

PRESIDENTIAL POLICY COUNCILS AS ADVISORY BODIES

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INTRODUCTION

In modern state administration, the consultation function refers to mechanisms for gathering the views of different actors in the formulation and implementation of public policy. Contemporary governance approaches emphasize the inclusion of civil society and experts in policy processes, ending the state's monopoly on decision-making. In this context, public consultations or sectoral consultations conducted during the preparation of public regulations are seen as strategic tools that increase the suitability and effectiveness of the decisions to be taken for the target audience. Considering that today there is an increase in jobs requiring technical knowledge and that specialization has become quite deep, it can be said that administrative consultation has come to mean more than just a staff function. Implementing the consultation function is an important method for achieving accurate results when making decisions. Especially in areas with a wide sphere of influence, such as administrative decisions, there is a clear need to implement this method in a qualified manner in order to identify issues that society needs, find alternative ways to solve these issues, and select the most effective of these ways. Indeed, states organize themselves to meet this need, employ consultants, or purchase services from professionals who carry out consultation activities. Within the capital structure of the Turkish administrative organization, we can list the formations used for this purpose as follows: consultants employed as personnel, committees organized as staff units, other institutions with legal personality, consulting companies from which services are purchased, and advisory committees assisting the central administration. In this regard, the Presidential Policy Boards are a structure that the Turkish administrative organization has become familiar with following the change in government.

The policy committees were established under the Presidential Government System introduced following the 2017 referendum and the 2018 presidential elections. Following the Justice and Development Party's strong rise to power, Turkey embarked on rapid reforms in the 2000s, changing its government system before the end of the first quarter and establishing policy boards within its administrative structure as a policy transfer familiar from the United States through academic literature on country studies. In this system, these councils assumed the function of assisting the President in determining policies and providing advisory support to central institutions. With the establishment of these councils to perform an advisory function, the activities of some central councils were terminated. Accordingly, the duties of some central administrative advisory councils that existed in the old system were transferred to the policy councils. With these changes, it is seen that the duties of 18 central administration advisory councils identified within the scope of the study

have been transferred to the Presidential Policy Councils. In addition, although not completely abolished, there are also central administration advisory councils whose advisory duties have been abolished or whose legal basis has been converted to a Presidential Decree without any changes to their duties and working procedures. Therefore, it can be said that the importance of central advisory boards has diminished with the new system. The potential consequences this may have or will have in a management system characterized by the influence of different power centers are worth investigating.

The study aims to examine what has essentially changed by comparing the advisory bodies assisting the central administration and policy councils as tools of the consultation procedure in the previous and new systems. This method can reveal the structure and functions of the Presidential Policy Councils, which we see as a new actor, and also provides an opportunity to comment on the nature of the Presidential Government System.

The study, planned in six sections, will first demonstrate how the administrative advisory function has been utilized throughout history. This will show that the practice of consultation by administrators, essentially a human need in state administration, has been employed since the earliest days of political formations. Subsequently, the advisory function inherited from the Republican era will be examined within the context of the Ottoman Empire. The subsequent sections will address the main issue of the study, namely the process leading to the Presidential Government System and a comparison of policy councils with the old system. After providing information about policy councils, the auxiliary councils established within the central organization to meet the need for consultation will be examined. In the final section, policy councils, which have replaced consultation councils as new tools of consultation, will be analyzed together with consultation councils.

HISTORICAL FOUNDATIONS OF MANAGEMENT CONSULTING¹

Consultation in Ancient Times

The practice of consultation is not unique to modern states but has been applied since very early periods in human history (Türcan, 2010, p. 230). In Mesopotamia, where the first city-states emerged, important issues concerning the people were discussed and decided in assemblies. Mesopotamian civilizations (Sumer, Babylon, Assyria, etc.) were societies primarily engaged in agriculture and animal husbandry, and their understanding of governance was based on divine will (Köroğlu, 2008, p. 12; Sivas, 2013, p. 33). In Mesopotamia, titles such as En, Ensi, and Lugal indicated the position of priest-kings; each city-state had its own god (Genca, 2009, p. 4; Sivas, 2013, p. 33). According to this belief system, the chief god and the rulers governed together; important decisions were made in assemblies composed of divine representatives (Yetkin, 2007, pp. 16-18).

Mythological and legal texts from this period also emphasize the importance of consultation. For example, in the Sumerian epic Gilgamesh, the king of Uruk, Gilgamesh, first convened the council of elders and then the council of young warriors when deciding whether to go to war in response to an ultimatum from envoys from the enemy city of Kish (Kramer, 2002, p. 56). When the council of elders rejected the proposal, Gilgamesh consulted with the young men, who recommended that they “not submit to the land of Kish, but respond with force” (Kramer, 2002, p. 56). A similar example can be seen in a murder case: King Ur-Ninurta referred the case to the Citizens' Council in Nippur; the council members investigated the case, discussed it among themselves, and reached a final decision (Kramer, 2002, p. 82). These examples show that the consultation procedure was applied even in the early years of the written period in Mesopotamia.

It is also known that state affairs were discussed in various councils in Ancient Greece. For example, meetings were held with the participation of citizens in Sparta and Athens (Türcan, 2010, p. 230). In the Roman Empire, the Forum and the Senate functioned as bodies that enabled consultation at various levels of government (Kazancı, 2017, p. 1011). Furthermore, in pre-Islamic Arab tribes, rulers discussed public affairs and

¹ This section was produced by the author based on the master's thesis titled “Auxiliary consultary boards for central authority in Turkey” written at Karabük University Graduate School of Education.

made important decisions in assemblies attended by tribal leaders and prominent families. The city-states of Mecca and Palmyra are cited as examples of this practice (Türcan, 2010, p. 230).

Consultation in the Middle Ages and the Near East

Venice (colonies): The Doge consulted with the consilium fevdatorum, consisting of the rector and landowners in the region (Ortaylı, 2016).

Hanseatic League: Decisions were made through the Hansetag assembly (Ortaylı, 2016).

Novgorod: A people's assembly (veche) and a council of nobles (sovyetgospod) were established (Ortaylı, 2016).

Brittany (15th century): Legal and administrative matters were discussed in the curiaducis assembly (Nalbant, 2012).

As these examples show, the tradition of consultation in governance continued across different periods and geographies. In medieval Europe, consultative councils existed in a manner similar to the above examples. Under this heading, the examples of Venice, the German Hanseatic League, Russian Novgorod, and Brittany stand out; in all of them, administrators occasionally consulted with representatives other than themselves to carry out administration (Ortaylı, 2016; Nalbant, 2012).

Consultation in Islamic State Administration

Consultation in Islamic state administration was expressed through the concept of shura. In the Qur'an, Surah Shura verse 38 states, "Their affairs are [decided] by mutual consultation (shura)," and Surah Al-Imran verse 159 states, "Consult them in the affairs you undertake," emphasizing this principle (Yazır, n.d. a, p. 27; Yazır, n.d. b, p. 445). According to hadith sources, the Prophet (s.a.v.) consulted with his companions on matters that were not of a religious nature (Aslan, 2014, pp. 227-238). This fundamental principle establishes that rulers in subsequent Islamic states should make consultation a constant practice.

Indeed, consultation became institutionalized in the early Islamic period. Caliph Umar ibn al-Khattab emphasized the importance of collective decision-making, stating, "Every community that consults will reach the most correct decision" (Alper, 2016, p. 319). During Umar's reign, a shura council consisting of leaders from the Muhajir and Ansar was established, along with a general shura comprising leaders from all Muslim tribes (Niyazi, 2015, pp. 106, 108). In technical matters, councils were formed to continue seeking consultative solutions (Niyazi, 2015, pp. 106, 108).

Five fundamental divans were established in early Islamic states (İpşirli, 2005, pp. 278-280):

Divânu'l-Cünd: The divan where military campaigns were planned and military matters were discussed (İpşirli, 2005).

Divânu'l-Harac: The divan where tax records and land records were kept and financial affairs were conducted (İpşirli, 2005).

Divânu'r-Resâil: The divan where state correspondence and official documents were prepared (İpşirli, 2005).

Divânu'l-Hatam: The council where important letters and documents were sealed and finalized (İpşirli, 2005).

