



A Look at the Appointment of Rectors from the Foundation of Turkish Republic

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Abstract

From the past to the present, it is seen that science and technology are the basis of many developments and changes. Universities, on the other hand, are the institutions that lead these changes and developments as places where scientific studies are conducted. In this respect, universities are subject to examination in terms of various subjects. As a result of the literature review on universities, it is seen that the appointment of rectors is a relatively less studied subject. The aim of the study is to examine historically the procedures of rector appointments in Turkey from the 1933 reform to the present and to offer solutions from a theoretical point of view by referring to the suggestions brought to the discussions on this subject. The research was conducted using the case study method, which is one of the qualitative research methods, and a holistic single case design was used in this process. Document analysis method was used to obtain the research data. Regarding the appointment of rectors, 18 resources, including 9 articles, 5 books and 4 official newspapers, in the National Academic Network and Information Center (ULAKBİM) were examined. According to the research findings, the appointments of rectors in terms of reforms made regarding universities were examined as 1933-1946, 1946-1981 and post-1981 periods. These periods were determined according to the themes that emerged by using keywords. At the end of the study, the prominent themes in the context of the key spokespersons used were grouped under three main themes: the electoral system, the democratic election system, and the appointment system. In this context, the appointment system for the period 1933-1946, the semi-democratic election system for the period 1946-1981, and the period after 1981 were determined as mixed. As a result of the research, it is suggested that the rectors are elected through a democratic election with the participation of internal and external stakeholders.

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Introduction

The leading higher education institution of the country, Istanbul Darülfünunu, which remained from the time of the Ottoman Empire, could not adapt to the expectations of the newly established Republic in the period from 1923 to 1932 and could not show the desired development. Thereupon, Mustafa Kemal Atatürk invited Swiss Professor Alfred Malche to Turkey to study Darülfünun within the scope of the university reform he was planning to initiate. In the report he prepared based on the administrations of universities in Western Europe, Malche drew attention to the drawbacks of the system regarding the determination of the university rector by the votes of the faculty members and suggested that the university rector be appointed by the government. In 1933-1946, the rector was appointed by the President with the recommendation of the minister of national education, deans were appointed by the minister of national education upon the recommendation of the rector. In 1946, considering the proposal of the commission, which included professors, with the idea of bringing autonomy to universities, the "Universities Law" numbered 4936 came into force (Dogramaci, 2007).

The Council of Higher Education (YOK), which gathers the universities in our country under one roof, has carried out different applications regarding the appointment of rectors since its establishment. YÖK was established with the Higher Education Law No. 2547 published in the Official Newspaper on 6 November 1981, and based on this law, instead of the practice in which the rector was elected by election, the implementation of appointing the rector by the head of state from among four people proposed by YOK was started (Resmi Gazete, 1981)., The article of the Higher Education Law on rector elections was amended again, bringing the rectorate elections back, but only faculty members were given the right to vote On 7 July 1992. The appointing authority of YOK and the President was preserved in this new regulation (Resmi Gazete, 1992). The rectorate elections were abolished again and a change was made as "the rector in state universities is appointed by the President from among three candidates to be proposed by YOK" with the Decree Law (KHK) No. 676 published on October 29, 2016 (Resmi Gazete, 2016). On July 9, 2018, a final regulation was made and No. 703, the appointments of rectors in both state and foundation universities were changed to be made directly by the President with the Decree Law (Resmi Gazete, 2018). Although there have been different implementations in the way of appointing rectors since the establishment of YOK, it is seen that the faculty members other than the academic members in universities have never had the right to elect their own rectors. A final regulation was made On July 9, 2018, and the appointments of rectors in both state and foundation universities were changed to be made directly by the President with the Decree Law No. 703 (Resmi Gazete, 2018).

When the appointments of rectors in universities in the United States, England, Switzerland, and China, which are among the top 20 countries in the 2021 world university rankings, are examined, it is seen that the ongoing reforms have shifted from a centralized system to a more local system. It is possible to examine higher education administration in the United States of America in two basic categories. The first of these is the top management of higher education as a whole. The senior management mentioned here is in a structure that deals with the higher education system in a general and holistic manner, organizes the institutions, provides coordination between institutions, and guides the institutions. This senior management may be affiliated to a ministry as in the Continental European model, or it may be affiliated with an intermediary institution or higher board as in the Anglo-Saxon model. The other is higher education management on the basis of institutions. In the management of higher education institutions, we come across structures such as the senate, rector, and board of trustees responsible for the management of universities (Celik & Gur, 2014). It is seen that not only academic staff, but also administrative staff, lecturers and students are included in rector elections in the USA. Rector candidacy is not limited to professors, but also associate professors and even independent people who are not working at the university. It is thought that political rivalries and groupings between academics within the university can be prevented through the appointment of rectors from outside the university. The approval of the provincial governors or the minister of education is required for the appointment of a rector candidate in many European Union countries and the USA (Cankaya & Toremeh, 2010).

