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Flexibility and Advantages of Turkish Maarif Foundation in Global Education Market due to its Hybrid Structure

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Abstract

Turkish Maarif Foundation (TMF), established in 2016 with a special law, is Türkiye's newest public diplomacy agency, providing formal and non-formal education abroad on behalf of Türkiye. TMF is defined as a "hybrid public diplomacy agency" in this article, as it is established as a private law legal entity but also has some public legal entity features. Since TMF operates abroad, it faces the challenges of adapting to domestic legislation, which may differ in each country. In addition, potential political and economic crises in the host countries where educational activities are carried out by TMF, the ever-changing global education market, and competition with globally influential international school networks with centuries of experience complicate TMF's activities. TMF can overcome these difficulties with the flexibility brought by its new generation and hybrid structure. With the flexibility and advantage of its hybrid structure, TMF can create different legal entities and offer country-specific curriculums; on the other hand, it can facilitate interlocutors in diplomatic negotiations with the appearance of a public legal entity. This article argues that its hybrid structure provides TMF flexibility and advantages in overcoming challenges in international politics and the global education market.

Keywords

Turkish Maarif Foundation, Hybrid public diplomacy agency, Türkiye's public diplomacy, Global education market, Education diplomacy

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Hibrit Yapısı Sayesinde Türkiye Maarif Vakfı'nın Küresel Eğitim Pazarındaki Esnekliği ve Avantajları

Öz

Türkiye Maarif Vakfi (TMV) Türkiye adına yurtdısında örgün ve yaygın eğitim faalivetleri gerceklestirmek amacıyla 2016'da özel bir kanunla kurulmus, Türkiye'nin en veni kamu diplomasisi avgıtıdır. Bu makalede TMV bir özel hukuk tüzel kisiliği olarak kurulmasıyla birlikte kamu tüzel kisiliğinin bazı özelliklerini de barındırması sebebiyle "hibrit bir kamu diplomasisi aygıtı" olarak tanımlanmaktadır. TMV faaliyetlerini yurtdışında gerçekleştirdiği için her ülkenin değişen yerel resmî mevzuatına uyum sağlama zorluğuyla yüzleşmektedir. Ayrıca, faaliyet gösterdiği ülkelerde olası siyasi ve ekonomik krizler, uluslararası eğitim pazarının sürekli değisen yapısı, köklü uluslararası eğitim ağlarıyla rekabet de TMV'nin faaliyetlerini zorlaştırmaktadır. TMV bu zorlukları yeni nesil ye hibrit yapısının imkan tanıdığı esneklikle asabilmektedir. TMV hibrit yapısının verdiği esneklik ve avantajla ülkelerin taleplerine uygun hukuki tüzel kişilikler oluşturabilmekte, özel müfredatlar hazırlayabilmekte, diğer taraftan kamu tüzel kişiliği görünümüyle diplomatik müzakerelerde muhataplılık konusunda kolaylıklar elde edebilmektedir. Bu makale TMV'nin uluslararası siyaset ve uluslararası eğitim pazarında karşılaştığı zorlukları hibrit yapısının kazandırdığı esneklik ve avantajla asabildiğini iddia etmektedir.

Anahtar Kavramlar

Türkiye Maarif Vakfı, Hibrit kamu diplomasisi aygıtı, Türkiye'nin kamu diplomasisi, Küresel eğitim pazarı, Eğitim diplomasisi

Introduction

Today, Türkiye has become one of the first countries to come to mind regarding prevalence, continuity, and effectiveness in global public diplomacy. Türkiye's emphasis on public diplomacy, especially in the last two decades, has played a significant role in its foreign policy. Particularly, Türkiye has been conducting highly effective public diplomacy worldwide through its state-owned agencies, i.e. TIKA, YEE, YTB, and AFAD, ranging from restoration, infrastructure, and development assistance to humanitarian assistance aid, from the promotion of the Turkish language and culture to international student scholarships. Turkish Maarif Foundation (TMF) is the latest addition to this public diplomacy family, representing Türkiye in the global education market through its formal and non-formal educational institutions worldwide.

When the geography of the activities of these Turkish state-owned public diplomacy agencies is considered as a whole, it is seen that Türkiye's public diplomacy activities are taking place in almost all United Nations (UN) member states. Effective public diplomacy significantly contributes to Türkiye's internationalization, promotion and dissemination of the Turkish language, culture, history, and art. Through public diplomacy, first, Türkiye consolidates its influence in its historical and cultural near geography, such as Central Asia, the Caucasus, the Balkans, and the Middle East and then establishes a sphere of influence in distant regions, such as Africa, Latin America, Southeast and Far East Asia. In this respect, public diplomacy is one of the essential tools of Türkiye's entrepreneurial and humanitarian foreign policy.

TMF further strengthens Türkiye's effective public diplomacy by bringing it to the global education market. Education-oriented relations enable the establishment of long-term and deep-rooted relations between societies than political, commercial, or military relations. Therefore, powerful states attach importance to international education and international schools. Through international schools, states can educate the youth of other states, who are the "decision-makers of tomorrow" and gain the sincerity and trust of these youth. For this reason, Türkiye also wanted to make its traditional and public diplomacy more effective by entering the global education market with TMF.

Established by a law passed by the Turkish Grand National Assembly (TBMM) in 2016, TMF is a public foundation that carries out educational activities abroad on behalf of Türkiye. TMF has been instrumental in Türkiye's entry

into the global education market, which it had not been involved in before, and has also played an influential role in closing the Fetullahist Terrorist Organization's (FETO) schools abroad. Therefore, TMF is important in Türkiye's public and educational diplomacy and its traditional diplomacy.