Divânu'l-Berîd: The council where state postal and intelligence affairs were conducted (İpşirli, 2005).

The viziers, ministers, and other experts serving in these divans discussed and consulted on issues in their respective fields and advised the ruler. Thus, decisions in Islamic states were made by drawing on expert opinions in every field.

Consultation in Pre-Islamic Turkish States

The consultation method was an important part of the administrative order in the first Turkish states. In these societies, before making decisions, large meetings called *toy* or *kurultay* were held, and state affairs were discussed at these meetings (Ögel, 2016, pp. 88-89). Proverbs from ancient Turkish culture also reflect the importance of the tradition of consultation. For example, sayings such as “A large garment does not tear, knowledge gained through consultation does not deteriorate” and “The warrior is tested in battle, the wise man in assembly” illustrate that consultation is indispensable (Ögel, 2016, pp. 99, 126).

In the first Turkish states, the ruler at the top of the administration (Khan, Khagan, Hakan, etc.) had absolute authority (Mumcu, 1963, p. 23). However, the khan also had responsibilities towards his society: he was expected to fulfill duties such as organizing and protecting the state, ensuring the welfare of the people, keeping the tribes together, leading the army to repel enemies, and expanding the borders (Seyitdanlıoğlu, 2009, p. 5; Taşağıl, 2002, pp. 48, 50). It was believed that the khan was crowned with ‘kut’ and ‘uğur’ from the heavens; it was considered essential that he govern in accordance with tradition to ensure the continuation of this sacred power (Kafesoğlu, 1998, pp. 249, 266). Occasionally, the khan's arbitrary decisions were met with opposition, and those who did not comply with the customs were warned by the customary law councils.

Based on these foundations, councils known as *toy*, *kurultay*, and *kengeş* took shape in Turkish administrative history (Taşağıl, 2002, pp. 47-

48). Kurultay (toy) means a consultative meeting with broad participation (Ögel, 2016, pp. 88-89). Government members, chieftains, princes, lords, tribal chiefs, and other dignitaries participated in these meetings chaired by the ruler (Kafesoğlu, 1998, p. 259; Seyitdanlıoğlu, 2009, pp. 2-3). During the Toy, dynastic elections were held, and important issues concerning domestic and foreign policy were discussed (Ögel, 2016, pp. 106-109). At the kurultays, sacrifices were made as part of the ceremony, lengthy consultations were held, and finally, a feast was organized (Kafesoğlu, 1998, pp. 262-263; Seyitdanlıoğlu, 2009, pp. 2-3).

The topics of the assemblies varied. According to Ögel, there were six main types of assemblies: war assemblies (meetings where war tactics were determined), migration assemblies (meetings held before large migrations to establish order), peace assemblies (meetings held to discuss peace agreements), succession or rebellion council (meetings where beys gather to decide on a change of khan or rebellion), ambassador reception council (where foreign ambassadors are received and consultations are held), and court council (assemblies where major cases are collectively heard) (Ögel, 2016, pp. 106-109). These examples show that the first Turkish councils were used in many areas such as war, migration, peace, succession, and justice.

Similar consultative meetings were also held in other Turkic communities. The Göktürks and Uighurs continued their toy or holiday meetings; the Oghuz Turks dealt with administrative issues at banquet meetings (İzgi, 2011, pp. 32-33; Seyitdanlıoğlu, 2009, p. 4). In the Tabgach State, there was a council of ministers; in the Khazars, a council of elders; and in the Pechenegs, regular consultation meetings were recorded (Niyazi, 2017, pp. 61, 89). The Tuna Bulgars had a national council, and during the reign of Queen Tamar of Georgia, there were state consultative councils among the Kipchaks (Kafesoğlu, 1998, p. 261).

In addition to the kurultays, there were also smaller councils. For example, while the councils of the Asian Huns, Pechenegs, and Bulgars were generally considered to be toy, in the European Huns, Tabgach, and Khazar states, there were small government meetings consisting of ministers (Kafesoğlu, 1998, p. 261). At these meetings, the ministers and viziers appointed by the ruler as his representatives would gather and discuss issues (Saray, 1999, p. 15; Taşağıl, 2002, p. 47). According to Chinese sources, government councils consisting of nine ministers were convened in the Göktürk and Uyghur khanates (Kafesoğlu, 1998, p. 265).

In addition, rulers constantly consulted with advisors close to them. Knowledgeable individuals among the statesmen called buyruk, who were close to the khan, were selected as advisors and consulted for their opinions (Gültepe, 2002, p. 896). The title Aygucı was used for the vizier;

this word, meaning “awakener/advisor,” refers to the vizier's advisory role (Genç, 1981, p. 247). For example, the Göktürk vizier Ton Yukuk served both as an advisor and army commander to Ilterish Khan (Genç, 1981, p. 247). Bilge Khan's appointment of Ton Yukuk, one of the wise men, as his chief advisor also demonstrates the tradition of the ruler not relying solely on his own judgment but seeking the advice of experts (Koca, 2002, p. 826).

In summary, the practice of consultation was widely adopted in pre-Islamic Turkish states; it was continuously applied through both large-scale assemblies and small government councils, as well as through the ruler's close advisors.

Consultation in Turkish States After the Acceptance of Islam

After the Turks accepted Islam, the tradition of consultation was integrated with Islamic principles and took on a new form. The traditional *kurultay* and *toy* meetings were replaced by central *divans*, and the concept of consultation was accepted as a religious duty (Seyitdanlıoğlu, 2009, pp. 9-10). Important works of the period, such as *Kutadgu Bilig* and *Nizâmü'l-Mülk's Siyasetnâme*, also constantly advised rulers to act through consultation.

According to *Nizâmü'l-Mülk*, even the Prophet consulted others on matters that were not mandatory; therefore, the ruler must also act by consulting others (*Nizâmü'l-Mülk*, 2009, pp. 127-128). Ruling alone is considered reckless. *Nizam al-Mulk* emphasizes the necessity for a ruler to consult with scholars and experienced elders in his affairs (*Nizam al-Mulk*, 2009, p. 128). According to him, the most correct approach in state affairs is to consult first with viziers, scholars, and state leaders, because they are knowledgeable, experienced, and well-informed in their fields (*Nizam al-Mulk*, 2009, pp. 123-128).

Kutadgu Bilig also emphasizes the value of reason and knowledge. The work advises that the ruler must surround himself with intelligent and knowledgeable people and seek their opinions (Yusuf Has Hacı, 2016, b. 1990, b. 2706). The advice of knowledgeable people sheds light on state affairs (Yusuf Has Hacı, 2016, b. 5209). The “*er-öğü*”, positioned as viziers and advisors, are considered the most valuable officials of the administration (Yusuf Has Hacı, 2016, b. 328, b. 470). For example, in *Kutadgu Bilig*, the ruler (*Kün-Toğdı*), who symbolizes justice, makes decisions in consultation with his vizier (*Ay-Toldı/Full Moon*), a mechanism that represents wisdom close to the ruler.

These ideas were also reflected in the organization of Turkic-Islamic states. In states such as the Ghaznavids, Karakhanids, Great Seljuks, and Anatolian Seljuks, large councils were established at the center and smaller assemblies in the provinces; the statesmen gathered in these

councils discussed issues and made recommendations to the ruler (Turan, 2002, p. 165; Mumcu, 2017, pp. xxvi-xxix). For example, in the Great Seljuks, the Divan-i Saltanat, chaired by the vizier, was the central council where major state issues were discussed (Taneri, 1997, p. 18). Among the members of this council were high-ranking statesmen such as the Nâib-i Saltanat, Beylerbeyi, Tuğrai, Atabey, Pervâne, Ârız, Müstevfi, and Müşrif (Taneri, 1997, p. 18). Sultans generally approved the decisions made by this council and rarely changed them (Saray, 1999, p. 17).

In addition to the large central council, there were also specialized sub-councils for each field. For example, in the Great and Anatolian Seljuks (Kafesoğlu, 1972, pp. 144-146; Ortaylı, 2016, pp. 102-103):

Divân-ı Tuğrâ: Foreign affairs and official correspondence were handled under the chairmanship of Tuğrai (Kafesoğlu, 1972).

Divân-ı İstifâ: The divan where tax records and financial affairs were kept, presided over by the Müstevfi (Kafesoğlu, 1972).

