

# MILITARY COUNTERTERRORISM MEASURES, CIVIL-MILITARY RELATIONS AND DEMOCRACY: THE CASES OF TURKEY AND THE U.S.

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**Abstract:** This study examines how military counter-terrorism (CT) measures affect the quality of democracy by altering civil-military relations (CMR) and focuses on civil-military relations as the main causal mechanism. We argue that the use of a military approach in counter-terrorism jeopardizes democracy at the societal level by increasing the belief that only the military is equipped to deal with the threat at hand. Therefore, erosions of civil liberties are tolerated in exchange for security. Second, we argue that military CT measures change the balance between the military and executive powers in procedural and liberal democracies. While the military's executive power increases in procedural democracies, the civilian ruler's control of the military power increases in liberal ones. Case studies of the U.S. and Turkey show that a military counter-terrorism approach affects CMR in these countries, which generate a similar tradeoff between security and the quality of democracy, albeit via different causal mechanisms. While that tradeoff is less severe in the U.S., Turkey is more vulnerable to erosion of democracy.

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## **Studies in Conflict and Terrorism**

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## **Introduction**

This study examines how military counterterrorism (CT) measures affect the quality of democracy by altering civil-military relations (CMR). While studies exploring the relationship between democracy and terrorism are many,<sup>1</sup> scholarship on how counterterrorism affects democracy is limited.<sup>2</sup> Moreover, the causal mechanisms that establish how counterterrorism response influences democracy are understudied. We specifically focus on civil-military relations as the main causal mechanism to fill this gap in the literature.

This is an important line of inquiry for several reasons. First, CMR has seldom been studied in the context of counterterrorism.<sup>3</sup> Second, scholars have examined various approaches to counterterrorism,<sup>4</sup> including the factors that shape these approaches and the decision-making processes behind them.<sup>5</sup> However, the role of CMR as the main causal mechanism linking military counterterrorism measures to the quality of democracy has been overlooked. Third, we separate how CMR develop in different types of democracies in the context of counterterrorism. Finally, we distinguish our work from others by employing Przeworski and Teune's most-different systems design<sup>6</sup> using the cases of Turkey (procedural democracy) and the U.S. (liberal democracy) to illustrate our argument. A procedural democracy is based on principles of delegation and majority votes,<sup>7</sup> whereas a liberal democracy is based, not only on principles of delegation and majority votes, but also political freedoms and civil liberties for all individuals.<sup>8</sup>

A democratic regime comprises "institutions and procedures through which citizens can express effective preferences about alternative policies and leaders," constitutes "institutionalized constraints on the exercise of power by the executive," and

guarantees “civil liberties to all citizens in their daily lives and in acts of political participation.”<sup>9</sup> Our emphasis is on civil liberties and executive power, as liberal democracy prioritizes protection of civil liberties and constraints on executive power.

Terrorism is “acts of political violence against mainly civilians and non-combatants with the intention to impact the perceptions of various audiences.”<sup>10</sup> Military CT measures are among the various strategies available to decision-makers, and they refer to the use of the military and non-military security providers, such as intelligence and law enforcement, to employ offensive and defensive measures to neutralize the terrorist organization’s violence. Finally, CMR in a democracy are the interactions between the military elite that is responsible for protecting the society, the political elite in charge of national security policy, and the society that vests its security in the hands of the military and the political elite.<sup>11</sup>

We build on the literature that suggests terrorist threats invoke the securitization of terrorism, which means policymakers identify terrorism as a significant security threat requiring emergency measures.<sup>12</sup> In other words, by framing terrorism as a security threat to internal and international security, political elites justify using extraordinary measures to counter or eliminate terrorist threats. Therefore, the securitization of terrorism often leads to military CT approaches, which are associated with the “use of excessive force.”<sup>13</sup>

Our question is: in what ways does military CT measures affect democracy after terrorism has already been securitized and the government has opted to implement a military CT response? We argue that the use of a military approach in CT jeopardizes democracy, i.e. civil liberties, by increasing the societal belief that only the military is

equipped to offset the threat. We then focus on CMR to explain how military CT measures change the balance between the military and civilian executive powers in procedural and liberal democracies. We start out with the normative assumption that civilian political control over the military is preferable to military control of the state.<sup>14</sup> and we utilize two cases that have different levels of civilian control over the military. The first one is Turkey, where civilian control over the military has been limited as most immediately demonstrated by frequent military coups and interventions since the 1960s, and therefore, does not adhere closely to our normative assumption. Our second case, which adheres more closely to the normative assumption is the U.S., where civilians are in control of the military. The analysis of the U.S. and Turkey shows that military counterterrorism measures foster CMR, albeit in diverse ways, generating a tradeoff between security and the quality of democracy. While that tradeoff is less severe in the U.S., Turkey is more vulnerable.

