safety rules at facilities involving electric or thermal energy, gas, oil, or petroleum products, and Article 241 of the Civil Code, addressing Violation of safety rules at an atomic energy facility, fall under the category of crimes committed in the field of energy. To substantiate the inclusion of Article 283 of the Civil Code, which deals with Violation of the safety rule of construction, operation, or repair of the main pipeline, let's compare these articles for clarity. We believe that these crimes share a close composition (Martin 2009, p. 602).

A noteworthy parallel can be drawn with Article 2401 of the Civil Code, particularly in terms of the violation of safety rules at facilities involving electric or thermal energy, gas, oil, or petroleum products. Moreover, the consequences of both crimes largely coincide, with the latter also involving significant damage and other serious consequences. It's crucial to emphasize that the violation of safety rules concerning the construction, operation, or repair of the main pipeline is a logical continuation of the violation of safety rules at facilities involving electric or thermal energy, gas, oil, or petroleum products. This is due to the increased danger posed by certain energy sources, which led to the criminalization of the actions described in Article 2401 of the Civil Code. This criminalization is further justified by the assimilation and use of these energy sources (Lekveishvili, Mamulashvili, Todua 2019, p. 786).

However, a question arises concerning whether Article 283 of the Civil Code overlaps with Article 2401 of the Civil Code in the context of the construction and operation of gas pipelines and oil pipelines. Gas pipelines and oil pipelines, as energy facilities, are undoubtedly considered main pipelines. Article 283 of the Civil Code, addressing the Violation of the safety rule of construction, operation, or repair of a main pipeline, and Article 241 of the Civil Code, dealing with Violation of the

safety rule at an atomic energy facility, both share a common direct object of criminal protection—public safety in the field of energy. This safety is expressed in the construction, operation, or repair of a main pipeline, ensuring the adherence to safety rules. In the case of Article 241, the focus is on public safety in the field of energy during the design, construction, and operation of an atomic energy facility. In both instances, the additional object of protection is human life and health. Notably, Article 241 of the Civil Code also encompasses ecological safety within its composition (Lekveishvili, Mamulashvili, Todua 2019, p. 788).

The objective side is manifested in the violation of specific rules ensuring the safety of the construction, operation, or repair of the main pipeline, resulting in an illegal outcome as stipulated in the composition. This includes less severe or severe damage to human health in the first part, loss of human life in the second part, and loss of two or more lives in the third part. Additionally, there is the violation of safety rules during the layout, design, construction, or operation of a nuclear energy facility, potentially causing loss of human life or radioactive pollution of the environment (Inogamova-Khegai, Rarog, Chuchaeu 2008, p. 546).

Both articles are of a blanket nature, requiring determination of the specific rule violated in each case. These crimes can be committed through either action or omission. The three parts of the violation of safety rules for the main pipeline constitute a material composition, necessitating the fulfillment of the specified result outlined in the law for the completion of the crime. On the other hand, the violation of safety rules at a nuclear power facility, as per the first part of Article 241 of the Civil Code, is formal, indicating a dangerous delict. In this case, a specific result is not necessary, and the crime is considered complete when the violation of safety rules at the nuclear power facility could have resulted in the loss of human life or radioactive contamination of the environment. This means the crime is deemed complete from the moment a specific threat emerges, even if there is a time gap between the violation of the security rule and the prevention of the crime (Resolution No. 365 of the Government of Georgia).

The second and third parts of the article represent material composition, requiring the attainment of the specified result for the completion of the crime. The perpetrator of the crime is a special entity, someone assigned the duty to ensure and follow established safety rules during the construction, operation, or repair of the main pipeline (Zhulev 2001, p. 31).

Subjectively, both crimes are characterized as careless and can be committed through either self-reliance or negligence (Korobeev, Chuchaeu 2019, pp. 184-185).

From the above provisions, also violation of the safety rules for the construction, operation or repair of the main pipeline (Article 283 of the Civil Code), violation of the safety rules at the facility of electric or thermal energy, gas, oil or petroleum products (Article 2401 of the Civil Code) and violation of the safety rules at the nuclear energy facility (Article 2401 of the Civil Code) Article 241) and even a superficial comparison makes their similarity obvious and the possibility of perceiving them as parts of one logical sequence. The difference between them is only in the direct object of these crimes, which belong to the energy objects that make up the elements of the energy sphere (Mamulashvili, Todua 2019, p. 788).

## CONCLUSION

Finally, it should be said that today it is necessary to form a new chapter in the criminal law code of Georgia in the form of crimes committed in the field of energy within the framework of the 8th door (economic crime) or the 9th door (crime against public security and order) of the Criminal Code of Georgia. The development of the energy sphere is impossible without a corresponding strong legal base (the formation and development of energy law as an educational discipline must play an important role) not only within the framework of private and public law, but also in terms of criminal law. Criminal law is an effective element of protection of the field of energy (safety), especially in the form of general prevention of crimes in this field. It is important to address the issues of double criminalization, taking into account the growth factors of the transnational nature of crimes in the energy sector. The association agreement with the European Union, which envisages the convergence of legislation in the energy sphere, is an additional incentive for harmonization in terms of improving criminal law norms.