Divân-ı Ârız: The divan responsible for the army's needs and campaign planning, presided over by the Ârız (Kafesoğlu, 1972).

Divân-ı İşrâf: The divan responsible for inspecting and supervising state affairs, presided over by the Müşrif (Kafesoğlu, 1972).

Similar divan systems also existed among the Ghaznavid Turks and the Mamluk Sultanate (Nuhoglu, 2002, pp. 287, 294; Keleş, 2002, pp. 312-314). These councils ensured that state affairs were conducted in a disciplined manner by delegating them to experts and served as mechanisms for considering decisions from multiple perspectives. When necessary, rulers consulted with scholars, experienced statesmen, and religious scholars from the center or the provinces. For example, the Great Seljuk Sultan II. Sencer sought advice from religious scholars and state officials of his time (Gelibolulu, 2015, p. 62). The Karakhanid rulers also convened official consultative assemblies for important issues, negotiated with provincial administrators and experts, and made decisions based on the information they gathered (Genç, 1981, pp. 164, 338).

Among the Anatolian Seljuks, this tradition went a step further. Since the throne was considered the common property of the dynasty, princes were prepared for state affairs from an early age; under the supervision of the atabegs, they were sent to provincial governorships as Meliks (Turan, 1969, pp. 239-240). The atabegs served as advisors to the princes by taking on military and administrative duties alongside them, instilling in them a culture of consultation (Taneri, 1997, pp. 21-22). Before undertaking any task, the princes were obliged to consult with the administrators and atabegs (Taneri, 1997, pp. 21-22). In this way, those who would become the new rulers also acquired the habit of participating

in governance through consultation.

The tradition of the divan was developed and organized in the Anatolian Seljuk Empire. State affairs were mostly discussed in the Grand Divan-ı Saltanat, chaired by the vizier (Taneri, 1997, p. 18). The decisions approved by this divan were generally accepted as is by the sultan (Taneri, 1997, p. 18; Saray, 1999, p. 17). In addition, it is known that financial affairs were discussed in the Divan-ı İstifâ, land registration in the Divan-ı Pervâne, army affairs in the Divan-ı Ârız, correspondence in the Divan-ı Tuğrâ, and general inspection in the Divan-ı İşrâf. (Akdağ, 2010, pp. 193-194; Kafesoğlu, 1972, pp. 144-146; Ortaylı, 2016, pp. 102-103). These institutions not only ensured specialization in administration but also guaranteed that decisions were made through consultation, creating platforms where the ruler could consult experts at any time.

As a result, the tradition of consultative councils in administration continued uninterrupted from pre-Islamic times to the Turkish states that embraced Islam. This tradition, which extended from the Seljuks of Turkey to the Ottomans, formed the basis of the concept of consultation in administration in subsequent periods.

THE LEGACY OF THE TURKISH REPUBLIC: ADVISORY COUNCILS IN THE OTTOMAN EMPIRE

As in other states, advisory councils were part of the administrative structure in the Ottoman administrative tradition. It is known that the Sultan attached great importance to consultation before making decisions. During the classical period (15th–18th centuries), the highest body where state affairs were discussed was the Divan-ı Hümayun. Chaired by the sultan, this council would jointly address and decide on many political, administrative, financial, and legal issues of the state (Halaçoğlu, 1991: p.7).

In accordance with the Ottoman tradition of consultation derived from Islamic state practice, consultative assemblies with broad participation were convened outside of Divan meetings when necessary. These assemblies brought together individuals concerned with matters such as decisions on war or peace, treaties, and important internal affairs. The composition of the consultative assemblies varied depending on the topic under discussion. They were convened by order of the Sultan and, in most cases, at the suggestion of the Grand Vizier. The meetings were chaired by the Sultan or, in his absence, by the Grand Vizier. The topics to be discussed were announced to the members in advance, and the decisions taken were recorded in an official minutes. The decisions taken were usually approved by the sultan, and in cases deemed necessary, information about the decisions was communicated to the relevant parties (judges, ulema, military class, etc.). (Akyıldız, 2003).

In addition to the Divan-ı Hümayun, the grand vizier and viziers also held their own internal consultation meetings. For example, there was a cabinet council called the Divan-ı Vükelâ, which met under the chairmanship of the grand vizier, and the decisions taken at its meetings were submitted to the sultan for approval until the reign of Mahmud II. In general, the Divan-ı Hümayun functioned as the central organ of power in the early Ottoman period; the Sultan relied on the opinion of this organ for the conduct of state affairs (Halaçoğlu, 1991: p.10). However, as central authority strengthened and bureaucracy developed over time, decisions were mostly taken in the grand vizier's own council, and the Divan-ı Hümayun became more of an approval body.

During the classical period in the Ottoman Empire, the tradition of consultation was also intertwined with religious and social institutions. The Sheikh al-Islam was invited to divan meetings to express his views on

important matters, and representatives of the ulema class sometimes participated in consultations. The ulema were expected to speak freely in the assemblies; in addition, groups representing the people, such as guild leaders and members of the Janissary corps, could also participate in broad consultations from time to time (İnalçık, 1977). In this way, the Ottoman administration continued to seek the views of different social groups as a traditional method in accordance with the principle of consultation.

Consultative councils were used not only at the center but also in the provinces. In the classical period, the core of the administration in the provinces consisted of governors (*beylerbeyi*, *mutasarrıf*) appointed from the center and the *qadi* and *subaşı* (military commander) who worked alongside them (Saydam, 1995: 88,89). Pashas, such as the *beylerbeyi* or *sancakbeyi*, were responsible for the administration of the *sanjak* or district under their control. Pasha held regular meetings with the local *qadi*, *defterdar*, and other officials under their authority to conduct administrative affairs. These meetings were like smaller versions of the central *Divan-ı Hümayun*. Research emphasizes that the pasha divans were very similar to the central divan in terms of both membership structure and duties and powers (Karataş, 2019).

On the other hand, *qadis* were authorized in legal matters in the provinces; although their duties were to carry out judicial services, they also consulted with the *sanjakkbey* on administrative matters. In addition, the *ayans*, who were local leaders representing the central government to the public in the Ottoman Empire, played an important role. The *âyans* were usually members of high-ranking noble families or descendants of former *sanjak* governors. Although not officially appointed by the governor or *qadi*, they acted as a bridge of sorts, conveying the demands of the people to the center (Sadat, 1973: p. 210). During the classical period of the Ottoman Empire, when the institutional functioning of the state was proceeding smoothly, the influence of the *âyans* was limited to their own regional boundaries; however, from the late 16th century onwards, due to certain shortcomings in state authority, the role of the *âyans* began to increase (İlgürel, 1973: p.66). During this period, the *âyans*, acting as representatives of the people in their region, regulated local affairs, dealt with issues such as *waqf* administration and price determination, reported requests for the dismissal of bad governors, and, if necessary, worked with the governor to resolve problems. Since the chief notables were the main interlocutors for governors and judges in matters concerning a particular region, the chief notables and their council effectively served as an advisory body in local governance. Thus, in the provinces, in addition to the pasha divans appointed by the central government, a kind of advisory network emerged through the legal authority of the judges and the representation of

the notables among the people.

Significant changes occurred in the consultative councils during and after the Tanzimat period. The councils began to take on an institutional identity, moving away from personal meetings. During the Tanzimat reforms (1839–1876), while fundamental changes were being made in the Ottoman administration, the old consultation procedures were also reorganized. The Meclis-i Vâlâ-yı Ahkâm-ı Adliye (High Council of Justice), established by Sultan Mahmud II on March 24, 1838, can be considered the most important central organ of this transformation (Kaynar, 1985: pp. 198, 200-205).