### **Military Counterterrorism Measures and Quality of Democracy**

Various factors alter the quality of democracy. Lipset highlights the importance of economic development and a market economy among other variables.<sup>15</sup> Dahl points to the effects of institutional choices and designs i.e. the electoral system on democracy.<sup>16</sup> Liphart argues, “consensus democracy makes a big difference with regard to almost all the indicators of democratic quality and regard to almost all of the kinder, gentler qualities.”<sup>17</sup> Putnam’s seminal work shows that social capital, specifically networks of civic engagement such as neighborhood associations and choral societies, are deemed key

to making democracy work,<sup>18</sup> while Inglehart suggests that belief in the legitimacy of democracy and behavioral commitment are necessary for democratic stability.<sup>19</sup>

We suggest that the quality of democracy will alter once democracies employ military measures in counterterrorism since, as Crelinsten argues, war models of CT lead to an excessive use of force.<sup>20</sup> Terrorist attacks often shock governments. Several counterterrorism options are available to a government, including criminal justice, military or reconciliatory CT approaches. Governments typically utilize a combination of these approaches.<sup>21</sup> The scope of this study, however, is limited to the effects of a military CT response, on the quality of democracy. The relevance of examining the consequences of the military CT response is evident in the increasing trend starting from the 1970s in Western democracies.<sup>22</sup>

The negative effects of military CT measures on democracy, however, is not a foregone conclusion. In other words, democracy does not necessarily suffer in countries that use military CT responses, particularly if the bulk of the operations are conducted overseas. For example, the French military intervention in Mali in January 2013 against global jihadists did not have consequences on democratic practices in France. The crisis in Mali was framed as a threat to national security. Consequently, cuts to military spending in France were minimized. The collapse of Mali would have significantly threatened France's political as well as economic interests in the region.<sup>23</sup> While French intervention in the name of the war on terrorism in Mali was, in many ways, similar to U.S. operations in Iraq, French democracy has not suffered the way American democracy has, as demonstrated below.

A military CT response influences democracy in several ways.<sup>24</sup> Crelinsten and Schmid argue that as the legitimacy of the terrorist organization and its grievances increase due to the use of force by the state, the legitimacy of the democratic government declines.<sup>25</sup> Crelinsten also highlights the “delicate trust that exists within a democracy, between a government and its electorate” and suggests that military CT measures hurt democracies.<sup>26</sup> Moreover, there may be a tradeoff between the effectiveness of CT measures and their democratic acceptability.<sup>27</sup> As governments resort increasingly to military responses in countering terrorism and propagate for use of force, citizens’ willingness to accept harsh measures surges. Alternatively, Dunlop shows that once the military overtakes security responsibilities that should be performed by the police, public trust in the ability of the police force and the democratic government to keep it safe deteriorates.<sup>28</sup> Military responses to terrorism also instigate fear and an increase in societal threat perception, which curbs the initiative of civil society to mobilize and participate in democratic governance.<sup>29</sup> Finally, de Goede emphasizes how governments introduce preemptive measures in the fight against terrorism and how these measures can introduce undemocratic practices that are based on speculation or fear. After the 9/11 attacks, for example, the security and financial sectors worked together to stop the resource flow to terrorist organizations by freezing the assets of Muslim charity organizations.<sup>30</sup>

While these studies enhance our understanding of the relationship between military CT and the quality of democracy, we argue that CMR have been overlooked in the context of counterterrorism and democracy.<sup>31</sup> We discuss how and why civilian-military balance is affected by a military approach to CT in democracies below.

### **The Causal Mechanism: Civil-Military Relations**

CMR entail the interaction of three major actors: military, political elite and the society.<sup>32</sup>

CMR involves the direct and indirect interactions between these three main actors over funding, regulations, the use of the military, as well as the complex bargaining between civilian and military elites to delineate and implement national security policy.<sup>33</sup>

Moreover, in the context of terrorist attacks, the military and the political elite focus on preempting future attacks, adding one more layer of complexity to CMR.<sup>34</sup> We argue that military CT measures trigger two sets of processes; at the societal decision-maker levels. These processes are closely linked and can occur simultaneously, although interactions at the societal level are more likely to precede the decision-making process.

Terrorist attacks on the homeland are powerful shocks. A successful attack debilitates the government and instills fear in the society. Thus, *at the societal level*, a military CT response to credible and consistent terrorist threats signals to the public that the country is in war. Wars often create a rally-around-the-flag effect, which draws the military and society closer. If the military is effective in the fight against terrorism, the society's trust in the armed forces will increase. By targeting civilians, terrorism induces such a sense of collective insecurity that it suggests only the military can efficiently respond to the challenge. Consequently, militarism, which refers to "the belief in military deterrence or the reliance on military strength to defend one's nation and its values,"<sup>35</sup> legitimizes the use of force in exchange for democratic practices. For example, public support for civil liberties declined and draconian counterterrorism measures were legitimized in the U.K. over a twenty-year period following the start of IRA terrorism.<sup>36</sup>

Once popular support for civil liberties and freedoms decrease in exchange for security, public opinion ceases to limit government's ability to violate civil liberties. While other constraints, such as a constitutional framework, a free press, and independent judiciary might still curb a government's aptitude to move strongly in an anti-democratic direction, the removal of the public opinion constraint on civil liberties is likely to have a negative effect on the quality of democracy.<sup>37</sup> Therefore, as Figure 1 shows, we hypothesize that the use of military measures in counterterrorism decreases democracy i.e. civil liberties and freedoms (*H1*).

/Figure 1 about here/

*At the decision-maker level*, on the other hand, constant bargaining for the allocation and use of resources ensues between the political elite and the military. The armed forces in democracies are kept under control through various mechanisms such as punishment (dismissal, courts etc.) or active use of the media as a monitoring mechanism.<sup>38</sup> When a credible terrorist threat is countered using military force, a state's limited resources become a chip on the bargaining table. The political elite must decide how much the defense sector requires to provide security against terrorism, granting it an increased defense budget and manpower, which results in a process of militarization, or the "the accumulation of capacity for organized violence, to a 'military build-up.'"<sup>39</sup>

During militarization, governments typically escalate the use of military force; either convinced that the threat is truly credible or seizing upon the crisis as an opportunity to augment political power, popularity or survival. Thus, military



expenditures and the number of troops deployed in conflict areas surge and the military's influence permeates politics.