TMF opens and operates international schools abroad at all levels of formal education, from pre-school to higher education. In addition, TMF also carries out non-formal education activities with its education centers. In summary, TMF's field of activity is abroad, causing it to face numerous challenges. First, TMF opens educational institutions abroad to the extent permitted by the host country's legislation on "opening international schools" and must create different legal entities for each country. Second, since the education policy of each country may differ, TMF can create different curricula by negotiating with the ministries of education of the host countries. Third, some host countries' economic and political crises can also directly affect TMF. Finally, the fact that TMF schools officially represent Türkiye abroad also imposes essential responsibilities on TMF.

TMF is structured with the flexibility and equipment to meet these challenges. TMF was designed both official enough to represent Türkiye and flexible enough to operate in the changing and competitive structure of the global education market. Thus, TMF was created as a public foundation established by law. As a result, TMF is a private law legal entity, but it also has some characteristics of a public legal entity.

According to Law No. 6721, TMF's founding law, the President of Türkiye appoints seven of the twelve members of the Board of Trustees, the decision-making body of the TMF. In comparison, five members are representatives appointed by the Ministries of National Education, Foreign Affairs, Treasury and Finance and the Council of Higher Education. The other main body of the TMF, the Audit Board, comprises representatives from the Ministries of National Education and Treasury and Finance. According to the same law, the public budget allocation is the most significant share of TMF's revenues. In this respect, TMF is supervised and monitored by the public. In addition, the TMF enjoys the tax, duty and fee exemptions and exceptions granted to public legal entities. Its senior executives can also use diplomatic and service passports granted to public legal entities. These features of public legal entities provide TMF with significant advantages in its foreign operations and diplomatic negotiations.

While Türkiye's other public diplomacy agencies with public legal personality, i.e. TIKA, YEE, and YTB, are all affiliated, related or associated with a public institution or organization in the state organization structure, TMF is not. TMF can also be considered a new-generation public diplomacy agency with this autonomous structure. In conclusion, the criteria such as being a public foundation, having the characteristics of a public and private legal entity, its autonomous structure, and operating private schools abroad on behalf of Türkiye make TMF different from Türkiye's other public diplomacy agencies. Therefore, this article defines TMF as a "hybrid public diplomacy agency" since it has some characteristics of a public legal entity despite being established as a foundation, which is a private law legal entity.

With the flexibility and advantage of its hybrid structure, TMF can create different legal entities in each country under its "Foundation Deed" and prepare curricula with rich content per the demands of the host countries. In addition, with its autonomous structure, TMF can take rapid action and make quick decisions in response to the changes in the global education market and international politics, which have highly variable dynamics.

On the one hand, TMF carries out formal and non-formal education activities abroad on behalf of Türkiye, on the other hand, it raises awareness in the international community about Türkiye's history, culture, politics and social structure, teaches Turkish to the young generations of the host countries in its schools and introduces Türkiye from the right sources. It achieves all these objectives in the face of fierce competition in the global education market and crises in global politics. The flexibility provided by its hybrid structure is essential to this capability.

In this article, TMF, a public foundation, is defined as a hybrid public diplomacy apparatus due to its structure that combines the characteristics of public and private law legal entities. It is argued that this hybrid form gives TMF advantages in many of its activities and enables it to find rational and sustainable solutions in disadvantaged situations due to analyzing its strengths and weaknesses.

Reasons for the Establishment of TMF

Turkish Maarif Foundation is a public foundation established by Law No. 6721, adopted by the Turkish Grand National Assembly (TBMM), to carry out formal and non-formal education activities abroad on behalf of Türkiye. With authority granted by Law No. 6721, TMF opens and operates fee-based international schools abroad. Established by Türkiye as a public foundation, TMF is the only institution other than the MoNE authorized to open formal international schools abroad on behalf of Türkiye (Law No. 6721, Art. 2.3). Article 1 of Law No. 6721 lists TMF's objectives as international educational activities such as carrying out activities at all levels of education from pre-school to higher education, providing scholarships, opening facilities such as schools, training centers and dormitories, R&D activities, developing methods and publications. As can be seen from this, TMF was established to become an actor in the global education market of the twenty-first century.

Therefore, the widespread public perception that "TMF was established only to fight against FETÖ" does not reflect the purpose of TMF's establishment. A review of TMF's public documents and press releases reveals that the fight against FETÖ is one of the TMF's objectives. However, TMF also defines itself as reflecting Türkiye's development and political and economic achievements in foreign policy. (Akgün & Özkan, 2020).

When Law No. 6721, the texts shared by TMF, and the statements made by TMF officials are analyzed, it is possible to summarize the reasons for the establishment of TMF in three main points as follows:

- **i.** To contribute to Türkiye's active, entrepreneurial, and humanitarian foreign policy in line with the changes in international politics and to strengthen Türkiye's public diplomacy,
- **ii.** By utilizing the effectiveness of public diplomacy to ensure that Türkiye becomes an influential actor in the global education market, an area that Türkiye previously neglected,
- iii. To prevent the educational activities of FETÖ, a terrorist organization which claims to carry out educational activities abroad on behalf of Türkiye.

Türkiye's active, entrepreneurial, and humanitarian foreign policy of the last two decades and public diplomacy, which is the essential complement and supporter of this foreign policy, are the main reasons that paved the way for the establishment of TMF. The rupture in the international system with the end of the Cold War created opportunities for Türkiye and it started to implement an active foreign policy to improve its relations with Central Asia, the Caucasus, the Balkans, and the Middle East in terms of its cultural, linguistic, religious, historical roots and ties. Turkish Cooperation and Coordination Agency (TIKA) is precisely the result of Türkiye's inability to remain indifferent to these new opportunities. Türkive established TIKA in 1992 and began implementing major infrastructure investments and development programs in the newly independent Turkic States. Simultaneously, the Great Student Project, launched in 1992, offered higher education in Türkiye to 10.000 students from Turkic States and neighboring related communities in its first year (Celik, 2022b: 190). The Türkive-centered active foreign policy discourse of Turgut Özal, Süleyman Demirel and İsmail Cem in the 1990s was further implemented in the field during the AK Party (The Justice and Development Party) governments in the 2000s, and public diplomacy has become an indispensable and most active part of Türkiye's traditional foreign policy in the last two decades. In the 2000s, Türkiye's profile as a mediator in international political crises, a solution partner in humanitarian crises and disasters, a generous donor in international development aid, and an important center and destination country in international education mobility started to rise rapidly.

