The Impact of Counterterrorism Policies on Civil Society

Author: Simen Agnalt Nilsen
Department: International Relations BA
Special course leader: Péter Marton Ph. D.
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INTRODUCTION

A flourishing and diverse civil society stands to endorse and promote the functioning in society. Governments are to stand as the representation of the will of the people as well as serving as the protector of civil rights and the enforcer of justice when needed. The whole idea of a nation state is in itself predicated on the existence an overreaching protector, which is delegated the competence to take both peaceful and coercive measures in civil societies best interest. Along with government institutions, civil society acts as an important sustainer of every day conduct through constructing norms and values and synthesizing them in compliance with the broader interests of society. The people and organizations that together make up society’s civil realm, play an important role for the synergy of normative action that also supports the curtailment of violence and extremism.

In some instances, however, civil society may be directly or indirectly impacted by government policies set out to counter the ambiguous acts of terrorism. This comes as a product of the inherently difficult task of balancing liberty and security. They are in some sense competing variables. The question then becomes to what extent it becomes necessary to restrict civil liberties and human rights in favor of the protective measures (Michaelsen, C. 2006). According to studies done on countries impacted by terror, a trade-off may occur between the implementation of counterterrorism policies and civil liberties such as privacy, free-speech, non-discrimination and equality before the law (Posner, E. A – Vermuele, A. 2007: 3-11) (Davies, D – Silver, B. 2004). Following a terrorist attack, civil society may even willingly accept liberty constraints for a temporary perception of security (Davies, D – Silver, B. 2004). If we assume regimes are aware of this, may they then use the threat or aftermath of terrorism to purposely impose restrictions on civil society? Moreover, may they create false threat narratives for the purpose of enforcing augmented counterterrorism policies (Sidel, M 2011: 120)? Does regime type and level of democratic freedom impact the outcome of counterterrorism policies? And how is civil society impacted?
On the basis of the questions imposed, my preliminary research and with the approval of my thesis supervisor Dr. Péter Marton I have come to the following research questions and hypothesis that will be attempted answered in this study.

RQ1: How has counterterrorism impacted civil society in Russia, Norway and Hungary during our specified time period?

RQ2: How does internal governmental structures affect the outcome of counterterrorism policy on civil society?

RQ3: Does augmented counterterrorism policies give leeway for enhanced power consolidation?

H1: More authoritarian state regimes reinforce themselves by promoting more restrictive counterterrorism policies on civil society.

1. METHODOLOGICAL FRAMEWORK; conceptualization and limitations of the study

This study will be conducted through a multidisciplinary case study between Norway, Hungary and Russia. The multidisciplinary approach will be accompanied by a constructivist framework which will provide the most nuanced answer to my research questions and hypothesis. The theoretical foundation will borrow disciplinary elements from international relations, political science, law, security studies as well as sociology and psychology. Terrorism and counterterrorism are truly complex issues and therefore require wide methodological and disciplinary frameworks. This study will follow a positivist approach, albeit with theoretical support from constructivism.

Existing research on counterterrorism has found evidence that the robustness of a state’s democratic foundations impacts its democratic response to it (Perlinger, A. 2012: 490-528). By comparing three countries of different democratic character, this existing thesis may be tested and provide evidence for future comparative research in the study of counterterrorism. Russia, Hungary and Norway have been chosen for comparison based on their different internal governing structures and levels of democratic freedom. All three are democracies by their own definition, however empirical and third-party
observance organizations evidence may suggest otherwise in the case of Hungary and Russia. For the simplicity of this study I have chosen to define Russia as a “semi-autocracy”, Hungary a “soft democracy” and Norway, a “free democracy”. To justify my definitions, I will initially use information provided by Freedom-house, and Bertelsmann Stiftung (BTI) reports (Russia and Hungary 2018). Along with this, relevant elements of the Sargentini report (2018) will be used in the case of Hungary. As Norway is widely regarded as a democracy, I do not deem it necessary to use space justifying its definition.

The constructivist framework emphasizes the importance of the civil societies’ perception of the use of violence and how counterterrorism measures are constructed politically along with the national collective (Fimireite. A, Lango. P, Lægreid. P, Rykkja, L. 2013: 840) Terrorism, or the risk of it, will in this study be regarded as a circumstance with cultural driving forces deriving from the interaction, communication and recollections between the perpetrators, state actors and civil society (Aradau, C – Van Munster, R. 2007: 89-115). In this context terrorists and their acts of terrorism come into existence because of an interplay between the state and the radicalized individual through series of bi-laterally reinforcing chain of events. Particular examples of this can be displayed through the actions of Chechen Islamists in the Beslan Siege in Russia, or Anders Behring Breivik on the 22. July in Norway. In both cases we find that actions were “partly” motivated by the disapproval of government actions or policies. I choose to say partly to emphasize that neither the terrorist attacks committed by Chechen Islamists, nor Anders Behring Breivik can be explained on the basis of one single motive. As Argued by Oliver Lewis, a terrorist’s actions can derive from practical intentions, however, distinguishable factors such as personal and unconscious motivations, or motivations such as excitement, greed, frustration, pride, hate or fear still needs to be considered (Lewis, O 2017; 11). Hence, I highlight that disagreement with a particular government in isolation does not lead to terrorism. Terrorists rather emerge through the construct of a wide variety of factors. Research will foremost be conducted through deductive reasoning with the use of primary and secondary sources.

The timeframes of this study have been set individually. These have been determined based on historical, political and substantial incidences that I have found to have had the most significant impact on the individual country’s recent counterterrorism efforts. As to provide a foundation for comparison, timeframes are all set in the same historical period which for the most part follows 9/11 2001. The Periods chosen should however not be
seen as exclusively independent as they bare defining characteristics from preceding periods. The issue of periodization emerges when the construction of too rigid timeframes may disregard historically significant elements thereby lead to the possibility of inaccurate conclusions. To work around this, some of the more important elements will be mentioned for each chapter, however due do to logical space and methodical constraints several concessions have been made. Although periodization can be seen as problematic due to the beforementioned, it is deemed necessary in this study in order to stay within a tangible framework.

All three countries have counterterrorism imbedded in their legal frameworks. The legalities of these set up against constitutional and international law are in some cases issues of dispute. Because of the sheer volume of counterterrorism legislation passed in the framework of this study, it appears quite obvious that it would be far too comprehensive to assess them all, yet alone their legality. Moreover, the scope of this task would not only exceed the scope of this study, but also the scope of my ability.

1.1 Readers guide

My analysis will initially focus on a few structural problems that derive from the complexity of terrorism and counterterrorism. Here there will be a short discussion of the definitional issues and the possible impacts it has on this study. After this, a very brief part will be devoted to explaining the significance of 9/11 on counterterrorism globally.

One chapter will be dedicated to each of our three States in focus. Norway, Hungary and Russia all have a differing history in regard to terrorism. Russia has a long history of battling terrorism in its broader Caucasus region, while Norway and Hungary hold less historically significance in this regard (Gozdziak, E – Márton, P, 2018) (Engene, J. 2011) I will therefore only briefly introduce Hungary and Norway’s counterterrorism efforts from a historical context. Hungary has despite its minimal experience with domestic terrorism formulated quite excessive counterterrorism legislation. I will explain this using through the theory of “securitization”, as made prevalent through the Copenhagen school. For the purpose of answering RQ2 and H1 I will provide context of to how and why our three actors have the state structure they have. More specifically I will provide evidence to why Russia and Hungary have acquired authoritarian tendencies based on arguments from various sources, however with some special emphasis on arguments forwarded by Kim Lane Scheppele in her essay on “Autocratic legalism” (Scheppele, K. 2018).
In Russia’s case the historical counterterrorism context deserves more attention and there will evolve around its challenges in the Northern Caucasus region. I will argue that their terrorism implications that has derived from the region comes as a combination of vague counterterrorism legislation, normative societal desires with historical implications and a president with the interest of consolidating power.

The part on Norway will focus on how global and national terrorism impacts a democratic nation. As Norway has a governing body without interests of consolidating power it acts as a contrast to Hungary and Russia. Discussions will be based on the governments reactions to the 11 September 2001 and 22 July 11 attacks (22/7) and if any trade-off’s in terms of civil liberties can be found. Norway stands out as there is no evidence of explicit opposition or minority targeting for power consolidative intentions.

1.2 Academic and practical issues with Terrorism and Counterterrorism

Generally, there exists no “one size fits all” policy in regard to terrorism prevention. Which policy or line of action a government chooses to peruse is contingent on several preconditions such as the certain tactics used by the perpetrators, structure of security forces, legal system, and to a large degree also previous experience (Maggs, G 2008). As we will see in Hungary and Russia, fault lines of counterterrorism scopes may be skewed between ideology and strategy as well as civil and non-civil targets (Jore, S. 2012). Along with this, Russia will for instance also with its history of fighting terrorism in the Caucasus region use different approaches than Hungary or Norway who have historically had less experience with domestic terrorism (Engene, J. 2011) (Gozdziak, E – Márton, P, 2018). For illustration, Russia with its law enforcement and military standards will tend to be more result-oriented than its comparative counterparts (Burger, E - Cheloukhine, S. 2013: 21). In turn, standardized approaches will be difficult to both formulate and implement. As argued by professor Gregory Maggs “characterization often produces bad results from a policy perspective” (Maggs, G. 2008; 663). Depending on precedence and context, the outcome of counterterrorism policies will be based on how the threat itself is characterized. By characterizing the war on terror as “war”, the United States could justify using law more generally applicable to armed conflict due to characterizing global terrorism as acts of war (Maggs, G 2008; 663-64).

The study of global terrorism finally comes with a few structural issues such as the scarcity of directly comparative research sources, especially in the collection of data
from primary sources. As argued by terrorism researcher Bart Schuurman, a longstanding issue study of Terrorism has been the overreliance of secondary resources (Schuurman, B. 2018). This study will also for the most part rely on secondary resources, but statistical data and legal documents will be used to support some findings.