After the Gülhane Hatt-ı Şerif (November 3, 1839), a new senate-like assembly called the Meclis-i Âli-i Umûmî was also established to discuss and approve the decisions made by the Meclis-i Vâlâ. This arrangement aimed to ensure that “decisions were gradually filtered through consultative assemblies and enacted as the product of collective wisdom.” In 1854, the Meclis-i Vâlâ was divided into two. The newly established Meclis-i Âli-i Tanzimat, as its name suggests, assumed legislative duties, and all draft laws, regulations, and internal rules required by the Tanzimat reforms were now prepared and decided upon in this assembly. The fact that the legislative body was given supervisory and investigative powers for the first time in Ottoman history demonstrates that the Meclis-i Tanzimat was an important innovation. (Seyitdanlıoğlu, 2012, pp. 70-71). Âli Paşa, a famous statesman of the period, was appointed head of the Meclis-i Tanzimat. On the other hand, the Meclis-i Vâlâ-yı Ahkâm-ı Adliye, established in 1838, continued to exist as a body serving as a high court (appellate court) between 1854 and 1861. In the final years of the Tanzimat, regulations were enacted that further advanced the separation of powers in state administration. In 1868, the Meclis-i Ahkâm-ı Adliye was divided into two bodies, the Şûrâ-yı Devlet and the Divân-ı Ahkâm-ı Adliye, through a constitutional amendment. The Şûrâ-yı Devlet was established along the lines of the Conseil d'Etat in France; it was an advisory council that examined all administrative and property matters, prepared draft laws, and assumed the role of administrative judiciary (Çelik, 2024, pp. 61-64). The sultan's decree regarding the establishment of the Assembly was published on March 4, 1868, and it officially began operations on May 10, 1868.

The Tanzimat reforms increased the number of consultative councils and restructured them within a modern framework. Consultative assemblies, particularly the Meclis-i Vâlâ, became integral parts of Ottoman state administration and functioned as decision-making bodies based entirely on collective wisdom (Çelik, 2024, pp. 58-60; Seyitdanlıoğlu, 2012, pp. 72-75). The most important reflection of this transformation was

the transfer of almost all of the functions of the Divan-ı Hümayun to the new councils, the establishment of legislative bodies, and the transfer of judicial affairs to special councils. Institutions such as the Meclis-i Ali Tanzimat and the Şûrâ-yı Devlet partially limited the sultan's powers in accordance with the spirit of the Tanzimat and exercised control over administrative affairs. Thus, the Tanzimat period was a critical period in terms of the establishment of consultative and legislative assemblies in the Ottoman Empire and the laying of the institutional foundations for centralised administration and legal reforms (Seyitdanlıoğlu, 2012, pp. 66-68; Çelik, 2024, p. 61).

In short, with the Tanzimat, there was a transition from the divan-style temporary assembly system to Western-style permanent legislative-consultative bodies, and modern consultative assemblies with constitutional oversight functions, such as the Şûrâ-yı Devlet, began to be established within the administrative structure. These bodies were also the first seeds of the consultative assemblies formed during the Republican Era.

THE THEORETICAL AND PRACTICAL FRAMEWORK OF THE CONSULTATIVE FUNCTION IN MODERN STATE ADMINISTRATION²

When examining the fundamental dynamics of management science, it is evident that decision-making processes have evolved into a complex and multidimensional structure that transcends the boundaries of a single will. Today, state administration has moved beyond being a mechanism operating solely within a chain of command; it has become a process that blends technical knowledge, field experience, social expectations, and strategic foresight. In this context, administrative consultation emerges as a vital process operated by decision-makers through mechanisms established within the administrative apparatus. Although consultation mechanisms cannot directly replace decision-making authority, they are indispensable elements of modern public administration, possessing the potential to influence, guide, and legitimize relevant decisions.

In the 21st century management approach, where the volume of tasks requiring technical knowledge has increased and specialization has deepened, the consultation function has meanings far beyond that of a classic staff function. Implementing the advisory function in order to achieve accurate results when making decisions, prevent waste of resources, and ensure social consensus is the most important tool for transitioning from arbitrary to rational management. Especially in areas with a wide sphere of influence, such as administrative decisions, there is a clear need for the qualified implementation of this method in identifying issues that society needs, finding alternative ways to solve these issues, and selecting the most effective of these ways.

The concept of ‘consult’ means the deliberation and mutual exchange of ideas carried out by individuals on a particular matter (TDK, 2011: 593). ‘Consultation’ is defined as “asking for information or advice for a task, seeking opinions, deliberating, applying, or consulting” (TDK, 2011: 593). It is the act of asking other individuals or organizations for paid or unpaid ideas, suggestions, or opinions in order to make the right decision

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when faced with a problem or opportunity (Kartal, 2012: 141).

The concept of consultation is used interchangeably with words such as “*istişare*,” “*müşavere*,” “*meşveret*,” or “*şûra*.” Indeed, the concepts of consultation and deliberation are defined in relation to each other in the Turkish Language Association. Here, deliberation is explained as “consultation or deliberation, the exchange of ideas between two or more people on a specific topic, one person seeking the opinion of another” (TDK, 2011: 1218). Therefore, it can be said that the meaning of the Arabic concept ‘*istişare*’ is conveyed in Turkish by the words ‘*tanışık*’ and ‘*tanışmak/danışmak*’ (Öztürk, 2013: 182). *İstişare* is derived from the verb root ‘*ş-v-r*’. Terms such as ‘*meşveret*’, ‘*meşure*’, ‘*müşavere*’, ‘*şivar*’, and ‘*teşavür*’ are also derived from the same root as *istişare* (Altuntaş, 2013: 21-22; Aydın, 1992: 15). These words also mean “to consult, to seek advice, to ask for an opinion on a subject, to exchange ideas, to get a sign” (Devellioğlu, n.d.: 555; Sami, 1317: 100; Türcan: 2010: 230).

The concept of consultation has been defined in two different ways by Tekeli and Şaylan (1975): broad and narrow. Broadly defined, consultation is when people ask others for advice based on their knowledge, experience, personality, or other characteristics in order to make a decision. The narrow definition refers to seeking advice from institutionalized structures that specialize in certain matters and provide consulting services in that field (Tekeli and Şaylan, 1975: 92, 93). Therefore, consultation is a broad action that can be carried out in matters requiring expertise or in specific cases.

Within the framework of the above information and explanations, the concept of consultation can be defined as the activity of seeking the opinion of others or facilitating discussions on different approaches in order to reach the most appropriate decision on any subject, from individual matters to state affairs, by the person with decision-making authority.

The use of consultants in administrative matters is conceptualized as ‘managerial consultation’. In this respect, managerial consultation refers to a more specific situation. Making accurate decisions in management processes is a fundamental factor for ideal management. This is possible when the decision-maker has accurate and up-to-date information. The consultation method is one of the methods used by managers to ensure these requirements are met (Kazancı, 2017: 1015).

Consultation can be used at various stages of managerial decision-making, which is characterized as a process. Herbert A. Simon (1960) states that decision-making consists of three stages. The first is the emergence of a situation requiring a decision. The second is the identification of alternative actions to resolve the identified issue. The third

is the selection of one of these alternatives (Simon, 1960: 1). There may be a need for consultation for any of these stages before a managerial decision is made. Consultations may be held to bring issues deemed necessary by those being managed to the attention of managers, as well as to diversify solutions after a problem arises and/or to select the most appropriate one. In this regard, managers utilize various consultation mechanisms. Employees are hired for consultation purposes, or organizations are structured accordingly within institutions. Alternatively, ideas are purchased from professionals who provide advisory services. When a manager seeks advice from experts on issues concerning their organization through one of these channels, this can be described as 'managerial consultation'.

In practice, advisory boards and similar bodies enrich policies by providing the expertise and social feedback that the state needs. In international experience, it has become common practice to seek the views of stakeholders before new regulations are introduced; the feedback stage has played an important role in improving the policies implemented. In this context, establishing mechanisms for communication with the public for public policies enhances the quality of implementation while strengthening social acceptance.

PRESIDENTIAL GOVERNMENT SYSTEM AND POLICY COUNCILS

System debates are not a topic that has only recently entered Turkey's agenda. Previously, it had been argued that reforms were needed in this direction, but the right environment for implementation could not be found. In particular, during the 1970s and 1980s, Necmettin Erbakan of the National Order and National Salvation Party and Alparslan Türkeş of the Nationalist Movement Party proposed the necessity of a presidency. On this subject, Türkeş stated, "Our era is one of strong, fair, and swift execution. The Turkish nation implemented a strong, fair, and swift execution system during the periods when it established world empires. Strong and swift execution is possible only when the power of execution is concentrated in a single hand. For this reason, we advocate the presidential system in accordance with our history and traditions" (1975, 164). Necmettin Erbakan, in a statement to the press in 2010, stated that he had been the one to bring the presidential system to the agenda since the first day he entered political life (CNN TÜRK, 2010). Discussions on the presidential system continued after the September 12 coup and during the drafting of the 1982 Constitution. The 8th President, Turgut Özal, and the 9th President, Süleyman Demirel, stated that switching to a presidential system was a necessary requirement to resolve the systemic crises experienced in Turkey (Örselli et al., 2018, 310). In the subsequent process, the presidential system continued to be brought to the public agenda, especially by representatives of the right-wing politics.

