

AN INTERNAL SECURITY PUBLIC POLICY ANALYSIS: LAW NO. 6638¹

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Abstract: The Law no. 6638 “The Law about Amending Certain Law with Police Mission and Authority Law, Military Police Organization, Duty and Authorisation Law” was accepted on March 27, 2015 and approved by President with publishing on April 4, 2015 at Official Journal. The Law no. 6638 has come into public agenda as an “Internal Security Package” at Turkish Grand National Assembly. Subjected law which has caused strong difference of opinion in the sight of political parties, lawyers and society, has created a resolution in the form of “provision the public security” and “anxiety of threat the freedom”. The purpose of this study is to express the policy process about this law by means of separate specific phases. In this context, the Law no. 6638 is examined with “process model” which is a kind of public policy analysis method. This study which analysed the law, with phases of arrival, formulation, legalization, implementation and evaluation, includes discussions about subjected phases and presents data to literature and decision makers.

Key words: *Internal Security Package, Law no. 6638, Public Policy, Public Policy Analysis, Process Model.*

Jel Codes: K10,K15

1. INTRODUCTION

Personel, organizational growth, the use of technology and similar policies are implemented by the states in the field of internal security; Public policy. Especially social movements that emerged in the second half of the twentieth century have been one of the main factors driving governments to develop an effective internal security policy. In the recent past, some social events in Turkey have forced the government to produce some policies regarding internal security. In this context, The Law no. 6638 “The Law about Amending Certain Law with Police Mission and Authority Law, Military Police Organization, Duty and Authorisation Law”, which is publicly known as the "Internal Security Package" and which is enacted in 2015, constitutes the subject of the study.

Law no. 6638, which caused significant difference of opinion in the Parliament during its legislation, was adopted on March 27, 2015 and published by the President in the Official Gazette on April 4, 2015. The law, which causes sharp differences of opinion in the eyes of political parties, lawyers and society, has created a distinction between "aim to provide security" and "fear of freedom threats". Its purpose is investigating to clarify and explaining the policy process that is experienced in the emergence of the law to a conceptual level. In this context, research is based on the attitude of providing public order, the nature of peace, and people feeling safe and secure, as well as the way governments push politics to establish public safety.

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Harold Lasswell's "Process Model", which focuses on systematic analysis of the complexity of policy phases and the process in a clear and understandable position, has been identified as a research method. Law no. 6638 is dealt with in the context of the arrival, the formulation, the legalization, the implementation and the evaluation phases (Kaptı, 2013: 27). Thus, by separating the policy process into specific parts, it is aimed to achieve a clearer structure of the process.

In the first part of the work, public policy, its analysis and process model are introduced. In the second part, a theoretical framework about internal security concept and policy is presented. In the last part, Law no. 6638 is discussed in the frame of "the Process Model".

2. PUBLIC POLICY ANALYSIS: THE PROCESS MODEL

The public authority is obliged to make certain decisions in order to provide the public interest in a matter that affects society. The academic field that deals with each phase of the decisions, from the development of the agenda to the formulation and application of the decisions, is called "public policy". Various definitions have been introduced to the concept of public policy. A few definitions with the highest acceptance are the following: "Everything that governments choose to do or not (Dye, 1987: 3)"; "Activities or ineffectiveness carried out by the interested parties in resolving a problem (Anderson, 1994: 5)" and "An academic field in which the tools and processes that are effective in making decisions about the public are searched (Schultz, 2004: 351)".

Public policy analysis is based on the assumption that data obtained through empirical research can be used to develop solutions for social problems using scientific methods (Usta, 2013: 80). When public policy is considered as a whole, it is called public policy analysis in order to have a more detailed idea about the whole of process, which is divided into chunks or sections (Çevik ve Demirci, 2012: 68). In the analysis of public policy, various methods or models are used to develop policies for solving problems. Policy analysis is an art as well as an academic discipline due to its features such as the identification of social problems, the preparation of public policies to solve them, the scope of the processes of successful policies, and the ability of policy makers to analyze their imagination and creativity without ending the process (Demir, 2011: 108). The most widely used model of public policy analysis is the "the Process Model". In this model, it is aimed to gradualize the process to a clearer structure by dividing a whole policy process into specific phases (Kaptı, 2013: 26).