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## İKİDİLLİLİKTE SÖZCÜKSEL YAPILANMA: SÖZCÜK ÇAĞRIŞIMLARI VE İKİ DİLLİ ZİHİNSEL SÖZLÜK



Dr. Yeşim KARADAVUT<sup>1</sup> 

<b>Anahtar Kelimeler</b>	<b>Öz</b>
Zihinsel Sözlük İkidillilik Sözcük Çağrışımları Sözcüksel Yapılanma	Sözcük çağrışım testleri, zihinsel sözlük yapılanmasını keşfetmek amacıyla yaygın olarak uygulanan yöntemlerden biridir. Dilbilim alanında yürütülen sözcük çağrışım çalışmalarında eğilim, sözcük çağrışımlarını sınıflandırmaya ve çağrışımlar arasındaki sözcüksel bağlantıları açıklayan teoriler geliştirmeye yönelik olmuştur. Var olan çalışmalardan elde edilen bulgular, uyaran sözcüklerin katılımcılar tarafından iyi bilindiği durumlarda iki dilli zihinsel sözlüğün yapılanmasında dizisel (İng. <i>paradigmatic</i> ) bağlantıların baskın olduğu yönündedir. Bu çalışmalardan yola çıkılarak mevcut çalışmada, Almanya’da yaşayan 10-14 yaş aralığındaki Türkçe-Almanca iki dilli bireylerin Türkçe ve Almaca sözcük çağrışım davranışları karşılaştırılmakta ve iki dilli zihinsel sözlükte sözcüksel yapılanmanın ne şekilde olduğu ortaya konmaktadır. Bu amaçla farklı zamanlarda Türkçede ve Almancada uygulanan sözcük çağrışım testlerinde elde edilen yanıtlar, geleneksel sınıflandırma modeline göre çağrışım türlerine ayrılarak oransal olarak karşılaştırılmıştır. Mevcut çalışma, daha önce yapılmış çalışmalardan farklı bulgular ortaya koymuştur. Çalışmadan elde edilen sonuçlar, Türkçe-Almanca iki dilli bireylerin her iki dilde de kullanım sıklığı yüksek olan uyaran sözcüklere dizimsel (İng. <i>syntagmatic</i> ) yanıtlar verdiğini, yani Türkçe ve Almancanın yer aldığı ikidillilikte zihinsel sözlük yapılanmasının dizimsel olduğunu göstermiştir.
<b>Makale Bilgisi</b>	
<b>Araştırma Makalesi</b>	
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## LEXICAL ORGANIZATION IN BILINGUALISM: WORD ASSOCIATIONS AND BILINGUAL MENTAL LEXICON

<b>Keywords</b>	<b>Abstract</b>
Mental Lexicon Bilingualism Word Associations Lexical Organization	Word association tests are one of the commonly employed methods to explore the organization of mental lexicon. In the field of linguistics, the tendency in word association studies has been to classify word associations and develop theories explaining lexical connections among associations. Findings from existing studies suggest that in cases of well-known words, paradigmatic connections dominate the organization of the bilingual mental lexicon. Based on these studies, the present study compares Turkish and German word association behaviors of bilinguals aged between 10 and 14 living in Germany. It aims to reveal how lexical organization occurs in the bilingual mental lexicon. Responses obtained from word association tests conducted in Turkish and German at different times are proportionally compared based on the association types in traditional classification model. The current study has yielded findings different from previous research. The results indicate that Turkish-German bilinguals tend to provide syntagmatic responses to stimulus words that are frequently used in both languages. In other words, the organization of mental lexicon in bilingualism involving Turkish and German is syntagmatic.
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## GİRİŞ

Sözcükler, bireylerin dilsel edincinde büyük bir öneme sahiptir. Dolayısıyla hem anadili hem de ikidillilik bağlamında, bireylerin zihinsel sözlüğünde sözcüklerin işlenme, hatırlanma ve kullanıma çağırılma süreçlerine ışık tutmaya yönelik çalışmalar da önem kazanmaktadır. Sözcük çağırışım testlerinin bu amaç doğrultusunda sıklıkla uygulanan yöntemlerden biri olduğu görülmektedir. Sözcük çağırışım yöntemi, bir uyaran sözcüğe yanıt olarak verilen ilk sözcüğün uyaran sözcükle en güçlü bağlantıyı temsil ettiğini varsayar (Kim, 2013, s. 17). Dilbilim alanında yürütülen sözcük çağırışım çalışmalarında eğilim, sözcük çağırışımını sınıflandırmaya ve çağırışım arasındaki sözcüksel bağlantıları açıklayan teoriler geliştirmeye yönelik olmuştur. Buna göre çağırışımın geleneksel olarak dizimsel (İng. *syntagmatic*), dizisel (İng. *paradigmatic*) ve ses temelli (İng. *clang*) olmak üzere üç kategoriye ayrıldığı görülmektedir. Dolayısıyla sözcük çağırışım testleri sırasında elde edilen yanıtların zihinsel sözlükte yer alan anlamsal, sözdizimsel ve ses temelli yapılanmalara yönelik fikir vereceği düşünülmektedir. Örneğin Brown ve Berko (1960), Ervin (1961) ve Entwisle (1966)'ın anadili konuşurları ile yaptıkları sözcük çağırışım araştırmaları, dilbilim alanında öncü niteliğinde olup bu araştırmalar sonucunda dil gelişim süreçlerine yönelik benzer bulgular ortaya koyulmuştur. Bu bulgular, çocukların daha çok dizimsel çağırışımarda bulunurken yetişkinlerin dizisel çağırışım tercih ettiğini göstermektedir. Araştırmacılar arasındaki genel kanı, sözcüklerin öncelikle ses temelli bağlantılarla yapılandığı, yaş ve dil yetkinliği arttıkça ses temelli bağlantıların yerini sırasıyla dizimsel ve dizisel yapılanmaya bıraktığı yönündedir. Zihinsel sözlük yapılanmasındaki bu gelişimsel geçişin 6-8 yaş döneminde tamamlandığı öne sürülmektedir (Brown & Berko, 1960; Ervin, 1961; McNeill, 1970).