Universities in the UK are managed by intermediary institutions that have a board of directors. The majority of the members of these boards are elected from outside the university. However, rectors are appointed indefinitely from among the people determined by the nomination committee (Dogramaci, 2007). The rector (Vice-Chancellor) is the head of the universities, but it is not possible for the rector to have too much authority regarding the administration. The Board of Directors (Court) stands out as the most authoritative unit in university management and the officials responsible for the administration are determined by this board of directors. Higher education institutions other than universities are also similar to universities. The head of the institute takes the title of "pravost", "rector" or "principal", while the head of the board takes the title of "registrar" or "secretary". Similar to universities, the board of directors in these institutions also includes outside community representatives (Korkmaz, 2013, 277). In the British model, the official structure of university administration basically consists of "Council" and "Senate". As the main policy-making body, the Council consists of a mix of independent members and the university's academic and support staff and students. The strategic direction and academic policy of the university are the responsibility of the Council. The appointments of the Rector, Vice-Rector and Financial Affairs Responsible by the Assembly are made among the candidates presented by the Council. The Senate, which is the academic governing body of the university, has a number of committees to assist the rector (Kim, 2008: 37). Apart from this general structure, Regent House, which consists of the most senior faculty members at Oxford and Cambridge Universities, appoints rectors for 4 years in Oxford and 2 years in Cambridge (Dogramaci, 2000).

Different management approaches can be seen in the Swiss higher education sector, federal institutes of technology and cantonal universities. Universities in Switzerland are autonomous and therefore have different procedures. Rectors can be selected from among the faculties for different periods (such as 3 or 5 years) depending on the institutions (HERIS, 2019). In cantonal universities, the rector is elected by a 13-member committee, including the student representative, representing the academic council and deans. The opinion of the university administrative board about the rector candidate is taken and the rector is appointed by the education minister of the canton. The rector is assisted by 3 vice-rectors, the general secretary, and the executive director (Cankaya & Toremeh, 2010). Federal institutes of technology, on the other hand, have a single central board, the ETH-Rat, which plans, coordinates, and supervises educational and research activities and acts as an intermediary institution between them and the Federal Government. The title of the person who is the equivalent of the rector in our country in the federal institutes of technology in Switzerland is "Schulpräsident" and these people are elected by the Federal Government for a period of four years.

In the Chinese higher education system, the Soviet model has been adopted since 1949. According to this model, there is a centralized structure. The Ministry of National Education conducts all the controls of higher education institutions in the fields of policy, legislation, planning, financing and evaluation. Presidents in charge of the institution work under the leadership of the "Committee of the Communist Party of China" (ICHEFAP, 2009).

In the higher education system in China, rectors are selected by the Ministry of National Education, although their opinions are asked from the campus (Morhman, 2003). The Chinese higher education system has a dual system of administration. The university council determined by the Communist Party of China constitutes the administrative board of the university. This council determines the university's policy and budget, as well as oversees the staff. Implementing the policies determined by the council is also seen as the responsibility of the academic structure in the university (Cook, 2008; ICHEFAP, 2009).

Darülfünun was the only higher education institution in our country in the pre-Republican period and in the 10-year period after the proclamation of the Republic, but in a society that tried to change and develop with great revolutions, it came to the fore with the conservative structure of the institution. However, it did not seem possible to protect, sustain and develop the democratic system that was wanted to be established with the proclamation of the Republic with a university of this structure. Therefore, some reforms were necessary for the university to adapt to this new order. Based on this situation, the law numbered 2252 was enacted in 1933 in order to establish a modern university. After

the 1933 reform, some changes continued to be made regarding the higher education system in our country by enacting the Universities Law No. 4936 in 1946 and the Laws No. 115 and 119 in 1960. In the following process, new steps were taken regarding the higher education system, first with the Universities Law dated 07.07.1973 and numbered 1750 and finally with the higher education law dated 06.11.1981 and numbered 2547 (Arslan, 2005). In all of these reforms, there were different implementations regarding the determination of the rector, and the discussions on the rectorate elections continued (Arap, 2011).

The activities of the Istanbul Darülfünun and all its affiliated institutions were terminated on 31 July 1933 within the scope of the Law No. 2252 dated 31.05.1933. This legal regulation is considered as the break from the higher education experience of the pre-Republican period in Turkish higher education history and the beginning of a radical reform process (Ataunal, 1993). The replacement of Darülfünun by Istanbul University, which was opened on 18 November 1933, was approved by the Grand National Assembly in 1933 with the law numbered 2253. Within the scope of this law, it is foreseen that the "Rector will be appointed by a triple decree upon the recommendation of the Minister of National Education" (Guruz, 2003, 299). Thus, the election system applied before the 1933 reform in determining the higher education administration was abandoned (Gunay & Kılıc, 2011, 35). It was seen that researches increased rapidly, the level of higher education increased and great successes were achieved in the university as the positive effects of the university reform in the period between 1933 and 1946. Another development in this process was the establishment of the "Higher Agricultural Institute" in Ankara, which also includes different faculties, in line with the proposal of the Germans (Dogramaci, 2007). The rectorate election held in Ankara Higher Agricultural Institute differs from other implementations as it is the only practice in which assistants are given the right to vote in rector elections in Turkey (Akman, 1990, 6). It was the establishment of the "Higher Agricultural Institute", which is a university and includes different faculties (Dogramaci, 2007).