In this period, Türkiye's public diplomacy, which focused on development assistance and humanitarian aid, began to include cultural and educational issues. Yunus Emre Foundation (2007) and the Yunus Emre Institute (YEE), which started its operations in 2009 under Yunus Emre Foundation, started to carry out non-formal education activities to promote and disseminate the Turkish language and culture internationally. Presidency for Turks Abroad and Related Communities (YTB), established in 2010, although carries out its activities on Turks living abroad and related communities, is known chiefly for its Turkish Scholarships Program, an updated and institutionalized form of the Great Student Project in the 1990s. Thus, in the 2010s, Türkiye emphasized culture and education in its foreign policy and actively used state-originated public and cultural diplomacy agencies.

The primary purpose that encourages states to engage in cultural interaction and sharing and to express their culture is to attract and persuade other states and societies and to create a sympathetic or friendly international public opinion (Celik, 2022a: 165). In line with this desire, Türkiye established TMF to establish contact with the youth of other nations in 2016. Thus, while TIKA's project-based educational support and YEE's Turkish language and culture courses contribute to Türkiye's internationalization strategy in the field of non-formal education, YTB's Turkish Scholarships contribute to Türkiye's internationalization strategy in education in the field of international student mobility; TMF's activities that focus on formal education in addition to non-formal education, namely its educational activities carried out by opening pre-school, primary, secondary and higher education institutions abroad, make a significant contribution to Türkiye's public, cultural and educational diplomacy. Türkiye's internationalization strategy in education has been strongly implemented through international student mobility, non-formal and formal education activities. As a result, TMF was established to increase Türkiye's political and cultural influence in its near abroad, to raise young people who know Türkiye and to establish long-term cultural and goodwill-based ties with other societies.

The second reason for the establishment of TMF is related to the fact that states like Türkiye, which want to implement effective policies on a global scale, attach importance to educational activities abroad, especially international school networks. Economically and politically powerful states focus on opening international schools from pre-school to primary and secondary education (K-12), higher education institutions, cultural centers, international student mobility and scholarship programs abroad for purposes such as language teaching, culture transfer, cultural interaction, promoting and endearing themselves to the international public, and raising and influencing the young generations of the other countries. These initiatives are the relevant country's most critical and influential public diplomacy tools. International schools opened by states abroad enable the state to teach, promote and transmit its language, culture, and values to the host country's public, to create a

favorable attitude in the host country, and to establish long-lasting bonds of trust, culture, and sincerity with other countries. (TMF, 2019: 19).

The third reason and catalyst for establishing TMF was the fight against Fetullahist Terrorist Organization (FETÖ). Presenting itself as a religious community and a civil society initiative, FETÖ focused on the education sector in the 1970s and started to open schools abroad in the 1990s. FETÖ-affiliated schools abroad have been used as a tool for FETÖ to recruit human resources: establish contacts with the political, military, commercial and intellectual elites of other countries; act as a front for money transfers and money laundering; cover up intelligence and espionage activities; appear sympathetic to the world, gain a positive image and legitimize its activities (Akgün & Çelik, 2022: 318-319, 321). More importantly, these FETÖ-affiliated schools have become centers of black propaganda and lobbying against Türkiye in the international arena, especially since 2012, following the FETÖ's attempts to destabilize politics in Türkiye and the revelation of its attempts as a parallel state organization. TMF has been one of Türkiye's most effective initiatives against these policies of FETÖ (TMF, 2022a). The TMF prevented FETÖ-affiliated schools abroad from using the name "Turkish Schools" to portray themselves as the legitimate representative of Türkiye and ensured the closure of the FETÖ-affiliated schools, which were an essential source of income and personnel (Akgün, 2022: 59). According to January 2023 data, 228 of the 444 educational institutions operated by the TMF abroad consist of FETÖ-affiliated schools in twenty different countries previously closed after the TMF's diplomatic and legal initiatives then started to be operated by the TMF (TMF, 2023a).

TMF's Activities

TMF's activities are listed in Articles 1 and 2 of Law No. 6721. In addition, in all corporate documents of TMF, its activities are summarized under four main headings: Education and training, support to education, publishing and program development, and providing scholarships and housing (TMF, 2022d: 23; TMF, 2021a).

TMF's education and training activities include pre-school, primary, secondary, and higher education in formal education, courses, study centers and cultural centers in non-formal education. According to the data shared in the "Maarif in the World" section of TMF's corporate website (https://turkiyemaarif.org), which includes statistics on its activities around the world, as of January 2023, TMF has 425 schools at pre-school, primary and secondary education levels, one university, 21 training centers and 37 dormitories in 51 countries (TMF, 2023a). In some countries, TMF has only schools, some only a training centers, and some have both schools and a training centers. This data shows that the TMF's emphasis in its educational activities is on the K-12 level, i.e. schools where formal education is provided at pre-school, primary and secondary levels. TMF schools are legitimate, legal, education-licensed, fee-paying international schools, which are opened by TMF based on memorandums of understanding (MoU) or international agreements signed with the country it operates. In TMF schools, citizens of the host country and other countries and Turks abroad receive education (Türkben, 2022: 229; Presidency of Communication, 2022: 607-608). In higher education, TMF has a university only in Albania. According to the TMF's corporate website, non-formal education activities are provided at Maarif Education Centers opened in twelve countries. In these centers, certified activities such as evening schools and weekend courses are carried out (Türkben, 2022; Anadolu Ajans, 2022).