Birçok araştırmacı, iki dilli bireylerin sözcükleri zihinsel olarak nasıl yapılandığını keşfetmek amacıyla da sözcük çağırışım yöntemini kullanmış, çağırışımın sınıflandırılmasıyla ikidillilikte sözcük edinimi ve işleme süreçlerinin birçok yönünü açıklayarak ortaya koymuşlardır (Meara, 1983; Schneider, 2000; Wolter, 2001; Fitzpatrick, 2006). Söz konusu bu çalışmalarda ikidillilik kavramı oldukça geniş anlamda kullanılmıştır. İki dili aynı anda edinerek büyüyen iki dilli bireylerden yabancı dil öğrencilerine kadar, birden fazla dil konuşan katılımcılarla yapılan tüm çalışmalar iki dilli zihinsel sözlüğün niteliğini açıklamaya yöneliktir.

İki dilli zihinsel sözlük yapılanmasını açıklamak üzere yapılmış pek çok araştırma olmasına rağmen Türkçenin söz konusu olduğu ikidillilik bağlamında yapılmış çalışmalar sınırlıdır. Dolayısıyla bu çalışma, Türkçe-Almanca iki dilli bireylerin Türkçe ve Almaca zihinsel sözlük yapılanmasını sözcük çağırışım testleri aracılığıyla karşılaştırarak, sözcüklerin iki dilli bireylerin zihninde nasıl temsil edildiğini açıklamayı hedeflemiştir.

## 1. SÖZCÜK ÇAĞRIŞIM ARAŞTIRMALARI VE İKİ DİLLİ ZİHİNSEL SÖZLÜK

Bir dile ait sözcük unsurlarını öğrenme, yani bir dil konuşurunun, sözcükleri zihinsel boyutta düzenleme, depolama ve aktif kullanma süreçlerine ışık tutmaya çalışan pek çok araştırma yapılmıştır. Bu süreçlerle ilgili mekanizma dilbilimciler tarafından "*zihinsel sözlük*" olarak adlandırılmıştır.

Zihinsel sözlük terimi genel olarak her bireyin kafasında taşıdığı "*insan kelime deposu*" (Aitchison, 2003, s. 10) ve aynı zamanda bir dilin "*tüm sözlüksel birimlerinin toplamı*" (Schindler, 2002, s. 34) olarak tanımlanmaktadır. Höhle'ye (2010) göre, zihinsel sözlük sadece sözcükleri değil, aynı zamanda sözcüklerin kullanımıyla ilgili bilgileri de depolar. Bu nedenle zihinsel sözlük, "bir konuşucunun dilindeki sözcükler hakkındaki bilgisi, yani çeşitli dilsel biçimlerde sözcüklerin kullanımı için bir konuşurun gereksinim duyduğu tüm bilgiler" olarak tanımlanır (Höhle, 2010, s. 13). Başka bir deyişle sözcükler, anlamsal, sesbilimsel veya sözdizimsel olarak diğer sözcüklerle çeşitli bağlantılara sahiptir. Dolayısıyla zihinsel sözlük, sözcüklerin sesbilimsel, biçimbilimsel, dizisel, dizimsel ve eşdizimsel gibi boyutları ile desteklenir (Wildfeuer, 2009).

Araştırmalara göre, iki dilli zihinsel sözlük, yapısal olarak tek dilli zihinsel sözlükten farklı değildir. Sözcükler, bir anadili konuşurunun zihinsel sözlüğünde olduğu gibi iki dilli zihinsel sözlükte de sesbilimsel, biçimbilimsel, sözdizimsel ve anlamsal bağlantılara sahip karmaşık yapılar olarak temsil edilir (Scherfer, 1997, s. 192). Sözcük çağırışım testlerinin, anadili bağlamında yapılan çalışmalarda olduğu gibi, iki dilli zihinsel sözlüğün temel yapılanma özelliklerini de yansıtabileceğini düşünen araştırmacılar, bu bağlantıları inceleyerek iki dilli sözcük yapılanmasını açıklamaya

çalışmışlardır. Örneğin, yabancı dil öğrencilerinin sözcüksel çağrışımlarını inceleyerek iki dilli zihinsel sözlük yapılanmasını araştıran çalışmada Meara (1983), öğrencilerin dil yetkinlik seviyeleri arttıkça dizisel veya dizimsel çağrışımlarda artış, ses temelli çağrışımlarda ise azalma gözlemlenmiştir. Wolter (2001) ve Namei (2004) ise, genel dil yetkinlik seviyesinden bağımsız olarak hem anadilde hem de ikinci dilde yeni öğrenilen sözcüklerin diğer sözcüklerle ses temelli bağlantılar kurduğu, sözcük bilgisi derinleştikçe bağlantıların anlamsal, yani dizimsel veya dizisel boyuta taşındığını ifade etmektedir.