Overall, while a militaristic culture institutionalized through militarization is the expected consequence of military counterterrorism measures, the nature and degree of their effect depends on the maturity of the democracy. Consequently, we expect CMR to play out differently in procedural democracies than in liberal ones even though the eventual outcome is the same: decline in the quality of democracy.

In both types of democracies, the military obeys civilians only because CMR is institutionalized within a strict regime of principles, norms and laws.<sup>40</sup> However, in procedural democracies, the use of force in CT can lead to a garrison state “in which the specialists on violence are the most powerful group in the society,”<sup>41</sup> as the threat of terrorism will enhance the role of security organizations.<sup>42</sup> The result is often a strong executive dominated by the military that is active in both homeland security and outside the country's borders, making it difficult to maintain civilian control. Civil-military balance is usually fragile in procedural democracies as political leaders may fear a coup, particularly if the military is strong, which limits their bargaining capabilities. The military also starts believing in its grandiose self-image as the savior of the nation.<sup>43</sup> For example, in Peru, an overwhelmingly military approach to counterterrorism in the 1980s against the Shining Path brought Peru's fragile democracy to the verge of collapse.<sup>44</sup> Alternatively, if political leaders can weaken the military's political power while simultaneously increasing its control over the judiciary and the bureaucracy, civilians' power goes unchecked and the quality of democracy declines. Thus, we suggest that in

procedural democracies, military counterterrorism strategies increase military executive power, leading to a decline of the quality of democracy (*H2*).

In liberal democracies, civilians may be more eager to use force than their military counterparts; or the military may want to use force while civilians object to it. Either way, since the civilian control of the military is strong, the bargaining leverage of the political elite is higher than the military's. Believing the threat is paramount or simply seizing an opportunity to increase political power or popularity, the political elite is likely to disregard the military's expertise and isolate it from decision-making in the security sector.<sup>45</sup> Consequently, officers feel that they are not allowed to do their jobs properly and that their civilian superiors' power has gone unchecked. The political elite in European liberal democracies such as France, the UK and Germany have bargained with their militaries as radical Islamist terrorism surged in the last decade. For example, the French Defense Minister Jean-Yves Le Drian argued, "the militarization of terrorism demands a military response," which made European officers rather uneasy about the portrayal of counterterrorism as war.<sup>46</sup> Therefore, we posit that in liberal democracies, military counterterrorism strategies lead to unchecked increase in civilian executive power, which inhibits the quality of democracy (*H3*).<sup>47</sup>

### **Research Design**

We operationalize decline in the quality of democracy by tracing the deterioration of civil and political liberties, and accountability of executive power. When governments use military counterterrorism measures, we expect limitations on political and civil liberties, including new punitive anti-terrorism legislations, extensive detention periods,

widespread practice of torture, and extensive intelligence gathering and secrecy. These changes in democracy happen as CMR shift at the societal and decision-maker levels. At the societal level, higher levels of trust in the military (as an institution) and military actions (as policy options) would indicate increased societal level trust in the military resulting in militarism in procedural and liberal democracies alike. At the decision-maker level, in procedural democracies, the military's increased access to more resources through militarization, higher levels of involvement in political decisions, and the military's ability to sideline political elites or dominate the decision-making processes would suggest elevated levels of military executive power. In liberal democracies, political elite's eagerness to authorize a military involvement while disregarding military expertise in decision-making would point to elevated levels of unchecked civilian executive power.

### *Case Selection*

“Most different systems” is a method of controlled comparison based on the selection of cases that have different general characteristics, yet similar values on the key independent variable and the dependent variable.<sup>48</sup> The idea here is to establish causality between the independent and dependent variables by eliminating other general characteristics, such as international and socio-economic variables, that might affect the outcome. If, under very different circumstances, two cases that have similar values of the key independent variable also have the same outcome, then it means that the outcome is a function of the key variable that is common to both cases. All the other circumstances that are different are irrelevant. A major advantage of the most different systems design is that it allows

researchers to draw attention to similar or identical processes across a wide variety of cases, thus, expanding or limiting the scope of conditions of established research findings.<sup>49</sup> Following this comparative logic, we use two countries in different stages of their democratic development: Turkey, a procedural democracy, and the U.S., a liberal democracy. The cases vary in their historical legacy, power status, capability, GDP, education, geography, ethnic heterogeneity, and other micro-level socio-economic variables that could affect democracy.

The pairing of Turkey and the U.S. is particularly interesting because the U.S. is a “hard” case.<sup>50</sup> It is a liberal democracy and, hence, should remain more resistant to decline in its democracy. If the quality of democracy declines in the U.S., we can establish that military CT measures diminish levels of democracy regardless of the type of democracy. Moreover, the 9/11 terrorist attacks triggered a significant threat perception in the decision-makers and an almost immediate military CT response.

