

Reforming the Policymaking Process in Turkey's New Presidential System

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ABSTRACT *The system of government in Turkey shifted from a parliamentary to an intrinsic presidential system, in which the president solely employs the executive power granted from the constitution, after the elections held on June 26, 2018. Following the elections, the central government was reorganized in quite a short time. While the reorganization process will continue for a certain period, it seems that the main policymaking actors and their role in the new system have substantially emerged. This study provides a legal and institutional analysis of how the public policy process and the roles and responsibilities of policy actors changed as a result of the restructuring of Turkey's central government under the new presidential system.*

Introduction

In the aftermath of the controversial presidential election in 2007, Turkey passed a constitutional referendum to introduce popular presidential elections. The country's president was elected directly by the people for the first time in 2014. As a result, the Turkish system of government moved closer to semi-presidentialism in practice, although it remained parliamentarism de jure. Taking into consideration the risks and problems that the system's ambiguity entailed, a new constitutional referendum was held on April 16, 2017 –when the electorate agreed to the adoption of the ‘Presidency’ system of government. Those changes presented Turkish policymakers with a new reform wave in public administration. Following the June 2018 presidential and parliamentary elections, the country formally transitioned to presidentialism and it became necessary for the authorities to create a system of public administration compatible with the new system. Thus, Turkey restructured the organization and functions of its public administration, as the process of public policy development, the decision makers and their roles underwent certain changes.

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The presidential system of government replaced the parliamentary system, under which a collective body had wielded executive power, and made it possible for a single, popularly-elected individual to exercise executive authority for a period of five years. Under the new rules, the president emerged as the main agent of policymaking. The Prime Ministry, which was a key policy-

making body under parliamentarism, was abolished, as the organizational structure and functions of the Council of Ministers and the various ministries underwent certain changes. Likewise, the organization of the Presidency was revised in line with the president's constitutional powers and duties.

This article employs the process model, a frequently-used tool in public policy analysis, as a framework to make sense of the restructuring of the public administration and the changes in the policymaking process –which rose to prominence against the backdrop of Turkey's transition to a presidential system of government. In this context, the paper aims to analyze the country's new administrative model, which was designed to be compatible with the new system, and to identify the agents of policy development and their changing roles. Furthermore, it provides an analysis of Turkey's new system of government with reference to global reform trends.

In this regard, the first section of this article explains how the public policymaking process works; taking this process as an analytical framework, the article then engages in a discussion of the reasons behind Turkey's transition to a presidential system of government and how the transition process unfolded. It proceeds to analyze the central government's restructuring process within the context of public administration reforms of the recent years –with an emphasis on the changes that the Presidency has undergone. Finally, it examines, with an eye to the central government that was redesigned according to a presidential system of government, the policymaking process and the changing roles of policy actors under Turkey's new system.

Analysis Framework: Public Policymaking as a Political Process

The analysis of public policy relies on an approach that concentrates on policy actors, actor networks or institutions. Those approaches, however, tend to focus on some parts of the public policy process and ignore others. Furthermore, in cases where major changes, such as the adoption of a new system of govern-

ment, take place, engaging in a network- or actor-centered analysis would be more suitable for micro-level examinations. Provided that the system operates on the macro level, it is better to examine the development of public policy as a political process comprised of a sequence of stages.

To be clear, viewing the development of public policy as a process with multiple stages isn't a novel approach. According to Harold Lasswell, who was one of the first political scientists to use the 'stages' model, the public policymaking process consists of seven stages: collecting information (intelligence), identifying policy options (promotion), setting general rules (prescription), taking into account harmony between the rules and concrete situations (invocation), implementing the option that complies with the general rules (application), assessing the merits and shortcomings of policy (appraisal) and putting an end to the implementation of rules (termination).¹

Today, we tend to use a five-stage model to analyze the public policymaking process. According to this model, the first stage, i.e. agenda-setting, refers to policy actors showing interest in a problem actively and seriously. The 'policy formulation' stage involves the elimination of inapplicable options and the development of lasting, widely accepted and applicable solutions. At the 'decision making' stage, a certain course of action is determined for legislation or implementation purposes. The fourth stage, 'policy implementation,' refers to the implementation of the previously determined policy through the public administration. Finally, at the 'policy evaluation' stage, policymakers monitor the outcome of policy decisions, identify their merits and shortcomings, and reconceptualize problems and solutions as a result of policy learning.²

The process model makes it easier for scholars to understand the roles of participants in the policymaking process, how they interact with and relate to each other, and how every action influences others. In this regard, it considers the policymaking process dynamic rather than static.³ Looking at the development of public policy as a process, it becomes possible to engage in comprehensive analyses of the roles that official and unofficial stakeholders play, how they form coalition networks among themselves, and various factors including institutional culture, ideas, norms and values –separately or together.⁴ One must add that the various stages are not necessarily linear in real life. As a matter of fact, they either become intertwined or can be skipped on occasion. For example, policy formulation may occur before a given problem receives attention from the government, or formulated policies may be eliminated before they are actually implemented.⁵ In practice, the nature of policymaking can be quite complex, as it involves the participation of multiple actors and a series of regulations. Notwithstanding, as Stewart *et al.* indicate, separating policy into multiple stages “gives a framework for classifying the many activities that occur in public policymaking.”⁶

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Turkey's transition to a presidential system of government entailed certain changes to the policymaking process as a result of the reorganization of the country's central administration. New actors have been introduced to the above-mentioned policy stages and some pre-existing policy actors have assumed new roles. At the same time, certain new policy tools, such as presidential decrees and bylaws, have emerged.

Background of the Transition to the Presidential System in Turkey

Over the years, Turkey's parliamentary system has been frequently criticized for failing to address political instability, prevent military interventions in civilian politics, stop the bureaucratic oligarchy, and solve economic problems. Provided that reform efforts could not address the shortcomings of parliamentarism, which were inherent in the country's political culture, Turkey started looking for a new system of government. Consequently, the parliamentary system, whose institutionalization process was yet incomplete, became a contested topic in recent political history. Various politicians and academics maintained that the presidential system was more closely aligned with Turkey's administrative history and tradition, political culture, and social structure.⁷

Within the context of Turkey's parliamentary system, the executive branch was dualistic in nature. It consisted of the president, who exercised vast powers without accountability, and the politically accountable Council of Ministers. The country's parliamentary system was distinguished from classical parliamentarism by the extensive authority that Turkish presidents wielded.⁸ Under those rules, the Council of Ministers, as the primary policymaking body, was responsible for setting public policy, finalizing draft laws, and making administrative regulations. Prime minister, in turn, guided and oversaw the policymaking process with the help of deputy prime ministers and the departments and bodies of the Prime Ministry.