1.3 What is terrorism? Questions of definition

In regard to the terrorism, the issue of its definition has been subject to debate for decades both in academic and political fora’s. This derives from the non-existence of a universal definition. Terrorism by nature is simply difficult to define which brings both methodological and practical issues (Martini, A – Njoku, E. 2017; 73). Perhaps the biggest difficulty is distinguishing terrorism from other forms of random or politically motivated violence. To illustrate; the Islamic militants at Beslan demanded Chechen independence while Breivik had ideological motivations based on right wing extremist ideals (Bakker, E – de Graaf, B. 2011; 46) (Burger, E.S – Cheloukhine, S. 2013; 1). Both had an underlying political motivation, and we can therefore say they were goal specific actions (Lewis, O. 2017;12). However, a political goal in itself does not help much in distinguishing terrorism from political violence, and it may therefore be questioned if the factor of preferred outcome be it separatism, revolution, or regime change has any relevance at all (Lewis, O. 2017; 16). Terrorism may in other words rather be a subtype of political violence as goals often are political. What distinguishes them may be the particularly unethical and indiscriminate tactics used in terrorist attacks (Lewis, O 2017; 17). From an ethical point of view, we can say that the massacred children in Beslan and Utøya did not go by their day accepting any form of risk of being killed. This is what distinguishes civilians and military or security personnel (Lewis, O. 2018; 17).

The question that needs to be posed is if the beforementioned dilemma poses any methodological difficulties in answering how counterterrorism impacts civil society. Since the variable of the impact on civil society is independent from the definition of terrorism and is only dependent on which counterterrorism policies a country chose to peruse, the answer will be no. If this is the premise, definitional issues of terrorism have little to no significance for the findings in this study. However, this not an entirely conclusive answer. Due to there not being a universal agreement of the definition of terrorism, our actors (governing bodies) who develop counterterrorism policies stand to independently formulate definitions confirmative to their own agenda. This opens for the targeting of specific social groupings or peoples such as minorities, immigrants, NGOs
and political activists. For epistemological simplicity the definition of terrorism will be regarded not to have implications for the findings in this study.

1.4 What is Counterterrorism?

As forwarded by Oliver Lewis, counterterrorism may have the goal of countering three different demeanors; deliberate indiscriminate violence, threats of indiscriminate violence and Curtailment of political demands made by indiscriminate violence (O, Lewis. 2017). The aware reader may still notice an issue with point number three. This is because countering political demands practically, however targeting the outcomes are, can pose the broader effect of conflicting fundamental principles of democracy such the freedom of speech and expression. As Barry Buzan states; “security is allot easier when dealing with things than with people ” (B. Buzan, 1991; 49). Contrary to material things, the people who make up civil society are irreplaceable and are simultaneously dependent on the state to facilitate for it (B. Buzan, 1991; 49).

Given the spectrum of threats that array, in a society, the state´s tasks can at times become quite comprehensive. Resources available for security measures will always be limited, while levels of threat will never be constant. Barry Buzan sees a dilemma of how to balance freedom of action for the individual against the potential and actual threats which such poses to others (B. Buzan, 1991; 50/51). This quite accurately points out the greatest issue with counterterrorism in a democracy; how can societies democratic rights be upheld without amplifying state authoritarianism (Buzan, B. 1991; 51)? Or rather; does Augmented counterterrorism policies give leeway for enhanced autocracy?

2. The impact of 9/11 on counterterrorism

Following the attacks of September 11, 2001, counterterrorism mechanisms have been increasingly put on the agenda both by governments, international organizations and academia (Sidel, M. 2011: 120) (Koo, J – Murdie, A). The Al-Qaida led airplane hijacking resulted in the single deadliest terrorist attack in history, killing close to 3000 people (Roser, M – Nagdy, M – Ritchie, H. 2013). The United Nations Security Council (UNSC) responded through resolution 1368 unequivocally condemning the attacks,
“recognizing the inherent of individual and collective self-defense” (UN\textsuperscript{1} 2001) while expressing both sympathy towards the United States and its “readiness to take all necessary steps to respond to the terrorist attacks” (UN 2001). The same formulation was repeated in the more comprehensive Resolution 1373 which imposed considerable obligations upon its members in the field of counter terrorism (UN 2001).

The United States, being the one directly impacted, responded with the Patriot act which gave authorities greater authority to survey and detain terror-suspects without charge under the justification of the notion of “preserving life and Liberty” (Wong, K. C, 2006, 161). Internationally we could see a trend of countries externalizing counter terrorism measures, while leaving the scope of human rights obligation to be dealt with at the national level. By such a practice, states were able to circumvent human rights violations through a “bi-polar” security agenda which provided justifications to act differently abroad than domestically (Nowak, M. 2018. 40). For western countries 9/11 posed a clear structural shift in the realms of domestic security policy. For Norway the shift became quite clear, with its first distinguished counterterrorism drafts being formulated following the UN’s resolutions (Nordenhaug, I – Engene, J. 2008). Terrorism as a phenomenon also received much wider publicity both by the general public and academia (Shuurman, B. 2018). In more recent years the potential impacts of government actions dedicated against terrorism for the purpose of enhancing security has been receiving greater interest (Baydas, L / Green, S.N, 2018; 1).

3. RUSSIA

Russia is no stranger to terrorism. In fact, Russia’s struggle against terrorism can be traced all the way back to the late 1800’s with the movement of “Narodnaya Volya” (Huq, A. 2017; 2). Today’s situation is quite different, with the majority of implications deriving from the separatist movements in Chechnya and broader Caucasus region.

This chapter will focus on how Putin can pose a classic example for how gradual power consolidation leads to heavier restrictions being placed on civil society. In truth, the ways Russia scrutinizes civil society by misusing counterterrorism legislation are far-reaching

\textsuperscript{1} United Nations
and occasionally quite severe. Describing all these would be an extensive task and may in themselves provide little context as to how and why the situation in Russia is how it is today. If one wishes, an extensive report of inappropriate enforcement of anti-extremist legislation has been made by the Center of Information Analysis (SOVA) and can be found on their website. This assessment will rather focus on the combined impact of the Caucasus counterterrorism campaigns and Putin’s emergence to power seen in the light of his consolidation of power by the use of counterterrorism and the impacts this had had on civil society.

3.1. **Defining Russia; evidence for a semi-autocracy**

In this chapter I have chosen to define Russia as a “semi-autocracy”. Such a definition seems justified in most academic discourse, however I will still provide evidence from third party observers as I believe it will be helpful for the reader to have some evidence fresh in mind during the read. A short explanation to what a semi-autocracy will be provided to prevent any epistemological confusion.

According to freedom houses’ Freedom in the World 2019 report, Russia is regarded as “not free” with an aggregate score of 20/100. Power is concentrated in the hands of President Vladimir Putin, along with loyalist security forces. The judiciary is not independent and serves the governing party while the legislative branch also consists of party loyalists. The media is also under complete state control (Freedom house 2018). The 2018 BTI country report tells a similar story. On its status index, Russia scores 5.31 out of 10, ranking it as number 70 (BTI 2018). BTI reports of the suppression of NGO’s, non-state media and local administrators as well as wide-spread oligarchy and stringent power consolidation practices. BTI characterizes Russia as an *authoritarian-bureaucratic nomenklatura* system which they connect to evidence of state power being consolidated in few hands, politicians being recruited from security services, dominance of horizontal decision making, discriminative normative cleavages between power

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3 An interesting note is that this is a slightly more nuanced reasoning compared to the report of 2014 where BTI characterized Russia as an autocracy albeit the Status Index score being lower in 2018.
holders and civil society as well as oscillation between Europan Union (EU) and China on the international level (BTI 2018).

The rationale for the use of semi-autocracy is fairly simple; by autocracy’s standard definition (a state governed by one person with absolute power), defining Russia as an autocracy can become contentious compared with other more absolute systems of government or dictatorships. The term “semi” is inserted in front to emphasize this distinction, while the information provided above provides grounds for the use of autocracy.

3.2. Historical links for the support of a strong-man

As a proponent of power-politics and a strong centralized bureaucratic government, the Soviet state was widely regarded as the guarantor of most aspects of public life, security included (Omelicheva, M. 2017). The Soviet Union put in action strict measures to enhance the vastly diverse states idea of a collective national identity. Religion was for example outlawed, deemed the “opium of the people” (Marx, K. 1884). The Union was also known for its harsh treatment of government dissidents, or “class enemies” and “enemies of the people” as they were coined (Naimark, N. 2010 1-12).

This historical understanding may be important as I believe studying the contemporary Russia in historic isolation could be misleading if one wants a nuanced perception of today’s situation. For instance, in a recent poll on Stalin’s perception by the Russian public, a majority displayed a positive attitude. Around half even acknowledged the legitimation of the human cost people bore under Stalin, justified by the lofty goals and achievements he projected (Levada 2019). This can display the perpetuation Soviet Union has into today’s Russia. Although the state has seized to exist, there are still remnants of soviet cultural and social understandings. This ontological understanding has practical significance considering the wide public support Putin enjoys, despite poor

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4 It is also important to mention that real conditions in Russia and Hungary are distinct. Since this study accentuates the impact counterterrorism policies has on civil society, actual societal conditions could become abstract. This may cause misinterpretations and lead to the false understanding that Russian and Hungarian civilians live under similar conditions due to them enduring similar counterterrorism policies as posed by their regimes. It is therefore I emphasize that the provided state regime definitions should not just provide a semantic distinction, but also one that can be traced to reality.
economic performance, inadequate societal conditions, and stringent international relations (Huq, A. 2017; 10) (Secrieru, S. 2018).