Schneider (2000), sözcüklerin anadili, yabancı dil ve iki dilli zihinsel sözlükte nasıl yapılandığını ortaya koymak üzere kapsamlı bir sözcük çağrışım araştırması yürütmüştür. Bu araştırmadan elde edilen bulgular, anadili söz konusu olduğunda dizisel çağrışımların, yabancı dil söz konusu olduğunda ise dizimsel çağrışımların baskın olduğu yönünde olmuştur. Ses temelli çağrışımlara ise rastlanmamıştır. Katılımcıların Almanya'da yetişen 17-31 yaş arası Türkçe-Almanca iki dilli bireylerden oluştuğu iki dillilik bağlamında ise çağrışımların her iki dilde de daha çok dizisel yönde olduğu gözlemlenmiştir. Bu bulgulara ek olarak Schneider, dizisel ve dizimsel bağlantılar arasındaki farkın dil yetkinliğinin yanı sıra diller arasındaki tipolojik farklara da dayandığını öne sürmektedir (2000, s. 320). 18-24 yaş aralığındaki Korece köken dil konuşurlarının zihinsel sözlük yapılanmasını Korece sözcük çağrışım testleri ile keşfetmeye çalışan Kim (2013), düşük dil yeterliliğine sahip köken dil konuşurlarının daha çok dizisel çağrışımlar tercih ettiği sonucunu elde etmiştir.

Daha yakın zamanda yapılan çalışmaların sonuçları ise farklılık göstermektedir. Örneğin, yetişkinlerle yürüttüğü ve anadili ile ileri seviye yabancı dil zihinsel sözlük yapılanmasını karşılaştırdığı İngilizce ve Yunanca sözcük çağrışım testlerinde Joannopoulou (2006), her iki testte de dizisel çağrışım oranının dizimsel çağrışım oranına göre daha yüksek olduğu sonucuna varmıştır. Yine anadili konuşurları ve ileri seviye yabancı dil öğrencileri ile gerçekleştirdiği İngilizce sözcük çağrışım araştırmasında Fitzpatrick (2006), her iki katılımcı grubunda dizisel çağrışımların baskın olduğu sonucuna ulaşmıştır. Buna ek olarak dil yetkinlik seviyesi arttıkça yabancı dil öğrencilerinden alınan yanıtlarda farklılık gözlemlenmiştir.

Zihinsel sözlüğün niteliğini keşfetmek amacıyla yapılan sözcük çağrışım araştırmalarının sonuçlarına bakıldığında yaş, dil yetkinlik seviyesi ve dile ne şekilde maruz kalındığı gibi etkenlerin anadili ve iki dilli zihinsel sözlük yapılanmasında farklılıklara yol açtığı görülmektedir. Mevcut çalışmada ise Türkçe-Almanca iki dilli konuşurların sözcük çağrışım testlerine verdikleri yanıt desenleri incelenerek aşağıdaki sorulara yanıt aranmaktadır:

1. Türkçe-Almanca iki dilli zihinsel sözlükte dillere göre farklı bir sözcüksel yapılanmadan söz edilebilir mi?
2. Türkçe-Almanca iki dilli bireylerin Türkçe ve Almanca dil yetkinlikleri arasında farklılık var mı?

## 2. YÖNTEM

Bu çalışmada, Türkçe-Almanca iki dilli çocukların hem Türkçe hem de Almanca sözcük çağrışım testlerine verdikleri yanıtları karşılaştırmak amacıyla nicel ve nitel araştırma yöntemleri bir arada kullanılmıştır. Her dil kategorisinde testlere verilen yanıt sayıları ve bu yanıtların uyaran sözcüklerle olan bağlantı desenlerine göre sınıflandırılması araştırmanın niceliksel yönünü oluştururken, ortaya konan sözcük çağrışım davranışları niteliksel olarak yorumlanmıştır.

### 2.1. Katılımcılar

Çalışmada 10-14 yaş aralığında, Türkçe-Almanca iki dilli 20 katılımcı yer almıştır. Katılımcıların bu yaş aralığında seçilmesinin nedeni, zihinsel sözlükte dizimsel yapılanmadan dizisel yapılanmaya geçişin tamamlandığı düşünülen 6-8 yaş döneminin geçmiş olmasıdır.

Tüm katılımcılar, Almanya'da doğmuş ve Türkçenin konuşulduğu ailelerde büyüyen çocuklardan oluşmaktadır. Türkçeyi, öğrendikleri ilk dil olarak tanımlamakla beraber Almancada kendilerini daha iyi ifade ettiklerini belirtmişlerdir.



Katılımcılar, T.C. Millî Eğitim Bakanlığının yurt dışında yaşayan Türk çocukları için sunduğu, Alman devlet okullarında yürütülen Türkçe ve Türk Kültürü derslerine devam eden iki dilli çocuklar arasından seçilmiştir. Bu derslerde, T.C. Millî Eğitim Bakanlığı tarafından hazırlanan farklı seviyelerdeki Türkçe ve Türk Kültürü kitapları kullanılmaktadır.

## 2.2. Sözcük Çağrışım Testleri ve Uygulama

Çalışmada, 15 sözcükten oluşan sözcük çağrışım testi farklı zamanlarda olmak üzere Türk ve Alman dili üzerinde uygulanmıştır (Tablo 1). Sözcükler, katılımcıların devam ettiği Türkçe ve Türk Kültürü Dersi ders kitaplarından seçilmiştir. Testlerin tüm katılımcılar tarafından anlaşılır olması amacıyla kullanım sıklığı yüksek 15 Türkçe sözcük seçilmiştir. Daha sonra, araştırmacı tarafından sözcüklerin Almancaya çevirisi yapılmıştır.