Table 1: The Process Model

Processes	Process Definition	Content of Processes
<i>Arrival</i>	Problem comes to the agenda and problem definition	Any problem is coming to the agenda for the solution; Examination of the issues that are effective for the coming of the day; Clear definition of the problem
<i>Formulation</i>	Production of alternative solutions	Finding solutions to the problem at hand; Determination of effective alternative routes that may be a solution; Effectively formulated routes

<i>Legalization</i>	Approval of the best solution alternatives by the relevant institution for implementation	Law enacted by politicians and law makers to formulate ways of resolving the problem
<i>Implementation</i>	Implementation of approved policies to relevant units	Implementation of the policies or policies set out for the solution of the problem by the relevant units and practitioners
<i>Evaluation</i>	Assessing the attainment of the objectives of the implemented policies	Evaluation of the extent to which the policies applied reach the targeted point and how much the problem can be solved

Source: (Kaptı, 2013: 26)

The five steps shown in Table 1 are the phases of the process model. The first phase, which is the arrival, means to be come up by policy makers an existing problem that will cause public reaction. The solution proposal is created by the various actors for the defined probing constitutes the phase of formulation. The solution proposal at this stage is the legalization phase to gain a formal identity. The execution of the formal solution proposal by the relevant units is the implementation phase. Finally, the stage in which the applied policies overlap with the targets is examined as the evaluation phase.

3. THE INTERNAL SECURITY CONCEPT AND POLICY

The sense of insecurity has led many western countries to produce policies on structuring and methods to satisfy their security needs. The individual and the society to live safely is one of the basic building blocks that will ensure the continuity of the state at the same time. In this context, the security perception is basically divided into two parts. The external security generally refers to threats originating from another state or their alliance. The social events taking place within the borders of the state, terrorism and organizing criminal enterprise are subjects of the internal security, too (Wagner, 2003: 696).

The internal security is the measures taken in the political borders of country to ensure the peace of its people and the welfare of its state (Firat ve Erdem, 2014: 120). There are many sub-categories of service area whose general name is internal security: intelligence, combat against terrorism, struggle against trafficking, struggle against organized crime, struggle against narcotics crime, fighting against financial crime and public order crimes, intervention in social events, traffic, protection services, patrol services and information crimes struggle policies can be evaluated in this context (Çevik ve Demirci, 2012: 24-25).

The primary task of the state is to protect public order and ensure the safety and peace of life of individuals and communities. Internal security service is a public service as per the nature of its function and it carries out the duty of public power, provision and maintenance (Bal, 2003: 15). In Turkey, the Ministry of Interior has provided execution duty and responsibility of internal security. The Ministry carries out this task by its police forces, gendarmerie and coast guard organization (Akyüz, 2015: 72).

The internal security structuring with the 2000s; it is obligatory to have a quality that is contemporary, dynamic, scientific, open to change, non-bureaucratic, to able to make quick decisions and implement, compatible with democracy culture and at the same time passionate about principles of command, association and coordination (Yılmaz, 2012: 35). In recent years, many countries have tended to make regulations that place security in the freedom-security equation by asertion public order, social events and terrorism. On the basis of this tendency, the September 11 attacks² in the United States in the early 2000s take an important place. The process of living in the US after September 11 has shown that the value of safety can only be understood by feeling insecure (Booth, 2012: 128). In fact, the attacks were a turning point in terms of freedom-security dilemmas, and the subsequent bombings in Madrid and London prompted more and more states to adopt and strengthen security-related regulations (Heywood, 2014: 356). Thus, approaches that came to the forefront in the late 19th century and adopted human rights and freedoms as principles have left their place to regulations that prioritize security (Çelik, 2015: 235).

In Turkey, too, some social events (Gezi, Kobani, etc.) that have taken place in recent years have led to policy outputs that security in the freedom-security dilemma is dominant. The most important of these is Law no. 6638 on Police Duties and Authority, Gendarmerie Organization, Duties and Authorities Law and Amendments to Some Laws.

4. ANALYSIS OF THE LAW NO. 6638 WITHIN THE FRAME OF THE PROCESS MODEL

The Internal Security Policy is divided into five phases, which aimed at achieving a clearer structure of the process; arrival, formulation, legalization, implementation and evaluation phases. In this chapter, chronological order, one of the following steps in the light of the Law no. 6638 has been assessed.