An important step in the process of changing the system took place in 2007. With the referendum held on October 21, a constitutional amendment was passed, and it was decided that the President would be elected by the people. When this provision was implemented in the 2014 elections, Recep Tayyip Erdoğan was directly elected President by the people, deepening the problem of dual leadership in the executive branch. It was emphasized that the solution to this problem was the presidential system. Indeed, it is known that before the 2014 elections, the Justice and Development Party brought a proposal to the Grand National Assembly's reconciliation commission that included a presidential system to resolve the dual leadership problem (Turan, 2018, 45). Although this proposal was not accepted, it is important in terms of demonstrating the continuity of work on the presidential system. Indeed, the system reform, which had remained theoretical in previous years and had not been put into practice due to the lack of suitable conditions, was implemented after the July 15, 2016 coup attempt as a result of the initiatives of the Justice and Development Party and the Nationalist Movement Party (Turan, 2018,

45). Thus, the presidential system, which began as an intellectual debate, was put into effect under the name Presidential Government System, spearheaded by Recep Tayyip Erdoğan and Devlet Bahçeli, representatives of the National Vision and Nationalist traditions. With the new system, the parliamentary system, which had been in place in Turkey since the final period of the Ottoman Empire, was abandoned (Güler, 2018a; 318), and a structure was established in which the President, directly elected by the people, is the sole authority and responsible for the executive branch.

The implementation of the system change was carried out in two phases. The first stage involved constitutional amendments that came into effect following the 2017 referendum. The office of Vice President was established, a procedure was introduced whereby ministers are appointed by the President from outside the Grand National Assembly, and the Office of the Secretary General of the Presidency was abolished (Akçay and Akman, 2019, 46). The presidential elections held on June 24, 2018, initiated the second phase of the system change and marked the process of fully implementing the Presidential Government System. To this end, many regulations belonging to the old system were repealed with Decree Law No. 703 on Amendments to Certain Laws and Decree Laws for the Purpose of Compliance with Amendments to the Constitution, published in the official gazette on July 9, 2018. Subsequently, the system began to be established through Presidential Decrees issued over time. Thus, the structures of the central administration that were abolished by the decree-law were reorganized from scratch through Presidential Decrees (Akıncı, 2018; 2136).

Criticisms have also been voiced regarding the implementation of the presidential system in Turkey. These criticisms have mainly focused on the presidential system bringing about authoritarianism, disrupting the country's unitary structure, and leading to polarization. However, the main arguments of those who introduced this system can be listed as escaping the instability of parliamentary structures, ending dual leadership in the executive branch, and breaking the influence of bureaucratic centers of authority (Güler, 2018a; 310). Therefore, the fundamental objectives of the new system appear to be to ensure a stable and strong executive branch, enable swift and effective decision-making, and eliminate bureaucratic oligarchy, which is seen as one of the ills of public administration. Indeed, the abolition of undersecretariats, the dismissal of senior bureaucrats, and the granting of broad powers to the executive branch in their appointment, thus ending the permanent and secure nature of the bureaucracy and allowing appointments from the private sector, reducing the number of ministries and establishing an office system, and forming committees where civil society organizations, academics, sector representatives, and

bureaucrats can come together are presented as reforms carried out in this direction (Akçay and Akman, 2019; 46: Güler, 2018a; 318,319). However, the claim that committees were established for participatory governance is an assertion that needs to be substantiated. This is because the change made at this point was not the formation of new committees, but rather the bringing of existing semi-autonomous committees under central control or their replacement with committees dominated by central control. The positive and negative aspects of this undoubtedly need to be evaluated.

The main artery of the system is formed by the President and the units within his organization. The Presidential organization, regulated by Presidential Decree No. 1, consists of the Presidency of Administrative Affairs, Vice Presidents, Presidential Policy Boards, Institutions and Organizations Affiliated with the Presidency, Ministries, and Presidential Offices (Official Gazette, 2018). Since these structures are established around and affiliated with the President, they have been presented to the public as being similar to the solar system.

Policy councils have taken their place in the Turkish administrative structure as a result of the historical process and reforms mentioned above. These are listed in Presidential Decree No. 1 as the "Science, Technology, and Innovation Policy Board," "Education and Training Policy Board," "Economic Policy Board," "Security and Foreign Policy Board," "Legal Policy Board," "Culture and Arts Policy Board," "Health Policy Board," "Social and Youth Policy Board," "Agriculture and Food Policy Board," and "Local Administration and Disaster Policy Board" (Article 20), (Official Gazette, 2018f). These councils consist of at least three members appointed by the President. The President is designated as the permanent chairperson, and the President is also expected to appoint the deputy chairperson (Article 21). The councils are tasked with developing policy proposals in their areas of activity. They carry out work on the proposals deemed appropriate from those submitted to the President. They are also tasked with providing opinions to public institutions and organizations (Article 22), (Official Gazette, 2018f). Therefore, in addition to being policy actors, they have been designated as advisory bodies for the capital's administration.

The councils are authorized to organize meetings with broad participation if necessary during the course of their duties. Indeed, in the most recent appointments, the councils were formed with 12 to 17 members. At the same time, it has been stipulated that ministers, senior managers of institutions and organizations, and deputy chairpersons of policy committees may come together to hold coordination meetings on issues that fall within the scope of many institutions. It has been determined that the principles established will be submitted to the President (Article

32) (Official Gazette, 2018f).

AUXILIARY CONSULTARY BOARDS FOR CENTRAL AUTHORITY

The institutionalization of decision-making authority and the information required in this process across different authorities (Tekeli & Şaylan, 1975, 84) constitutes advisory activity and advisory units. Since the decisions made and the policies implemented in the state administration process affect the public—meaning broad masses such as the people or the general public (Parlak, 2011: 422) their accuracy has particular importance. In this respect, operating the administrative consultation procedure is of critical significance. Malfunctions in the functioning of public administration arising from lack of programming or deficiencies of administrators (Kazancı, 2017: 1019) can also be minimized through this method. Indeed, today, the increasing emphasis placed—particularly by new right practices—on the effectiveness, efficiency, and productivity of decisions and policies, as well as on the development of participatory governance, has strengthened the weight of consultation procedures in the administrative process. It can be said that the structures formed for this purpose today convey meanings beyond being staff units.

To understand the new system, it is necessary to analyze the old structure (some of which continues to exist) that was abandoned or transformed, namely the Advisory Boards Supporting the Central Administration. In Turkey, the central administration used to meet its need for expertise and participation in decision-making processes through these boards established within ministries or above the ministerial level. The central administration in Turkey met part of its advisory needs through advisory boards created within the administrative structure to assist the central administration. The advisory boards supporting the central administration, which appear to have been replaced by and lost significance to the policy boards examined in this study, are among the bodies utilized for this purpose. Although they possessed different characteristics regarding duties, members, legal bases, and working procedures, these boards were not among the service units within the capital organization of the central administration, nor did they have separate legal personality. They were auxiliary boards with a semi-autonomous status whose duty definitions explicitly specified advisory functions. They were structures where individuals from different professions came together to conduct deliberations on relevant issues and generate ideas for executive bodies in the capital. Among the auxiliary boards within the capital organization, these were the bodies carrying out advisory functions. Similar to other auxiliary boards, they performed duties concerning the general course of public policy or matters falling within the scope of ministry responsibilities