**Tablo 1.** Sözcük çağrışım testlerinde yer alan Türkçe ve Almanca uyaran sözcükler

	Türkçe Uyaran Sözcükler	Almanca Uyaran Sözcükler
1	aile	Familie
2	okul	Schule
3	kitap	Buch
4	sandalye	Stuhl
5	kalem	Stift
6	arkadaş	Freund(in)
7	spor	Sport
8	oyun	Spiel
9	tatil	Urlaub
10	beyaz	weiß
11	güzel	schön
12	ağaç	Baum
13	su	Wasser
14	kar	Schnee
15	kırmızı	rot

İlk olarak Türkçe test uygulanmıştır. Uyaran sözcükler katılımcılara yazılı olarak liste halinde sunulmuştur. Katılımcılardan her bir uyaran sözcük için akıllarına gelen ilk sözcüğü yazmaları istenmiştir. Süre kısıtlaması uygulanmamıştır, ancak tüm katılımcılar testleri 20 dakika içinde tamamlamıştır. Türkçe sözcük çağrışım testinin olası etkilerini önlemek amacıyla Almanca test 1 hafta sonra uygulanmıştır.

## 2.3. Yanıtların Sınıflandırılması

Testler sonucunda katılımcılardan elde edilen yanıtların sınıflandırılması, geleneksel sınıflandırma yöntemine dayanmaktadır. Geleneksel sınıflandırma yönteminde yanıtlar, uyaran sözcükler ve çağrışımlar arasındaki anlamsal-dilbilgisel ilişki doğrultusunda “dizisel” “dizimsel” ve biçimsel ilişki doğrultusunda “ses temelli” çağrışımlar olmak üzere 3 gruba ayrılmaktadır. Uyaran sözcük ile bu uyarana yanıt olarak verilen sözcükler aynı dilbilgisel kategoriye ait ise dizisel (örneğin; eş anlamlı sözcükler, zıt anlamlı sözcükler, altanamlılık); farklı dilbilgisel kategorilere ait ise ve aralarında yatay düzlemde bir devamlılık ilişkisi varsa bu durumda dizimsel çağrışımlar (örneğin; eşdizimlilikler, birleşik sözcükler) söz konusudur. Sözcükler arasında anlamlı bir bağ olmaksızın, sadece ses temelli biçimsel benzerlik varsa bu durumda ses temelli çağrışımlardan söz edilmektedir. Bu çalışmada, geleneksel sınıflandırma yönteminin dizisel ve dizimsel çağrışım grubuna ek olarak, bu



çağrışım türlerinin dışında kalan yanıtlar “diğer” (örneğin; türemiş sözcükler, uyaran tekrarı) ve hiçbir yanıtın alınmadığı durumlar ise “yanıtsız” olarak sınıflandırılmıştır. Katılımcı yanıtlarında ses temelli çağrışımlara rastlanmadığından bu tür, sınıflandırma dışında bırakılmıştır.

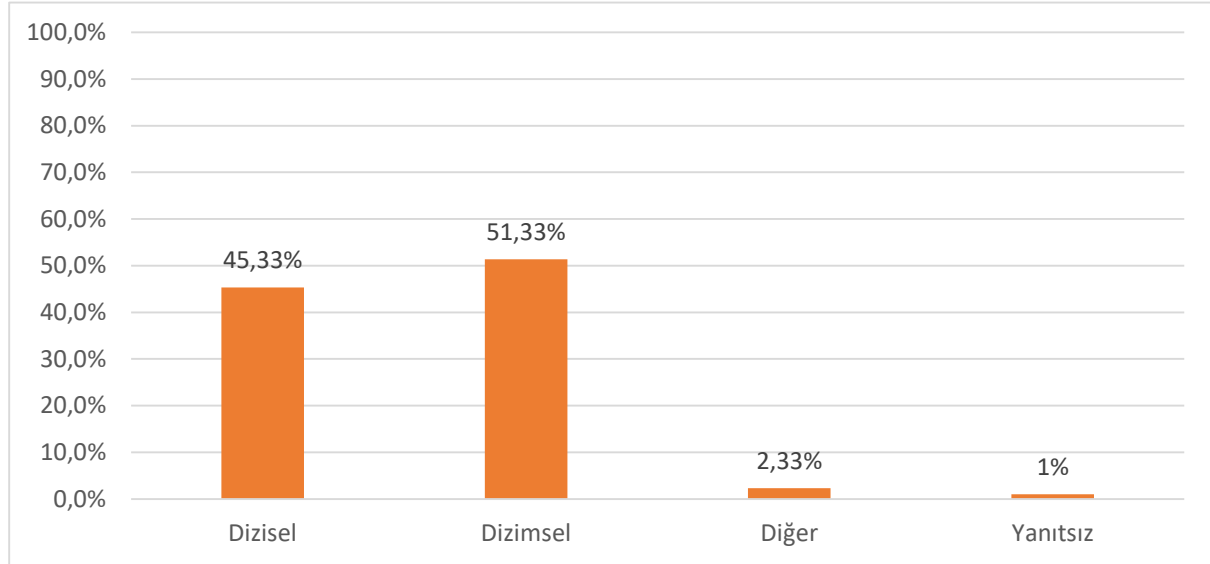
## 2.4. Bulgular

Veri analizinin ilk aşamasında, katılımcıların Türkçe ve Almanca sözcük çağrışım testlerinde verdiği yanıtlar çağrışım türlerine göre sınıflandırılmıştır. İkinci aşamada ise her bir çağrışım türünde verilen Türkçe yanıt sayıları Almanca yanıt sayılarıyla karşılaştırılmıştır. Başka bir deyişle, katılımcıların Türkçe ve Almanca testlerde gösterdikleri dizisel, dizimsel ve “diğer” çağrışım desenleri ile yanıtsız kalan durumlar oransal olarak karşılaştırılmıştır.