The dualistic nature of the executive branch fueled occasional tensions in Turkish politics and resulted in various crises and conflicts over the years. Furthermore, keeping in mind a series of weak and short-lived coalition governments formed in the 1990s, Turkey's parliamentary system failed to maintain a certain level of effectiveness. It was the same political climate that limited the



ability of successive governments to solve problems and develop policy.⁹ Political instability and economic crises made it difficult for Turkish governments to implement public policy to enact desperately needed reforms, and to monitor their success. Furthermore, weak coalition governments tightened the bureaucratic guardianship regime's control over civilian politics.

In the wake of the 2007 presidential election, which was surrounded by controversy, Turkey passed a constitutional referendum to introduce popular elections for the Presidency. In addition to worsening the problem of dual legitimacy already plaguing the executive branch, this move represented an additional step away from classical parliamentarism. Consequently, the first popular presidential election, which took place on August 10, 2014, pushed Turkey's system of government closer to semi-presidentialism.¹⁰ Under those circumstances, the president was popularly elected yet devoid of accountability. As such, potential tensions between the president and the prime minister and growing confusion among bureaucratic ranks slowed down the state apparatus and prevented the development of effective public policy. Moreover, several major crises, including a series of terror attacks in 2015, persistent national security threats, and July 2016 coup attempt by the Gülenists –officially known in Turkey as the Fetullahist Terrorist Organization/Parallel State Structure (FETÖ/PDY)– to overthrow the country's democratically elected government, deepened the public debate on a new system of government.

As a result, the project of eliminating groups that attempted to shape the political arena and Turkish society through extra-parliamentary channels, addressing the problem of dual legitimacy within the executive branch, and increasing the public administration's capacity to take swift and effective action

The first cabinet of the Erdoğan Administration, created on the basis of the new presidential system, meets for the first time on July 13, 2018.

KAYHAN ÖZER / AA Photo

One of the main issues related to the adoption of the presidential system was the need to restructure the central government, starting with the organization of the Presidency, in line with the new rules

became the top items on Turkey's political agenda. It was against this background that the country held a constitutional referendum on April 16, 2017, to adopt a presidential system of government and created a roadmap for transition. In accordance with the amended provisions of the Turkish Constitution, presidential and parliamentary elections took place simultaneously on June

24, 2018. Whereas Recep Tayyip Erdoğan received 52.6 percent of the votes to win the presidential race, the Justice and Development Party (AK Party), which had advocated the presidential system in the first place, claimed more parliamentary seats than any other party with 42.6 percent.

Following the April 2017 constitutional referendum, the AK Party government formed an oversight committee with 15 members, along with five sub-committees with seven members each, to facilitate the transition to presidentialism. Tasked with the restructuring of the executive branch, the public personnel regime, the amendment of the body of law on political parties and elections, local governments, and parliamentary bylaws, the sub-committees received input from various individuals and institutions to lay the groundwork for the transition in terms of regulations and institutional organization.¹¹ Based on the work of those committees, the authorities made preliminary information about the organizational structure of the Presidency and the central government available to the public. Shortly after the elections, the parliament passed harmonization laws to abolish institutions and rules that were unique to the parliamentary system, and the president built on his constitutional mandate to issue a series of decrees in order to address key issues related to the organizational structures, tasks and powers of the central government's various institutions as well as the appointment of senior public officials.

Public Administration Reform and the Presidential System in Turkey

One of the main issues related to the adoption of the presidential system was the need to restructure the central government, starting with the organization of the Presidency, in line with the new rules. To account for the changing public policy process, it is necessary to understand how the main policy actors, such as the Presidency, Ministries, the Council of Ministers and other parts of the central government, have changed. In this context, we examine below the fundamental values that shaped public administration reform in Turkey and proceed to analyze the allocation of responsibilities and duties.

A Short Analysis of Public Administration Reforms after the 1980s

Since the 1980s, a global wave of public administration reform has affected developing and developed countries. New public management (NPM) and governance have been two of the main approaches that inspired governments and public institutions to transform administrative structures based on traditional principles and values. Reforms driven by the principles and values of NPM and governance became intertwined and were implemented by various governments around the world until the 2000s.

The public administration reforms that fell within the scope of NPM promoted smaller government, the elimination of bureaucracy, privatization, deregulation, and certain values including effectiveness and efficiency.¹² In this regard, governments and public institutions concentrated on outputs rather than inputs and administrative processes; advocated the decentralization of public administration, flexible organizations, and a focus on the demands and expectations of the public; opted for small-scale and autonomous institutions based on horizontal organizations; employed market-like structures in the management and allocation of public services; transferred private sector management techniques, including human resource management, strategic planning, performance management and total quality management, to the public sector; and held public officials responsible for performance and results.¹³ NPM reforms affected some countries deeply. In other places, traditional approaches to public administration and related practices persisted, while certain NPM principles influenced policies and implementation.¹⁴

Governance, which entered the radar of governments in the 1990s, added new principles to the list of NPM reforms. It promoted a multi-actor approach based on democratic values such as horizontal cooperation, bargaining, participation, interaction, negotiation and joint production at the expense of the traditional approach to public administration, which was top-down, isolated, based on vertical hierarchy and in favor of single-directional communication and passive participation.¹⁵ With regard to those values, governance represented a challenge to the traditional approach of public administration and complemented NPM. After all, the NPM approach created a central administrative structure based on a small-scale and flexible organization that promotes the decentralization of authority and distinguishes policymaking units from implementing bodies. Consequently, the problems associated with the fragmentation of central authority were addressed through networks and cooperation mechanisms.¹⁶

From the mid-2000s onwards, earlier reform approaches dominated the realm of public administration across the world and the reform agenda underwent certain changes as a result of certain political, economic, social and technological developments. The 2008-2009 financial crisis revived the idea of 'mar-

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ket failure' and influenced how the United States and European countries regulated the financial sector, taxation, privatization and public savings.¹⁷ Moreover, the so-called trade wars between the United States and other nations, including European countries, Canada and China, fueled uncertainty in international markets due to the economic measures implemented by those governments against each other.¹⁸ In particular, the strengthening of connections between financial markets and the deepening

interdependence of various nations in key areas including energy, food and industry, created new global dynamics that governments seeking to reorganize their public administration must take into consideration.