It was suggested in 1946 as a reflection of this practice that the autonomy of universities is now a right that should be given to universities with the implementation of the multi-party democracy period in our country, therefore universities should be given an autonomous structure. Thereupon, a mixed commission was established by the Ministry of National Education of the period, which included university lecturers, and a draft law called "Draft Law on the Autonomy of Universities, Faculties and Other Institutions Affiliated to them" was prepared. Autonomy was interpreted as "the election of the rectors and deans by the faculty members" and the Universities Law No. 4936, which contains provisions, accordingly, came into force in 1946 taking into account the proposal of this commission, (Dogramaci, 2007; Inan, 1988). Within the scope of this law, the Minister of National Education was accepted as the senior manager of universities and the minister was also given the authority to supervise higher education institutions (Baskan, 2001). The authority of the Ministry of National Education over universities was abolished with the Law No. 115 dated October 27, 1960. Although some changes were made in the Universities Law No. 4936, the system for the appointment of rectors continued (Gunay & Kılıc, 2011: 36). An arrangement was made to determine an election order according to the establishment order of the faculties with the amendment made in the law numbered 4936 in 1960. It was determined that the rector could not be elected from the faculties that did not have six principal professors, and the rector whose term had expired could be elected for another term in line with another change made in 1967.

The situation where the rector is elected sequentially among the faculties was abolished with the Universities Law No. 1750 enacted in 1973 (Gur, Ozoglu, & Bakis, 2015, 301). In the first draft of the Universities Law No. 1750, which was enacted in 1973, the model in 1946 was largely adhered to. The election method was adopted in the election and appointment of the rectors with the 13th article of the 1750 numbered universities law. The said regulation stipulated that the rector would be elected with absolute majority for 3 years at the meeting to be held by all faculty members (Arap, 2011; Inan, 1988).

Higher education entered the restructuring process and all higher education institutions in our country were gathered under the roof of YÖK with the Higher Education Law No. 2547 enacted in 1981 (YOK, 2021). Article 130 of the 1982 Constitution states that the rectors will be elected and appointed

by the President in accordance with the procedures and principles determined by the law (Gunay & Kilic, 2011, 37). As a result of this regulation, the election practice was abandoned again, the requirement for rector candidates to be professors was abolished, and the appointed rector was made possible to be elected many times (Arap, 2011). "The order of appointing the rector by the Higher Education Council" was abolished and the election system was returned with a new law enacted on 7 July 1992.

The system in which Turkey's rectorate elections were abolished and one of the three names proposed by YOK was appointed by the President, on the grounds that the previous practice did not give the academics the right to vote, and caused polarization and adversely affected the academic life, with the Decree Law No. has been brought. According to this system, if one of the proposed candidates is not appointed within 1 month and YOK does not nominate new candidates within 2 weeks, the President has the authority to appoint directly (Bozan, 2019, 30). Today, the system in which rectors are appointed directly by the President continues.

When the appointments of the rectors are examined according to the periods, it is seen that a more autonomous system was adopted in the period when the elections were applied, but it was seen that the autonomy was removed during the appointment periods. It is seen that rectors have been brought to the head of universities with different implementations since the foundation of the Republic in Turkey. As the determination of the rectors is very centralized, it cannot meet the needs of the universities and is exposed to many criticisms. Different applications, the constant change of the system and the criticisms show that there is no successful and democratic system in determining the rector. In this context, in this study, it is aimed to examine the methods of determining the rector from the 1933 reform to the present and to propose solutions by addressing the criticisms.

The general purpose of this research is to examine historically the procedures of rector appointments from the 1933 reform to the present day. Comparing the rector appointment procedures in Turkey with the world's leading countries and to offer solutions from a theoretical point of view by addressing the discussions on this subject and the suggestions made. Rector appointments were divided into periods as 1933-1946, 1946-1981 and after 1981, based on the reforms made regarding universities. For these purposes, answers to the following questions were sought:

- 1- How were the appointments of rectors in the period 1933-1946?
- 2- How were the appointments of rectors in the period 1946-1981?
- 3- How were the appointments of rectors in 1981 and after?
- 4- How effective are the rector determination procedures in Turkey compared to the leading countries of the world?