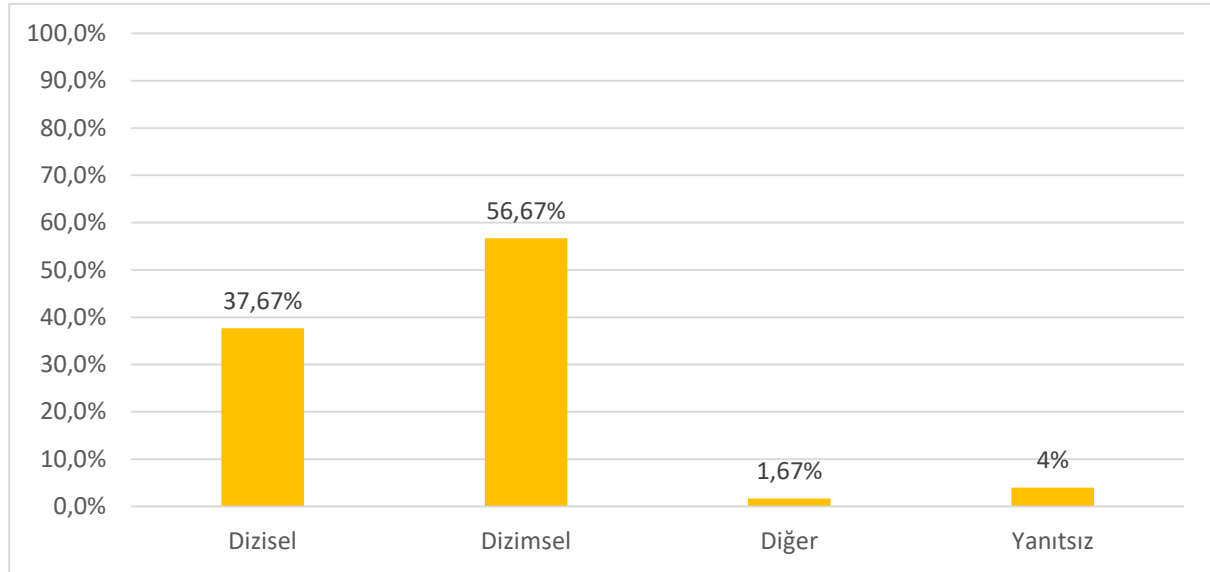
Daha önceki araştırmalar, iki dilli bireylerin her iki dilde de dizisel çağrışımların baskın olduğu birbirine benzer sözcüksel performanslar sergilediğini (Schneider, 2000; Sheng, McGregor & Marian, 2006), köken dil konuşurlarının daha çok dizisel türde yanıtlar verme eğiliminde olduğunu (Kim, 2013), uyaran sözcüklerin katılımcılar tarafından iyi bilindiği durumlarda daha çok dizisel yanıtlar elde edildiğini (Wolter, 2001) ve dizimsel yapılanmadan dizisel yapılanmaya doğru gelişimsel geçişin 6-8 yaş arasında tamamlandığını (Brown & Berko, 1960; Ervin, 1961; McNeill, 1970) göstermiştir. Bu bulgular doğrultusunda mevcut çalışmada, 10-14 yaş aralığındaki Türkçe-Almanca iki dilli bireylerin kullanıcısı oldukları her iki dilde daha çok dizisel çağrışım biçimleri oluşturacağı varsayılmıştır. Fakat sözü geçen çalışma sonuçlarının aksine, bu çalışmadan elde edilen bulgular hem Türkçe hem Almancada sık kullanılan sözcükler arası bağlantıların daha çok dizimsel olduğunu göstermektedir.

Grafik 1, Türkçe sözcük çağrışım testinden elde edilen yanıtların çağrışım türlerine göre dağılımlarını göstermektedir. Buna göre Türkçe dizisel çağrışım oranı %45,33 iken, dizimsel çağrışım oranı %51,33 olarak tespit edilmiştir. Yanıtların %2,33’ü “diğer” yanıtlar kategorisine girerken yanıtsız kalan sözcük oranının %1 olduğu görülmüştür.