In addition to new economic and financial challenges, certain policy issues, including global warming, international migration, human trafficking, security, and terrorism have become more prominent in the agendas of governments and international organizations.¹⁹ Whereas xenophobia, Islamophobia and nationalist extremism fuel social tensions in certain parts of the world, emerging threats in other regions, starting with the Middle East, including separatist movements, violent conflicts and war, place global peace at risk. It is quite salient that governments are not capable of addressing such problems by using their own bureaucratic mechanisms or market tools.

Keeping in mind the opportunities and problems that the contemporary progress in information and communication technologies (ICTs) entails, increasingly complex public issues require political, administrative and social actors to work more closely at the local, national and international levels, and increase the need for networks, coordination, horizontal communication and cooperation.²⁰ In recent years, digital transformation, which entailed the integration of smart technologies into public services, has replaced the NPM model's passive service recipients with active stakeholders that coproduce and collaborate, and active users who create content.²¹

Although those developments and problems take place at various levels, they affect many countries and compel their respective governments to pursue new types of reform agendas. In this regard, additional emphasis has been placed on institutional integration to prevent the fragmentation of public administration, re-centralization for the purpose of improving state capacity, and

re-regulation to facilitate the restoration of the state's regulatory role. Furthermore, building additional political and administrative capacity for central governments, promoting horizontal and vertical cooperation within the public administration and strengthening coordination are some of the policies that governments currently implement. In line with those goals, governments prefer reforms geared toward promoting horizontal governance and cooperation on the basis of joint programs and projects by ministries and councils and between various sectors. Consequently, a new perspective that brings together different approaches to reform is increasingly needed by policymakers that encounter complex societal problems.²² This new perspective, which has emerged in public administration, has come to be known as 'post-New Public Management' (post-NPM) in recent years. It represents an effort to strike a new balance between decentralization and recentralization, fragmentation and coordination, hierarchy and networks, and autonomy and central control to meet contemporary needs.

Reforming the Traditional Public Administration in Turkey: Towards a Post-NPM Approach?

It is possible to examine the post-1980 public administration reforms in Turkey in the categories of NPM, governance and post-NPM. Since the 1980s, the aforementioned approaches entered the radars of successive governments and policymakers at various levels. The governments of Prime Minister Turgut Özal, who came to power by winning popular elections after the September 12, 1980 coup d'état, promoted economic policies including economic liberalization, integration into the global economy, smaller government, privatization, administrative decentralization, elimination of bureaucracy and deregulation.²³ During this period, independent regulatory agencies (IRAs), emerged in Turkey for the first time due to the state's withdrawal from certain markets.

In the 1990s, when the average time that Turkish governments remained in power was less than 18 months and political and economic instability were widespread, there was an extended debate on public administration reforms, yet only partial steps were taken in the end. With the rise of the AK Party to power in 2002 and the combination of political stability, the government's popular support and Turkey's vision for the European Union, a number of legal and institutional reforms were implemented.²⁴ A closer look at the programs of AK Party governments and national policy papers from this period reveals that those reforms clearly reflected the principles and values of NPM and governance.

Although it is difficult to distinguish them from one another categorically, recent practices, including the creation of a smaller central government, empowering local governments, the reorganization of public financial management with an emphasis on the principles of effectiveness and efficiency, the adop-

tion of a performance audit system based on human resource management in public administration, and the privatization of state business enterprises, were similar to what the academic world calls the NPM approach.²⁵ At the same time, a number of other steps, such as the recognition of the right to information and the policy of openness in government, the identification of ethical rules for public officials and the creation of the Public Officials Ethics Board, the establishment of the ombudsman institution, and the adoption of international conventions on transparency and anti-corruption, were initiated in line with the ‘democratic governance’ approach.²⁶ As such, it is possible to argue that the economic liberalization process, which kicked off in the 1980s, continued in the early 2000s as a combination of NPM and governance reforms.

A series of political, social, and economic problems since 2009 have shifted the direction of Turkey’s public administration reforms. Emerging needs rendered the reference points of earlier reforms –NPM and governance– inadequate. It is possible to find the traces of that shift in various reform efforts.

Turkey reorganized its central administration by issuing a number of decrees in 2011 to abolish state ministries and reduce the number of executive ministries through mergers and abolitions. Furthermore, it created a number of councils intended to promote horizontal cooperation and stronger coordination among central government institutions to address various issues including economic development, the war on drugs, immigration and counter-terrorism. Through additional regulation, which the Turkish government added in the same year, the central administration was equipped with additional monitoring powers over regulatory councils.²⁷

The 2012 legislation, in turn, reduced the number of local governments including municipalities, special provincial administrations and villages, expanded the territory of cities, and promoted administrative integration through the metropolitan system. In this context, the number of metropolitan municipalities soared to 30 and provincial special administrations and villages were abolished in metropolitan areas to simplify the local administration system.

In Turkey, there has been a serious increase since 2010 in public-private partnerships (PPPs) which rose to prominence together with the post-NPM approach as a model that relies on cross-sectoral cooperation. Compared to \$7.2 billion in 2010, the volume of PPP projects skyrocketed to \$23.1 billion by 2013 –the highest number on record.²⁸ Institutional integration efforts, which emerged within the context of e-government and digitalization, such as the institutional reorganization process in the central administration regarding migration management due to the Syrian civil war, resulted in the abolition of certain directorates and the creation of the Disaster and Emergency Management Authority (AFAD) in 2009 to promote effective disaster and crisis man-

agement –which were reminiscent of post-NPM reforms elsewhere.