Different applications have been made in the appointment of rectors since the university reforms in Turkey in 1933. Despite these different applications, the methods of appointment of rectors are changing from past to present, and the applications are at the focus of criticism. When the literature is examined, there are hardly any resources that make periodic analyzes and offer solutions on this issue despite the criticisms made about the appointment of rectors. For this reason, it is thought that this research is important because it examines the implementations related to the appointment of rectors in a historical sense, deals with them in a comparative way, and offers solutions by addressing the criticisms made.

Method

This research was conducted in a qualitative perspective. As a research method, "case study", which is one of the qualitative research methods, was chosen. Case study means "why?" and how?" It is a research method used in cases where the "targeted situation / phenomenon" is discussed in detail within its own life frame by focusing on the questions (Yin, 2018). The case study includes a deep understanding of inquiry and the use of different methods such as interview, observation, and document analysis (Yildirim & Simsek, 2013). In the research process, the "holistic single case"

design was used. The holistic single case design is one of the case study designs and it allows to examine the cases that have not been adequately examined and to form the basis for further research (Kurnaz, 2014, 1979). The situation examined within the scope of this research is how the rector determination procedures have been in Turkey since the 1933 university reform until today, and how effective these methods are when compared with the current rector nomination procedures in the world's leading countries. Document analysis was used as a data collection tool in the research. Written and oral materials containing information about the topics planned to be investigated are analyzed in document analysis. Document analysis is used as a stand-alone research method, especially when direct interviews and observations are not possible (Yıldırım & Simsek, 2013). This research includes the analysis of written documents as it aims to reveal the methods of rector appointments made from 1933 to the present from a historical perspective. The documents examined in the research consist of books on the subject from 1933 to the present, and data obtained from the corporate websites of universities and YOK. It is seen that the rector determination procedures are divided into periods and gathered under systems according to the data of this research. In this context, the period between 1933-1946 was divided into three themes as the appointment period, the period between 1946-1981 the period of the semi-democratic electoral system, and the period after 1981 as the mixed period.

Reporting the collected data in detail and explaining how the results were reached by the researchers are among the important criteria of validity in qualitative research. The reliability of the research is about making the strategies used at various stages of the research more specific and thus enabling other researchers to use these strategies in a similar way (Yıldırım & Simsek, 2013). In qualitative studies, the versatility of the findings is related to validity and reproducibility is related to reliability, and some precautions should be taken in this sense (Kurnaz, 2014, 1980). In this study, the following applications were conducted to increase the validity and reliability. In order to ensure the internal validity of the research, the research design from the beginning to the end of the research process, Expert opinion was sought in the data obtained, the analysis of the data, and the writing of the findings and results, and corrections were made in line with the feedback received. In addition, it is thought that researchers have a long-term interaction with data sources such as 16 weeks, thus minimizing the effect that may arise from subjective perceptions on data sources. Detailed explanations about each step taken during the research process were tried to be given in order to ensure external validity and transferability. In this sense, the research model, data collection tool and data analysis were tried to be presented comprehensively by the researchers (Miles, Huberman, & Saldana, 2014). The findings were presented directly and without comment in order to ensure internal reliability. More than one researcher was included in the study and similar data collection processes and methods were used by these researchers. The research process was presented in detail, detailed explanations were made about data collection and analysis methods, and the documents related to the research were kept by the researchers in order to ensure external reliability and confirmability (Yıldırım & Simsek, 2013).

In this process, access to both printed and electronic documents was provided. While the printed documents consist mostly of books related to the subject, access to the official documents published by the ministries has been provided along with the theses and articles written at different levels in the electronic environment. Researchers scanned documents using keywords related to the subject and collected all documents obtained as a result of scanning. First of all, the collected documents were carefully read by the researchers, the ones related to the research were separated, and then the sections to be cited for the research were determined. These sections are cited in the findings section by showing the source.

Findings

1933-1946 Designation System Period

The findings regarding the appointments of rectors for the period of 1933-1946 are given in Table-1.

Table 1

Findings Related to the Appointments of Rectors in the Period of 1933-1946

	Assignment period	Main themes
Dogramaci, I. (2007).	“In this period, the management of Istanbul University was under the rector. The rector was appointed by the president upon the recommendation of the minister of national education, and the deans were appointed by the minister of national education upon the recommendation of the rector.”	Assignment “.. he was appointed by the minister of national education.”
Erat, V. (2019).	First of all, a temporary directive was issued between August 1, 1933, and May 31, 1934. In this instruction, it is stated that the trustee will be appointed by the Ministry of Education and will manage all the administrative affairs of the university.	Assignment “... It will be appointed by the Ministry of Education...”
Ataunal, A. (1993).	“The Istanbul University Regulations, published as the Decree of the Council of Ministers on October 11, 1934, stipulated that 'the Rector be appointed by a triple decree upon the proposal of the Deputy Minister of Education'.	Assignment
Gunay, D. and Kilic, M. (2011).		“... envisaged his appointment by triple decree”.
Guruz, K. (2003).		