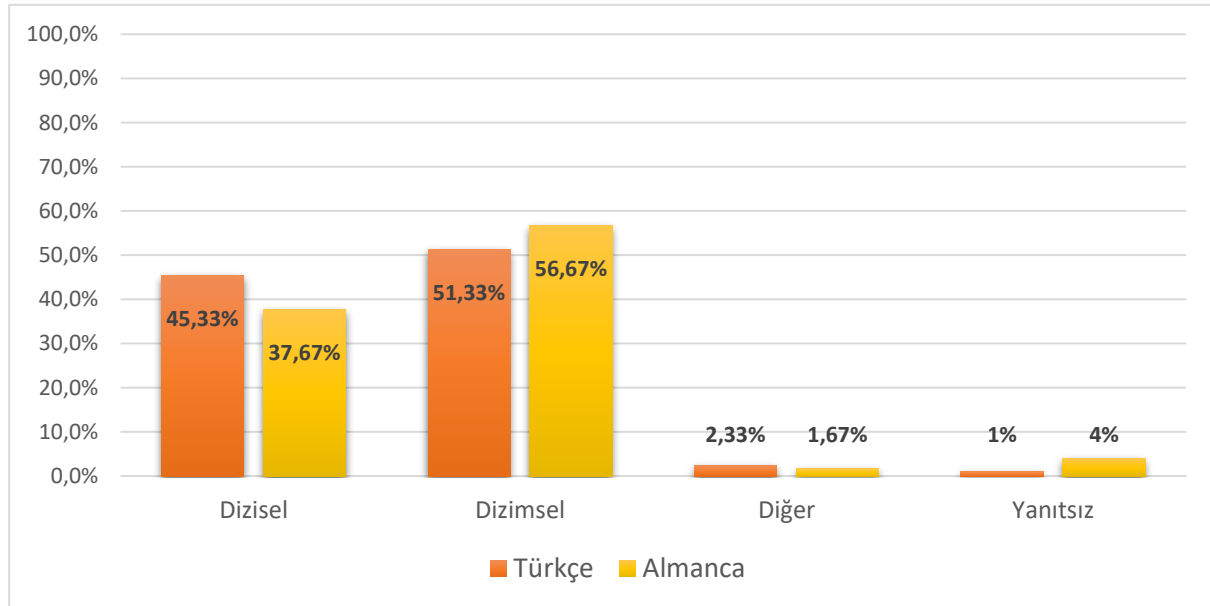
**Grafik 1.** Türkçe sözcük çağrışım türleri oranları.



Almanca çağrışım testinde ise katılımcılar, %37,67 oranında dizisel, %56,67 oranında dizimsel çağrışım tercih etmişlerdir. “Diğer” türde çağrışımlar %1,67 oranına sahipken, Almanca sözcüklerin %4 oranında yanıtsız kaldığı görülmüştür (Grafik 2).

**Grafik 2.** Almanca sözcük çağrışım türleri oranları.

Ayrıca Almanca ve Türkçe testlerde her bir çağrışım türünde ortaya çıkan sonuçlar karşılaştırıldığında (Grafik 3), katılımcıların Türkçe testlerde Almancaya göre daha yüksek oranda dizisel çağrışımında bulundukları görülmüştür (Türkçe %45,33- Almanca %37,67). Dizimsel çağrışım oranlarına bakıldığında ise Almanca sözcükler arasında kurulan bağlantıların Türkçe sözcükler arasındaki bağlantılara kıyasla daha çok dizimsel yönde olduğu gözlenmiştir (Almanca %56,67- Türkçe %51,33).

**Grafik 3.** Türkçe ve Almanca sözcük çağrışım türleri oranları.

Dolayısıyla mevcut çalışmanın sonuçları önceki çalışmalardan elde edilen bulgularla örtüşmemektedir. Bu çalışmadan elde edilen bulgular Türkçe-Almanca iki dilli bireylerin zihinsel sözlüğünde dizimsel yapılanmanın baskın olduğuna işaret etmektedir. Wolter (2001)'in elde ettiği bulguların aksine, katılımcılar tarafından iyi bilinen sözcükler hem Almancada hem Türkçede daha çok dizimsel çağrışımlar almıştır. 6-8 yaş aralığında tamamlandığı varsayılan, dizimsel yapılanmadan dizisel yapılanmaya doğru gelişimsel geçiş 10-14 yaş aralığındaki Almanca-Türkçe iki dilli bireylerde gözlemlenmemiştir. Bu da zihinsel sözlük yapılanmasındaki gelişimsel dönüşümün yaşa bağlı gerçekleştiği varsayımını tartışılır duruma getirmektedir. Öte yandan katılımcıların ses temelli çağrışımlarda bulunmaması, her iki zihinsel sözlükte sözcüksel yapılanmanın anlamsal temellere sahip olduğunu göstermektedir. Anadillerinin Türkçe, fakat kendilerini daha iyi ifade ettikleri dilin Almanca

olduğunu belirten katılımcılar, Türkçeyle karşılaştırıldığında Almanca sözcükler arasında daha yüksek oranda dizimsel bağlantılar kurmuşlardır. Bu bulgu, dizisel yanıtların dizimsel yanıtlara üstünlüğünün daha gelişmiş bir sözcüksel sisteme işaret ettiğini öne süren çalışmaları (Lippman, 1971; Zareva, 2007; Jiang & Zhang, 2019) desteklemektedir.

### TARTIŞMA VE SONUÇ

Bu çalışmada, sözcük çağrışım yöntemi kullanılarak Türkçe-Almanca iki dilli bireylerin zihinsel sözlüğündeki Türkçe ve Almanca sözcüksel bağlantılar incelenmiştir. Daha önce yapılan çalışmalardan yola çıkılarak mevcut çalışmada gerçek iki dilli bireylerin kullanıcısı oldukları her iki dilde daha çok dizisel çağrışımlarda bulunacakları tahmin edilmiştir. Fakat çalışmanın bulguları, 10-14 yaş aralığındaki Türkçe-Almanca iki dilli bireylerin her iki dilde de kullanım sıklığı yüksek olan uyaran sözcüklere dizisel yanıtlardan çok dizimsel yanıtlar verdiğini, yani iki dilli zihinsel sözlük yapılanmasında dizimsel bağlantıların baskın olduğunu göstermiştir.