One must add, however, that the Turkish government did not adopt a policy framework, strategy or program indicating that reform efforts would reflect the post-NPM approach. During this period, various political, economic and social crises fueled by domestic and external factors, along with the nature and complexity of the country's problems, resulted in the adoption of policies designed to promote cooperation and coordination among public institutions and restore integration between fragmented institutions.

Other important factors that influenced the Turkish public administration's reorganization process in recent years include the fight against the terrorist organization led by Fetullah Gülen, FETÖ/PDY, and the July 15, 2016 coup attempt. The July 15 coup attempt clearly established that the organization had infiltrated not just the Turkish Armed Forces but all public institutions in the country. Therefore, the event served as a reminder that Turkey must eliminate the threat of weak coalition governments in its political system, develop a new system of government that would prevent the emergence of power vacuums and promote lasting stability, and restructure the entire state apparatus from scratch.²⁹

In this regard, the Turkish government reformed the country's military institutions in the immediate aftermath of the failed coup d'état and, at the same time, took necessary steps in order to remove FETÖ operatives from the civilian and military bureaucracy. With those goals in mind, Turkey launched a reform program that aimed to promote complete civilian oversight over the national security apparatus, to create a new and more balanced security mechanism that would prevent the concentration of power in a single hand, to diversify the personnel hiring system, and to stop the rise of ideologically-motivated, autonomous structures within the bureaucracy.³⁰ In the end, Turkey's public administration underwent changes which extended to the executive, legislative and judicial branches of government along with relevant institutions and policy actors that paved the way to the reorganization of the state.

The New Structure of Turkey's Central Government

The Turkish government system's legal and structural compliance with presidentialism was ensured through a series of decrees in line with the consti-



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tutional amendments passed in April 2017. Moreover, a number of presidential decrees, which were issued based on the Constitution and various laws, created the respective organization of public administration, identified the powers, responsibilities and duties of each agency, and regulated the appointment of senior public officials and other bureaucratic appointments. The reorganization of actors involved in the development and/or implementation of public policy, as well as the roles and responsibilities of

those actors created a new public policy process under the presidential system –which is quite distinct from the process under parliamentarism.

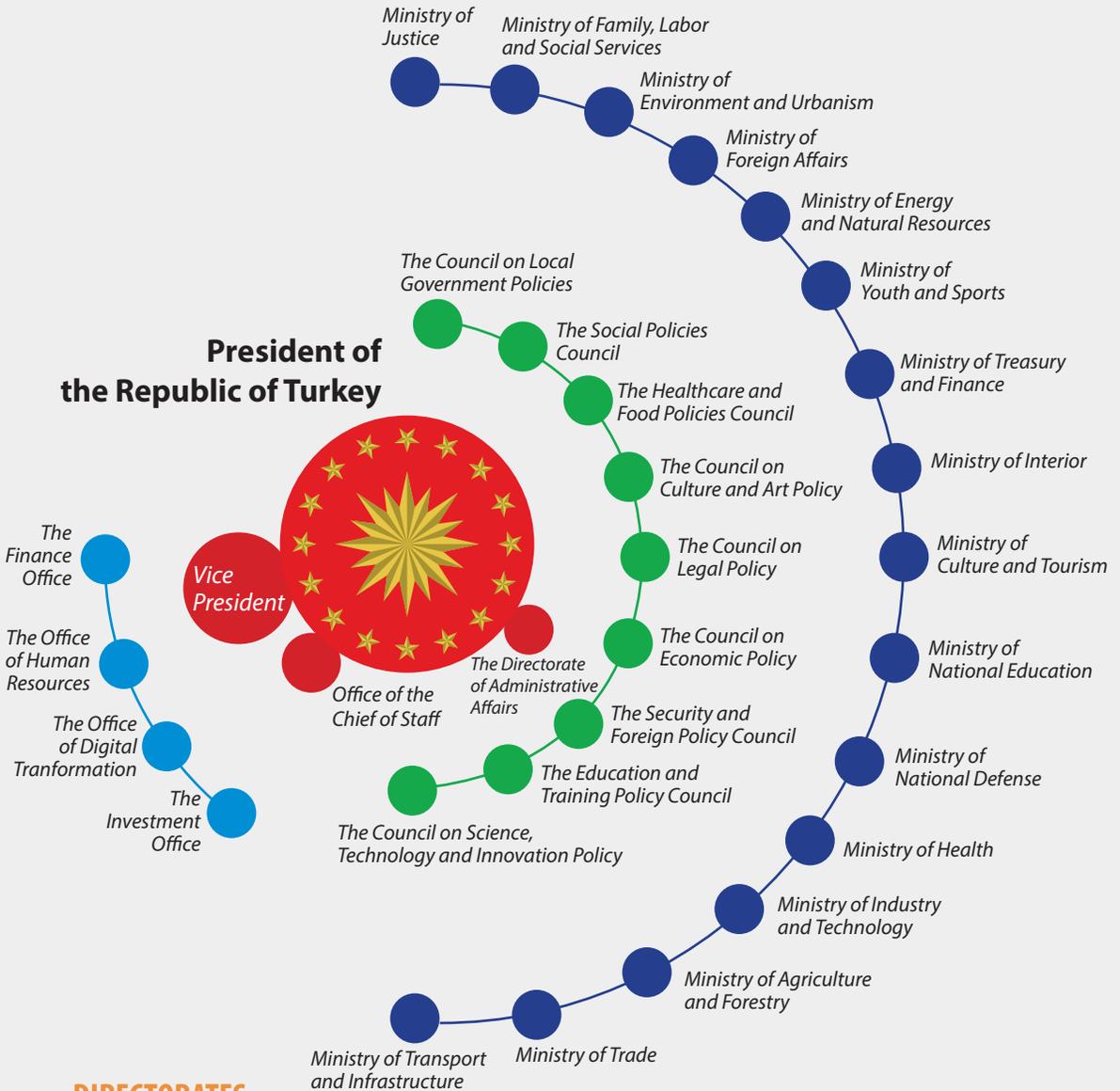
The Presidency

Under Turkey's new system of government, the president has been tasked with the implementation of the Constitution and has been deemed responsible for the regular and harmonious functioning of state institutions. It should be underlined that the president does not just monitor the harmony and coordination between state organs and public institutions but also is required to facilitate it under the new system. Under Article 104 of the Constitution, which stipulates that the president alone exercises executive power, the president is located at the very center of the entire system of government.