Afghanistan 44	Equatorial Guinea 4	Kyrgyzstan 7	South Africa 3
Albania 8	Ethiopia 18	Madagascar 4	Sudan 6
Australia 3	Gabon 4	Mali 28	Syria 2
Azerbaijan 3	Gambia 4	Mauritania 9	Tanzania 13
Bosnia and Herzego- vina 10	Georgia 4	Niger 13	Togo 8
Brundi 3	Ghana 2	North Macedonia 6	TRNC 2
Cameroon 16	Guinea 9	Pakistan 85	Tunisia 4
Canada 1	Hungary 3	Romania 8	USA 4
Chad 6	Iraq 15	Senegal 13	Venezuela 9
Congo 4	Ivory Coast 4	Serbia 12	
Dem. Rep. Of Con- go 3	Jordan 2	Sierra Leone 3	
Djibuti 2	Kosovo 7	Somalia 7	

Table 1: Number of TMF's educational institutions by country

Source: TMF, 2022e

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Afghanistan 7	Belgium 2	Colombia 1	Germany 2
Austria 1	Bosnia and Herzego- vina 1	Ethiopia 1	Mali 1
Belarus 1	Cameroon 1	France 2	Tunisia 1

Table 2: Number of TMF's training centers by country

Source: TMF, 2022e

TMF's education support activities include establishing libraries, laboratories, art and sports facilities, and career guidance and counselling services. Regarding publishing and program development, TMF develops a curriculum called the International Maarif Program, which includes its educational methods and procedures; prepares academic publications, periodical academic and popular journals in international education and organizes international conferences. TMF also provides scholarships to its successful students and establishes student dormitories and staff residences to meet their housing needs (TMF, 2023b).

TMF as a Hybrid Structured Public Diplomacy Agency

Although states can use public institutions, NGOs, universities, international companies, research, cultural centers, think tanks, media or opinion leaders in public diplomacy, public agencies/institutions are usually the major executive of public diplomacy. The leading executive of Türkiye's education and cultural diplomacy are also public agencies. TIKA was established in 1992 under the Ministry of Foreign Affairs and became part of the Prime Ministry in 1999. YTB was established in 2010 under the Prime Ministry. Following April 16, 2017, a referendum on constitutional amendments, both institutions were restructured as public legal entities under the Ministry of Culture and Tourism with a special budget under the Presidential Government System that was implemented in July 2018 (see Presidential Decree No. 4). YEE, on the other hand, is an organization established in 2009 under the Yunus Emre Foundation, which was established as a public foundation in 2007, and operates under the Ministry of Culture and Tourism.

Unlike TIKA, YTB and YEE, Turkish Maarif Foundation is not affiliated, related or associated with any public institution or organization. In this respect, TMF is an autonomous organization. In essence, TMF is a public foundation established by the public administration through law, which also undertakes public duties and is authorized to carry out public works and actions on behalf of the public. Foundations established by law in Türkiye are exceptional, and there are four in total. Before TMF, two public foundations were established by law: The Turkish Armed Forces Foundation, established by Law No. 3386 dated 17.6.1987 and the Yunus Emre Foundation, established by Law No. 5653 dated 5.5.2007. And Antalya Diplomacy Forum Foundation was established by Law No. 7430 dated 4.1.2023, after the TMF.

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TMF, which defines itself as a "non-profit foundation working for public benefit" (TMF, 2019: 12), has a private law legal entity under Law on Foundations No. 5737 due to its "foundation status". It can be seen in Law No. 6721. Article 6 of Law No. 6721 states that "...in cases where there are no provisions in this law, the provisions of the Turkish Civil Code No. 4721 and the Law on Foundations No. 5737 shall apply". Since TMF, as a private law legal entity, also has some characteristics of a public legal entity, i.e. it is established as a hybrid form of private and public law legal entities, TMF is defined as a "hybrid public diplomacy agency" in this article. In the use of hybrid, the literature defines public diplomacy activities conducted by public institutions together with international non-governmental organizations (NGOs) as hybrid public diplomacy (Marchetti, 2017), except for formal diplomatic talks between state representatives (track one diplomacy) and informal diplomacy conducted by non-state actors (track two diplomacy), the description of informal diplomatic talks conducted by state representatives (track one and a half diplomacy) as hybrid diplomacy (Mapendre, 2000) is adapted to the combination of public and private legal entities in TMF.

The aspects of TMF that show the characteristics of a public legal entity can be briefly summarized as follows:

- i. Established by a law adopted by the TBMM,
- ii. Two-thirds of the Board of Trustees to be appointed by the President,
- iii. Representatives of public institutions and organizations taking part in its organs,
- iv. Its budget is allocated from the Public Budget,
- **v.** Benefiting from exemptions and exceptions granted to public legal entities,
- vi. Recruitment from public institutions.

TMF's founding law, Law No. 6721, was adopted on 17.06.2016 and entered into force after being published in the Official Gazette dated 28.06.2016 and numbered 29756. Article 123 of the Turkish Constitution states that "a public legal entity shall be established by law or presidential decree". In this respect, although the fact that an administrative unit is established by law alone is insufficient for that unit to acquire public legal personality, it strengthens it to have the characteristics of a public legal entity.