3.3. A hard breakup: Yeltin’s failures, Chechen uprising and Putin’s emergence to power

The fall of the Berlin Wall and the dissolution of the Warsaw pact solidified the trend of authoritarian regimes being rejected during the final decades of the 20th century (Schepele, K. 2018, 560). While western people, politicians and scholars celebrated an optimism of the future, phrasing “The end of history” (Fukuyama, F 1989. 3-18), quite a different reality emerged in Russia. The first years following the dissolution became defined by massive economic decline, high unemployment, deterioration of interethnic relations, armed conflict, as well as polarization between the heartland and religious and ethnic minorities in Northern Caucasus (Zhuravskaya, E 2010, 64-66). Boris Yeltsin’s attempt to radically reform post-Soviet Russia through federalization turned out to be a great failure. Local leaders went unchecked and lacked transparency leading to widespread corruption and the propagation of local oligarchy (Zhuravskaya, E 2010, 64-66). Yeltsin’s failure may be well depicted through his decision to brutally suppress the Chechen independence movement in late 1994, sparking the first Chechen war. The war would further damage the already crumbling Kremlin-Chechen relations, reaching wearying levels by the late 1990’s (Baev, P 2018, 11). Despite a peace treaty being signed in May 1997 handing Chechnya greater independence, violence continued as both sides escalated the use of violence and rebels ultimately found the use of terrorist tactics (Baev, P 2018, 11). Following the peace treaty, Chechnya enjoyed quasi independence for three years. Despite this, rampant criminality, hostage takings, attacks on foreign workers and warlordism continued to spread (Kramer, M 2004; 7). Chechen President Aslan Maskhadov was never able to insert control over his territory, and eventually had to give in to pressure from radical Islamist separatists and imposed sharia law throughout Chechnya (Kramer, M 2004). Following Shamail Basayev’s invasion of neighboring Dagestan with the intent of establishing a conservative Wahhabi state, tensions climaxed in the form of the apartment bombings of September 1999. (Kramer, M 2004).

The apartment bombings pose an interesting turning point. Its origins have been widely disputed, with some such as journalist David Satter arguing whether they in fact may have been orchestrated by the Federal Security Service in order to promote stricter domestic security policies and catapult Vladimir Putin to presidency (Satter, D. 2016). Data from
Levada might support Satter’s claim as Putin’s approval rating had a sharp increase following the attacks (Levada 2019). The same tendency was replicated in the people’s perception of the “direction the country was moving in” which similarly surged (Levada 2019). Interestingly Satter became in 2013 the first US journalist to be expelled from Russia since the Cold War (Harding, L. 2014).

A centerpiece of Putin’s domestic security policy during his first presidential term was to overhaul the system of security services, coinciding with the second Chechen military campaign, which was gradually seeping into the broader Northern Caucasus region (Omelicheva, M 2017; 515). Under the pretext of combating terrorism, Kremlin sought to significantly increase the scope of its counterterrorism capabilities, putting the newly founded Federal Security Service, (FSB) and the now disbanded special operations unit Vityaz, at the top of agencies responsible. Together they would create coalitions in charge of violently exterminating alleged terrorists, with little regard to civil rights (Omelicheva, M 2017).

Simultaneously, as the transitional period of the 90’s came to an end, a structural political shift can be seen as Moscow became gradually more focused on consolidating state power. Slowly Russia moved towards what can be regarded as a “semi-authoritarian” regime. Since Putin’s first inauguration there has been a gradually declining emphasis on human rights, the rule of law, pluralism and other fundamental features of liberal democracy (Rutzen, D 2015. 29).

Today, as during the Soviet Union, The Kremlin stands as a propagator of power politics. The state of appearing to be “in control” often takes precedent in both domestic and foreign policy. Coincidently, the Russian general public also expects it to act this out (M. Omelicheva. 2017). Russian counterterrorism policy has been predominantly shaped by security and terrorism related implications deriving from Chechnya and later the broader Caucasus region (Omelicheva, M 2009). When Putin emerged to power in the year 2000, implications from the Chechen conflict and the promise of establishing order represented a substantial pillar of his political agenda. Hence it becomes important to understand this rationale in the context of Putin’s impending presidency (Kramer, M. 2004; 8).

3.4. Putin’s support: Legitimized by the civil desire for protection or as a result of a propaganda machine?
Putin generally held a high approval rating up until the recession of 2008-2009 which brought an approval decline which lasted until the Crimea annexation of 2014 when ratings again spiked above 85% according to Levada (Levada 2019). Putin’s surge in approval ratings in the wake of the Crimean annexation can be understood by the “rally around the flag effect”, a phenomenon which explains peoples increased loyalty to a regime during wartime (Mueller, J. 1970) (Rogov, K 2017. 7). The logic behind the theory may (depending on interpretation) suggest that political leaders deliberately wage war to enhance political sentiment in their favor (Mueller, J 1970) (Rogov, K 2017. 7). Although this interpretation is somewhat controversial, it can be used to reflect on how leaders may use newly found support to promote forceful and civil society limiting legislation (Davies, D – Silver, B. 2004). Furthermore, governments may use larger domestic or international disorders as means to divert the public attention away from more blunt political issues (Szalai, A – Gobl, G 2015; 23). This leads us to our second explanation for Putin’s support. As Kirill Rogov argues, “Russia is an intense propaganda machine where public media is under close government control” (Rogov, K 2017. 7). This can for example be seen between 2014-2015 where there was a 30% increase in time spent watching news broadcasts on TV. As media channels are under strict government control, this consequently led the public to be more exposed to government doctrines and attitudes (Rogov, K 2017. 7). Moreover, intense propaganda campaigns as forwarded by the state can be followed by increased resentment towards those with diverging opinions, forcing them into silence (Rogov, K 2017, 7-8).

It seems tangible to understand that Russia’s traditions with strong leaders combined with the more recent implications from Chechen war, turmoil of the 90’s coupled with later accounts of domestic terrorism has influenced the Russian public to desire a more forceful leader. This comes despite widespread human-rights abuses and large restrictions on civil liberty. However, we must also acknowledge that Russia in fact is a propaganda machine where public media has close state-ties and regime opponents live under the threat of persecution and even assassination (Galeotti, M. 2016; 2). Because of this, when assessing the question posed, the answer seems to be less one or another and more a combination of the two. This can be used as a reference for reflection when considering our research questions and hypothesis.

3.5. The Chechen conflict; Counterterrorism, counterinsurgency or counteropposition?
Russia’s counterterrorism policy lies firmly imbedded in its institutional structure and legislation controlled by the state executive. As Russian counterterrorism policies have been shaped along with the Chechen wars, the differentiation between counterterrorism, counterinsurgency and even counteropposition has become somewhat hazy (Omelicheva, M. 2017).

Russia’s primary terrorist threats stem from interactions with the highly unstable northern Caucasus region (Omelicheva, M. 2017: 518). Little terrorism is recorded outside the region (Burger, E - Cheloukhine, S. 2013:20). As has been displayed, Northern Caucasus has been a place of conflict and terrorism since the end of the Soviet Union, fueled by the Chechen independence movement. In existing literature on the study of terrorism there exists a notion that the political legitimacy of a state, or the perception thereof, plays an important role in the growth of insurgency (Noricks, D 2009; 19). When a governing structure is delegitimized, it may catalyze increased violence towards the state. Burger and Cheloukhine argues that Russian campaigns in the Caucasus region can be attributed to their main declaratory mission being the preservation of the nation’s territorial integrity (Burger, E - Cheloukhine, S. 2013:19). Considering this, an apparent ambiguity between federal laws concerning the protection of national sovereignty, and those concerning counterinsurgency emerges. As we will see, this became further skewed by faulty characterization of actors. During the Chechen wars, the outcomes of this incoherence was demonstrated through examples of indiscriminative acts of violence directed towards both insurgents and civilians (Burger, E - Cheloukhine, S. 2013:19). Pavel Baev notes of “large scale conventional military” being used, with the “massive use of firepower” towards alleged terrorists justified under the smoke-screen of counterterrorism (Baev, P. 2018; 12). Russia’s incriminatory actions had severe impacts on Chechen civil society with large numbers being either killed or displaced. Numbers of civilian casualties vary, but most independent estimates put them somewhere around 40 000 (NY times 2005)5.

An encompassing issue which appears through the Chechen campaigns can be seen in the entanglement between counterterrorism and counterinsurgency policies (Omelicheva, M. 2017;516). In fact, judging by operational practices and legislation passed during and

5 Russia has been reluctant to publish exact numbers and estimates vary vastly. Although I evaluate the source reliable, it’s factuality is somewhat uncertain.
after the Chechen campaigns, Russia can just as much be understood to have been exercising “counteropposition”. Seemingly, the Chechen counterterrorism efforts displays a dilemma of “characterization”, albeit with strong government interests in countering opposition masked as countering terrorism. In concert, this has led to poor policy outcomes with quite severe implications on civil society (Maggs, G, 2008). A few high-profile terrorist attacks of the 2000’s displayed further deficiencies in Russia’s counterterrorism synergy. The most shocking of such was the Beslan Siege which would result in the deaths of more than 330 people, most of them children. (King, C – Menon, R. 2010; 20). The act which was committed by Chechen separatist rebels stands as an appalling representation of the long-lasting tensions between local insurgents and Russian authorities and its devastating impact in civil society. The attack drew massive public attention, leading to both public and civil investigation into the competences of Russian security forces (Burger, E - Cheloukhine, S. 2013; 2). These revealed mismanagements of effective counterterrorism in the form of security forces inability to impose efficient deterrence and efficient intelligence (Forster, P. 2006; 1-2). Along with this, there did not exist a body capable of coordinating the exchange of information between counterterrorism agencies (Forster, P. 2006; 1-2). A serious tumble for President Putin, whose public reputation lies imbedded in people’s perception of safety. (King, C – Menon, R. 2010; 22). Putin would however use the Beslan siege as an excuse to consolidate his vertical control over provinces and promote the need for stricter counterterrorism policies (Huq, A. 2017; 9).

3.6. Ambiguities in The Northern Caucasus campaigns and its impact on Civil Society

Terrorism is a tactic often used by insurgency groups (Burger, E - Cheloukhine, S. 2013; 2). In its labeling of insurgency however, Russia has done as states often do, be reluctant to label it for what it is, as to not hand further legitimacy to the movement (Murray, C. 2016; 154). In civil wars, it is common for legal governments to regard its adversaries as criminals instead of combatants (ICRC III 1949). This can itself be used as an explanation for the long-lasting inefficiency in creating stability in the region; everything has been characterized as terrorism. Furthermore, law enforcement and military institutions are predisposed to being result-oriented. This means that if there are benefits to be made, accomplishing objectives usually takes precedence over legal sanctionable procedures (Burger, E - Cheloukhine, S. 2013; 11). The applicability of the
Geneva convention also falls into a gray-zone depending on the interpretation of article 4 (ICRC III. 1949). Regardless of reason, such ambiguities have contributed to mass atrocities being committed on both sides, with civil society being the worst affected (Kramer, M 2005; 9) Russian troops in the first and second Chechen war were known for widespread torture, mass arrests, kidnapping, rape and executions (Kramer, M. 2005; 9).