As a result of this arrangement, a number of new executive powers and responsibilities have been added to the president's pre-existing constitutional mandate. To ensure that presidents exercise all of their rights and perform all of their tasks in an effective and rational manner, it became necessary to reorganize the Office of the President, which had a narrow and a limited number of administrative departments under the parliamentary system. How the organization of the Presidency will be structured and which policy items and issues shall be prioritized will depend on the presidents themselves.³¹

Having received 52.6 percent of the popular vote to become Turkey's first president under the new presidential system of government, Recep Tayyip Erdoğan –unlike his opponents– shared with the public and the electorate how he intended to structure his administration. Upon winning the presidential race, Erdoğan carried out the necessary legal changes to facilitate the institutionalization of the new system. The new structure of the Presidency, as shown in Figure 1, has thus been created.

Figure 1: Organization of the Presidency



DIRECTORATES

- The Directorate of the National Intelligence Organization
- The Directorate of Defense Industries
- The Secretariat-General of the National Security Council
- The Directorate of Religious Affairs
- The Directorate of the State Auditing Council
- The Directorate of Communications
- The Strategy and Budgeting Directorate
- The Directorate of State Archives
- The Directorate of National Palaces Administration
- The Turkey Wealth Fund Co.



The Security and Foreign Policy Council, one of the nine executive councils created in the new presidential system, met on November 1, 2018.
MURAT ÇETİNMÜHÜR/DAR / AA Photo

A closer look at Figure 1 would reveal that the organization of the Presidency has been structurally expanded to become inclusive of a large number of units that perform various political and administrative tasks. At the same time, the Presidency came to rely heavily on horizontal structures as opposed to hierarchical ones. In contrast to the traditional relationship between public institutions in Turkey, which were based on hierarchy and tutelage, the new system promotes NPM-friendly policymaking units that rely mostly on the horizontal structure and reduce hierarchical echelons.

The various organs and bodies of the Office of the Presidency perform tasks ranging from assisting the president in the development and implementation of public policies to the creation of the president's daily schedule, and to the management of media and public relations. Therefore, the bodies known as councils, offices and directorates report directly to the president. Furthermore, there are vice presidents who are directly appointed by the presidential appointees and are responsible toward the president.

Vice President(s)

Under the parliamentary system, the prime minister, in his/her capacity as the politically accountable policymaker within the executive branch was able to appoint a certain number of deputies. In the new system of government, the president, who now bears criminal liability, exercises executive power alone. Article 106 of the Constitution stipulates that, upon election, the president can appoint one or more vice president(s). The vice president(s) report directly to

A number of new offices emerged under the presidential system and those offices came to play a critically important role in the development, monitoring and implementation of certain public policies

the president and are accountable to the Parliament. They have an obligation to answer written questions submitted by members of parliament and may be subjected to parliamentary investigations if they are accused of committing crimes in public office. By contrast, they enjoy legislative immunity if charged with crimes unrelated to their official duties.

The vice president serves as acting president if the Office of the President is vacated for any reason and until a new president is elected. Moreover, they have the right to serve as acting president if the office is temporarily vacated due to incapacitation or international trips. The vice president is a member of the National Security Council and has the right to suggest agenda items and chair meetings in the president's absence.

Offices

Executive offices are quite common in countries with presidential systems of government. For example, there are nine such offices in the United States, including the Office of Management and Budget, the Office of Science and Technology Policy and the Office of Cabinet Affairs.³² Under Turkey's parliamentary system, a small number of administrative bodies, such as the State Supply Office (*Devlet Malzeme Ofisi*), have been called offices. By contrast, a number of new offices emerged under the presidential system and those offices came to play a critically important role in the development, monitoring and implementation of certain public policies. Under the new system, the various offices are public entities that enjoy administrative and financial autonomy and are directly responsible to the Office of the President. According to Article 528 of the Presidential Decree on the Organization of the Presidency,³³ each executive office is managed by a public manager who is accountable to the President in terms of general administration and representation. Office leaders are expected to manage their respective offices in line with the goals, policies and strategies identified by the President, and to promote coordination and cooperation with public institutions and non-governmental organizations operating in relevant areas.

Viewing executive offices as the closest public institutions to the Office of the President under the new system of government, President Erdoğan described them as a 'backyard' for the development of public policies and projects. He stressed that the various offices would work directly with the president in

The Directorate of Communications has been tasked with the execution and coordination of all activities related to media relations, publicity, propaganda and the communications of the Turkish state and the Presidency

order to bypass bureaucratic hurdles and manage relevant projects with an eye to the president's priorities –and therefore were executive in nature.³⁴ In this regard, the Erdoğan Administration established four offices in strategic areas: the Finance Office, the Office of Human Resources, the Office of Digital Transformation and the Investment Office.

Policy Councils

Temporary and permanent councils can be found under parliamentary and presidential systems of government alike. In countries with presidential systems, policy councils operate at various levels of government. They may consist of cabinet ministers or bureaucrats exclusively, or involve civilian stakeholders such as representatives of relevant business sectors. For example, there are six such councils within the Executive Office of the President in the

United States, including the Council of Economic Advisers, the Council on Environmental Quality, the National Security Council, the Domestic Policy Council, and the President's Intelligence Advisory Board. Those advisory councils provide information to the president regarding their respective areas of interest, make recommendations, develop public policy proposals, and facilitate the participation of various stakeholders in the public policy process.³⁵

Under the recently-adopted presidential system, Turkey formed nine executive councils –including the Council on Local Government Policies, the Social Policies Council, the Healthcare and Food Policies Council, the Council on Culture and Art Policy, the Council on Legal Policy, the Security and Foreign Policy Council, the Council on Economic Policy, the Education Policy Council, and the Council on Science, Technology and Innovation Policy.³⁶ The president chairs each council, which consists of a minimum of three members that are presidential appointees. One of the members serves as the acting chairperson of each council.