However, Article 3 of Law No. 6721 defines the organs of TMF as the Board of Trustees, the Board of Directors, and the Audit Board. The Board of Trustees, the decision-making body of TMF, is composed of twelve members, seven of whom are appointed by the President, and five of whom are appointed by the Ministry of National Education, the Ministry of Foreign Affairs, the Ministry of Finance, and the Council of Higher Education (Art. 3.2). The Audit Board, which audits the activities and accounts of the TMF on behalf of the Board of Trustees, is composed of five full and five substitute members, including

representatives of the Ministry of National Education and the Ministry of Finance (Art. 3.6). Therefore, representatives of the relevant public institutions and organizations serve in the principal organs of TMF.

On the other hand, Articles 5.3 and 5.4 of Law No. 6721 grant TMF the exemptions and exceptions from taxes, duties and fees granted to public legal entities, and Articles 4.2 and 4.3 grant those who serve in TMF's organs, as well as school administrators and teachers assigned abroad, the right to use diplomatic passports and service passports under Articles 13 and 14 of the Passport Law No. 5682, as granted to public legal entities. These rights, exemptions and exceptions granted to TMF significantly contribute to TMF's appearance as a public legal entity.

According to Article 5.2 of Law No. 6721, TMF's revenues consist of income from overseas education activities, income from evaluating its recognizable and immovable assets, conditional and unconditional donations, and in-kind and in-cash aids, with the major share being the amount allocated from the public budget. In addition, to create and develop its resources, TMF also generates income from commercial activities through Maarif International Education Institutions Joint Stock Company (MUEKAŞ) and accepts conditional and unconditional donations (TMF, 2022d: 27). The allocation from the public budget is transferred to TMF through the MoNE. For example, the Presidential Decrees published in the Official Gazette authorized the transfer of 1.2 billion TL from the general budget in 2021 (Official Gazette, 03.03.2021, P.3492) and 1.8 billion TL in 2022 (Official Gazette, 25.05.2022, P.5611). Thus, both the supervision of the TMF through public institutions and close cooperation with public institutions are ensured.

Finally, the human resources of TMF are met through the recruitment of contracted personnel within the framework of Labor Law No. 4857 and through assignments from public institutions (TMF, 2022d: 39). However, according to Additional Article 1 of Law No. 6721, TMF can assign civil servants and academic staff from public institutions for a period of two years if needed. Thus, TMF can employ specialized and qualified civil servants in international education, education training, diplomacy, international law and management. In this employment process, the periods working at TMF are considered to have been spent in the civil service, and there is no loss in the social security rights of the personnel assigned from the public sector. In this respect, TMF is also considered as a public legal entity.

Although TMF has some characteristics of a public legal entity due to the characteristics mentioned above and is closely supervised by the public, it is a public foundation in Türkiye that carries out its activities under the provisions of the Turkish Civil Code No. 4721 and the Law on Foundations No. 5737. However, the fact that it also shows substantial indications of being a public legal entity allows TMF to be considered a hybrid structure incorporating public and private law legal entities.

TMF's Challenges and Overcoming These Challenges with the Flexibility Provided by its Hybrid Structure

Although TMF has become a global education network operating international schools in 51 countries in just seven years, it should be noted that this has been a challenging process. There are significant challenges for TMF, such as operating abroad and therefore having to act within the territorial sovereignty of other countries, educating the young generations of other countries. Therefore, the host countries' sensitivity and strict control reflex balance the countries' demands with the standards of global education models, creating unique curriculum options without forgetting TMF's mission and implementing it to satisfy all countries. In addition to all these, international education has become a global market, each actor has different missions, and the fierce competition requires TMV to be a flexible structure that can make quick decisions and generate different scenarios. At the same time, TMF has the responsibility to represent Türkiye abroad. The solution was a public foundation status established by law. With the hybrid structure that its status as a public foundation gives it, TMF can develop unique solutions to overcome the challenges outlined above.

Adapting to Different Domestic Legislations of Host Countries

TMF's education activities fall under the sovereignty of other countries, and therefore the start of its education activities is subject to the official approval of the host country. Along with official approval, education is a sensitive issue for every country. Each country is sensitive when deciding on educating its young people in international schools ruled by another country. This sensitivity also complicates the procedure of opening an international school.

Since the schools opened by TMF abroad have the status of foreign schools or international schools in the host countries, the opening processes, status and functioning of TMF educational institutions are realized according to the domestic legislation, and official approval of the host country and the domestic legislation of each country on this issue may vary. For example, international schools to be opened by foreigners in Türkiye are subject to Law No. 5580 on Private Education Institutions. Law No. 5580 categorizes international schools that can be opened in Türkiye as international private schools, foreign schools and minority schools. TMF's education activities abroad overlap with the definition of "foreign schools" in Law No. 5580. Article 5.b of Law No. 5580 stipulates that foreign schools' acquisition of land, expansion of capacity, and transfer of land to the MoNE or foundations established under the Civil Code are subject to the permission of the Presidency. According to Article 8 of the same law, a Turkish person gualified to teach the Turkish language and culture courses must be employed as the Turkish vice principal in these schools (Karagöz, 2022: 207-208). As seen in the case of Türkiye, countries' domestic legislation may contain qualified conditions and difficulties in opening international schools. Countries may require different statuses such as foundation, non-profit international company, for-profit company, non-governmental organization (NGO) initiative, locally established international investor or public institution to open a foreign international school. On the other hand, international schools may also require different conditions, such as local curriculum, foreign curriculum, and foreign language curriculum (Kitaev, 1999; CIMEA-EU, 2022).