We utilize mainly secondary data; however, we also use primary data in the form of the first authors’ interviews with civilian and military officials. These two cases help eliminate potentially confounding factors and allow us to explore the relationship between military counterterrorism measures, CMR and the quality of democracy.<sup>51</sup>

### **Procedural Democracy: Military Counterterrorism Measures, CMR and Democracy in Turkey**

Except for a ceasefire period from 1999-2003, Turkey has dealt with domestic terrorism since 1984 when the Kurdistan Workers Party (PKK) struck civilian and military targets in the east of Turkey.<sup>52</sup> Since the mid-1980s, PKK attacks and the government’s

counterterrorism strategy have claimed more than 30,000 lives.<sup>53</sup> A military CT strategy has changed CMR at societal and decision-maker levels and has jeopardized the quality of democracy in Turkey since 1980s. Our analysis demonstrates that the implementation of military counterterrorism measures in a procedural democracy significantly diminishes the quality of democracy. As the Turkish government employed an overwhelmingly military strategy to defeat the PKK, the Turkish society settled for reduced levels of civil and political rights in exchange for increased security. Concurrently, the political elite capitulated by handing over its executive power, particularly in security-related issues, to the armed forces because of the military's history of successful coups. Although democracy in Turkey seemed to improve in the 2000s caused by some level of normalization of CMR, the executive power of the military particularly in security-related issues remains intact.<sup>54</sup>

### *The societal level*

A military counterterrorism approach to terrorism stalled consolidation of Turkish democracy in the 1980s and 1990s. Turkey's polity score dropped 2 points, and Freedom House downgraded Turkey's democracy rating from "free" to "partly free" between 1988 and 1997.<sup>55</sup> Since the Turkish government countered terrorism in a military fashion, it mainly employed armed operations, followed by punitive anti-terror laws.<sup>56</sup>

The PKK has been the main terrorist threat to Turkey since 1984. When the PKK first attacked, Turkey was transitioning to democracy after the 1980 coup. Instead of opening a public debate on the Kurdish question, Prime Minister Turgut Özal opted for a military response. The military was already influential in security issues through its

presence in the National Security Council. It did not take long before the government and military allied to institutionalize this implicit war, militarizing the nation. First, a village guard system was installed where Kurdish villagers were armed and paid by the state to fight against the PKK. Then, emergency rule was established in Kurdish regions, significantly curbing civil liberties and freedoms. Examples of the deterioration of human rights in the region include disappearances under detention, summary executions, and torture and deaths in prisons in the southeast.<sup>57</sup> The Kurds and the left in Turkey viewed these measures as repressive, which also eroded the trust of these segments of the society in Turkish democracy.<sup>58</sup>

In the other segments of the society, trust in the military to provide security increased despite the ineffectiveness of the armed counterterrorism strategy to end the conflict until 1999. Turkish citizens tolerated militarism and rarely protested the decline in civil liberties due to harsh anti-terror laws pushed by the military. According to independent surveys, trust for the military in the 1990s never dipped below 90% as opposed to around 20% for the parliament. Civilians bargained with the military over the use of force and complied with the military's demands in return for political survival and independence in other policy areas such as the economy.

The Anti-Terror Law No. 3713 of April 12, 1991, which sent thousands of people to prison for allegedly being members of a terrorist organization or expressing opinions against the state is a good example of how statutes were changed and democracy was undermined throughout the 1990s.<sup>59</sup> Article 1 defined terrorism very broadly,<sup>60</sup> targeting anyone deemed as a threat to the state. Article 8 was used as a legal excuse for

ensorship.<sup>61</sup> The law went so far as to imprison not only authors but also publishers of books that were claimed to support terrorism.

After several coalition governments, the Justice and Development Party (AKP)'s electoral success in 2002 transformed the political landscape. AKP's leader Recep Tayyip Erdoğan suggested, "the terrorism problem of Turkey can be resolved through a democratic opening and a pluralist perspective to mitigate the grievances of all ethnic and religious minority groups, including Kurds."<sup>62</sup> AKP's objective of attracting Kurdish votes was paired with Turkey's official candidacy to the EU, which stipulated a resolution to the Kurdish issue. Switching from a military counterterrorism strategy to a conciliatory approach, negotiations between the government and the PKK raised little reaction from the officers. A series of laws and regulations, intended to harmonize the Turkish government's relations with the Kurds, were passed through the 2000s.

AKP's initial conciliatory approach to the Kurdish issue led to improvements in political and civil liberties, indicating an increase in the quality of democracy. Several legal measures facilitated democratization: In 2002, three sets of laws altered Article 312 allowing for speeches that did not entail violence and lifting the ban on the use of the Kurdish language. In 2003, the fifth and sixth sets of measures allowed re-prosecution of some trials and repealed Article 8 of the Anti-Terror Law of 1991 and narrowed the definition of terrorism. The seventh one altered Article 159 of the Penal Code allowing for shorter sentences for people who insult Turkishness and the Republic, which was used for prosecuting writers, journalists and academics. Finally, in 2004, the eighth set of laws and regulations abolished the death penalty, directly benefiting Abdullah Öcalan, the founding leader of PKK who was captured in 1999.<sup>63</sup>

As CMR got less strained during the ceasefire, ensuing PKK terrorism after 2003 intimidated the government and was once again followed by a military CT response and a decline in civil liberties. For instance, in 2006, the anti-terror law was amended to broaden its applicability and the new Penal Code of 2005 “fell short of expectations: restrictions on freedom of expression remained, and crimes deemed terrorist offenses were vaguely worded and lacked the clarity required in criminal law.”<sup>64</sup> The government claimed the presence of a coup-plotting secularist military terrorist organization (*Ergenekon*) backed by civilians, leading to very long detention periods and deteriorating the quality of democracy. Nonetheless, the official ceasefire in 1999-2003, and the slow pace of attacks until 2011 (less than 30 in most years) enabled the AKP to argue that the military was no longer the only viable option in combating terrorism. The 2011 World Values Survey shows that trust for the military dropped to a historic low of 76% and trust in the government increased to 62%.<sup>65</sup>

Yet, the democratic culture still suffers from the military’s lingering political influence. Civilians do not express sufficient interest in defense-related issues.<sup>66</sup> Sarigil and Gursoy’s survey indicates that the society remains militaristic.<sup>67</sup> Segments of society often call for military’s help against the governing AKP, and Kurds still have low levels of trust in domestic institutions, including the military.<sup>68</sup> The rekindling of the Kurdish issue and the collapse of the negotiations between the government and the Kurdish political elite in July 2015 led, once again, to military counterterrorism measures.<sup>69</sup> The imposition of round-the-clock curfews and armed responses to protests in the southeast in 2015 jeopardized democracy.<sup>70</sup>



### *The decision-maker level*

The military CT approach the Turkish government implemented since the mid-1980s has also affected CMR at the decision-maker level. The relationship between the military and the political elite changed as the military's executive power increased significantly.