(Günday, 2013, 422–423), and although they did not possess public legal personality, they retained a certain degree of autonomy. Furthermore, auxiliary boards could be established with a wide range of functions, such as supervision, consultation, examination, coordination, or making recommendations (Derdiman, 2010: 171). It is possible to distinguish these boards from one another in terms of these functionalities. While some were formations in which advisory duties were predominant—such as the Supreme Military Council, the Supreme Council for Science and Technology, the Supreme Planning Council, and the Monetary-Credit and Coordination Board (Gözübüyük, 2010: 146)—others had functions oriented toward planning, coordination, or supervision, such as the Board for the Protection of Minors from Harmful Publications, the Board for Monitoring and Auditing State Aids, the Coordination Board for Combating Irregular Migration, the Commission for Increasing Transparency in Turkey and Improving Effective Public Governance, the Maritime Coordination Commission, the Migration Board, the Environmental Coordination Board, the Ethics Board of Public Officials, and the Information Acquisition and Evaluation Board (Sezen, 2000: 63). It is possible to list the characteristics of these structures in a way that encompasses all of them based on the qualities enumerated by Gözübüyük (Gözübüyük, 2010: 146; Gözübüyük, 1997: 84; Kaçar, 2019: 28):

- They may provide services to only one ministry or to the entirety of the central administration.
- They are established within the legal personality of the state but are organized outside the service units of the structures in the capital.
- They operate with legal bases ranging from the Constitution to regulations.
- There is no standard determined in terms of membership; they may be formed with the participation of individuals from various professions.
- Each has different duties such as issuing opinions, preparing drafts, presenting recommendations, or conducting examinations.

The fact that auxiliary boards possess a wide variety of activity areas prevents them from being described entirely as advisory boards. Advisory boards supporting the central administration are those among them whose duties include an explicitly defined advisory function. Their authority extends only as far as the requirements of the consultation procedure. In other words, the authority seeking consultation does not feel bound to implement the response received exactly as it is, and therefore does not partially or totally renounce its authority (Duran, 2011: 49–51). The board meets its need for different perspectives, recommendations, or

technical knowledge through these bodies. The fundamental characteristics of these boards are:

- **Diversity:** They lacked a standard structure in terms of duties, members, and legal bases. Some served only a single ministry, while others (such as the SPC) served the entire government.
- **Legal Basis:** They were established by a wide range of legal arrangements, from the Constitution to laws, decrees with the force of law, and regulations. Although this caused fragmentation in legislation, their establishment by law provided them with certain guarantees against the executive.
- **Mixed Membership Structure:** Their members generally consisted of bureaucrats, academics, representatives of professional chambers, and representatives of non-governmental organizations (NGOs). This “mixed structure” allowed the views of different social groups to be reflected in the administration.
- **Functional Differentiation:** Some served purely advisory functions (Supreme Council for Science and Technology), some undertook planning and coordination (Supreme Planning Council), and others carried out supervisory functions (Board for Monitoring and Auditing State Aids).

The most important characteristic requiring separate emphasis here is the nature of the consultation procedure. In the Administrative Law literature, consultation is classified as “Optional” (voluntary), “Mandatory” (when obtaining an opinion is required), and “Binding Opinion” (when the opinion is compulsory to follow). A significant portion of the former boards—especially those established by law—were regulated as bodies that had to be consulted before decisions to be taken by the executive. This “mandatory” element was an important administrative brake mechanism limiting arbitrariness of political will.

REFORM IN THE CONSULTATION PROCEDURE: THE NEW ACTORS, THE POLICY BOARDS

It is possible to list the reforms made in consultation authorities and the consultation procedure under the Presidential Government System in at least three points:

- First, many boards operating for this purpose at the center were either completely abolished or had their advisory functions annulled without altering their legal status.

- The second innovation is that the procedures and principles of some boards of this nature that continued their functions were re-regulated by Presidential Decree.

- The third is the establishment of policy boards as new advisory actors.

Accordingly, with these reforms, the significance of the auxiliary advisory boards at the center diminished, and policy boards were designated as the consultation authority for the center. In the Presidential Government System, functions such as developing policy proposals, making recommendations to ministries, monitoring and reporting the implementation of policies within their areas of activity, and ensuring the participation of different stakeholders in this process were assigned to policy boards (Sobacı et al., 2018: 4). These functions contain clear differences from the former boards. The fact that, beyond their advisory duties, they also possess tasks such as forming policies and monitoring their implementation prevents them from being characterized as classical advisory boards (Erol, 2020: 115).

With the new system, the Presidency appears to have gathered within its body many tasks that were previously dispersed among various ministries. It has now been designed to make decisions in place of these bodies. Mechanisms that previously generated ideas for ministries have also been gathered within the Presidential organization. The policy boards have replaced the former boards in ensuring the generation of ideas on administrative matters of the state. The annulment of the former boards was carried out by Decree-Law No. 703 issued in 2018. Through the relevant provisions of this arrangement, it was either directly stated that they were abolished, or it was foreseen that they would be considered abolished unless re-regulated. It was also stated that their functions would be transferred to other institutions or authorities to be authorized, primarily to the policy boards.

Provisional Article 8 – (1) Among the boards, commissions, committees, working groups, and similar units established under laws and decree-laws abolished by this Decree-Law, and whose structures and duties were regulated under ministries and public institutions and organizations under names such as advisory board, coordination board, or evaluation committee, those whose policy-determining duties and authorities were not transferred to the Presidential decree published on the date this article entered into force shall be deemed to have transferred such policy-determining duties and authorities to the Presidential policy boards, and their other duties and authorities shall be deemed transferred to the Presidency or to an institution or authority to be authorized (Official Gazette, 2018).

Approximately one month after this arrangement, Presidential Circular No. 2018/3 was issued, which identified the units to which some of the duties of the abolished boards had been transferred. Through this circular, which also made reference to Decree-Law No. 703, some of the boards, commissions, or committees abolished by that decree were listed, and the authorities to which their duties were transferred were identified. For the advisory duties of the boards listed, the newly authorized authorities became the policy boards. Furthermore, regarding the duties and authorities of the structures indicated, it was stipulated that references made in other legislation to their policy-determining and advisory duties would be considered as made to the relevant Presidential policy board.

Two points are noteworthy in these legal arrangements. First, it appears that the highly diverse legal methods by which boards were established within the Turkish Administrative Organization and the fragmented nature of their legislation prompted the lawmakers to use open-ended expressions while designing the new system. Both the provision in Decree-Law No. 703 stating that boards would be considered abolished unless re-regulated by Presidential Decree, and the provision in Circular No. 3 stating that references in other legislation to advisory duties would be considered transferred to the policy boards, can be interpreted as efforts to prevent gaps arising from fragmented legislation. The second point is that, since they are designated as the new address of advisory functions, the policy boards were created in a way that encompasses the duties of advisory boards.

Eighteen of the boards determined among those abolished under these arrangements are presented in Table 1. While forming the table, their last regulatory basis prior to abolition was taken into consideration, and their member qualifications, fields of responsibility, the nature of the consultation procedure, and the years they were established were listed, along with the policy boards to which their duties were transferred under

the new system. This study does not claim to identify all boards abolished with their duties transferred to policy boards. The ability of these boards to be established through highly diverse legal means makes it difficult to track and identify them comprehensively. Nevertheless, those that have been identified provide sufficient data for comparison with the policy boards that replaced them.

Table 1 –Auxiliary Consultary Boards For Central Authority Whose Duties Were Transferred to the Policy Boards³

Name	Year of Establishment	Latest Legal Basis	Nature of Membership	Field of Duty	Type of Consultation	Transferred To
High Planning Council	1960	Decree No. 641 (Official Gazette, 2011a)	Prime Minister and designated ministers (Art. 22)	Ensuring economic, social, and cultural development (Art. 22)	Mandatory	Economic Policies Board
High Environment Council	1978	Decree No. 644 (Official Gazette, 2013)	Prime Minister, designated ministers, ministry undersecretary (Art. 2)	Effective implementation of environmental administration (Art. 5)	Optional	Local Government Policies Board
Monetary-Credit and Coordination Board (1992)	1980	Decree No. 641 (Official Gazette, 2011a)	Minister of Development, designated by the Prime Minister, various bureaucrats (Art. 23)	Support policies, prices, and funds collected from imports (Art. 23)	Optional	Economic Policies Board
Supreme Council for Science and Technology	1983	Decree No. 77 (Official Gazette, 1983)	Prime Minister, designated ministers, Undersecretary of SPO, representatives of TÜBİTAK, President of YÖK and TAEK (Art. 3)	Development of science and technology (Art. 4)	Optional	Science, Technology and Innovation Policies Board

³ The table presents the duty transfers and the initial names of the policy boards as they appeared in the first version of the law. Therefore, newly established policy boards and subsequent changes in their names in later years are not reflected in the table.