A significant challenge for the TMF is to create a status under the domestic legislation of each country and to produce solutions on legal and legitimate grounds in terms of local and international legal responsibilities and obligations for each country. In response to this challenge, TMF, with its hybrid structure, can create legal entities with statuses per different domestic legislation of countries. Founding Law No. 6721 allows TMF to establish, take over or acquire partners in economic enterprises abroad, if deemed necessary, under the domestic legislation of the relevant country (Art. 5.1). In addition, TMF can also carry out activities as a non-profit organization with its private law legal personality. For example, as in Pakistan (Anadolu Ajans, 2021), TMF can also be recognized as a public institution to the extent permitted by the domestic legislation of some countries. On January 13, 2021, Turkish Minister of Foreign Affairs Mevlüt Cavusoğlu and Pakistani Minister of Education Shawkat Mahmoud signed a Memorandum of Understanding (MoU), which transformed TMF's legal entity in Pakistan from a non-governmental organization (NGO) to a public institution (Ministry of Foreign Affairs, 2021). TMF's ability to change its private legal entity from an NGO to a public legal entity in the same country was made possible first with the Pakistani government's approval and then with the hybrid structure that allows TMF to switch between these legal entities. This legal infrastructure allows TMF to open schools with a status suitable for each country, which is not available in public institutions.

Competitiveness in the Global Education Market

According to ISC data, which closely monitors the global education market, as of January 2023, 6.5 million students are receiving education in 13.192 international schools worldwide, with a market volume of 56 billion dollars (ISC Research, 2023). A more detailed analysis of ISC data reveals that international schools have exploded in the last two decades. While the number of international schools increased from 2584 in 2000 to 8709 in 2013 and 13192 in 2023, the economic size of the global education market increased from 5 billion dollars in 2000 to 34 billion dollars in 2013 and 56 billion dollars in 2023 (ISC Research, 2023). In other words, the number of international schools has increased fourfold, and the financial size of the market has increased ten times in the last two decades. These increases in the number and financial size of international schools show the importance societies attach to international education. It is important to note that this global education market

is dominated by private international school networks that are widespread worldwide. However, states continue to determine the policy and content of the global education market to a large extent.

Today, the most widespread educational networks of these international schools established by states are France's AEFE, Germany's ZfA, the UK's BSO, and in recent years China's Confucius Institutes and Classrooms, while Türkiye joined this competition with TMF in 2016. Having entered the global education market in June 2016, TMF's primary competitors appear to be state-sponsored or state-owned international schools, rather than private international school networks.

AEFE is a public institution established in 1990 under the auspices of the French Ministry of Foreign Affairs to manage and monitor the schools opened by France worldwide in the early twentieth century. In 2022, 390.000 students attended AEFE's 566 schools in 138 countries. The budget of AEFE, whose language of instruction is French, is 1 billion Euros in 2022 and is allocated mainly from the public budget (AEFE, 2023). ZfA, Germany's international school network, was established in 1968 to centrally manage the schools Germany established abroad after the First World War. The ZfA is a flexible public diplomacy agency that operates under the auspices of the Federal Office for Administrative Affairs (BCA), i.e. the German government and the German Foreign Ministry, and has some autonomy. According to 2022 data, there are 1200 schools under the management and supervision of ZfA and ZfA activities are supported mainly by the public budget (ZfA, 2023). Instead of establishing publicly funded international schools like France and Germany, the UK has developed a British Schools Overseas (BSO) system under the Ministry of Education, which oversees international schools established by British multinational companies, encouraging private enterprise. According to this system, British private school associations and accreditation organizations such as IB, COBIS, CIS, and FOBISIA, which started to spread worldwide in the 1930s, operate under the supervision of BSO. In 2022, 193 BSO-supervised British schools in 48 countries (BSO, 2023). China entered the international education market in the 2000s. The Chinese Ministry of Education established the "Chinese National Office for the Teaching of Chinese as a Foreign Language", or Hanban, in 1987, and Hanban established Confucius Institutes, cultural centers, in 2004. In K-12 formal education, Confucius Classrooms were subsequently established (Çelik, 2022a: 173). As of 2020, there are 550 Confucius Institutes and 1172 Confucius Classrooms in 162 countries (CIEF, 2023).

Considering the AEFE, ZfA, BSO and Confucius Classrooms, TMF's competitors in the global education market are deeply rooted and powerful institutions. As of January 2023, TMF is only in its seventh year of operation. While French, German and British international schools have at least a century of experience, today's institutional structures of AEFE (33 years), ZfA (55 years). BSO (50 years) through IB. CIS and COBIS. and Confucius Classrooms (20 years) and their activities in over a hundred countries pose the most crucial challenge for TMF. Especially AEFE, ZfA and BSO's long years of experience, being recognized as institutions providing quality and qualified education, being internationally accredited institutions, being integrated with qualified universities, their languages of instruction (English, French, German) being globally accepted languages and being demanded even for the study of these languages, and especially their large financial structures supported by the public budget cause them to have a significant share in the global education market. As a relatively new entrant to the global education market, competition with these deeply rooted and powerful institutions poses a severe challenge. Another challenge of the competition is related to financial capacity. For example, while AEFE's 2022 budget is 1 billion Euros (AEFE, 2023), TMF's 2022 budget is 1.8 billion TL (Official Gazette, 25.05.2022, S.5611), approximately 90 million Euros. Although making comparisons based on budgets alone will not lead to an accurate analysis, considering that AEFE has 390000 students in 2022 while TMF has 52.000 students, the budget per student in AEFE schools is 2565 Euros while this figure is 1730 Euros in TMF. To strengthen its budget and create new sources of income in this competitive environment, TMF can establish economic enterprises such as MUEKAS based on Article 5.2 of Law No. 6721.