As a broader strategy the executions of insurgent leaders as well as cracking down on rebel groups have taken precedence over dealing with underlying social problems such as poverty and corruption (King, C – Menon, R. 2010; 25-27). This can just as much be understood as being deliberate as opposed to a result of pure incompetence. As has been laid out, Putin has based his politics on strong-man rhetoric and heavy hitting policies which in turn have granted him wide public support (Murray, C. 2016; 154) (Huq, A 2017;10).

3.7. Conclusive remarks

Civil society in Russia has suffered as an effect of the Northern Caucasus campaigns caused by complications deriving from the lack of synergy between counterterrorism and counterinsurgency policies. This has happened through a mixture of incompetence and unwillingness from the Russian security forces and policy formulators. The Beslan siege revealed inefficiencies in government security agencies, while Russian troops displayed both indiscriminate and disproportionate use of force in the Chechen wars leading to breaches of fundamental human rights (HRW 2000). Disregarding reason, Russia´s counterterrorism strategy in Chechenia and the broader Northern Caucasus has had a wide negative impact on civil society. Not only have people killed, impacts extend to displacement, retaliative terrorist attacks and human rights abuses. The broader impact is the precedence it has set for succeeding Russian counterterrorism legislation. As a result of what can be understood to be a wider counteropposition campaign. Studies have shown that repression of societal groups may propel more violence rather than decrease it (Koo, J – Murdie, A. 2018). In Russia this holds to be true. Through its counteropposition campaign Russia has gradually drifted towards autocracy. on civil liberty under the excuse of fighting terrorism, which in turn has consolidated more power in the hands of the President (King, C – Menon, R. 2010; 23).

6 Found under “Conflicts of not of an international character”.

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4. HUNGARY

We would like Europe to be preserved for the Europeans. But there is something we would not just like but we want because it only depends on us: we want to preserve a Hungarian Hungary” – Viktor Orban 25 July 2015

Our timeline of Hungary begins in 2010, when the Alliance of Young Democrats (Fidesz) won two thirds majority in the Hungarian parliamentary election. What followed was a series of constitutional amendments which removed institutional checks, before finally consolidating enough power to be able to rewrite the 1989-1990 constitution all together in 2011 (Schepple, K. 2013; 111). This provided grounds for Fidesz to cement its position as the leader of not only the political Hungary, but also as the narrator of Hungarian civil society. By drafting new electoral laws, influencing public opinion through state-controlled media outlets, and filling previously independent institutions with party loyalists such as the institutional court, Victor Orban and his Fidesz have been able to forward a political agenda heavily based on the notion of protecting the “European” Judeo-Christian identity along with preserving and promoting Hungarian nationalism (Schepple, K. 2018; 550) (Chatterjee, S – Kreko, P. 2018; 47).

4.1. Conceptualizing “soft democracy”

Illiberal democracy, partial democracy, hybrid regimes, soft democracy, legalistic autocracy – there exists many terms trying to explain the relatively recent, but similar phenomenon of charismatic state leaders gradually consolidating power through democratic loopholes in the attempt to achieve indefinite governance (Schepple, K. 2018; 545). Essentially, they all mean more or less the same. Through my own research, there seems to be little precedence in scientific literature to support the use of one or the other. I have decided to use the term “soft democracy” to emphasize that Hungary still is

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a democracy in our classical understanding (the rule of the people)\(^8\), albeit the civil rights restrictions and constitutional setbacks witnessed over the course of the past decade. The term “soft” is chosen as a neutral and hopefully unpersuasive term in order to achieve an objective understanding of this rather critical discourse\(^9\). Because of the critical angulation, using Orban’s own preferred connotation of “illiberal democracy” could act reinforcing towards the term itself and thereby create a contradiction. It is for this reason I also refrain from using illiberal democracy.

Conceptualizing Hungary’s internal governing structure is arguably the most contentious of our three actors in focus. However, with the TEU article 7 process and the consequent Sargentini report, the disputableness of there being aspects of democratic recession have become less quarrelsome. It is nonetheless the degree of this which is difficult to pin-point. Regardless, the understanding of what is meant by a soft democracy is rather essential in answering RQ2, RQ3 and H1. To further illuminate my justification, we will now look at some more evidence provided by third party reports.

4.2. Democratic decline

Fidesz´ gradual power-consolidation has resulted in the country being downgraded from a free to a partly free democracy according to the 2018 Freedom House report. The main explanation for this can be found in the restrictions imposed on civil actors such as NGO’s, religious groups, academia, courts, asylum seekers, media as well as political opposition. The current trends stand in contrast to the 2010 report which considered Hungary to be free democracy, reporting of only a few anomalies (Freedom house 2010). At the time, the constitution provided for freedom of assembly and association, as well as NGO’s functioning without restrictions (Freedom house 2010). The most recent 2018 biennial BTI country report supports Freedom House´s claim, classifying the governing structure as a “hybrid regime”. On BTI´s governance index which evaluates the quality of a country´s decision makers while factoring in the difficulty it faces in its tasks,

\(^8\) “Demos”, the people, “Kratia” the rule. Hungary has free elections. See freedom in the world (freedom house) 2019.

\(^9\) Using references to autocracy can be problematic as it may unintentionally confuse the reader to understand the discourse from a context of despotism, which is not the case. With this said, the term “authoritarian tendencies ” will still be used as it provides grounds for comparison, especially to Russia.
Hungary scores 4.44/10 placing them 79th, just above Iraq and below Vietnam (BTI 2018).

Hungary has also become the first subject to Treaty on the European Union article 7 procedure. The motion was forwarded on the basis of the “existence of a clear risk of serious breach by Hungary on the values of which the Union is founded” (Sargentini, J. 2012; 1). The procedure was thus initiated based on the findings of what has become known as the “Sargentini report”, an extensive evaluation of the democratic setbacks witnessed under Prime Minister Orban. The report outlines 12 areas of concern which civil society has been impacted by which of several can be traced to the practice of shifting political concerns into questions of security through a process of “securitization”. As will be seen, Orban and his Fidesz have legitimized moving beyond politics in order to counter a treat with few traces in reality (Eroukhmanoff, C. 2017; 104).

4.3. The establishment of a soft democracy through discursive narratives

An element of element that runs through when analyzing Fidezs’ political strategy is its struggle to protect Hungarian core values against an outside threat. This is done by promoting an “us against them attitude”, or simply creating an “other” out of peoples that are rather unfamiliar for society at large (Skoczylis, J 2017;119). The victims of this have been migrants, where Muslims have particularly come to suffer. The ethnically culturally and historically diverse religion is confined into simple narratives which subsequently has the effect of creating an oversimplified political discourse. This oversimplification contributes to xenophobia, which becomes part of a wider public socialization forwarded to induce support for nationalist policies (Skoczylis, J. 2017; 126-27). As a political tool, the idea of group socialization by means of nationalist interests enjoy wide historical precedence, unfortunately with rather negative outcomes (Sechrist, G – Stangor, C. 2004; 168/69). Not to draw comparisons to Nazi Germany or other fascist states insofar, however recent social psychological research has found significance in using enemy-ship as a means to influence social norms and create prejudice by socializing the public in order to shape the leading opinion (Sechrist, G – Stangor, C. 2004; 167) (Sullivan, D – Landau, M – Rotschild, Z. 2010). As an example - following the Charlie Hebdo attacks in 2015 billboards were erected claiming “the Paris attacks were committed by Migrants” in the wake of an immigrant referendum campaign (EURACTIV 2016) (Chatterjee, S – Kreko, P. 2018; 47).
Our self-serving bias makes it easier to attribute events of hardship or failure to the fault of others rather than the result of our own wrongdoing (Sullivan, D – Landau, M – Rotschild, Z 2010). Hungary practices this by vilifying opposition and civil society figures, alleging them to be conspiring harm against the country in companionship with outside actors (Magyar, E. 2016 ;27) (Chatterjee, S – Kreko, P. 2018; 47). The Hungarian government has been diligent in their use of billboards for this purpose too, displaying President of the European Commission Jean-Claude Juncker and liberal advocate George Soros laughing conspicuously with the caption “You have the right to know what Brussels is planning” (Kakissis, J. 2019). By this process of “enemyzation” the Hungarian government can derail the public from genuine political issues in which it lacks capacities or will to achieve (Szalai, A – Gobl, G 2015; 23). The practice of bullying opposition for personal gain is neither a new or revolutionary phenomenon in politics. Yet there is a great irony in the fact that Orban may be reliant on enemies to foreword the policies that keep him in power. In her essay on how modern authoritarian leaders use legal means to gradually consolidate power, Kim Lane Scheppele argues that there can be seen a greater decline in public trust in countries struck by hardship. Through examples, she traces todays right-wing populist movements to the economic crisis of 2008 (Scheppele, K. 2018; 546). The Hungarian economy was hit particularly hard compared to other Central-Eastern European countries. Years of poor economic governance came to surface leading to major economic downturns and threats of bankruptcy (BTI 2018; 5). (Körösi, A – Kitanics, T.- Bertalan, P. 2017; 523-24). In addition to this, the sitting left-leaning government at the time became involved in a scandal where Prime Minister Ferenc Gyucsany admitted to having lied to his voters during the previous election in a particularly vulgar tone (BBC 2006). Apathy towards the sitting party together with issues stemming from years of poor economic governance provided Orban with rhetorical ammunition to justify a new way forward.