4.1. The Arrival Phase: "There is a Weakness in the Point of Internal Security!"

The arrival in the public policy is a process in which the problem comes to the agenda and the definition is clarified. Certain social problems may come to some degree, but governments need to draw attention to the identification of the problem and the search for alternative solutions to it. In other words, there are different levels of agenda for social problems, and the process of making public policy on these issues can only begin as the government perceives and acknowledges those problems (Yıldız ve Sobacı, 2013: 24).

On the other hand, how a problem is defined, how it is brought to the agenda by the people, how the public policy will be formed and the outcome will be determined to a great extent (Akdoğan, 2013: 211). That is, the same event can be perceived in different

² In the morning of September 11, 2001, a series of coordinated terrorist attacks against the US were conducted using four misdirected passenger flights. The two planes hit the Twin Towers of the World Trade Center in New York, causing the North tower and then the South tower to collapse. The third plane hit the Pentagon, the headquarters of the Defense Department in Arlington, Virginia, near Washington. The fourth plane, believed to be headed by the White House or the Congress Building (Capitol), both in Washington, fell in the Shanksville township of Pennsylvania after their passengers tried to take control of the plane. None of the planes survived. During these attacks, a total of 2995 people, mostly in New York, were killed and the responsibility of the attacks was handled by the leader of the Al Qaeda organization, Usame Bin Laden. (Heywood, 2014: 47).

ways by different actors. The fate of the policy is revealed by the ones who define the problem, and their perspectives.

The shortcomings that have been made in recent years in terms of the establishment of public order and the provision of public safety have left the Justice and Development Party (AKP) government in 2014 obliged to produce policies related to internal security. The concept of public order is based on the assumption that there is an ideal situation should be in the functioning of social life and it should be kept and that it limits the regulation to activities that can destroy it (Şahin, 2009: 125). The negative emotional reaction against the political power or rules that people don't like them is normal. Yet this situation doesn't give them the right to resort to illegal violence (Arıboğan, 2007: 21).

From this point of view, the government, trying to grasp the nettle, gave the following statements on the general justification of the draft law on the issue: “*New measures have to be taken before the demonstrations are transformed into propaganda of terrorist organizations, threatening the lives and security of the citizens, harming public and private buildings, vehicles and property, and even attempting to loot, without disturbing the freedom-security balance* (T.C. Başbakanlık, 2014: 30).”

During the civil war in Syria, due to the clashes that took place in Kobani on October 6-7, 2014, after the Kobani incidents³, which started in the south eastern cities and rapidly spread to other cities and lost fifty lives, caused the concern about the protection of public security. The government officials have argued that the enforcement of the package is compulsory because it prevents the growth of events because of the limited powers of law enforcement agencies in social actions (akademikperspektif.com, 2015).

To sum up, the Gezi and Kobani incidents in Turkey and the consequences of these and the resulting material and spiritual destruction convinced the government that it was a weakness at the point of internal security, and a policy-making process for the settlement emerged.

4.2. The Formulation Phase: The Internal Security Package

Formulating is a policy process that involves proposing solutions for probing with relevant participants, actors and stakeholders and producing alternative solutions. This phase of the public policy process refers to the determination of the targets of the public policy, the identification of targets to achieve those objectives, the elimination of the relevant social problem, and the decision to implement one of the alternatives (Yıldız ve Sobacı, 2013: 24).

The states can overcome their insecurities by reducing their vulnerabilities or by blocking threats (Buzan, 2015: 104). The units that provide internal security in order to prevent weaknesses and the legislation of these units have a key role in reducing both weaknesses. Security is not a complete set of requirements imposed by the central government, but the security demanded by the individuals of the society itself (Bal, 2003: 17). The fulfillment of this need also depends on the existence of current legal legislation and all units with adequate technological capabilities in which all new cases are accounted for.

³ Protest actions and armed conflicts that began as a reaction to the government, which did not allow the ISIS to slaughter Kobani and allow YPG militants to carry weapons over Turkey's borders.