A final dimension of competition is in the curriculum. In its schools in the host country, TMF implements three different curriculums: local, international and the International Maarif Program. Regardless of which of these curricula is implemented, the content of each curriculum, which is decided together with the host country's ministry of education, consists of five topics: Modern science, social sciences, information technology, foreign language teaching, local cultural values (TMF, 2019: 20; TMF, 2021d). While the first three pillars are the standard content of all international schools, TMF differentiates itself from other international schools in the last two pillars, giving it an advantage over the competition. The language of instruction in TMF schools is decided jointly by TMF and the Ministry of Education of the host country. Although Ministries of Education usually demand education in the local language, TMF schools also teach Turkish and at least one foreign language (Türkben, 2022: 230). Thus, in TMF schools, students learn at least three languages: their local language, Turkish and a foreign language. They also learn about their own traditions, culture, and social and physical environment. With this five-pillar model, TMF President Prof. Birol Akgün states that TMF aims to "raise new generations who can follow global developments, who are well-equipped and have global ambitions, who have learned and assimilated their national values, who are aware of their local culture and traditions, who have learned about Türkiye from the right sources and who are sympathetic to Türkiye" (Karakuş, 2021).

The fact that TMF schools include course content that enables students to learn their mother tongue and cultural values along with Turkish and a foreign language makes TMF more sympathetic to the public opinion of the host country. It facilitates the acceptance of TMF compared to the French, German, English, and Chinese language requirement in AEFE, ZfA, BSO, and Confucius Classes (Celik, 2022a: 175). Especially in countries with a history of colonialism. TMF offers modern international education standards for those who must learn the language and culture of the colonial state. It also allows them to learn their language and culture in formal education. It is seen that TMF aims to educate its students in a formation that is equipped with global skills while simultaneously internalizing national values and managing to remain local (Akgün & Özkan, 2020: 67). In the case of Africa, where colonialism was most intense, TMF had schools in five countries in Africa in 2016, while this number has increased to twenty-five countries as of January 2023 (TMF, 2023a). Therefore, TMF's enrichment of curriculum content, respect for local languages and cultures, and humanitarian values in its approach to competition in the global education market turn the competition process in its favor.

"Alternative Curriculum Options" Meeting the Demands of the Host Countries

The curriculum approved by the Ministry of Education of the host country is implemented in TMF schools. While creating the curriculum, TMF acts by balancing the demand of the host country, the standards and needs of the global education market, and the responsibility of teaching the Turkish language and culture with the mission of representing Türkiye. Each country prioritizes its local curriculum, and TMF schools mainly follow the host country's local/national/official curriculum. However, in some TMF schools, the International Baccalaureate (IB) and Cambridge programs are also implemented, and TMF integrates its unique educational content into these curricula (Türkben, 2022: 230) and develops its unique curriculum called the International Maarif Program (Akgün & Çelik, 2022: 335). The International Maarif Program (International Maarif-IM) is TMF's unique education program developed with the motto of "raising virtuous and good people", covering the areas of curriculum, accreditation, learner profile, educational approach, assessment, evaluation, and guidance (TMF, 2021b; Gürcan, 2022). Within the scope of the IM (TMF, 2022b), which has started to be implemented in some pilot schools, teaching programs for teaching Turkish as a foreign language (TMF, 2020), Maarif preschool education (TMF, 2021c), Turkish culture and civilization (TMF, 2022c) have been prepared so far.

As seen, TMF can implement alternative curriculum options in its schools, including local, international, and IM, within its strategies and protocols with the host country's ministry of education. TMF's hybrid structure allows it to obtain legal personality under the local legislation of the relevant country and to produce content per the education program accepted by the local authorities. TMF is also able to implement multiple and alternative curriculums within the same country. For example, TMF has 85 schools in Pakistan (TMF, 2023a), some of which follow the local Pakistani curriculum, while others follow the Cambridge program. TMF's ability to choose between different curriculums and to offer different curricular options to host countries is made possible by its hybrid structure, which could be more stable but open to change.

Rapid Decision-Making in International Political Crises

Another advantage of its hybrid structure is seen in its rapid decision-making process. The fact that the TMF is not affiliated, related or associated with any public institution and that it is autonomous in this respect provides significant advantages in terms of adapting to international political crises and the dynamic structure of international education, rapid decision-making and implementation, and acting as a public and private law legal entity (Akgün & Çelik, 2022: 330). With the advantage of its hybrid structure, the TMF, as a private law entity, is not bound by the heavy controls and procedures that public administrations must comply with, thus gaining practicality in its actions; it can also act powerfully and effectively with aspects of public legal personality such as public representation, power, cooperation, authority, exemptions, and exceptions.

According to January 2023 data, the geographical distribution of the countries where TMF's educational institutions are located according to continents is as follows: 9 countries in Asia, 13 countries in Europe, 25 countries in Africa, and four countries in North and South America (TMF, 2023a). As can be seen, TMF, which has educational institutions on all continents except Antarctica. is closely affected by regional and global political events and crises. Among the countries where TMF's educational institutions are located are some economically, socially, and politically unstable and underdeveloped countries. Seventeen of these countries are included in the UN's economic classification of "Least developed countries-LDCs" (UNCTAD, 2022), and Pakistan, along with these 17 countries, is also included in the "Low Human Development" group (UNDP, 2021), which is a sub-category of the Human development index (HDI), in the UN's social development index. Countries that are LDCs in the economic development index rankings generally overlap with countries that are low in the HDI rankings, and LDCs often experience chronic problems such as political violence and instability, economic inadequacy, infrastructure problems, and social unrest (Akgün & Çelik, 2007: 65-66).

The fact that some of the TMF educational institutions are in LDCs and countries ranked low in the HDI ranking makes it essential for the TMF to take rapid decisions and show flexibility in political, economic, and social situations instability in these countries. In this respect, due to its hybrid structure, TMF can take and implement decisions quickly in times of instability and crisis.