What has been established so far is that the Fidesz, steered by Orban, looks to have consolidative political objectives that exceed traditional democratic political trajectories. The rally around the flag effect has already been introduced in the previous chapter on Russia. In the case of Hungary, this theory can also be seen deemed relevant as Orbans discursive narratives looks intended to induce fear and enhance public support. The refugee crisis provides an excellent example of how Orban amplifies a political issue to one of national security concerns.
The refugee crisis with its origins in the Syrian civil, war first hit Europe in the summer of 2015. Hungary became one of the more challenged nations, situated on the EU boarder along the Eastern-Mediterranean migrant route. According to estimations from Hungarian authorities, a total of 391 384 refugees and asylum seekers Hungary crossed into Hungary from their southern Serbian border (Gozdziak, E. – Márton, P 2018; 9).

Hungary must be seen to have acted quite aggressively to the refugee influx, which can be attributed to the established narrative between refugees and terrorism (Ormsby, E. 2017; 1209). By setting up legal and physical barriers as well as uttering a harsh anti-immigration rhetoric, the Hungarian government toiled to keep refugees out as well as affirming the county’s need for protection (Thorpe, N 2018). The most infamous response can be said to be the decision to erect a barbwire fence along the Serbian boarder (Schepele, K. 2015). Through this, the Hungarian government sought to divert the refugee stream and omit its commitment to the Dublin regulation, which commits the EU-state in which a refugee first enters to be responsible for the individual until the refugee claim is processed (Dublin III 2013). As the fence would divert refugee’s to either Croatia or Romania, Hungary would bypass its obligation to process and house refugees within its own borders (Schepele K. 2013).

According to Aziz Huq, terrorism may provide a trigger in which the state can justify a “state of emergency” to suppress political opinion and civil liberties of those belonging to suspect communities (Huq, A. 2017; 8). In March 2016 the Hungarian parliament enacted a comprehensive counterterrorism package which involved constitutional amendment of the Hungarian “fundamental law” (Canat, C. 2017; 7). The amendment added strict punishment of those caught damaging the border fence or entering the country at non-designated areas (Ormsby, E 2017). It also contained a provision for the state to declare a “state of emergency” justified by the threat of terrorism. Such would provide justification to expand scopes of counterterrorism measures including actions such as increased surveillance, restriction of movement, ban of public protests and defending boarders with the use of force. (Cantat, C 2017; 7-8). A declaration would run for 6 months, with the possibility for extension. By the time the state of emergency became enforced, the stream of refugees had however significantly stalled. 2016 saw an 84% (Eurostat 2017) decrease in asylum applications. Still, the state of emergency was
prolonged until September 2018 (EURACTIV 2018). Furthermore, the 2016 modification of asylum and border legislation allowed for a form of “deep border control”, giving Hungarian authorities the right to arrest refugees up to eight kilometers outside its borders. Refugees were then left with the only option of submitting their applications for asylum in the established transit zones (Köves, N. 2017). Hungarian civil society also became impacted as the law gave police the capacity to search Hungarian residencies without a warrant if they were suspected of housing refugees (Orsby E. 2017; 1210). Although this provision was eventually removed, it still criminalized unapproved refugee presences. Police were thereby essentially still able to follow through with warrant-free searches (Ormsby. E. 2017; 1210).

Hungary’s practices during the refugee crisis have been criticized by human rights observers such as Human Rights Watch, the Helsinki Committee and Amnesty international. The Hungarian Helsinki Committee (HHC 2017) accused the practices of being a breach of Hungarian fundamental law as well as the European convention of human rights. Mainly due to the lack of individual detention (HHC 2017;18) Hungary was also accused of not fulfilling the required housing conditions. The Transit zones established at Hungarian borders were deemed unfit for extended accommodation for healthy individuals, and even for a shorter time in the case of vulnerable individuals (HHC 2017). In an assessment of the practice the HHC explicitly stated “detention should only be used as a last resort after careful individual assessment of each case” (HHC 2017; 2)

In assessing the Hungarian practices during the refugee crisis, we are left with a duality where on one side the crisis must be understood as an unprecedented event in which Hungary had little precedence to handle efficiently. On the other hand, it cannot be seen independently from the context of the broader anti-migrant campaign. The refugee crisis provided means to nurture xenophobia and gather support for policies that under ordinary circumstances would not be possible. Hungary went to quite extensive means to establish a link between migration and terrorism both through forceful and subtle policies (Canat, C 2017; 7). The Sargentini report draws links to civil society impacts seen through increased xenophobia, decreased minority rights, increased amounts of hate crime as well as hate speech in political discourse (Sargentini, J 2018).

During the refugee crisis The Counter-Terror center (TEK) became known. This was mainly because of its clashes with refugees on the Serbian border. However, the scope of
their delegated power should be illuminated. As the next chapter will show, their capacities may have the potential of having far-reaching implications on civil society.

4.5. Evidence for a surveillance society?

“As a matter of principle, I would reiterate that “a system of secret surveillance designed to protect national security entails a risk of undermining or even destroying democracy on the ground of defending it” Rotaru v. Romania [GC], no. 28341/95, §59, 5 May 200010

Generally speaking, balancing security and privacy will always be difficult as the two are somewhat conflictual. As the introductory quote suggests, systems of surveillance may systematically or unintentionally undermine democracy. Surveillance for the purpose of counterterrorism is particularly difficult not just because it may contradict the rule of law (Husabø, E. 2003; 104), but also because they can easily become disproportionate without proper safeguards (Angvik, M. 2017 42). Concerns about such civil scrutiny can be found outlined in the Sargentini report under the section of privacy and data protection, with reference to the capacities handed to the “Counter-terror center” (Sargentini, J. 2016) TEK came into existence soon after Fidesz took office in 2010. The TEK were allocated tasks of protecting national terrorism protection as well as providing security services for the Prime Minister, President and other high-ranking political figures (Constitution protection office). Besides this, the organ has also been given more contentious powers such as secret surveillance, searches, and data collections without warrant (HRW 2011). This has led to allegations of the TEK having abilities to act as a personal security organ of Prime Minister Orban. As Kim Lane Schepple argued in an opinion post published in the New York Times in 2012; “It has amassed Orwelian powers” (Schepple 2012) with reference to George Orwell’s dystopian novel where the population of “Airstrip One” are subject to absolute surveillance by “big brother” and his “thought police”. In the novel, civil rights and independent thought have been so suppressed that few are even aware of a reality alternative of that offered through government propaganda (Orwell, G. 1949)

Scheppele’s assessment came at a time when Fidesz power-consolidation still went somewhat under the radar, and her claim was can be seen as quite exaugurated and controversial. Despite this, some evidence suggests that her claim might not be completely groundless. Take for instance the appointment of János Hajdu, a former personal bodyguard of Victor Orban as the agency executive (Scheppele 2012). Or the fact that the TEK needs no judicial authorization for its surveillance tasks (Pasztor, E. 2017). These can be carried out by ministerial approval alone, which becomes problematic given Fidesz’ limited executive constraints. Along with this, the current interior minister Sandor Pinter was appointed by Orban personally soon after their victory in the parliamentary elections of 2018 (Reuters 2018). The problematic scope of TEK led the European Court of Human Rights (ECHR) to judge Hungary of having violated the respect for private life in the case of Szabo and Vissy v. Hungary from 2016 (ECHR: 37138/14. 2016). The case, which was based on counterterrorism surveillance legislation, had initially been unsuccessful when brought up before the national court in 2013. The ECHR however, noticed that the law allowed for the TEK to spy on individuals without any proven linkages to terrorism (EURACTIV 2016). The court also issued concern with the lack of judicial permission needed to place someone under surveillance (EURACTIV. 2016).

Given the circumstances of the Hungarian governing system, it can be tempting to suggest that the TEK in fact could be a secret police scheme directly under the rule of Orban. However, such a notion is still rather difficult to confirm. A more appropriate connotation may be pointed out by the ECHR; “[The ECHR] sees the Surveillance programs yet another step towards the establishment of a fully-fledged preventive state” (ECHR:37138/14 2016) referring to a paradigm shift in law enforcement where law enforcement exceedingly takes the form of precautionary methods (Janus, E. 2005). It can however still be questioned if the TEK and its surveillance competences are proportionate in relation to the existing level of terrorism threat in Hungary. Does Hungary, with such limited familiarity with terrorism and small population by European standards need such a forceful counterterrorism agency? If not, what is it for? In the Szabo and Vissy v. Hungary case the ECHR shares this concern; “data collection of such [these] magnitudes leaves considerable doubts as to whether these actions are guided only by the fight against terrorism, since it involves the collection of all possible data of citizens” (ECHR:37138/14 2016). Because of the strong government affiliation, it can also be
argued that excessive secret surveillance, as promoted by the state and directed towards civil society, can be used as a more discrete leeway to for further power consolidation (Wessel-Aas, J. 2011, 395)

A defining feature traced from what has just been explained can be “unproportionality”. Finding the balance between liberty and security is likely at its most contentious in regard to surveillance methods. However, the issue of proportionality also translates to Hungarian counterterrorism at large. What will be explained next is how Fidesz has amplified political questions into ones of political concerns. Using a more theoretical approach accompanied by statistical data and demographic tendencies, we may receive more insight into Hungary’s counterterrorism rationale.

4.6. Security everything – Using securitization theory to understand Hungary’s counterterrorism

Orban has followed a dualist approach in his use of contemporary or historical hardship to imitate victimization before displaying himself as the country’s protector, justifying the promotion of a national collectivist agenda (Traub, J. 2015) (Szilagyi, A – Bozoki, A. 2015; 3) (Chatterjee, S – Kreko, P. 2018; 47). This established narrative may be seen as part of Orban’s broader security strategy, which can be theorized using “Securitization”. The theory of Securitization can be attributed to Barry Buzan, Ole Wæver and Jaap de Wilde through their book Security: A new framework for Analysis (1997). Securitization theory tries to understand security as something actively created by governing bodies, or as explained by Ole Wæver; a speech act. (Wæver, O. 1998; 32). This means that states have a role in labeling something, say migration, to pose a security threat and it thereby becoming one. When the object of migration goes from being a political concern to one of a security concerns, it can be used to justify countermeasures that exceed political means.