The Prime Minister Ahmet Davutoğlu expressed in the AKP Parliamentary Group Meeting on October 21, 2014 that known as the "the Internal Security Package"⁴ and the main name is "The Law about Amending Certain Law with Police Mission and Authority Law, Military Police Organization, Duty and Authorisation Law": *"We approach the freedom-security balance, even freedom-security harmony, not just balance or bilateral balance, but rather a sense of harmony that has been intertwined, and in this sense, after the events of Kobani, a package of internal security reform that will respond to voices coming from all over our country, We worked for one week and made it ready (akparti.org, 2014)."*

The most striking aspect of this statement is that the package is only prepared by AKP staff at least one week. However, in the process of effective public policy, various actors need to be involved. Besides the government, parliament, political parties, judicial institutions, pressure groups and the media can be considered among these actors (Çevik ve Demirci, 2012: 35). Therefore, actors outside the AKP have not been involved in the process of formulating the solution, in other words preparing the draft.

The proposal, which consists of five sections and 132 articles, is also referred to as "bag law" or "package" and therefore contains drafts that are not addressed to internal security or are not of primary importance to internal security. Making the personel pyramid disrupted by the regulation is aimed to be made in the Law no. 3201 on Security Organization to be in line with the duty and service requirements. The arrangement to be made in the Law no. 4652 on Police Higher Education are aspired to prevent the elimination of the existing multiplicity in terms of the management of the educational institutions in the police organization. By updating on the Law no. 2692 on the Coast Guard Command and the Law no. 211 on the Internal Service of the Turkish Amed Forces, it is also aimed to intensify the relations between the Ministry of Interior and the two institutions with increasing the authority of the Ministry of Interior (T.C. Başbakanlık, 2014: 31-2).

Requests for amendments to the above four laws reflect requests from the internal security to clean up the units where the "parallel state structuring" occurs, which took place on December 17-25. This is a clear proof that the Government has defined the parallel state structure as a problem related to internal security and has formulated it according to situation, and that it has put pakets into the proposals for such solutions.

4.3. The Legalization Phase: The Law no. 6638 "The Law about Amending Certain Law with Police Mission and Authority Law, Military Police Organization, Duty and Authorisation Law"

The third phase, which is expressed as legalization in the Process Model, means that the best solution alternatives are approved by the relevant institution for implementation. In other words, the policy draft formulated during the legalization phase is becoming official (Kulaç ve Çalhan, 2013: 212).

The Internal Security Package or the Freedom Protection Package named after it was signed by Prime Minister Ahmet Davutoğlu and the members of the Council of Ministers on November 24, 2014 as a draft law to the Presidency of Parliament. The

⁴ The government has changed the Internal Security Package to the "Protection of Freedom Package" following a response. The frequent citation of the concepts of "freedom" and "security" in the package reflects the government's concern over the protection of public security during the use of freedoms such as meetings and demonstrations in response to increasing social events in recent times (akademikperspektif.com, 2015).

proposal⁵ passed by the Internal Affairs and European Union Compliance Committees was discussed at the 58th, 59th, 60th, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 72nd was adopted at the third session on March 27, 2015.⁶ The Law, which was sent to the Presidency on April 3, 2015 and ratified on the same day, was put into effect by the publication in the Official Gazette by President Recep Tayyip Erdoğan on April 4, 2015.

The proposal was accepted in the Parliament with changes on thirteen law drafts, 68 articles and the enforcement articles. The laws amended by Law no. 6638 are as follows (Law no. 6638):

- Law no. 2559 on Police Duty and Authority,
- Law no. 2803 on Organization, Duties and Authorities of the Gendarmerie,
- Law no. 2911 on Meetings and Demonstrations,
- Law no. 3713 on Counterterrorism,
- Law no 5237 on Turkish Punitive,
- Law no 5271 on Criminal Procedure,
- Law no. 5442 on Provincial Administration,
- Law no. 5233 on Compensation of Losses Resulting from Terrorism and Terrorist Struggle,
- Law no. 1774 on Identity Reporting,
- Law no. 3201 on Security Organization,
- Law no. 4652 on Police Higher Education,
- Law no. 2692 on Coast Guard Command,
- Law no. 211 on Turkish Armed Forces Internal Service.