Türkçe ve Almancanın yer aldığı ikidillilikte dizisel çağrışım oranlarının düşük, dizimsel çağrışım oranlarının yüksek olması, katılımcıların Türkçe ve Almanca zihinsel sözlük yapılanmasının birbirine paralel gelişim gösterdiğine işaret etmektedir. Ayrıca katılımcıların her iki dilde de ses temelli çağrışımlarda bulunmaması, sözcüksel bağlantıların anlam temelli kurulduğu dil yeterlilik düzeyine erişilmiş olduğunu göstermektedir. Başka bir deyişle, iki dilli bireylerin Türkçe ve Almanca sözcük yapılanmasında dilsel yetkinlik seviyesi bağlamında bir farklılık gözlenmemiştir. Dolayısıyla bu sonuçlar, zihinsel sözlüğün söz konusu dillerden bağımsız olarak genel bilişsel etkenler çerçevesinde yapılandığının bir göstergesidir.

10-14 yaş aralığındaki iki dilli bireylerin zihinsel sözlük yapılanmasında dizimsel bağlantıların baskın olması, sırasıyla ses temelli, dizimsel ve dizisel yapılanmaya doğru gelişimin ikidillilikte farklı dönemlerde gerçekleştiğine işaret etmektedir. Bu sözcüksel gelişimin ikidillilik bağlamındaki niteliklerinin keşfedilmesi için farklı yaş gruplarıyla yapılacak karşılaştırmalı çalışmalara ihtiyaç duyulmaktadır.

Önemli bulguların yanı sıra, mevcut çalışmanın bazı sınırlılıkları da bulunmaktadır. Örneğin, bu çalışmada sözcük çağrışım araştırmalarında sıklıkla tercih edilen geleneksel sınıflandırma yöntemi benimsenmiştir. Fakat elde edilen çağrışım türlerinin daha detaylı incelenmesi ve yorumlanması için sınıflandırmanın ayrıca alt kategorilere ayrılarak yapılmasının sonuçlara etkisi olabilir. Çalışmanın bir başka sınırlılığı, katılımcı yaş aralığının geniş olmasıdır. Yaş ve dil yetkinlik seviyesi bakımından daha homojen katılımcı gruplarıyla yapılacak sonraki çalışmalardan daha farklı sonuçlar elde edilebilir. Ayrıca mevcut çalışmanın sınırlı sayıda katılımcı ve sınırlı sayıda uyaran sözcük ile gerçekleştirilmiş olması, çalışma sonuçlarının genellenebilmesi noktasında sınırlılık teşkil etmektedir. Bu nedenle sonraki araştırmalar daha fazla katılımcı ve daha kapsamlı sözcük çağrışım testleri ile yapılmalıdır.

Çalışmanın, hem iki dilli zihinsel sözlüğün işleyişini açıklamaya yönelik hem de Türkçenin de yer aldığı ikidillilik bağlamında yapılacak olan çalışmalara katkı sağlayacağı düşünülmektedir. Ayrıca çalışmadan elde edilen sonuçlar, iki dilli bireylerin sözcük öğrenimi ve öğretimine yönelik pedagojik katkılar da sağlayacaktır. Çalışmanın, iki dilli bireyler için geliştirilecek sözcük öğretim yöntem ve materyallerinin, iki dilli zihinsel sözlük yapısını destekleyici yeni bakış açılarına göre tasarlanması noktasında faydalı olacağı düşünülmektedir.

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## EXTENDED ABSTRACT

Words are of great importance in individuals' language acquisition. Therefore, studies aimed at shedding light on the processes of processing, remembering, and recalling words in individuals' mental lexicons, both in the context of native language and bilingualism, are also gaining importance. In word association studies conducted in the field of linguistics, the trend has been to classify word associations and develop theories that explain the lexical connections between associations. Accordingly, it is seen that associations are traditionally divided into three categories, namely

syntagmatic, paradigmatic, and clang. Studies have shown that bilinguals exhibit similar lexical performance with domination of paradigmatic associations in both languages, that heritage language speakers tend to give more paradigmatic-type responses, that more paradigmatic responses are obtained in cases where the stimulus words are well known by the participants, and that the developmental shift from syntagmatic to paradigmatic structure is completed between the ages of 6-8. Based on these findings, the present study compares Turkish and German word association behaviors of bilinguals aged between 10 and 14 living in Germany. It aims to reveal how lexical organization occurs in the bilingual mental lexicon. Responses obtained from word association tests conducted in Turkish and German at different times are proportionally compared based on the association types in traditional classification model.

The findings of this study differ from those of previous studies. The participants gave more syntagmatic responses to stimulus words that are frequently used in both languages, which suggests that the syntagmatic connections are dominant in the organization of bilingual mental lexicon.

The low rates of paradigmatic and the high rates of syntagmatic associations in both languages indicate that the participants' Turkish and German mental lexicon structures show parallel development. In addition, the fact that the participants did not generate clang associations in either language shows that they have reached the level of language proficiency where lexical connections are established based on meaning. In other words, no difference was observed in the Turkish and German lexical structures of bilinguals in terms of language proficiency level. Therefore, these results indicate that the mental lexicon is structured based on the general cognitive factors, independent of the languages in question.

It is thought that the study will contribute to the future studies to be carried out to explain the aspects of the bilingual mental lexicon. In addition, the results obtained from the study will also provide pedagogical contributions to the learning and teaching of vocabulary for bilingual individuals. It is thought that the study will be beneficial in terms of designing vocabulary teaching methods and materials for bilingual individuals based on new perspectives that support the structure of the bilingual mental lexicon.