Some of the main duties and powers of policy councils are to make recommendations on presidential decisions and policy issues; to work on policy and strategy proposals approved by the president; to provide feedback to public institutions in relevant areas; to receive feedback from ministries, public institutions, civil society and representatives of relevant business sectors on their areas of interest; to monitor policy implementation and developments, to report them to the president, to monitor the practices of ministries and other public institutions with an eye to the presidential agenda and provide reports to the president; to invite representatives of ministries, public institutions, and

civil society and relevant business sectors, along with experts and other stakeholders, to extended council meetings; and to analyze demands, needs and their impacts related to their areas of interest.³⁷

A closer look at the powers and responsibilities of policy councils reveals that those bodies work directly with the president in order to analyze existing policies, develop new approaches, and propose new solutions to policy-related problems at the president's request. They work closely with ministries, other public institutions, state business enterprises and other administrative units. Furthermore, policy councils are allowed to invite representatives of ministries, other public institutions, civil society and the business community, along with academics and experts, to their events and meetings. In this regard, they facilitate cooperation and coordination between public institutions and across sectors to address multi-dimensional problems.

Presidential Decree No. 2018/3 abolished all councils and commissions that existed under the parliamentary system of government to transfer policy development and consultation powers to the relevant policy councils of the Office of the Presidency, and to implement the powers of the relevant public institutions. In this regard, a total of 64 obsolete councils comprised of representatives of the Prime Ministry and various ministries, were terminated and, in the words of an advisor to President Erdoğan, "the state's implementing bodies were simplified and narrowed down in terms of their organizational structures but augmented in terms of their functions and impact."³⁸

Directorates

In the wake of the Prime Ministry's abolition, a number of public institutions, which were either attached to or were accountable to the Prime Ministry, were transferred to the Presidency under the new system of government. In this regard, the Directorate of State Archives (*Devlet Arşivleri Başkanlığı*), the Directorate of the State Auditing Council (*Devlet Denetleme Kurulu Başkanlığı*), the Directorate of Religious Affairs (*Diyanet İşleri Başkanlığı*), the Secretariat-General of the National Security Council (*Milli Güvenlik Kurulu Genel Sekreterliği*), the Directorate of the National Intelligence Organization (*Milli İstihbarat Teşkilatı Başkanlığı*), the Directorate of the National Palaces Administration (*Milli Saraylar İdaresi Başkanlığı*), the Turkey Wealth Fund Management Co. (*Türkiye Varlık Fonu*) and the Directorate of Defense Industries (*Savunma Sanayii Başkanlığı*) are currently responsible to the Office of the Presidency.³⁹ Some of those institutions retained their official names, whereas others have been designated as presidencies and attached to the Office of the President.

In addition to the existing presidencies, the new system of government entailed the creation of the Strategy and Budgeting Directorate (*Strateji ve Bütçe Başkanlığı*), the Directorate of Administrative Affairs (*İdari İşler Başkanlığı*)

and the Directorate of Communications (*İletişim Başkanlığı*).⁴⁰ Under Article 3 of Presidential Decree No. 14, the Directorate of Communications has been tasked with the execution and coordination of all activities related to media relations, publicity, propaganda and the communications of the Turkish state and the Presidency. The Strategy and Budgeting Directorate (SBD), in turn, was launched to concentrate on the drafting and use of the annual budget –now part of the presidential mandate– as well as to create development plans and monitor their implementation.⁴¹ The SBD is responsible for drafting the annual budget by bridging the president’s vision, goals and policy priorities with the financial resources to be allotted to public institutions.

Finally, the Directorate of Administrative Affairs, which consists of four pre-existing departments (the Directorate General of Law and the Body of Laws, the Directorate General of Personnel and Principles, the Directorate General of Security Affairs, and the Directorate General of Support and Financial Services), provides services that presidents require to exercise his/her constitutional mandate, oversee relations with the Grand National Assembly of Turkey (TBMM), takes necessary steps to facilitate coordination among public institutions, identifies principles to ensure that the state organization can function in an effective and orderly fashion, and performs tasks related to the coordination of domestic and foreign security and counter-terrorism efforts as well as monitors and assesses their impact on public opinion.⁴² The Director of Administrative Affairs, who is considered the country’s top public official, is accountable to the president regarding the activities of all directorates.⁴³

It is possible to argue that the newly-established directorates concentrate on helping presidents to fulfill their constitutional obligations, assist the Presidency’s general administration, and aim to promote coordination between the various parts of the central government. In this context, they oversee the president’s relations with the Grand National Assembly, facilitate the Presidency’s coordination with public institutions, monitor the president’s relations with the media and the public, and perform administrative tasks related to the internal functioning of the Organization of the Presidency. Among the various presidencies, the SBD, which undertakes two crucial parts of the public policy process (i.e. policy planning and budgeting), plays a more significant role in respect to policy development.

The Council of Ministers

Under the presidential system of government, the Council of Ministers is comprised of ministers who are directly appointed and dismissed by the President. The new rules make it possible for non-members of the Turkish Parliament to serve as ministers and require that the membership of MPs is automatically dropped upon their appointment as ministers. This principle imposes tighter limits on the appointment of MPs to cabinet positions and ensures that minis-

ters are selected on the basis of expertise rather than their political influence.⁴⁴ Therefore, it is possible to argue that ministerial appointments are more likely to reflect the candidate's experience, level of expertise and merit instead of the outcome of political negotiations, political power, interests and expectations.

Under the parliamentary system, the Council of Ministers performed a number of tasks including policy development, the appointment of senior public officials and creating

bylaws to explain how laws ought to be implemented. Provided that the president alone exercises executive power under presidentialism, however, almost all of the Council's powers and duties have been transferred to the Presidency, and the Council's authority to issue bylaws and decrees has been abolished completely. As such, the Council of Ministers has evolved into a body that facilitates consultation, promotes coordination and engages in monitoring under the presidential system of government.