The first detail that multiplies the law towards the legalization process is that the law has been hurried up. As it is in the process of formulating, it has not spread to the process of persuading broad masses during the legislative phase and seeking a reconciliation zone with the opposition parties in the Parliament. Even the law has been accepted despite strong criticism of opposition and many non-governmental organizations. The other detail is that before the legislation, the draft was not examined and reported by the Constitution and Justice Commissions in the Parliament. As a matter of fact, one of the most important reasons why many articles of the law are cancelled is that there is no text that these commissions approve.

4.4. The Implementation Phase: The Renewals Brought into Force by Law

The implementation phase is the execution of the public policy, transformed into a law or a program, by the responsible institutions (Yıldız ve Sobacı, 2013: 24). This phase

⁵ 63 articles in the negotiations held at the commission of the Internal Security Package which was accepted to the 67th article and 63 articles were withdrawn to the Interior Commission were drafted out of the draft and the bill was enacted as 68 articles together with the articles of enactment (milliyet.com, 2015).

⁶ A total of 231 were voted in the General Assembly of the Grand National Assembly of Turkey, with 32 rejections against 199 admissions (hurriyet.com, 2015).

has a distinctive set of measures that will impact the expected outcomes in the direction of the policy objectives and being a set of actions to be shaped. After the policy goals are identified, practitioners shape the process of realizing these goals (Kaptı ve Alaç, 2013: 229). Therefore, the implementers of Law no. 6638, which came into force as of the publication of Article 67, are basically the public authorities and officials who come to mind in the context of internal security.

The authorizations of the police force are one of the preeminent renewals that brought by the law. According to the Law no. 2559 Police Duties and Authority, law enforcement officers have basic duties such as preventing crime, ensuring that citizens feel safe, assuring life and property safety, detecting a crime and arresting criminals. Authorities of them such as stopping, searching, detaining and using weapons when necessary have been rearranged in Law no. 6638 to fulfill above duties.

The new executions have given police forces authorization of using "painted water" and weapon against militants attack by such as molotov, explosive, flammable, burning, suffocating, hurtful and similar weapons to neutralize them (aa.com, 2015). In parallel with the Law no. 2559, the Law no. 2803 on Organization, Duties and Authorities of the Gendarmerie also made updates to expand the field of duties and responsibilities of the gendarmerie. Furthermore, in the Law no. 5442 on Provincial Administration, the authorities of governor have been increased in order to ensure the public order and security or the safety of life and property of persons.

Reforms to the relevant law have also taken place in the new practice due to events that threaten internal security usually start after a meeting or protest marches. "Weapons such as fireworks, molotovs, iron ball and sling" are attached to the draft of the Law no. 2911 on Meetings and Demonstrations Law. The payment of state damage will be make protestor pay, and increasing punishment of illegal meetings and marches are added, too. Moreover, in the meetings and demonstration marches, which have been transformed into propaganda of the terrorist organization, new sanctions have been put forward for those who completely or partially closed their faces in order to hide their identities by the Law no. 3713 on Counterterrorism. Again, while the "right of repudiability" is reserved to the responsibility of the state damage in the Law no. 5233 on Countermeasures against the Losses of Terror and the Struggle against Terrorism, this phrase has been changed to "rumor" with the new regulation.

On the other hand, in the Law no. 5237 on Turkish Punitive, the sanctions against the drug production and its trade were increased and updates were made in order the sanction to be increased where the crime was committed (schools, hospitals, places of worship, etc.). In the Law no. 5271 on Criminal Procedure, the articles related to detention and arrest were changed as the length of the detention increasing to 48 hours and crimes under the Law no. 2911 on Meetings and Demonstrations and the Law no. 3713 on Counterterrorism were included to the reasons for the arrest. Lastly, "Identification of real and legal persons leasing vehicles" has been added to the persons to be identified in the Law no. 1774 on Identity Reporting. In addition, it is imperative that the records of car rental companies are made available to law enforcement officers at all times for review (yasaizleme.org, 2015). The fact that the terrorist incidents that occurred in the form of car blasting are usually carried out by rental vehicles played an important role in the transition to this practice.