Name	Year of Establishment	Latest Legal Basis	Nature of Membership	Field of Duty	Type of Consultation	Transferred To
Social Assistance and Solidarity Encouragement Fund Board	1986	Decree Law No. 633 (Official Gazette, 2011b)	Minister and designated bureaucrats (Art. 34)	Development of social assistance and solidarity (Art. 34)	Optional	Social Policies Board
Road Traffic Safety Council	1996	Law No. 4199 (Official Gazette, 1996)	Designated bureaucrats; representatives of federations, associations, foundations, professional chambers; Mayor of Ankara Metropolitan Municipality (Art. 4)	Prevention of traffic accidents (Art. 4)	Optional	Security and Foreign Policies Board
Social Security High Advisory Board	2000	Law No. 5502 (Official Gazette, 2006a)	Minister, designated bureaucrats, an academic expert, representatives of chambers and unions (Art. 26)	Development of social security policies (Art. 26)	Optional	Social Policies Board
Industrial Zones Coordination Board	2002	Law No. 4737 (Official Gazette, 2002)	Undersecretary of the Prime Ministry, designated bureaucrats, TOBB representative (Provisional Art. 1)	Designation of industrial zones (Provisional Art. 1)	Mandatory	Science, Technology and Innovation Policies Board
EU Education and Youth Programs Steering and Monitoring	2003	Decree Law No. 540 (1994), Regulation (Official Gazette, 2004)	Deputy Undersecretary of SPO and designated bureaucrats (Art. 5)	Identification and implementation of EU Education and Youth Programs (Art. 6)	Optional	Education and Training Policies Board

Name	Year of Establishment	Latest Legal Basis	Nature of Membership	Field of Duty	Type of Consultation	Transferred To
ng Committ ee						
National Occupational Health and Safety Council	2005	Law No. 6331 (Official Gazette, 2012a)	Ministry undersecretary, designated bureaucrats, YÖK executive board member, DPB deputy head; representatives from unions, TOBB, TESK, TTB, and chambers	Determination of occupational health and safety policies (Art. 21)	Optional	Social Policies Board
Agricultural Support and Steering Board	2006	Law No. 5488 (Official Gazette, 2006b)	Minister of Agriculture and Rural Affairs and designated bureaucrats (Art. 16)	Development of agricultural production (Art. 19)	Mandatory	Health and Food Policies Board
Advisory Board for Citizens Living Abroad	2010	Law No. 5978 (Official Gazette, 2010a)	Prime Minister, designated ministries and bureaucrats, TOBB representative, selected Turkish citizens (Art. 17)	Solving problems of citizens living abroad (Art. 17)	Optional	Culture and Arts Policies Board
Cultural and Social Relations Coordination and Evaluation Board	2010	Law No. 5978 (Official Gazette, 2010a)	Prime Minister, relevant minister and bureaucrats, TÜRKSOY representative, experts from associations, universities, research centers, and think-tanks (Art. 18)	Development of relations with kin and related communities (Official Gazette, 2011c, Art. 95)	Optional	Culture and Arts Policies Board
State Aids Monitoring and Supervisi	2010	Law No. 6015 (Official Gazette, 2010b)	Director General of State Aids and designated bureaucrats	Development of state aid policies in compliance	Binding Opinion	Economic Policies Board

Name	Year of Establishment	Latest Legal Basis	Nature of Membership	Field of Duty	Type of Consultation	Transferred To
on Board			(Art. 4)	with the European Union (Art. 7)		
Accident Investigation and Examination Board	2011	Decree Law No. 655 (Official Gazette, 2011ç)	Representatives of designated ministries, institutions, civil society organizations, and subject-matter experts (Art. 29)	Development of transport safety (Art. 29)	Optional	Security and Foreign Policies Board
Railway Coordination Board	2011	Decree Law No. 655 (Official Gazette, 2011ç)	Bureaucrats (Art. 29)	Development of railway-related policies (Art. 29)	Optional	Security and Foreign Policies Board
Internet Development Board	2011	Decree Law No. 655 (Official Gazette, 2011ç)	Representatives from ministries, institutions, NGOs, and subject-matter experts (Art. 29)	Development of policies ensuring the use and security of the internet (Art. 29)	Optional	Science, Technology and Innovation Policies Board
Health Policies Board	2011	Decree Law No. 663 (Official Gazette, 2011e)	Undersecretary of Ministry of Health, designated bureaucrats and experts, professional organizations, unions, NGOs, and affiliated institution representatives (Art. 6)	Governance of the health system and determination of related policies (Art. 6)	Optional	Health and Food Policies Board

When the table is examined, at first glance it is possible to list at least six points—each with its own implications—regarding what has changed along with the boards:

- Boards whose establishment dates extended back to 1960 were abolished as of 2018 through the transfer of their duties to the policy

boards.

- The former boards, which had been established by relatively hard-to-amend legal bases such as laws and decree-laws, were replaced by policy boards shaped entirely through the regulatory acts of the administration.
- In terms of membership, the system shifted from a board structure in which the consulting authority was itself designated as a member, to a structure in which implementers and idea-generating members are differentiated.
- There was a transition from boards whose founding regulations explicitly identified their members—and therefore did not allow the consulting authority full discretion in selecting all members—to boards whose members are entirely designated by the decision-maker himself.
- In terms of fields of duty, the functions of eighteen specialized boards each responsible for eighteen different areas were consolidated into eight policy boards.
- In some cases, the previous system required the administration to consult the boards mandatorily or to obtain a binding opinion, whereas now the transition has been made to boards that will be consulted entirely on an optional basis.

Policy boards are interpreted as a mechanism that deepens the distinction between politics and administration and ensures that each domain focuses on its own function. Although these are steps taken in recent years to overcome bureaucratic sluggishness or to erode the tradition of bureaucratic administration, they also constitute the latest developments in the shift of centralization in Turkey toward political organs (Övgün, 2016: 167). The task of assisting in consultation and policy formulation, which previously rested heavily on bureaucrats, has now been transferred to individuals appointed by the President. The President regulates these boards through decrees he issues. Presidential decrees, which are foreseen to be issued on matters related to the executive, are regulatory acts of the administration (Akıncı, 2018: 2136). Therefore, it is evident that the policy boards are entirely under the control of the President. The President is authorized for everything from appointing the members to determining the working procedures. It is clear that consultation activity will take place only to the extent that the President attaches importance to the boards. Indeed, with the decision published in the Official Gazette No. 30560 on 9 October 2018, 76 members were appointed to these 9 boards. The majority of them were individuals who had previously served as presidential advisers (Örselli et al., 2018: 315). Moreover, allowing the appointment of individuals from the private sector raises doubts as to which groups the participation dimension will actually include (Yılmaz, 2019: 49). In this regard, by establishing the policy boards and granting the decision-maker the authority to choose whom he will

consult, the system gives him great discretion in whether to include diverse viewpoints.

Furthermore, the legal bases of some auxiliary advisory boards of the central administration, which continue their activities under the new system, have now been defined as Presidential Decrees. For example, the legal bases of boards such as the Supreme Military Council (1925), the Inter-Ministerial Coordination and Planning Board on Mapping Affairs (1925), the Labour Council (1946), the Tax Council (1992), the Coordination Board for Combating Financial Crimes (1996), the Labour Market Advisory Board (2003), and the Turkish Design Advisory Council (2009) were previously laws but are now Presidential Decrees. Therefore, the operational characteristics of these boards are also determined not by the parliament but by the executive branch.