Ministries

Under the parliamentary system –especially if coalition governments were in power– political heavyweights could be included in the Council of Ministers and the number of ministries increased unnecessarily to ensure that a balance of political power could emerge between coalition partners through the allocation of cabinet positions. This situation resulted in a waste of public resources, inefficiency and delays, and increased the difficulty of facilitating coordination between the various ministries. Since coming to power in 2002, the AK Party has gradually reduced the number of ministerial posts. By 2011, the number of executive ministries was lowered to 21 through the abolition and mergers of multiple ministries.

It would appear that the same trend will continue under the presidential system of government. Today, the Erdoğan Administration features 16 ministries: the Ministry of Justice, the Interior Ministry, the Ministry of National Defense, the Ministry of Education, the Ministry of Health, the Ministry of Energy and Natural Resources, the Ministry of Environment and Urban Management, the Ministry of Culture and Tourism, the Ministry of Youth and Sports, the Ministry of the Treasury and Finance, the Ministry of Family, Labor and Social Services, the Ministry of Agriculture and Forestry, and the Ministry of Industry and Technology.

The president has been granted the power to issue decrees related to the executive authority under Article 104 of the Turkish Constitution. Presidential decrees are subject to a review by the Constitutional Court regarding their compliance with the Constitution

86 percent of the Turkish electorate voted in the presidential and parliamentary elections on June 24, 2018.

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Analyzing the changes in the names and functions of the ministries, the former Ministry of the European Union has been merged with the Ministry of Foreign Affairs, the Ministry of Family and Social Policies has been merged with the Ministry of Labor and Social Security, and the Ministry of Forestry and Water Works was merged with the Ministry of Food, Agriculture and Livestock. Meanwhile, the Ministry of Transportation, Maritime and Communication, and the Ministry of Science, Industry and Technology have been renamed.

It is possible to argue that the most substantial changes at the ministerial level have occurred with regard to the economy. In response to the criticism that the previous administrative structure had fragmented the economic administration, which created problems due to a lack of coordination, Erdoğan aimed to unify the country's economic leadership.⁴⁵ Under the new government model, the former Undersecretariat of the Treasury has been merged with the Ministry of Finance. At the same time, the former Ministry of Development was merged with the Ministry of Industry and Technology, and the Ministry of Customs and Commerce has been renamed the Ministry of Commerce. Finally, the administration has aimed to assist economic policymakers by creating the Finance Office and the Investment Office, which are attached directly to the president.

In addition to these changes, the internal organizations of various ministries have undergone major changes. In 2011, Turkey adopted certain changes to

create a new position, that of the deputy minister, who had similar responsibilities as the undersecretary in ministries. Although the undersecretary was a permanent bureaucratic position, the deputy ministers are expected to leave office upon the dismissal of the government. Notwithstanding, as the duties and responsibilities of the deputy ministers collide with undersecretaries, conflict arose in certain cases between these two sides in some ministries.⁴⁶ In order to address this problem and simplify the hierarchical structures of ministries, the positions of undersecretary and deputy undersecretary have been abolished, and deputy ministers have become the most authoritative official after ministers themselves. Furthermore, department heads and their superiors at ministries and other parts of the central government were designated as senior public officials, who would be appointed directly by the president or by the approval of the president.

Under the presidential system, ministries are now required to transfer their powers in the area of policy formulation to policy councils and certain presidencies operating as part of the Presidency

Efforts to reduce the number of ministries and levels of positions within the ministries, promote efficiency and effectiveness in the public administration, prevent the waste of resources, eliminate bureaucracy and support quick decision making, clearly reflect NPM values. However, some steps, including the prevention of institutional fragmentation within the central government and the strengthening of coordination and horizontal collaboration, are based on post-NPM values. It should be noted that there has been no reference to the concept of post-NPM as a reform strategy in any policy document issued during the restructuring of the public administration. It seems that post-NPM reforms have been implemented with regard to domestic political and administrative necessities.

An Analysis of the Changing Roles of Policymaking Actors in Turkey's New Presidential System

A closer look at Figure 1 would reveal that the Presidency has vast powers in terms of the development of public policy but also in the stages of monitoring, coordination and implementation. The president undertakes policy development and implementation by appointing senior public officials, issuing decrees and bylaws, and guiding directorates, policy councils and executive offices. Under the new system, the right to issue decrees –which the Council of Ministers exercised in the former system– was abolished. Instead, the president has been granted the power to issue decrees related to the ex-

Executive offices are expected not just to collect and report data or to develop policy proposals and projects but also to perform certain tasks related to the implementation and coordination of relevant policies and projects

and powers of ministries, to regulate the organizations of ministries, to create the central and provincial organizations of ministries, to determine the working principles of the State Auditing Board, the duration of its members' terms in office and other entitlements, and to regulate the National Security Council's organization and responsibilities through presidential decrees. Furthermore, Article 123 of the Turkish Constitution stipulates that presidential decrees, in addition to laws, can create public entities. As such, presidential decrees are the primary way of developing public policy at the level of the central government, setting service standards, and monitoring the outcomes of policies.

Under the presidential system of government, the president will necessarily rely on the Parliament to formulate and adopt certain types of public policies. The parliamentary system made it possible for the Council of Ministers to finalize bills, which were drafted by the relevant ministries, before submitting them to the Parliament as draft laws. Provided that presidentialism subscribes to a rigid form of separation of powers, however, the Council of Ministers is no longer authorized to draft legislation, nor is the president allowed to submit draft laws to the Parliament –with the notable exception of the annual budget bill.⁴⁷ Yet elected presidents are no longer required to sever their ties to political parties under Turkey's new system of government. The president could influence the legislative process to some degree if his party has a strong enough majority in the Parliament. In all other cases, the president manages his relations with the Parliament through the Directorate of Administrative Affairs under the new rules. The Parliament, in turn, monitors and examines policies that the executive branch develops and/or implements through the tools of questions, general debate, parliamentary inquiries and parliamentary investigations.

In addition to the vice president(s) and presidential advisors, the newly-formed directorates, offices and councils, along with the Council of Ministers and ministries, play particular roles in and have certain responsibilities

executive authority under Article 104 of the Turkish Constitution. Presidential decrees are subject to a review by the Constitutional Court regarding their compliance with the Constitution.