Securitizing migration has benefitted Fidesz nationalist conservative strategy in a country where the population has been a steady decline since the 1981 (Szanto, I. 2014). Hungary has over the past three decades not only struggled with low fertility rates, but also high outbound migration towards wealthier European countries and the United States (Melegh, A 2016; 91). This has been accompanied by low inbound migration as well as the rejection of nearly all asylum seekers. For illustration, during the refugee crisis of 2015, Hungary rejected 98% of all asylum applications (Melegh, A 2016; 91).
Understanding this may lead us to believe that Fidesz´s conservative immigration strategy may not to be entirely unwarranted. Considering the demographic and socio-cultural instances, while also taking into account public attitudes and society´s ability to absorb, while acknowledging that immigrants may have different cultures, religions and customs, we can see why immigration is a legitimate issue in Hungary (Kirs, E. 2017;25). As argued by Eszter Kirs, rejection of immigration can be attributed to a legitimate feeling of fear, which also happens to be a normal and even necessary human behavior (Kirs, E. 2017; 25). Furthermore, the Contact hypothesis tells us that the more interpersonal contact we have with minority groups under certain conditions, the less prejudice we are prone to possess against them (Allport, G 1954). Despite this, it is hard to see how migration poses an actual threat that transcends the realm conventional security. The contact hypothesis may predispose Hungarians of xenophobic attitudes, however, this is augmented through government speech acts. Orban has used tactics of fearmongering to turn the migration question into one of security concerns. It creates spectacles of existential threats and forwards skewed narratives while taking active steps to silence civil opposition. By doing so the state can continue to foster its own agenda and enhance its authority (Cantat, C. 2017; 5). This happens through a process where Orban first publicly replaces the empirical reality of refugees or migrants arriving for the purpose of seeking safety or a better life, with narratives of terrorism, conquest or penetration (Gozdziak, E – Márton, P. 2017;1). As can be understood, this is a continuously reinforcing process which is made possible by gradually consolidating executive, legislative and legal power in the gradual process of becoming a one-party system (Chatterjee, S – Kreko, P. 2018; 47).

4.7. Concluding remarks

Due to terrorism´s difficult nature, counterterrorism formulation should come about as a process of careful evaluation of threat assessment set up against the possible impacts on civil liberty. Hungary has built its counterterrorism policy around an abstract existential threat taking the form of migrants and refugees. It needs to be mentioned that Hungary does possess a few significant issues. The migration crisis was a legitimate challenge where Hungary was overwhelmed and did not possess the necessary resources to deal with it. Conversely, neither did the EU or most other European countries. Hungary also faces some structural demographic issues which likely contribute to the national survival narrative. However, through the understanding of securitization, the countermeasures
imposed have transcended the actual scope of these issues which belong in political realms. Since the seeds for Prime minister Orban’s “illiberal democracy” can be traced back to the beginning of our timeframe, the refugee crisis and the fact that it was unprecedented cannot be regarded as an exclusive explanation for Hungary’s counterterrorism policies either.

Through literary review and empirical evidence, it appears without doubt that Orban’s intentions through counterterrorism have transcended the actual threat of terrorism. Besides actually preventing terrorism, this study finds Hungarian counterterrorism impacts to be threefold: 1) Restriction of political opposition by associating them with terrorism. 2) Imposition of operational barriers on NGO’s and other civil society groups with the capabilities to undermine party agenda. 3) Inducing fear through tactics of fearmongering to generate public fear which consequently enhances public demand for security. Together they provide noteworthy evidence to confirm the hypothesis of this study, judging by the comparison of Hungary at the beginning of its time-frame with today.

5. NORWAY

“Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.” Benjamin Franklin 175511

This chapter seeks to understand which obstacles a democratic country faces when enforcing counterterrorism policies. Democracies are acknowledged by their ability to protect individual rights such as (but not limited to) the freedom of privacy, expression, mobility and freedom of assembly. What then happens when suddenly faced with an act of terrorism that is completely unprecedented? Can Norway be seen to have upheld these principles following the acts of 22. July 2011 (Hereafter rendered 22/7)?

5.1. On a knifes edge – Democracies difficulties with counterterrorism

Liberty and security are not necessarily contradictory. On the other hand, they are not completely complementary either (Jore, S 2012, 6) (Buzan, B 1991). Because counterterrorism is set out to prevent something that is yet to occur, it’s preventive features, although well intended, could become limiting on civil liberty (Davis, D – Silver, B 2004). Studies have shown that when imposed with a greater sense of threat, people are willing to surrender some liberty in favor of an enhanced perception of security (Davis, D – Silver Brian 2004; 28). A domestic survey conducted shortly after 22/7 found that Norwegian citizens trust in government institutions had risen significantly as compared to three months before the attacks and were only slighted impacted by the findings in the 22. July commission report.12(Wollebæk,D – Bernard, E – Ødegaard, G).

Democratic countries may have a particularly difficult task when balancing security and liberty. This is because it is not just terrorism in itself that impacts human rights and the stability of a free society, so too may counterterrorism adopted by state legislation (OHCHR 2008). Human rights and democracy can be regarded as synonymous, and truly democratic societies are unconditionally expected to respect and protect these rights (Gallagher, A. 2008; 2). If we judge political legitimacy on a vertical spectrum, democratic political systems will generally be clustered around the top. According to Freedom House´s democracy index of 2019, Norway receives a shared top position as the most democratic country in the world with an aggregate score of 100 and thereby receiving the status as democratically free (Freedom House 2019). A cornerstone of Norwegian foreign policy is based on the respect of human rights and Norway sees itself as an international propagator of such. (Mowell, B. 2017; 411).

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12 The report which concluded that the attack could have been prevented through proper functioning of existing capabilities. See “Gjørv report 2012”
The conditions for the rest of this chapter are based on two assumptions: 1. Norway has a democratic state structure. 2. The Norwegian government has no interests in reinforcing itself at the expense of civil society through counterterrorism policies. However, this might still happen collaterally. Findings of how counterterrorism limits civil freedoms are expected to be independent from government interests. This is opposed to Hungary and Russia, where counterterrorism policies and government interests are strongly interconnected.

5.2. Counterterrorism pre-22/7 - A reliable international partner

Norway has historically seen very little terrorism (Engene, J. 2011). Before the 22/7, Terrorism, or even the threat of it was virtually absent. Although accounts of politically motivated violence were reported sporadically, there are no accounts terrorism on Norwegian soil preceding 22/7 according to various databases (Engene, J. 2011).

Before 2011, counterterrorism in Norway was primarily driven by external events such as 9/11, and other attacks in Europe such Madrid and London (Nordenhaug, I – Engene, J. 2008). Before 9/11, the question of whether Norway had the necessary capabilities to prevent terrorist attacks received a rather small share of the Norwegian public discussion. (Jore, S, 2012). Throughout the 90’s terrorism was generally regarded as an international political phenomenon which primarily targeted public figures and had little ramification for the ordinary citizen (Jore, S.H, 2014. 101-118/ 2012). Following 9/11, terrorism became a much more vivid threat and therefore also received more attention in the Norwegian public discourse. From being acts with the potential to occur, terrorism became more of an actual threat. Hence Norway also displayed more willingness to battle terrorism internationally through its international commitments (Nordenhaug, I – Engene, J. 2008). It became important to show solidarity with the United States post 9/11, which can be displayed by the participation in the Afghanistan coalition and support of the Iraqi invasion. As argued by Sissel Haugdal Jore, such actions were in fact rather uncontroversial and were generally accepted because the driving narrative was the promotion of peace and democracy which stand highly in Norwegian society (Jore, S.2014. 101-118). As a small country, Norway is reliant on its allies and partners to perform economic interests through the European Economic Area agreement (EEA) and security guarantees through the North Atlantic Treaty Organization (NATO). This comes with concessions, where Norway for instance is bound to implement counterterrorism measures as set by the EU, NATO or the UN, as well as cooperate in international actions.
against terrorism although ramifications nationally may be low or absent (Burgess, P – Haugdal, S – Mouhleb, N. 2010; 12). Counterterrorism measures regulating the airspace and maritime sphere have for instance been implemented without there being any defined thereat. It has been argued that the security enhancing effect of such measures being virtually absent (Burgess, P – Haugdal, S – Mouhleb, N. 2010; 12).

5.3. The birth of Norwegian counterterrorism

Few weeks after the 9/11 attacks Norway adopted UN resolution 1373 prohibiting the financing of terrorism (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2013; 842). This became a stepping stone for domestic counterterrorism policy, and in 2001 the government proposed yet further counterterrorism legislation, this time introducing the concept of terrorism into the Norwegian penal code for the first time (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2013; 842). Although not nearly as encompassing as the post 9/11 legislation proposed in other countries such as Great Britain or the United States, the white paper became controversial as it authorized police forces in conducting electronic surveillance. Furthermore, the proposition included provisions to generally outlaw the planning of terrorism (Otprp nr 61 2001/02) (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2013; 842). These provisions were criticized by a number of both civil and public voices including the state prosecutor, the human rights institution of the University of Oslo as well Amnesty international grounded on concerns of human rights breaches. Among the broader civil society however, the debate was rather limited. The final resolution was adopted in 2004, but with heavily modifications. (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2013; 843). Although the threat of terror had become more vivid after 9/11, the objective threat of terrorism was still relatively small. All in all, some even regarded the policy changes to be purely symbolic rather than having any risk reducing impact at all (Nordenhaug, I – Engene, J. 2008).