When we look at Table-1, we can see the findings regarding the appointment of rectors between the years 1933-1946. According to these findings, it was seen that the rectors took office with the appointment system between 1933 and 1946, and this period was determined as the appointment period.

Today, in some countries, including Turkey, the director of the university is called "rector". Istanbul Darülfünun stood out as Turkey's main higher education institution until 1933. The manager of the Istanbul Darülfünun was known as "The Emimi of the Darülfünun". The dictionary meaning of Rector is "director who guides to the right" (Dogramaci, 2000). The period between 1900-1933 in the history of Higher Education in Turkey is known as the institutionalization process of Darülfünun. According to the 18th article of the directive published in 1924 with the signature of President Mustafa Kemal Atatürk, the Deputy of Education was determined as the Head of the Darülfünun (Ayni, 2007). Istanbul Darülfünunu, which was taken over from the Ottoman Empire and seen as the main higher education institution of the country, could not make progress to meet the expectations of the Turkish

society, despite the necessary attention in the 9-year period between 1923-1932. As a result, Professor Alfred Malche from Switzerland was invited to the country by Atatürk in order to study Darülfünun. In the report prepared by Malche based on the concept of university in Western Europe, it was suggested that the rector be appointed by the government, by pointing out the disadvantages that may arise from the rectorate elections held with the votes of the faculty members at the university. Istanbul Darülfünun was abolished on 31 July 1933 with the law numbered 2252, which was accepted by the Turkish Grand National Assembly based on this report, and a new higher education institution named "Istanbul University" was established in its place on August 1, 1933. Since this date, radical changes have been made in the management of Istanbul University, the first university of the Republic of Turkey. The word "university" was included in the Turkish legislation for the first time with this law (Dogramaci, 2000).

The rectorate election held in Ankara High Agricultural Institute, which was established in 1933 with the Law No. 2291, is known as the only practice in Turkey where the assistants were given the opportunity to vote. According to this law, the rector was elected for a two-year term by a committee called the "initiation committee", which was composed of three representatives each from among the distinguished members of the institute, professors, associate professors, branch chiefs and assistants. In order to become a rector, it was necessary to have worked at the institute for at least two years as an ordinaryus (Akman, 1990).

The Istanbul University Regulations, published as the Decree of the Council of Ministers on October 11, 1934, stipulated that "the Rector shall be appointed by a triple decree upon the proposal of the Deputy Minister of Education" (Ataunal, 1993). In this higher education system in which the appointment system was adopted, the duties and responsibilities of the rector were determined as "representing the university, arranging the university organization, conducting and supervising academic studies, ensuring the communication of the university with all institutions, and being a supervisor in financial matters". In addition, within the framework of the aforementioned special law, the rector has the authority to invite faculty boards to meetings separately or together, and to preside over them.

The aim of the higher education reform realized in this period, in parallel with the basic goals and objectives of the Republic of Turkey, is to raise the university management system to the level of contemporary Western higher education institutions, as well as the education and research activities in universities. In this framework, the reform in question was based on the principle of "supervision of universities by organs chosen by the society" (Dogramaci, 2007). It is thought that universities were not autonomous enough in administrative, financial and scientific fields, although they were largely free to fulfill their basic functions such as research, dissemination of research and continuing their teaching functions in the 12 years between 1934 and 1946 (Inan, 1988, 23).

Semi-democratic Period 1946-1981

Findings related to the appointments of rectors for the period 1946-1981 are given in Table-2.

Table 2

Findings Related to the Appointments of Rectors in the 1946-1981 Period

	Semi-democratic Period	Main Themes
Arslan, M. (2005).	"Ankara University was established in 1946 with the merging of various faculties in Ankara. With this Law, "autonomy" was given to universities and the principle of election of rectors and deans was introduced."	Semi-Democratic election "...the principle of election of rectors and deans has been introduced."

Gunay, D. and Kilic, M. (2011).	“With this Law on Universities No. 4936, it is foreseen that the rectors will be elected for two years at the joint meeting of the professors boards of the faculties within the university.”	Semi-democratic election “...it is foreseen that the faculties will be elected for two years at the joint meeting of the professors boards”
Arab, S., K. (2011).	“... the rector was directly elected by the faculty members in the period 1946-1981.”	Semi-democratic election “...directly elected by its members.”
Celik, Z. and Gur, BS (2014).	With the 120th article of the 1961 Constitution, universities gained a wide autonomy and it was constitutionally guaranteed that universities would be managed and supervised only by people they chose.	Semi-democratic election “...universities will be managed and supervised only by people they choose...”
Erat, V. (2019).	Article 13 of the law numbered 1750 is about the rectorate. According to this article, the rector will be selected from among the salaried professors of the university for three years at the meeting to be held by all faculty members of each university.	Semi-democratic election “...will be selected from among the salaried professors of the university for three years.”