Finally, it is necessary to talk about the amendments envisaged in the Law no. 3201 on Security Organization and the Law no. 4652 on Police Higher Education. In terms of

implementation, the most sought-after topics are the renewals brought by these laws. Removal of some duties and titles, introduction of new regulation in the order of rank, amendment of promotion system and retirement of many personnel by the approval of the ministry as a result of new promotion system are the noteworthy renewals of Law no. 3201. With the amendments made in the Law no. 4652, the police training institutions of secondary and higher education were closed down. The teachers and academicians who were in charge of these institutions and the students who are continuing their education are distributed to other institutions affiliated to the Institution of Higher Education. In particular, it is observed that the changes made in these two cases are described as steps taken in the framework of Parallel Structure Operations.

4.5. The Evaluation Phase: Freedom-Security Dilemma, or Compliance?

It is the phase of evaluating the final stage of the Process Model from public policy analysis methods. This phase involves measuring the achievement of goals and objectives set at the beginning of the public policy process (Yıldız ve Sobacı, 2013: 24). In other words, it can be defined as assessing the attainment of the objectives of applied policies. Although the evaluation phase is expressed as the final step of of the public policy analysis, it is also the first phase of the next policy period, as the process is cyclical.

In the evaluation of the politics, first of all, it is necessary to touch on the lawfulness dimension of law. Regulations made under Law no. 6638 are likely to lead future problems in terms of international human rights treaties signed and ratified by Turkey, and in particular the European Convention on Human Rights (Çelik, 2015: 261). Moreover, it is contrary to the international contracts which are the norm of superior domestic as per article 90 of the Constitution, and this situation leads to debates on the conformity of the law with the Constitution. The reforms introduced by Law no. 6638 are a law aimed at restraining the response in the society without an adequate preparation phase and the regulations that come into force with this law are contrary to the Constitution and the criminal law system (Baytaz, 2015: 45). On the other hand, in the Report prepared by the Constitutional Law Investigations Association and the Turkish Criminal Law Association for the purpose of submitting to the Constitutional Court, Law no. 6638 has been examined separately in terms of forms, substances and criminal law (tchd.org.tr, 2015).

The rush during the adoption of the law has attracted attention both in commission work and in the General Assembly Negotiations. Much of the fundamental rights in the Constitution have not been examined by the Constitutional Commission and the Justice Commission, which is highly concerned with the sharing of powers between state bodies and in particular the judiciary (tchd.org, 2015). Only the Internal Affairs commission reports as the main commission, the European Union Compliance Commission.

Another factor that emerged in the legal dimension of the law assessment is the authority to determine how public order will be provided. In other words, one of the most important problems of the execution is to take the authority of determining how to keep the public order from the legislature and to leave the Ministry of Interior, in some cases to the Governor (and even law enforcement officers). Another problem of the law is that the governor is made to have the powers of judicial law enforcement (tchd.org, 2015). Many jurists have expressed that in such a situation it is inevitable that arbitrariness will arise (Kaboğlu ve İlkiz, 2016; Baytaz, 2015; Çelik, 2015).

The Internal Security Package or the Law no. 6638 that includes measures to transform the social events that have taken place in Turkey in recent years into propaganda of terrorist organizations and as a result of this, the security of life and property of citizens is put into danger.

The productivity of the politics can be measured by the decrease or disappearance of these washers after application. Till the April 4, 2015, when the law entered into force, it can be said that the relative success of the law is due to the lack of similar hadiths to the Gezi and Kobani incidents. Increasing the powers of law enforcement officers, the inclusion of some criminal devices not included in the law in the legislation, enlargement of the powers of the governors, gendarmerie and coast commandings in relation to the Ministry of Interior, Practices have played a deterrent role in turning protest rallies into terrorist acts. But internal security is not just about the demonstration wars turning into terrorist incidents. Especially from June 7, 2015 elections, nowadays the terrorist incidents in Turkey show that there is a weakness in internal security. As a result of these terrorist attacks, approximately 600 people died and nearly 3,000 people wounded within a year and a half (June 2015 - December 2016). These attacks, mostly organized as "bombed vehicle attacks", show that the measures applied to car rental companies are inadequate to prevent terrorist incidents. Terrorist organizations are doing in the city centers and in areas where law enforcement officers are there, so these attacks proves that the internal security weakness in the country is continuing.