The circumstances following Norway’s first encounter with counterterrorism policies may suggest a few things. First of all, that Norwegian citizens hold high trust in the government (Wollebæk, D – Enjolras, E – Ødegård, G. 2012). Because of this the government is expected to use surveillance for the purpose of protecting them against terror and not abuse it at their expense (Jore, S. 2014) (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2012; 843). Multinational surveys done on peoples trust in each other and government bodies revealed that Norwegians held a higher level of such than other Scandinavian and European counterparts (Wollebæk, D – Enjolras, E – Ødegård, G. 2012;
The study explains this to be in part an effect of Norway being situated at a peaceful periphery of Northern Europe, as well as having consensual political traditions (Wollebæk, D - Enjolras, B - Karlsen, R - Johnsen, K 2019; 10). Furthermore, one of the guiding principles of democracy is that people chose their leaders and hold them accountable for their political conduct. If a people are dissatisfied, the government will either not be reelected, or leaders will be pressured to step down or impeached. Here we find also find democratic safety-nets working in practice which can be displayed through the heavy legislative modification imposed through civil society actors. Democracy as an internal governmental structure could have acted as a barrier to the potential human rights infringements which could have occurred. A more provocative notion would be to say that governments alone do not determine the intensity of counterterrorism in a democracy, it is rather the interplay between civil voices of which the policies are intended and the policy formulators. If we assume this to be true, then, for counterterrorism to have a significant impact on civil society, this interdependence would need to be challenged somehow.

Terrorism seeks to undermine exactly this by destabilizing democratic principles and damaging the reinforcing bond between society and the government through generating fear (Lewis, O 2017; 5) (Wollebæk, D – Enjolras, E – Ødegård, G. 2011; 7). If terrorists were able to undermine democratic structures such as the protection of fundamental rights and freedoms and the rule of law, they would essentially reach their objective (Angvik, M. 2017; 43). As argued by Professor Bernt Hagtvet, terrorism may never destroy democracy, but it may attribute to democracies destroying themselves (Hagtvet, B 2016). 22/7 may have imposed such a challenge, although probably not to the absolute extent of professor Hagtvet’s testimony. As terrorism seeks to impose fear in a society, the outcome may be the creation of a “culture of fear” (Furedi, F. 2007) which challenges the democratic barrier by its demands for enhanced security. Has 22/7 acted as a catalyzer for augmented counterterrorism policies such as the refugee crisis has in Hungary or the complains in Northern Caucasus in the case of Russia’s? According to Davies and Silver’s study on people’s willingness to trade liberty for security, Americans with high trust in government are more willing to accept such a trade. Can this hold to be true in Norway?

**5.4. Terrorism’s possible impacts on a democratic society**
“The only thing we have to fear is fear itself” – Franklin D Roosevelt, 1933

22/7 caused the death of 77 innocent civilians which of many were teenagers and young adults (Gjørv, A)\textsuperscript{14}. The attacks were initiated by the detonation of a 950-kilogram car bomb outside the government complex in Oslo killing eight and seriously wounding another ten. Later that afternoon the perpetrator had relocated about an hour’s drive north to the Island of Utøya where the Labor party’s youth affiliation was partaking their annual summer camp. Under the disguise of a police officer being appointed to secure the Island following the Government Complex bombing, the gunman embarked the Island and indiscriminately massacred 69 further individuals (Gjørv, A 2012). Following the massacre, the Norwegian government set up an independent commission to evaluate what and how things had gone wrong. The report’s conclusions were shocking; it could have been prevented through proper functioning of existing capabilities. In regard to the bombing of the government complex it was stated “The attack on the Government Complex on 22 July could have been prevented through effective implementation of already adopted security measures” (Gjørv, A. 2012) In regard to the Utøya shootings it was furthermore stated: The authorities’ ability to protect the people on Utøya Island failed. A more rapid police operation was a realistic possibility. The perpetrator could have been stopped earlier on 22 July (Gjørv, A. 2012).

Although the direct aftermath of 22/7 became defined by wide-ranging solidarity within Norwegian society, the commission report and its conclusion acted as a watershed on public opinion (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245). The government had vitally failed in several crucial areas both before and during the attacks. Norway’s largest newspaper Verdens Gang (Course of the world) called for the ruling prime minister Jens Stoltenberg’s resignation. (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245). This would however normalize again not long after (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245). In fact, despite fluctuations, studies of Norwegian government


\textsuperscript{14} 22. July commission report The “Gjørv” after Chairwoman Alexandra Gjørv. Selected chapters in English. This version does not contain page numbers.
trust after 22/7 concluded that trust levels normalized quite rapidly by international comparison (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245)

These findings have been linked to stable and persistent structures in Norwegian society that protect it against the penetration of fear (Elseth, M, 2016; 71). These create a social resilience which strengthens societies ability to resist external shocks such as terror (Elseth, M, 2016; 71). Along with this, instead of viewing the state as an “other” the same study found that Norwegian people rather may regard the state as a continuation of civil society (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245). Because high institutional trust can prevent fear in a society, it should through our understanding prevent the emergence of a culture of fear and decrease support for counterterrorism policies, although this would contradict Silver and Davies (Furedi 2007), (Wollebæk, D – Enjolras, E – Ødegård, G. 2012; 245). Following 22/7 The Norwegian Prime, King and other public figures were cautious in their articulations in their communications concerning the attacks. It was called for “more democracy, more humanity, more openness, but never naivety” (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2012; 850). Along with this the media abstained from labeling the attack an “act of war” as to avoid the problematic narratives that emerged after 9/11 (Kolsås, Å. 2018; 121).

As can be understood it was important to express that democracy would not be undermined, however the speech acts also called for something to be done. As the commission report firmly laid out, public authorities had failed both at the state and security force level. What measures has then the Norwegian government perused following 22/7?

5.5. Counterterrorism policy after 22/7; Better safe than sorry?

In everyday life common logic tells us that is better to be safe than sorry. A seatbelt may prevent a fine or serious injury. A helmet may do the same. Being sensible and taking precaution in advance may prevent damages in the future. Precautionary policies are indispensable in Norwegian politics with its penetration into everything from healthcare to environmental issues, however with its gradual saturation into security politics and counterterrorism, problems can emerge (Lomell, H. 2011. 81). Norway’s policy of fighting terrorism had before 9/11 been based on a reactive model of enforcement. This principally entails actions taken after the occurrence of a crime (Lomell, H: 2001; 91). As previously mentioned, Norway did not have a dedicated criminal legislation against the
defined acts of terrorism (Lomell, H 2011;79). Precautionary politics can embody an array of procedures. In his book on Norway’s prevention of crime, Professor Bjørgo regards building moral barriers to be the paramount tool for crime prevention. This socio-structural approach places the responsibility of preventing radicalization on society as a whole, with figures such as parents, teachers and religious leaders having a core responsibility in teaching public norms and inclusive environments (Bjørgo, T, 2015). However, preventive measures also span into tasks of security forces which are more controversial such as surveillance and phone-taping.

After 22/7 Norway has largely committed itself to strengthening its Police Security Service unit (PST) (Angvik, M. 2017; 37). PST is Norway’s counterintelligence unit responsible for preventing terrorism through the collection of information about people and groups who may pose a threat to national security (PST15). Already in 2005 PST were given powers to use methods of secret interception with the only premise being a motive for investigation. Information gathered was saved in a database for future use, however the matter was deemed unconstitutional and never implemented (Angvik, M. 2017; 37). The widening of PST’s scope can be seen in the context of the extended use of precautionary measures against terrorism. The use of surveillance may lead to a potential terrorist being caught in the planning stage. However, this form of prevention may ultimately also lead to the arrest and prosecution of innocent civilians through the criminalization of preparatory actions (Lomell, 2011; 85). For illustration, PST had Anders Breivik, the perpetrator behind the 22/7 attacks, on a list of individuals who had purchased fertilizer from a Polish distributor. However, so were 60 others (Færaas, A. Johnsen, A. 2011). This poses to a difficult dilemma, if all 60 people who purchased fertilizer were detained, 22/7 would probably never have happened. On the flipside, this also means the detention of 59 farmers whose probable intention was to save money by purchasing fertilizer abroad. Moreover, such lists are confidential. We do not know how many other lists or individuals on them exist, but it can be assumed there is more than one.

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15 Tasks of PST found at: https://www.pst.no/temasider/oppgaver/ (Norwegian)
Preventive counterterrorism measures may have the consequence of breaching fundamental principles of human rights and the rule of law. The rule of law shall guarantee the citizen protection from the arbitrary use of power from the state. Furthermore, the presumption of innocence entails that that all people are innocent until proven guilty. Conversely, enhancing surveillance without impacting civil society is close to impossible. In such, the use of precautionary measures for counterterrorism in any form enhances state power over citizens as there (1) are less constraints for the use of its powers, and (2) removes some civil liberty (Husabø, E. 2003; 104). Because of this, generating security should not always be goal in itself, but always be set up against the consequences it creates for the broader civil society (Burgess, P – Haugdal, S – Mouhleb, N. 2010; 9).

5.6. Striking the balance

*The control of information is something the elite always does, particularly in a despotic form of government. Information, knowledge, is power. If you can control information, you can control people. – Tom Clancy 1995*¹⁶

The most efficient way to combat terrorism is preventing it from happening through catching the potential terrorist before the act is committed. Still, at this stage the perpetrator is also innocent¹⁷ (Lomell, H. 2011; 87, 91). However, the interpretation of what can be regarded as preparatory acts have been comprehensively expanded in Norwegian legislation (Lomell, H. 2011; 87). This expansion essentially means an increased possibility for interference into conducts where civilians still are innocent. In theory this is a power enrichment by the state at the expense of civil society. According to lawyer Jon Wessel Aas, democratic governing regimes will always strive to obtain control over their subjects (the people) as it lies in the nature of their work (Wessel-Aas, J. 2011, 395). Besides this the state (Norway) is always led by a democratically elected coalition which also, by nature, will try to consolidate its own power in order to win the next election. Wessel-Aas furthermore explains that obtaining as much information about

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¹⁷ According to Norwegian criminal law (2019). Other practices may apply in Hungary and Russia. Sourced from Lomell, 2011
its subjects and opposition also comes naturally. Controlling information might be more prevalent in despotic regimes, but according to Wessel-Aas it would not be particular.

In recent years the Oslo police has become involved in controversies concerning illegal storage of civilian mobile users’ information through surveillance training (Johansen, P – Foss, A. 2019). Although it has been disputed how much of an impact this has had on civil society, it is a step towards a society where certain liberal rights diminishes for the sake of security. Wessel-Aas argues that government security enhancement does not need to have an explicit impact. A subtle change in civil behavior because of a policy, or criminal law adjustment is enough (Wessel-Aas 2011; 397). Police surveillance training practices has been terminated after the latest reveal. However, ordinary Oslo citizens may implicitly have become wearier with their mobile use. (Johansen, P – Foss, A. 2019).