The military has traditionally enjoyed public support as it intervened in politics in 1960, 1971, 1980, and 1997 to guard the secular nature of democracy.<sup>71</sup> The political leaders had long known that they had to operate within secular boundaries clearly defined by the military.<sup>72</sup> Given militarism and increased trust in the military, the political elite generally accepted an increase in the military's executive power without challenging the military's role.

As the PKK-related death toll peaked in the mid-1990s,<sup>73</sup> the government funneled more resources to the military, increasing its defense spending from 2.94% of GDP to 3.53% in two years.<sup>74</sup> Yet, this surging militarization was ineffective and terrorist attacks increased from 19 in 1984 to 42 in 1988 and 193 in 1990.<sup>75</sup>

By the 1990s, the military started operations after procuring weapons from the U.S. and austere training to fight in the mountains.<sup>76</sup> As the accounts of the retired generals who fought against the PKK demonstrate, the military was given the wherewithal to fight terrorism.<sup>77</sup>

Although the armed forces have always been a powerful actor until the 1990s, one exception to contest its power on security was the then President Özal's confrontation with his Chief of General Staff Necip Torumtay. Özal wanted to resolve PKK terrorism through a "carrots and stick" policy. Before the Gulf War in 1990, Özal intended to join

the coalition powers. However, General Torumtay believed that an Iraqi war would weaken the borders and strengthen the PKK.<sup>78</sup> The crisis entailed the resignation of General Torumtay while Operation Comfort indeed provided a safe haven for the PKK. The number of attacks surged from 295 in 1991 to 515 in 1992, increasing the military's distrust of civilians despite the PKK's unilateral ceasefire offer in 1993. The day after the ceasefire offer, Özal died of a heart attack, which was also a couple weeks after advocating for cultural rights for Kurds and the solution of a federation.

Özal's death culminated in a period of submissive politicians and stronger military tutelage where the military's executive power increased until Erdoğan came to power. Prime Minister Tansu Çiller was particularly cooperative with the military's policies; "US\$8 billion was spent on military operations in the southeast, at the same time that more moderate Kurdish representatives were banished from Ankara's National Assembly."<sup>79</sup> She was on good terms with the generals until coalescing with the Islamist Welfare Party (*Refah*) in 1996. Çiller's partnership with *Refah* violated the long-established boundaries on secularism. On February 28, 1997, the military issued a harsh warning to the government against rising internal threats, including Islamism. Due to the pressure of the military, backed up by civil society organizations' calls for military intervention, *Refah*'s leader Necmettin Erbakan, in apprehension of a coup, resigned from the coalition government. President Süleyman Demirel, who previously lost his seat in two coups in 1971 and 1980, was supportive of the military contending, "Civilians did not have the luxury to make the kind of mistakes that Refah did."<sup>80</sup> Thereafter, civilians continued to leave all security-related matters to the military until Öcalan's capture in 1999.

While the ceasefire and EU reforms gave a breathing space to CMR until 2003, Erdoğan was far from achieving civilian control. In fact, on April 27, 2007, the military published a warning to the government and opposed AKP's candidate for presidency. Sarigil argues, Chief of Staff Ilker Basbug and Isik Kosaner revealed the military's historical stance as guardians of the nation between 2008-12.<sup>81</sup>

In July 2016, a group of military officers staged a coup against the AKP government, which failed as thousands of civilians took to the streets to neutralize the security forces. Consequently, President Erdogan not only purged 1,648 ranking officers, but he also initiated extensive reforms in Turkey's security sector.<sup>82</sup> Yet, the coup failed to tip the balance of power in favor of civilians, particularly in the fight against PKK. Although as Gurcan and Gisclon note, the coup plotters "have broken the ivory tower in which the military once sat" and triggered an unprecedented rapprochement and military reforms favoring the civilian government in CMR,<sup>83</sup> the military still has a major influence in CT. For instance, after the coup attempt and the subsequent purges, the Chief of Staff General Hulusi Akar stated that he would work with President Erdogan to continue to combat PKK terrorism. Moreover, the initial civilianization process after the failed coup came to a halt as attacks from Kurdish and Islamic State militants increased in late 2016. President Erdogan has formed alliances with the secular wing of the military because he did not trust the new and less professional recruits that have replaced the purged ones. Nonetheless, the implications of this new alignment between the government and the Turkish Armed Forces for future civil-military relations are still unclear. What is clear, however, is that the executive in Turkey appears ever more aggressive and unconstrained in its use of force in counterterrorism.<sup>84</sup>

## **Liberal Democracy: Military Counterterrorism Measures, CMR and Democracy in the United States**

9/11 attacks were the largest scale terrorist attacks on the US. While the U.S. previously responded to terrorist attacks within the criminal justice system, the Bush administration implemented a military counterterrorism strategy following the 9/11 attacks and named this strategy the “War on Terror” (WOT). During his September 20, 2001 speech to the Joint Session of Congress, George W. Bush stated:

“On September 11<sup>th</sup>, enemies of freedom committed an act of war against our country. Americans have known wars, but for the past 136 years, they have been wars on foreign soil, except for one Sunday in 1941. Americans have known the casualties of war, but not at the center of a great city on a peaceful morning. Americans have known surprise attacks but never before on thousands of civilians. All of this was brought upon us in a single day, and night fell on a different world, a world where freedom itself is under attack.”<sup>85</sup>

The Bush administration presented the terrorist attack as “an act of war” and instilled the idea of global terrorism as an existential threat to the U.S., which required emergency measures, such as preventive wars in Afghanistan and later in Iraq. Desch contends that the Bush administration’s military counterterrorism response has “sparked more civil-military conflict on the home front than we’ve seen since the Vietnam War.”<sup>86</sup> While the US military itself did not see the threat as existential, that hardly mattered to a government that was determined to prove the country was in war.<sup>87</sup>

### *The societal level*

After the implementation of a military response, the effects of the WOT permeated all levels of society. For example, although the war in Iraq triggered public outrage when

weapons of mass destruction were not found and casualties escalated, the U.S. presence in Afghanistan hardly elicited similar protests. A 2011 Gallup survey shows that “Americans continue to express greater confidence in the military than in 15 other national institutions” with 78% showing a “great deal” of confidence compared to 12% for the Congress.<sup>88</sup> Trust in the federal government has been on the decline while trust in the military has surged over the last thirty-five years.<sup>89</sup>

The growing reliance on the U.S. military power and the glorification of the military at the societal level had negative consequences for democracy.<sup>90</sup> The “Patriot Act” (PA) of 2001 and amendments to the Freedom of Information Act and the Protect America Act of 2007 indicate that the U.S. passed several laws that curtailed the civil rights of citizens and immigrants. The PA curbed democracy through “enhanced surveillance, information sharing and indefinite detention.”<sup>91</sup> According to Large, “The Patriot Act in the USA has suspended rights and civil liberties in a manner unprecedented since the Civil War, with judicial rulings that components are unconstitutional, for example, the provision allowing the Federal Bureau of Investigation (FBI) to demand information from Internet service providers without judicial oversight or public review.”<sup>92</sup> Together with the restrictions on the Freedom of Information Act, the American Civil Liberties Union (ACLU) has found the PA to be in violation of the first, third, fourth and fifth amendments, and combatted vehemently to end the large scale monitoring and surveillance programs by filing a lawsuit against the PA in June 2003.<sup>93</sup> The Bush administration “has fought attempts by the ACLU to force the Justice Department to disclose how often it has used its expanded authority under the Patriot Act.”<sup>94</sup> In 2001, President Bush authorized the National Security Agency (NSA) to

capture content from foreign wire communications without a Foreign Intelligence Surveillance Act (FISA) warrant, which later became known as the President's Surveillance Program and created controversy when it became public.<sup>95</sup>

PRISM is another secret surveillance program initiated in 2007 storing Internet communications requested from companies such as Google under the FISA Amendments Act of 2008. The Obama administration took heat from Edward Snowden's disclosure of this mass collection of citizens' phone records and the attempts to cover PRISM compliance costs resulted in millions paid to Internet companies.<sup>96</sup> Despite protests from representatives, the amendment to the bill proposing to limit PRISM was defeated in the House,<sup>97</sup> followed by Republicans successfully blocking a vote in the Senate.<sup>98</sup>

While these laws led to a decline in civil liberties, those that were drafted but not passed also reveal problems for U.S. democracy. These draft bills help measure the second element of democracy used to show how the ambitions of the executive could jeopardize democracy if unchecked. For example, the Domestic Security Enhancement Act of 2003, also known as the Second Patriot Act and drafted by the Department of Justice overturned the rule of "getting court approval before conducting wiretapping, searches or surveillance for national security purposes." Although this act was not passed, the PRISM program shows that the mentality remained and was put in practice without the consent of Congress.

The Terrorism Information and Prevention System (TIPS) program was another attempt at improper surveillance. Under TIPS, workers and government employees who had access to private homes would report suspicious activities. Goldstein, who first revealed the program to the media argued that, upon implementation of the TIPS

program, “the U.S. will have a higher percentage of citizen informants than the former East Germany through the infamous Stasi secret police.”<sup>99</sup> Despite supporters in the Senate, the program was prohibited in the Homeland Security Act of 2002. In 2002, under retired Navy Admiral John Poindexter, the Defense Advanced Research Projects Agency (DARPA) established the Total Information Awareness (TIA) program to launch a surveillance and information technology system to track terrorists.<sup>100</sup> Congress cut the Office’s funding in 2003 following media critiques of TIA.

In sum, the implementation of a military counterterrorism strategy affected the quality of American democracy negatively by altering the CMR at the societal level since 9/11. Even though some of the most controversial intelligence practices that were implemented after 9/11 including extraordinary rendition, enhanced interrogation, and the TIA, were dropped due to public opposition, in early 2018, the Trump Administration extended the government’s surveillance powers (Section 702 of the Foreign Surveillance Act).<sup>101</sup> While democratic decline at the societal level happened neither in a linear way nor across all segments of the society as demonstrated by the ACLU’s outspoken and legal resistance to the PA or the media criticisms of the TIA, the CMR has been instrumental in the overall trajectory of democratic decline since 9/11.