The president has the power to regulate the rules governing the appointment of senior public officials, to create and abolish ministries, to identify the responsibilities

regarding the formulation, monitoring and evaluation of the president's policy decisions. A closer look at the role of executive offices in the public policy-making process reveals that they are responsible for promoting coordination among public institutions, developing and implementing projects, presenting reform proposals, monitoring certain business sectors and developments, engaging in relevant activities, and generating, collecting, updating and distributing information and data on certain issues. In other words, executive offices are expected not just to collect and report data or to develop policy proposals and projects but also to perform certain tasks related to the implementation and coordination of relevant policies and projects.

Policy councils are the primary units improving the president's policy development capabilities. Under the new system of government, councils go beyond their traditional role of promoting coordination and become part and parcel of the public policymaking process. In addition to develop policy proposals and draft decisions by building on their expertise and employing participatory methods, they are expected to develop the capacity for policy analysis in various areas. Indeed, presidential decrees related to the councils in question indicate that those bodies must develop policy proposals, provide feedback to ministries, monitor and prepare progress reports on executive activities, and promote more active participation among all stakeholders, including non-governmental organizations, representatives of relevant business sectors and academics, in the public policymaking process.

Analyzing the role of the executive directorates, on the other hand, shows that certain institutions that formerly reported to the Prime Ministry and have since been transferred to the Presidency, such as the Directorate of the National Intelligence Organization, the Directorate of Religious Affairs and the Directorate of Defense Industries, will continue to contribute to the formulation of public policy in relevant areas. The SBD is responsible for some of the most strategic functions of the public policy process including policy planning and budgeting. Therefore, the SBD will probably work closely with all ministries, starting with the Ministry of Treasury and Finance and the Ministry of Commerce. The Directorate of Communications will conduct and coordinate all efforts related to media relations, publicity, propaganda and the communications of the Presidency and the Turkish state.

The Council of Ministers, which played a critical role in the development and implementation of public policy under the parliamentary system of government, will serve the purposes of consultation, coordination and policy monitoring in the new system. Under parliamentarism, the Council of Ministers, as the politically accountable part of the executive branch, was responsible for designating and formulating public policies including the economy, commerce, education, healthcare, and national security, finalizing draft laws prior

to their submission to the Parliament, supervising the operations of public institutions, issuing decrees with parliamentary consent, and producing bylaws in line with the body of law. Under the new system of government, however, almost all of those powers have been transferred to the president. By contrast, some powers, such as the right to issue decrees and bylaws, have been completely abolished. Under presidentialism, the Council of Ministers is expected to emerge as a platform for ministers to share policy proposals with the president in their respective areas of interest and to promote coordination in areas that fall within the jurisdiction of multiple ministries. The president may evaluate the implementation success and outcomes of specific policies with ministers.

The parliamentary system required ministries to perform two tasks as part of the public policy process: (i) policy formulation, since they started the legislative process, and (ii) policy implementation through bylaws and other regulatory means. In this regard, the various ministries offered policy advice and implemented relevant policies. Under the presidential system, ministries are now required to transfer their powers in the area of policy formulation to policy councils and certain presidencies operating as part of the Presidency. In this sense, ministries are expected to evolve into implementing bodies attempting to meet policy goals identified by the Presidency. At the same time, the outcomes and implementation problems of policies shall be monitored and assessed not just by ministries but also by the Presidency through relevant councils, offices and presidencies.

Conclusion

This study provides a legal and institutional analysis of how the public policy process and the roles and responsibilities of policy actors changed as a result of the restructuring of Turkey's central government under the new presidential system. As a result of those changes, the influence of certain stakeholders, which played a key role in policymaking under the parliamentary system, on the public policy process have been limited, and a number of new actors, including policy boards, have gained importance.

An examination of the central government's overall restructuring process within the context of public administration reform would reveal that the most recent developments, including the abolishment of dysfunctional boards, the creation of a new set of boards with a focus on policy development, and the merger of various ministries to reduce their numbers, are in line with the NPM paradigm. It would appear that Turkey has discovered new aspects of the NPM paradigm, which had been reduced to the privatization of government business enterprises since the 1980s. A clearer distinction between policy devel-

opment and policy implementation units, and the subsequent downsizing of the central administrative organization, a reduction in the number of boards and ministries to boost their effectiveness, and the elimination of certain levels within the hierarchy of central administrative institutions are in line with the NPM reforms that rose to prominence in the early 2000s in Turkey.

On the other hand, the need to strike a balance in the implementation of public services between efficiency and performance-oriented work, and to provide services in a fair and objective manner, as well as efforts to promote horizontal collaboration between public institutions and to facilitate stronger coordination through boards, the merger of certain ministries and public institutions to prevent the fragmentation of the administration, and to improve the central government's capacity to exert control, were more closely aligned to what came to be known as post-NPM in recent years. The public statements of policymakers suggest that they examined developed and developing nations, yet did not engage post-NPM reforms systematically as part of a certain strategy, policy framework or program.

It will take time for the new system, which concentrates on the development of public policy, to take root. In order to understand the Turkish public policymaking processes and analyze their various dimensions, it will be necessary to ensure that the Parliament will be structured accordingly and to monitor how the judiciary will rule and create precedents under the new system.

The new system, which calls for the separation of policy design and policy implementation units, requires the employment of policy analysts with certain specialties by directorates, boards and offices in particular. In recent years, the discipline of policy analysis has been developing in Turkey. Yet the country still lacks an undergraduate program designed to train specialists in public policy and the number of graduate programs remain limited. Furthermore, there are no public sector employees with the title 'policy analyst.' Although there are certain relevant positions, such as planners, data analyzing and control operators and advisors, the officials performing those tasks do not appear to engage in policy analysis. In this regard, it is necessary to launch new programs at universities to provide human resources and spe-

In order to understand the Turkish public policymaking processes and analyze their various dimensions, it will be necessary to ensure that the Parliament will be structured accordingly and to monitor how the judiciary will rule and create precedents under the new system

cialization relevant to the new system and to promote academic renewal to help the discipline develop further. Finally, new specialized positions must be created for public sector employees trained to work at offices, presidencies and councils. ■

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