As seen at Table-2, the appointments of rectors are elected, and this period has been determined as a semi-democratic election period, since some periods all faculty members make elections, and some periods only the committees formed by professors make elections with the changes made between 1946-1981. The year 1946 is considered an important year in the history of Turkey, since the multi-party system was adopted and a radical change was made in the university system with a new law about a month later (Arap, 2010). A different organizational model from the university system adopted in 1933 was introduced with the accepted law and “autonomy” was adopted as the main output of this model (Timur, 2000). The field of higher education was placed in a legal framework for the first time in the history of Turkish higher education with this law dated 13 June 1946 and numbered 4936. It is foreseen that the rectors will be elected for two years at the joint meeting of the professors' committees of the faculties within the scope of the Universities Law No. 4936. It has been adopted that the rector will be elected by absolute majority in each election period, provided that they are from different faculties. The duties and responsibilities of the rector are determined as follows with the relevant legal regulation (Dolen, 2009):

- “He is responsible for the administrative affairs of the university.
- He chairs the relevant boards and implements the decisions taken.
- It is responsible for ensuring coordination and regular work between faculties.”

However, the aforementioned sense of autonomy, which envisages the election of university administrators such as rectors and deans, by the votes of faculty members, has emerged as an understanding that is not quite common in contemporary Western countries, which is taken as an example by the idea of higher education in the Republican era (Gunay & Kilic, 2011, 36). There were some criticisms from the scientific community about the democracy of the 1946 university reform. Akcasu criticized (1995 as cited in Arslan, 2005) the autonomy brought by the 1946 reform “This

understanding of autonomy was not applied as scientific autonomy, but rather as irresponsibility. The main thing is the understanding of autonomy in the minds of people who are lecturers at universities.

In 1960, a regulation was made to determine a selection order according to the establishment order of the faculties. It was determined that rectors could not be elected from faculties that did not have six principal professors, and a rector whose term of office had expired could be elected to serve for another term with another change made in 1967 (Arap, 2011).

Law No. 1750 of 20 June 1973, which foresees the establishment of the "Higher Education Council" for the first time in the history of Turkish higher education, envisaged a new system. However, the provision of the relevant law on the proposal of the Council of Higher Education was annulled by the decision of the Constitutional Court. The primary duty of this supreme board, which was foreseen for the first time in our higher education history, is to make the necessary examinations, research, and evaluations in order to direct the field of higher education. In addition, the said board is responsible for ensuring coordination among higher education institutions. The election method has been adopted in the election and appointment of the rectors and deans with the relevant law. The said regulation stipulated that the rector would be elected by absolute majority for 3 years at the meeting to be held together by all faculty members. However, the relevant provision states that, with a restrictive regulation, a person cannot be re-elected as rector before two terms have passed.

It is stated that the rector will be elected among the salaried professors at the university for a period of three years and this election will be made by the meeting to be held by all the faculty members of the university according to the 13th article of the law numbered 1750, which is related to the rectorship. Another regulation is that the rector whose term of office has expired cannot be rector for more than two terms without the passing of an election period., besides the protection of the election conditions of the previous law, regulations were introduced to expand the participation in the university management boards in the law numbered 1750 (Hatipoglu, 2000).

1981 and Later Mixed Period

Findings related to the appointment of rectors in 1981 and after are given in Table-3.

Table 3
Findings Related to the Appointment of Rectors After 1981

	Mixed Period	Main Themes
Official Gazette 6 November 1981 Law No. 2547	“The rector, who is the representative of the university legal entity. After the higher education proposed by the Council of Higher Education, four people, two of whom are professors working at universities, who have served successfully for at least fifteen years, preferably served in the state, are appointed by the President of the Republic for a period of five years.	Assignment “... four persons are appointed by the Head of State for a period of five years.”

Official Gazette 7 July 1992 Law no. 3826	“In State Universities, the rector is appointed by the President from among the candidates to be elected by the university faculty members to be convened by the call of the current rector among persons holding the academic title of professor.”	Selection-assignment “...appointed by the President from among the candidates to be selected by the faculty members.”
Gunay, D. and Kilic, M. (2011).	With this amendment made in the relevant article (13/a) of the Higher Education Law in 1992, the election method was adopted instead of the appointment method. With the relevant amendment, it was foreseen that the rectors would be appointed by the President from among the candidates to be selected among the professors by the university faculty members.	Choice - assignment “...it is foreseen that he will be appointed by the President from among the candidates to be selected among the professors by the faculty members.
Dogramaci, I. (2007).	With a new law enacted on 7 July 1992, the "rector appointment order by the Council of Higher Education" was abolished and the election system began to be implemented.	Vote “...the election system has started to be implemented.
Official Gazette 29 October 2016 Decree-Law	“At state universities, the rector is appointed by the President from among three candidates who have served as professors for at least three years, to be proposed by the Council of Higher Education.”	Assignment “...appointed by the President from among three candidates”
Erat, V. (2019).	“The election system was implemented between 1992 and 2016. In 2016, the appointment system was started again, and in 2018, YÖK's savings on appointment were abolished and the appointment authority was only <i>It is left to the President.</i> ”	Assignment “...the power to appoint only <i>It is left to the President.</i> ”

As seen at Table-3, changes were made in the appointments of rectors in 1981 and after, and by looking at these changes, the rectors were appointed by both election and appointment, and the appointment was made only by the President's decision from the last change to the present. For this reason, this period, which is divided into main themes as appointment and election, has been determined as a mixed period.