Criminalization of preparatory acts pushes the boundaries for what can be regarded as a criminal offence. The dilemma that emerges is how to strike a balance between what can be justified by security needs, and the potential consequences such a switch of pendulum means for civil society (Lomell, H. 2011; 89).

5.7. Concluding remarks

Norwegian counterterrorism policy has historically been shaped through developments internationally. It is however difficult to evaluate to what extent these measures benefitted Norway security wise. A realist approach would argue that because of the lack of security benefits, Norway was uncritical in its implementation of counterterrorism drafted through the interest of foreign powers. However, the constructivist would say that such concessions were necessary in order to preserve broader national concerns established in international cooperative frameworks. The historical reluctance to formulate counterterrorism policies has foremost come as a result of the threat level being regarded as somewhat negligent. This can also have come as a consequence of high levels of trust between state and citizens and citizens amongst each other which in turn reducing the subjective need for protective policies.

Precautionary policies have gradually saturated Norwegian Counterterrorism. This brings dilemmas of balancing liberty and security, especially in the framework of preserving the rule of law and human rights obligations. Along with this, police budgets have increased significantly post 22/7, with 2019 reaching a new record high (Trædal, T.
2018). It should be reflected on which benefit such achieves as budgetary raises also entails concession.

Assessing Norway’s impact of counterterrorism policies provides additional obstacles than to the Russian and Hungarian counterparts. This is because the impacts are far subtler. Alongside this, there is little evidence of a political entity with either the intentions or means to consolidate power. The question of “How does counterterrorism impact civil society” essentially becomes a question of if counterterrorism impacts civil society by nature. Through the reading of Wessel-Aas it may be understood that party-power consolidation happens naturally, even in a democracy. This is more of a Machiavellian understanding where the interest of power enrichment comes as a natural process inherent to mankind. Such a notion is interesting, although its traces to the contemporary Norwegian reality are limited. Neither does this understanding fit well in our constructivist framework where there would be normative barriers to such an occurrence. In self-assessment, this reasoning may just be the result of my own intrinsic naivety.

6. COMPARISON - One size does not fit all

There exists no “one size fits all” policy in regard to terrorism prevention (Maggs, G 2008). Through this comparative analysis this statement holds to be true. Russia is the predominant case where terrorism implications emanated from deep-rooted disputes transcends anything found in Hungary and Norway. Because of this, Russia has followed a more coercive path in terrorism prevention. I argue that this has comes as an effect of countermeasure and objective ambiguities where Russia has failed to make clear distinctions between counterterrorism and counterinsurgency leading to what now resembles more of a counteropposition objective. President Putin’s support has been seen to excel following violent events. This can be understood through the rally around the flag effect. It has been proved through several sources that regime support is enhanced, at least temporarily, following occurrences such as terrorism (Buzan, B 1999; 51) (Davies, D – Silver, B. 2004) (Mueller, J. 1970) (Wollebæk, D – Enjolras, E – Ødegård, G. 2012). President Putin seeks to take advantage of such and implement more restrictive counterterrorism policies at the expense of either civil or political oppositions expense. Putin is helped by causal historical correlations to the people’s preference for a strong
leader (Omelicheva 2017). Similar tendencies are seen in Hungary where Victor Orban has capitalized through securitizing the issue of migration. Measures imposed during the refugee crisis have contributed to human-rights abuses along with deeper societal surveillance and control measures established through the TEK. Orban is gradually creating a system of despotism, however methods have thus far been less coercive than in the Eurasian counterpart.

Norway differs from Russia and Hungary. As Wollebæk, Enjolras and Ødegård concluded in their comparative analysis on fear induced by terrorism and government trust after large terrorist attacks, Norwegians were significantly less anxious of reoccurring terrorism by international comparison. Government trust did fluctuate following the attacks, but stabilized to pre 22/7 quite rapidly (Wollebæk,D – Enjolras, E – Ødegård, G. 2012). Hence 22/7 gave neither leeway for particularly augmented counterterrorism policies nor power consolidation. Their study theorized that this could demonstrates a deep structural trust between citizens, societal actors and the state (Wollebæk,D – Enjolras, E – Ødegård, G. 2012). Trust averts fear and has been proven to decrease the perceived need for protective policies. This linkage should be greater in democratic societies due to the stronger association between citizens and state. Theoretically speaking, citizens in democracies can participate in politics personally or vote for their preferred representatives. Democracies show greater transparency in their conduct and are less corrupt. These are however attributes that are common to democracies and not Norway in particular. Wollebæk, Enjolras, Karlsen, and Johnsen point out that Norway likely is a special case in regard to the low anger and fear seen after 22/7. Because of this, it may be contested to what degree Norway stands as a fair actor of comparison for the findings in this study. Links between the imposition of fear by the state, as a method of gathering support for strict counterterrorism policies are seen in both Russia and Hungary, but not Norway. Norway’s low level of anger and fear of should after 22/7 should therefore not be understood to be a cause of Norway’s internal governmental structure, but rather as a result of political traditions of high political consensus, strong will to compromise and low levels of conflict (Wollebæk, D - Enjolras, B - Karlsen, R - Johnsen, K 2019; 10)

As argued by Oliver Lewis, terrorism seeks to undermine and destabilize democracy. Bernt Hagtvet has the opinion that terrorism may not destroy democracies, but rather attribute to them destroying themselves. This would essentially happen through the
creation of the so called “culture of fear” (Furedi 2007), which according to Silver and Davis would enhance the will to trade liberty for security and thereby direct governments to impose liberty restricting counterterrorism policies. Although Russia cannot be argued to ever have been a true democracy, such inclinations can be seen throughout the Chechen campaigns. Hungary has never struck by terrorism of any significant scale but has still used forceful narratives to induce fear and increase public xenophobia. By creating a state of paranoia (as seen through the state of emergency), the Hungarian regime gathered support for stricter counterterrorism policies. Hungary has been on a steady democratic decline since Fidesz took power in 2010, as revealed through evidence from freedom house and BTI. As discussed by several scholars, enforcing security measures will remove some civil liberty and place it in the hands of the government (Fimreite, A – Lango, P – Lægreid P – Rykkja, L. 2013) (Jore, S. 2014) (Husabø, E. 2003) (Ormsby, E. 2017). The Hungarian development in recent years supports the hypothesis of this study. The more authoritarian tendencies Hungary has acquired, the more impacted civil society has become through restrictive policies. Alongside this, human rights violations happen more frequently as illuminated through the Sargentini report and the TEU article 7 invocation.

Comparing all our three actors, there seems to be a strong link between more authoritarian regimes, as defined by their internal governing structure, and their level of reinforcement through counterterrorism policies. Despite conditions for Hungarian civil groups having turned for the worse in recent years, and similar restrictions having been placed on NGO’s to the ones in Russia (Amnesty 2017), Hungarian counterterrorism measures are for now not concerned with eliminating opposition by forceful means. In Kim Lane Scheppele´s essay on autocratic legalism she distinguishes between old and new autocrats. New autocrats, such as Orban consolidate power “not with bullets but with laws” (Scheppel, K 2018; 582). Twentieth century understandings of autocracy which “entails destruction of institutions, mass violations of human rights and tanks in the streets” (Scheppel, K. 2018; 582) are all too familiar in Hungary and would simply not be accepted by the general public under present conditions. Putin can be understood to be more of a classical autocrat. Because the president and his loyalists aim to conserve complete state power, opposition forces are perceived to be challenging state stability and are therefore categorized and dealt with through justifications of counterterrorism. Because “terrorism” regardless of definition, is (by most) regarded as an unacceptable
form of violence, it is easier to gather support for more radical measures against it (Fierke, K. 2007; 108). Hungary also categorizes its opposition as terrorists, however there still exists democratic, normative and historical checks which prevent the use of indiscrimination or extermination tactics. There may be traces of more radical counterterrorism policies being imposed in Norway after 22/7, but these are rather neglectable in comparison to Russia and Hungary. Despite this, it still also contributes to the hypothesis as the non-autocratic state promotes the least radical counterterrorism policies.

CONCLUSION

This study has focused on the impact of counterterrorism in three different countries with different internal governing structures. What has been found is that counterterrorism policies pose a difficult structural dilemma of balancing security and liberty. This dilemma looks to be transnational and present for political systems regardless of their level of democratic freedom. How governments choose to approach this looks to correlate with the amount of restrain stemming from both plurality in the political system as well as the existence of adversary voices in civil society. In a system with less plurality, policy formulators will be able to insert more of their distinct political agenda on policy outcomes which consequently may lead to more radical liberty restricting counterterrorism policies as well as the enrichment of party power.

Human beings are vulnerable to extreme acts of violence and are therefore dependent on the state to endorse their security, both for the sake of physical protection and the perception of safety. For the frequency and physical impacts of terrorist attacks however, terrorism receives an unproportionate amount of attention both in various platforms of public discourse and policy houses. As Jeong Woo Koo and Amanda Murdie found in their recent study (2018), counterterrorism policies did not appear to have much of a direct impact on fighting terrorism. Although the deterring effects of counterterrorism policies has not been broadly considered in this study, a more sustainable approach to counterterror with less of an impact on civil liberty could happen through softer policy means. This is not to conclude that traditional methods of counterterrorism to be obsolete just for its potential liberty restricting properties; complete freedom is arguably never obtainable neither in the physical and spiritual sense. However, striving for an inclusive
society based on principles of mutual trust and acceptance will reduce the demand for unnecessarily constraining counterterrorism policies and leave civil society to unfold their life more through their individual or community’s affinities. As argued by professor Tore Bjørgo (2015), terrorism is most efficiently prevented through channels of community integration and the construction of moral barriers to extremism. This is an integrative approach where the state and society construct public safety in tandem. However, such approaches need years, if not decades to be implemented. In the wake of terrorism people demand action immediately, and the right politician might want to feed off of it.

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