### *The decision-maker level*

The Bush administration’s military CT approach after 9/11 has hurt the quality of democracy by shifting the balance toward the political elites in the CMR context. Scholars have noted that since the end of the Cold War, CMR in the U.S. has been strained.<sup>102</sup> Accordingly, CMR was marked by a decline in civilian control in the post-

Cold War era.<sup>103</sup> Strained CMR were apparent when the military got outspokenly critical of the Clinton administration.<sup>104</sup> The military began challenging civilian decisions, which led to a weakening of military professionalism.<sup>105</sup> After 9/11, the WOT helped civilians use the terrorist threat to alter CMR and dominate the bargaining dynamics with the military.

Brooks suggests that civilians have been contemplating a new role for the military “as a participant in safeguarding U.S. domestic security” to protect Americans from each other and homegrown terrorists.<sup>106</sup> This new role would change the armed forces’ purpose and culture and the ways it relates to society. Moreover, the increased use of the military for homeland security and deployment of troops abroad increased the number of U.S. citizens fighting in the WOT.<sup>107</sup>

Although the issue of the use of force often strained CMR as in the Madeleine Albright/Colin Powell altercation on “what to do with all the military power U.S. has if it’s not going to use it,”<sup>108</sup> the military generally remained subordinate to the detriment of useful military advice. For example, Secretary of Defense Donald Rumsfeld and the Joint Chiefs of Staff were at odds over national security policy, drawing the Congress into the conflict.<sup>109</sup> When Donald Rumsfeld disliked the advice he received about the WOT, he ignored military expertise.<sup>110</sup> While this was perhaps due to Rumsfeld’s personality and/or ideology, the WOT was the catalyst. Consequently, officers have become politicized as they lobbied Congress on several occasions, creating tension between legislators and the executive branch.<sup>111</sup> Strained pre-9/11 relations further deteriorated during the Bush administration, and failed to recover fully as the Obama administration remained dismissive of the military’s critiques. Since the forced



resignation of General Stanley McChrystal, the top U.S. military commander in Afghanistan, the military has remained suspicious of civilians who had little trust for the armed forces.<sup>112</sup>

Moreover, military advice and criticism were often sidelined as the executive single-handedly initiated institutional rearrangements to deploy the military. For example, the administration created new governmental departments, increased funding for terror-related research, and granted the military and intelligence agencies vast powers for detention, interrogation, and surveillance.<sup>113</sup>

This weakening of the line between the military's use in external defense and homeland security deflates the 1878 Posse Comitatus Act, which aims to prevent the federal government's use of the military to reestablish security inside the states. Furthermore, the U.S. Northern Command (NORTHCOM) was established in 2002 with the objective of supporting civilian authorities in their CT efforts. The National Security Emergency Preparedness Directorate (NSEPD) is expected to take charge in case of an emergency (i.e., a large-scale terrorist attack). The Directorate coordinates Defense Support of Civilian Authorities (DSCA), where federal agencies use the military for acts otherwise undertaken by civilians, including law enforcement and disaster relief.<sup>114</sup> While the DSCA may be appropriate for natural disasters, its use in CT efforts is controversial.<sup>115</sup>

Another major change in CMR that affected democracy was the decline of the executive branch's accountability. The Warner Amendment (or Section 1076 of the 2007 Defense Authorization Bill) increased the President's ability to use the military for homeland defense, giving him the ability to issue executive orders without securing the

approval of the Congress.<sup>116</sup> The harsh anti-terror laws authorized by the Bush administration that led to poor detention practices and the use of torture for intelligence purposes are prime examples of the negative democratic consequences of a lack of executive accountability. According to Ignatieff, several Supreme Court justices (i.e. Stephen Breyer) are not happy with how constitutional checks on executive power have failed to work since WOT.<sup>117</sup> The situation hardly improved under the Obama administration as the former President admitted in the wake of the 2013 NSA scandal.<sup>118</sup>

The decline in civil liberties and rise of executive power in the U.S. is further illustrated in detention laws and practice. It is a clear democratic principle that no one should be held in detention indefinitely without access to public review and trial by jury. To get around this principle, the Bush Administration declared that the Geneva Conventions did not apply to WOT.<sup>119</sup> Al Qaeda and Taliban convicts are not considered prisoners of war, and therefore, are not subject to the protections of the Geneva Conventions. This decision has raised objections by the military, especially the Judge Advocate General (JAG), causing civil-military tension.<sup>120</sup> Since 2002, the Guantanamo Bay Naval Base has detained individuals indefinitely while the Justice Department argued Guantanamo was outside its legal jurisdiction.

After 9/11, civilians have been tried in military courts, a U.S. practice that resembles the trial of civilians in Turkish military courts. Supreme Court decisions since 2004 have criticized this practice. Several acts were passed to solve the jurisdictional problems, such as the Detainee Treatment Act of 2005, the Military Commissions Act of 2006 and 2009, and the National Defense Authorization Act of 2011, which dealt with controversial cases such as *Hamden v. Rumsfeld*. In *Boumediene v. Bush* (2008), the

Supreme Court ruled that detainees have the right to trial in civil federal courts; however, Guantanamo detainees remain in prisons and are still tried in military courts.