For example, Afghanistan is a low-ranked country regarding both LDC and HDI. The national reconciliation government established in Afghanistan under the Bonn Agreement signed on December 5, 2001, continued with the Hamid Karzai and Ashraf Ghani governments. However, on August 15, 2021, the Taliban regained control of the country after twenty years (Celik, 2021: 140). TMF started its activities in Afghanistan in 2017 (TMF, 2022d: 70) and was one of the first organizations to negotiate with the new Afghan government (Taliban) after the change of government in August 2021 (Anadolu Ajans, 2023; Anadolu Ajans, 2022). In such risky and transitional periods, TMF's status as a public foundation and its ability to take quick decisions allow it to change the course of negotiations, offer different alternatives to local authorities, and make necessary changes in line with new expectations. With the advantage of its hybrid structure, TMF also contributes to the negotiations between official institutions in Türkiye-Afghanistan relations (track one diplomacy), indirectly through its status as a foundation or NGO (track two diplomacy), and through an intermediate solution or unofficial diplomacy (track one and a half diplomacy).

Conclusion

Turkish Maarif Foundation was established with a law to carry out education and training activities abroad on behalf of Türkiye. Türkiye, limited to non-formal education with YEE and international student mobility with YTB, started formal education activities abroad for the first time with TMF. The diplomatic mission schools opened abroad by MoNE under the auspices of the Ministry of Foreign Affairs should be considered an exception. Because in MoNE affiliated schools abroad, only Turks abroad are educated in Turkish and with the MoNE curriculum taught by Turkish teachers. Therefore, these schools' diplomas and course contents are only valid in Türkiye.

The educational institutions operated by TMF abroad are international schools that educate the citizens of the host country and other countries, including Turks, within the legal boundaries determined through negotiations with the ministries of education of the host countries, and whose diplomas are valid in the host country. In this respect, TMF represents Türkiye in the "international school management" in which Türkiye was not previously involved as a state and is the only institution other than the MoNE to open formal educational institutions abroad on behalf of Türkiye.

TMF was established, in June 2016, in a political conjuncture during the July 15 (2016) coup attempt by FETÖ. The revelation that FETÖ was a parallel state organization operating against Türkiye was the catalyst that stimulated the establishment of TMF. For this reason, one of TMF's major tasks is closing FE-TÖ-affiliated schools abroad through diplomatic and legal initiatives. However, TMF is also the result and implementer of Türkiye's active, humanitarian and entrepreneurial foreign policy. The world has watched closely Türkiye's

public diplomacy performance in the last two decades. Türkiye, which has made a name for itself internationally in infrastructure investments, humanitarian aid, and cultural activities, has also entered the global education market with TMF.

To fulfil these missions, adapt to each country's various domestic legislation, take risky and fast decisions in international crises, and compete with deeply rooted international educational networks, TMF was designed as a public foundation established by law. As a public foundation, TMF is a private law legal entity with some characteristics of a public legal entity. For this reason, TMF is defined as a hybrid public diplomacy agency in this article.

The features of TMF as a public legal entity are as follows: It was established by Law No. 6721 adopted by TBMM; seven out of twelve members of the Board of Trustees, the main decision-making body, are appointed by the President, while five members are representatives appointed by the Ministries of National Education, Foreign Affairs and Finance and the Council of Higher Education; representatives from the Ministries of National Education and Finance serve on the Audit Board; its budget is significantly allocated from the Public Budget and transferred through the MoNE. These features show that TMF is closely monitored and supervised by the public, and TMF conducts activities on behalf of and for the benefit of the public in close cooperation with the public.

In addition, some exemptions, exceptions, and practices mentioned in the relevant articles of Law No. 6721 are only available for public legal entities. For example, Articles 4.2 and 4.3 of Law No. 6721 allow TMF to use diplomatic passports and service passports granted to public institutions by Passport Law No. 5682; Articles 5.3 and 5.4 of Law No. 6721 grant TMF the exemptions and exceptions from taxes, duties and fees granted to public institutions; and Additional Article 1 of Law No. 6721 allows TMF to employ public personnel in the areas it needs. Therefore, even though it was established as a private law legal entity, TMF has the characteristics of a public legal entity to a significant extent. Hence, with the advantage of its hybrid structure, TMF is free of the heavy controls and procedures that public administrations must comply with, thus gaining practicality in its actions. It can act powerfully and effectively with aspects of public legal personality such as public representation, power, cooperation, authority, exemptions, and exceptions.

Its hybrid structure provides TMF flexibility and ease in overcoming challenges in international politics and the global education market. In this way, TMF can create a status per the form required by the host country in the face of domestic legislation that varies in each country and to open and operate schools under the domestic legislation. In addition, TMF can compete with similarly established and publicly supported international school networks such as AEFE, ZfA, BSO and Confucius Institutes, which are strong in experience,

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recognition, accreditation, and financial strength in the global education market. Thanks to its hybrid structure, TMF can offer host countries a choice of local, international or IM curricula and diversify the language of instruction in its schools. Moreover, regarding finances, TMF can enrich its income items, open economic enterprises abroad or establish partnerships, apart from the allocation mainly made from the public budget. Finally, with the flexibility of its hybrid structure, TMF can find solutions that maintain disrupt the activities of its schools in countries experiencing international political, economic, and social crises and adapt to political changes in host countries with its rapid decision-making capability.

With TMF's international school network spread across 51 countries from Europe to Asia, Africa to the Americas, Türkiye not only takes part in the international education sector but could raise international students who speak Turkish and know Turkish culture. In this respect, TMF is Türkiye's most important, youngest and most dynamic public diplomacy apparatus. TMF provides significant advantages in providing education services to 52 thousand students in 444 educational institutions in 51 countries in a short period of only seven years, teaching them the modern-age skills of international education while teaching them Turkish and carrying out its educational activities without interruption despite international crises. Consequently, TMF, a public foundation, has a hybrid structure as a private law legal entity with the characteristics of a public legal entity. With the flexibility provided by this hybrid structure, TMF can quickly produce solutions to overcome the difficulties it encounters in its international education activities.

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