Law No. 2547, which is the second comprehensive legal regulation in the history of Turkish higher education, was enacted in 1981 after the military coup of September 12, 1980, without any constitutional regulation (Gunay & Kilic, 2011, 37). With the publication of the Law No. 2547 in the Official Gazette, the university management model that came into force with the Universities Law No. 4936 in 1946 disappeared. At the beginning of the important changes that took place with the law numbered 2547, the method of appointment of administrative staff in universities is (Tekeli, 2009, 72-73). The election procedure adopted in the laws numbered 4936 and 1750 was replaced by the appointment procedure with the law numbered 2547. According to another change, the way for the rector to be selected from among people who are not university professors has been opened (Erat, 2019, 379). Although the Higher Education Law No. 2547, which was enacted after the September 12 military coup, has been at the center of discussions since the day it was enacted and amendments have been made in the Law several times, a fundamental change covering the entire Law has not yet been made, except for one change made in 1992 (Gur, Ozoglu, & Bakis, 2015, 303). This constitutional and legal framework, which adopts the appointment procedure, has continued to be the subject of discussion in different circles since the establishment of the Higher Education Council. One of the main issues of these discussions and criticisms, especially within the framework of "university autonomy", was the issue of "rector appointments" (Gunay & Kilic, 2011, 38). Except for an amendment made in 1992, a fundamental change covering the entire Law has not been made yet (Gur, Ozoglu, & Bakis, 2015, 303)

In the light of these discussions, with a new law enacted on 7 July 1992, the "rector appointment order by the Higher Education Council" was replaced by the re-election system. According to the new system, as a result of the elections to be held at each university, the method of determining 3 of the 6 rector candidates who received the most votes by YOK and then the appointment of one of these 3 candidates as rector by the President has been adopted (Dogramaci, 2007).

In 2008, the article related to the Law No. 2772 on the Amendment of the Higher Education Law was amended again. While no change was made in the practice regarding the election of rectors by election with this change, it was stated that three rector candidates selected by YOK, who will apply for newly established universities without election, will be presented to the President and one of these candidates will be selected and appointed as rector by the President (Erat, 2019, 380). The election procedure, which continued until 2016, was replaced by the reassignment procedure with the "Decree Law on Making Some Arrangements Under the State of Emergency" numbered 676 in 2016. According to the new regulation, the method of appointing a candidate approved by the President among the 3 candidates proposed by YOK has been accepted in the determination of the rector. Again, according to this regulation, the condition of working as a professor for at least three years was sought for the rector candidates to be proposed by YOK (Erat, 2019, 380). Later, the appointment of rectors began to be made directly by the President with the decommissioning of YOK. According to paragraph 135/d of the Decree Law, the President will appoint rectors to both state and foundation universities; however, a provision has been made that rectors will be appointed in line with the proposal of the board of trustees in foundation universities (Bozan, 2019, 30).

Rector candidates at foundation universities are required to apply to the board of trustees with documents and petitions indicating that they meet the application requirements, and the board of trustees must send the relevant information and documents to the Council of Higher Education with the latest changes. The President appoints one of the names presented to him by YOK as the rector of the relevant foundation university. Candidates have the requirement to be a professor, but the requirement of working year has been removed. the authority to appoint was given directly to the President, and the role of YOK in the process of determining the rector was abolished and turned into an institution with only bureaucratic functions with the latest regulations (Erat, 2019, 381).

It is seen that the law numbered 2547 has a prominent place in Turkish higher education when the period after 1981 is examined, but there have been periodic changes between appointment and election implementations as a result of the interventions of the changing governments, especially regarding how rectors will be determined in universities. Although there are opinions suggesting that the practice of electing rectors through elections is more appropriate for the autonomous structure of universities, it has also been argued that this autonomy causes faculty members in universities to act on their own and that there is an irresponsible environment, not scientific autonomy, in universities. Although both election and appointment methods were tried in this process, it is thought that scientific autonomy and the desired democratic environment in universities could not be fully achieved. Today, it is also criticized that the President has all the authority in the appointment of the rectors and that even the YOK is left out. When the appointments of rectors from the founding of the Republic to the present are examined, the most interesting situation we encounter is that even when there is an election application for the stakeholders of the university, apart from the faculty members, they never have a say in the rector elections.