Another situation that both supports the above argument and differentiates the former boards from the policy boards is the nature of the consultation procedure. Some of the auxiliary advisory boards of the central administration—especially those established by law (Kaçar, 2019: 207) were regulated as bodies that had to be consulted before the executive made decisions. This requirement meant that the administration either had to consult them mandatorily or obtain a binding opinion on the relevant matter. Indeed, among the abolished boards, the State Aids Monitoring and Supervision Board had required that draft legislation on state aids be submitted to the Board first so that the Board's binding opinion could be obtained (Official Gazette, 2010b, Art. 7). However, no such obligation has been foreseen for the Presidency's Economic Policies Board, to which its duties were transferred. Similarly, as seen in Table 1, the Agricultural Support and Steering Board, the Industrial Zones Coordination Board, and the High Planning Council were bodies that required mandatory consultation. But this requirement does not apply to the policy boards to which their functions were transferred. Here, too, it is observed that the obligation to seek opinions on the relevant matters is no longer required. Therefore, with the new system, it is understood that consultation mechanisms will be operated only to the extent that the decision-maker feels the need to consult.

The fields of activity of the boards in the old system were determined on relatively specific issues. The new boards, however, have much more general definitions. For example, as indicated in the table, boards such as the Road Traffic Safety Council, the Accident Investigation and Examination Board, and the Railway Coordination Board—each capable of deep specialization—had their duties transferred to the Security and Foreign Policies Board. In addition, in the former boards, decision-makers generally participated as chairpersons, which assigned them an

active role in both generating ideas and implementing them. The positioning of policy boards physically and administratively apart from ministerial structures institutionalizes the processes of policy formulation and implementation in separate authorities for fields such as education, health, economy, and security. In other words, a separation has been introduced between those who formulate policies or contribute to their formulation and the units organized as implementers (Öztop & Lamba, 2019: 427). Furthermore, these boards have also been assigned the duty of monitoring the work of ministries regarding the implementation of policies and reporting to the President (Akıncı, 2018: 2140). Thus, their functions do not end with policy formulation; they are tasked with monitoring the extent to which implementers apply them. In this regard, the boards are positioned above the ministries as the President's operational arm during the stages of policy formulation and oversight (Erol, 2020: 119). Additionally, the fact that ministers do not hold parliamentary identities highlights their executive rather than political roles (Öztop & Lamba, 2019: 433). Hence, it can be stated that the new system has carved out the functions of the classical ministerial organization and transformed it into a structure that simply implements what it is instructed to do.

In this system, in which the distinction between “brain” and “hand-foot” is applied through these boards, the lack of political and legal accountability of the authorities that draw up policies for society and the state is criticized (Güler, 2018b). Indeed, policies concerning every aspect of society and administration—from security to economy, from local government to education—will be produced and positioned as consultation authorities for the capital's administrative structures, yet they will be accountable only to the President. Under the new system, political responsibility will rest with the President (Akıncı, 2018: 2139). However, those who guide him will not be subject to public or legal evaluation.

In her article in *Aydınlık* newspaper, Güler interprets the structure in which policy boards are close to the President while ministries are positioned farther away as the reflection of the American public policy model in Turkey (Güler, 2018b). Policy boards can be viewed as counterparts to the permanent or temporary advisory and information-providing bodies within the U.S. President's Executive Office, which aim to ensure stakeholder participation (Akçay & Akman, 2019: 35, 40). Their common features include working with the executive power and being accountable only to it, not having a fixed number of members or personnel, the number of members varying by board, and their roles in assisting policy formulation and providing recommendations. Another shared point is the aim of avoiding bureaucratic processes to ensure efficient and rapid policy-making (Akçay & Akman, 2019: 53–54).

One consequence of the establishment of policy boards is the change it has produced in the functions of the Council of State (Danıştay). The Council of State's role as an advisory body for the administration was largely removed with the creation of the policy boards. The Council of State's function as an administrative advisory body had been valued in terms of assessing the legality of actions, ideas, and approaches before their implementation, thereby strengthening legal unity and increasing public trust in state actions. In practice, the administration could eliminate potential legal problems before implementing an action by consulting the Council of State. However, with the creation of the policy boards, it was considered unnecessary to maintain such a procedure (Erol, 2020: 125–127). Thus, the historic function of the Council of State—established as the Şûra-yı Devlet—as the advisory authority for the capital's administrative matters was altered. For example, since the new system has abolished the drafting of bills and decrees, the advisory role required before their entry into force has also been annulled, and no such requirement exists for Presidential Decrees either. Likewise, the requirement to obtain the opinion of the Council of State when villages came together to form a municipality was abolished, and a Presidential decision was deemed sufficient (Art. 4). Similarly, when municipal boundaries come within 500 meters of the boundaries of another district or provincial municipality, or a municipality with a population exceeding 50,000, abolishing its legal personality will require only a Presidential decision; the previous requirement to obtain the Council of State's opinion is no longer applicable (Art. 11) (Legislation Information System, 2005). This demonstrates that the advisory function, which we have long observed at the center as a historical mission of the Council of State, has been pushed into the background under the new system.

CONCLUSION

The Presidential Government System, which was fully implemented in 2018, has been one of the most significant reforms undertaken by Turkey due to the profound changes it has produced in the central organization. Within the scope of these changes, the policy boards established were made the object of examination in this study on the basis of their function of performing advisory duties. The policy boards, established by Presidential decree, have been designated as the primary actors at the center in determining the policies set by the President, as well as the advisory authority for the central administration. They have been assigned the task of sharing the ideas and information needed in matters falling within their fields of activity. In this respect, it is observed that they have replaced the former auxiliary advisory boards of the central administration. With the end of the ministries' authority to determine policy, the boards that formerly produced ideas for them have also reached the end of their term. Indeed, the transfer of advisory functions to the policy boards during their formation and the indication that their existence renders the Council of State's advisory function unnecessary show that these boards have come to the forefront as the central advisory bodies.

An important difference between the former boards and the policy boards lies in whether the members were specified by the founding regulations. Accordingly, while the former boards explicitly specified which groups would be represented, full authority rests with the President in the policy boards. In the new system, it has been planned that the participation of stakeholders in administration, meeting expertise-based needs, and carrying out administrative affairs in line with the public interest would be achieved through the policy boards. However, the fact that the members and working principles of these boards are to be determined by Presidential Decree indicates the discretion afforded to the decision-maker in shaping them. The criteria by which individuals will be appointed have not been clearly identified, and the authority has been granted to the decision-maker. In this respect, it is debatable which segments of society will benefit from participatory administration. The degree to which different groups will be represented in these boards—intended to enhance the level of democratic administration—has been left to the discretion of the decision-maker. Therefore, which groups will have influence in directing national policy is a matter that will be understood in practice.

Additionally, the extent to which the advisory function will be exercised through these boards has not been foreseen, nor has the degree to which they will conduct more comprehensive meetings been regulated. Thus, the operation of the consultation procedure has also been left to the

discretion of the decision-maker. While mandatory or binding consultation procedures were prescribed for some of the former boards, consultation in the policy boards has been regulated entirely as optional. These arrangements may be expected to enable the policy boards to achieve their intended purpose in breaking or eroding bureaucratic sluggishness. In this regard, many intermediary structures have been eliminated. The process of establishing boards—which previously included the parliament and in which ministries' active operations were monitored and consultation was institutionalized through laws or decree-laws—has now been replaced by boards whose formation and operation depend on the President's discretion. However, this raises questions regarding implementation. Additionally, the possibility that these boards could be seized by other centers of tutelage and gain power to steer national policies more easily constitutes a potential problem.

Another debated issue is that these boards—which appear to shape the state's governance—do not bear political or legal responsibility for either their establishment or the decisions they make. It is understood that the roles assigned to ministries in the policy-making process have changed and that they are now designated only as implementing authorities. Therefore, in a public administrative action, although the visible actor to the public is the ministry, the authority that determines how it acts is the policy boards. These boards will influence national policies yet be accountable only to the President. The public, however, can question an undesirable administrative action only through the President. Moreover, since they are not subject to parliamentary oversight, it is understood that citizens must wait for the elections, held every five years, to hold political actors accountable. There is no direct mechanism for oversight of the policy boards. While in the past ministries actively participated in central auxiliary boards and operated consultation procedures, the transition to a mechanism in which policy boards handle this process and the President approves and implements their outputs is now underway. Nonetheless, they do not bear legal or political responsibility.

In this regard, the proposed point is as follows: without entirely disregarding historical institutional memory, policy boards should be structured in a manner that assumes greater responsibility, in which all segments of society can present their ideas under legal guarantee, and in which seeking opinions from these boards before administrative actions and the regulation of these boards is not left to the discretion of the administration.

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