On the other hand, 2,207 members of the security forces were retired in four committees with the decision of the Higher Evaluation Board of the General Directorate of Security and the approval of the Minister of the Interior for a period of six months from the moment of enactment of the Provisional Article 27 with the law. The four-wave pension decisions were taken on April 17, 2015, the second on June 10, 2015, the third on August 14, 2015 and the last on October 4, 2015, the day before the end of the six months' period (Özlü, 2015). 2,207 General Directorate of Security, which has been sent to the pension, includes names serving in important investigations such as Ergenekon, Sledgehammer, Military Espionage, and these names are presented to the public as members of the security organization of Parallel Structure.

When the general evaluation of the law is made, the most noticeable difference in terms of implementation is in the application of materials containing "struggle with parallel structure". There are even AKP parliamentarians who explain the main purpose of this law as "the struggle with parallel structure and the liquidation of parallel staff".⁷

5. CONCLUSION

The Law no. 6638 "The Law about Amending Certain Law with Police Mission and Authority Law, Military Police Organization, Duty and Authorisation Law", known as "Internal Security Package", which is a public policy issue that the government has put out in the scope of internal security, has been studied within the framework of the Process Model.

⁷ AKP Adiyaman deputy Mehmet Metiner said that the main purpose of the Internal Security Package on a television channel is to be liquidated in the Emniyet and Gendarmerie: "We connect the gendarmerie to the Interior Ministry. We know how parallel infiltration is in there. We are liquidating the parallel structure in the Security Organization. This is the main purpose of this Internal Security Package." (aktifhaber.com, 2015).

The wisdom of the Gezi and Kobani incidents played an important role in reaching a widespread consensus that there was a weakness in domestic security and now that the government has come to the agenda. However, the inclusion of amendments to the law on the structure of the police organization in the prepared package reveals that the problem is not only internal security. As a matter of fact, the problems related to the Parallel Structure in the police organization have also taken an important place in the phase of the arrival.

When it comes to formulating, the Internal Security Package is hit by a short period of time like a week, created by the installation of only one party (AKP). In addition, formal and informal actors who need to be involved in the policy making process are not fully involved in the process, and package as the bag laws, which are not directly related to domestic security as a form of law change, are missing aspects of the formulation phase.

On the other hand, there are many gaps in the legalization phase. The most important shortcoming is that the Constitution and Justice Commissions of the Turkish Grand National Assembly do not examine it, that it is brought to a hurry, that a settlement ground is not sought among the parties, and that many articles of the law are abolished.

The implementation phase seems to be problem-free in the context of putting legitimate substances into practice. However, it is questionable how long the law will last as the Constitutional Court has a number of cancellation proceedings against the law, and these provisions are contrary to the European Convention on Human Rights and the Universal Declaration of Human Rights, which are part of Turkey. In general, there has been an implementation process that brings the Ministry of Interior to a superior position compared to other institutions, gives wide powers during the social events of the police and strives to liquidate the Parallel Structure.

When the evaluation phase comes, if it is thought that one of the primary purposes of Law no. 6638 has been turned into propaganda of a terrorist organization and it is to prevent demonstrations and protests that cause many incidents in material and spiritual space, an inference can be made that the law has reached its goal in terms of not having a situation similar to Gezi or Kobani incidents. However, especially after the June 7, 2015 elections, it turns out that the separatist terrorist organization PKK has a weakness in the context of internal security, considering the number of the bombed assaults of the ISIS and other terrorist organizations in the city centers.

On the other hand, "the struggle with the parallel structure" which is another priority of the law; It is yet to say that the organization has been cleaned up, although many organizations have been attached to the Ministry of Interior, the closure of institutions that play a role in the education of the members of the parallel structure, and the creation of a positive image in the context of accessing the upper level 2,207 members of the police. As a matter of fact, the result of the military coup attempt on July 15, 2016 proves this situation.

The closing of the military training institutions in the statutory decree issued after the announcement of the state of emergency on July 20, 2016, the transfer of the students to other higher education institutions and the matters related to the status of their personnel; It resembles the articles regulating the situation of the police training institutions in Law no. 6638. In addition, the Law on the Law no. 6638 found that the legal source of the regulation and the General Directorate of Security, many of the personnel from the public service that led to the application of the extraordinary period, the decision has continued to pass laws.

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