Discussion, Conclusion and Suggestions

In this section, the comparison of rector appointments in universities in the United States, England, Switzerland, and China, which are among the top 20 world universities in 2021, with Turkey, and the suggestions of the researchers are given. Among the basic functions of universities are the production of knowledge and the transfer of the produced knowledge to humanity. It is thought that instructors need environments where they can freely research in order to produce knowledge. The scientific freedom of universities is directly related to their being autonomous institutions, which is their ability to manage themselves.

It is thought that university autonomy depends on the coexistence of three autonomy, financial, academic, and managerial, and maintaining it in a harmonious manner. "Financial autonomy" is defined as a public legal entity managing its own expenditures by freely making use of its resources. "Academic autonomy" is defined as the ability of all university staff with academic titles to conduct their education and research activities freely without being subjected to any pressure or direction. The "Administrative autonomy" of universities is expressed as the management and supervision of these institutions by the organs formed by their members in a democratic manner. Today, there is no university that can be described as completely autonomous.

Scientists working to produce knowledge should be able to put forward new ideas without fearing the political power in the current conditions, and in cases where the ideas they put forward may cause the reaction of the political powers, they should be able to continue researching and producing without taking a step back, thanks to the scientific freedom they have. Thanks to the academic freedom provided by the autonomous structure expected in universities, it is expected that faculty members can focus on producing knowledge without fear. However, according to the Ninth Development Plan "Higher Education Specialization Commission Report", full academic autonomy could not be achieved in universities in our country and trying to direct higher education policies with "government policies" is revealed as an important weakness (Erdem, 2013, 97).

It is seen that generally the rector determination process takes place with the internal dynamics of the university, apart from the political authority when the higher education systems and rector determination processes of the countries mentioned above, and which have universities in the top 20 in the world (USA, England, Switzerland, and China) are examined. Although it seems that the rectors are appointed symbolically by the relevant minister or the President in these countries, these appointments are based on the decisions taken by the universities themselves. In most of the universities in these countries, it is seen that students have the right to have a say in the election of rectors as internal stakeholders of the universities.

Accordingly, there are many different suggestions for the rector elections in Turkey to be conducted more effectively. These recommendations can be divided into two groups. The first of these aims to eliminate criticisms against YOK by making changes in the existing system. The suggestions determined in this context are; elections are organized with the increase in the number of voters in universities and a more democratic election is held and YOK does not affect the election results.

Secondly, it covers various proposals regarding the establishment and implementation of the board of trustees. In this practice, it is suggested that the board of trustees be adapted to Turkey. In addition to the suggestions that include the establishment of the board of trustees without the abolishment of YÖK, there are also suggestions that include the establishment of a separate board of trustees in each university by abolishing the Council of Higher Education as practiced in the USA (Arap, 2011). In addition, the Turkey Higher Education Strategy report includes evaluations on the implementation of the Entrepreneurial Model. In this model, there are approaches such as increasing accountability and reducing political pressures by developing cooperation with external stakeholders and increasing efficiency together with professional experts. On the other hand, While it is emphasized that it will cause the internal stakeholders to move away from the management, to decrease their interest and contribution, to not ensure participation and to alienation by giving the decision authority to external stakeholders in university management is not a problem for students, lecturers, etc. it is stated that it would be a more correct approach for the external stakeholders to be present in the advisory boards for the purpose of suggesting and informing, not with the decision-making authority in the boards of directors (YÖK, 2007).

As a result, although the appointment of rectors in Turkey has been the subject of ongoing debates for years, the implementations have led to many criticisms. Considering these criticisms, it is recommended to make changes in the existing system rather than moving to a new system. In order to minimize the problem of autonomy, which is an important issue, it may be an important step to make YÖK an institution away from daily politics as much as possible and to select the heads of YÖK from among experts in the field of education administration. The power of the rectors, who are one of the main actors of higher education administration, should be distributed a little more throughout the university. For this, it is thought that the boards of trustees, which were in foundation universities but were abolished in public universities, should be re-established. The absence of such an administrative body in public universities prevents the requests of non-university segments to be communicated to the management of universities. The management of universities by the senate and university administrative boards, where only faculty members are present and other internal and external stakeholders are not allowed to participate; is thought an obstacle for universities to be structures that are sensitive to social demands, flexible, prone to change and accountable. In case the rectorate elections come back, the board of trustees can also play an active role in the rectorate elections. In addition, it is thought that rectors should come to office by election, not by appointment. However, the realization of the said election with the participation of almost all of the internal stakeholders in the university is of great importance in order to eliminate the previous problems in this system. Not only faculty members, but all faculty members should have the right to vote in the election. In addition, it is thought that a fairer system can be created if administrative personnel, support personnel and even student representatives are given the right to vote in the rectorate elections.

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