Finally, Guantanamo detainees have been tortured to gather intelligence. Judge Susan Crawford appointed by the Bush administration found that the military tortured a Saudi national suspected for involvement in September 11 attacks, “interrogating him with techniques that included sustained isolation, sleep deprivation, nudity and prolonged exposure to cold.”<sup>121</sup> The CIA ran secret prisons outside U.S. borders and Rumsfeld “authorized the military to replace traditional interrogation techniques with harsher so-called enhanced interrogation techniques.”<sup>122</sup> In 2002, the FBI was concerned about harsh military techniques and argued that the use of torture not only led to an institutional clash between conventional and non-conventional agencies of the state, but also jeopardized civil society and its trust in the government’s acts.<sup>123</sup>

Overall, WOT in the U.S. has tipped civil-military balance by the political elite’s excessive use of military force, leading to diminished civil liberties and checks on civilian executive power. However, due to the ingrained democratic culture of a liberal democracy, which was institutionalized in the United States via the Constitution, the Insurrection Act of 1807 and the Posse Comitatus Act of 1878,<sup>124</sup> the fragile civilian-military balance did not result in a complete deterioration of democracy as in the case of Turkey. The inclusion of former military generals in the Trump administration, namely the White House Chief of Staff John F. Kelly, the Defense Secretary Jim Mattis, and the National Security Adviser H.R McMaster, and their increased influence over President Trump,<sup>125</sup> however, suggests a heavier reliance on military responses to terrorism.

## **Conclusion**

The empirical evidence supports our main argument that the extensive use of a military counterterrorism approach jeopardizes the quality of democracy in procedural and liberal democracies alike by altering civil-military dynamics. At the societal level, a military CT response to terrorist threats signals to the public that the country is at war and that the military is the most suitable institution to deal with the challenge. As this belief increases the trust of the society in the military, militaristic values creep into all walks of life, from the entertainment industry to think tanks or universities. The use of force is justified as threat perception increases. At the decision-maker level, the civil-military bargaining structure changes in a militarized environment where the use of force is normalized and defense budgets. In Turkey, at the societal level, the military CT approach increased the society's trust in the military and spread militaristic values as the public internalized harsh counterterrorism measures as part of life. At the decision-maker level, overwhelming terrorist attacks curbed the civilian political elite's resolve to stand up to the Turkish military, which had a long history of coups and behind-the-scenes intervention in politics. Dominance of military CT measures strengthened the military's hand in politics, and civil-military bargaining fueled militarization through increased defense spending. As a procedural democracy, Turkey was unable to prevent the decline in civil liberties and rise in military executive power due to military CT measures and the excessive use of force in response to terrorism.

The U.S. case shows that liberal democracies are not immune to the ill effects of military counterterrorism responses. In the U.S., at the societal level, the military CT approach increased the society's trust in the military to unprecedented levels, and

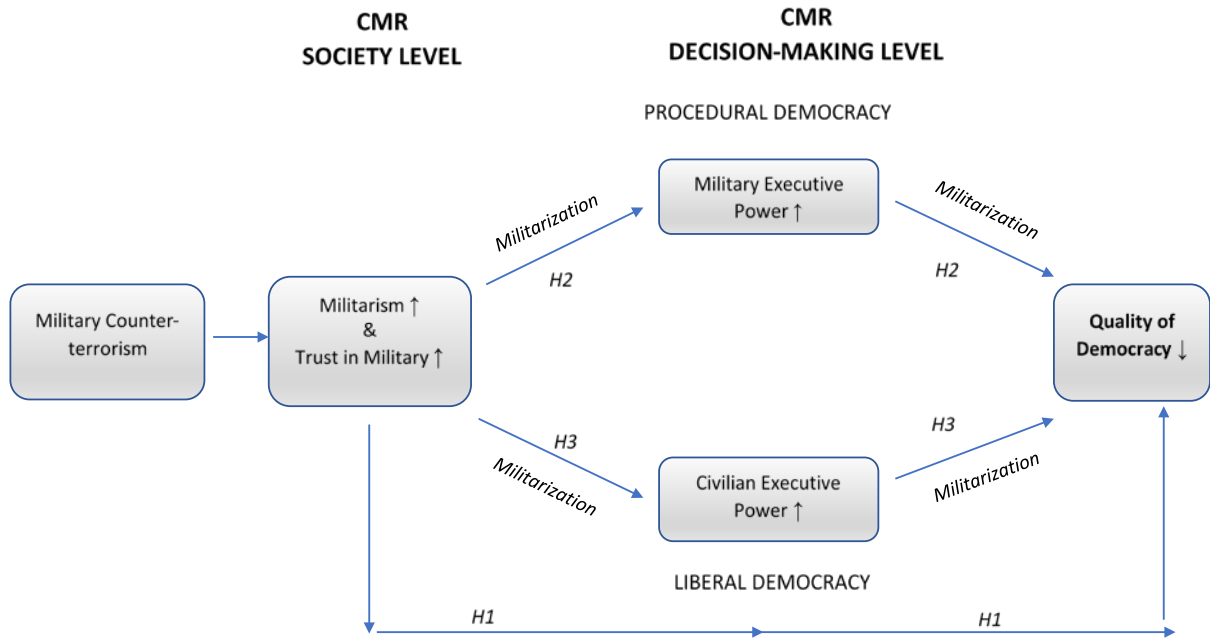
instilled militaristic values as the public and the government internalized harsh counterterrorism measures as a necessary evil. At the decision-maker level, civil-military bargaining caused tension resulting in disregard of military expertise and politicization of the American military.

In both cases, the changing dynamics due to military CT measures impacted democracy adversely in two measurable ways: a decline in civil liberties and a rise in executive power. As the executive relies more on a military approach to counterterrorism, the military is over-used, the society tends to normalize the military's overwhelming involvement in security, anti-terror laws get harsher, detentions lengthen without public review, secret surveillance spreads, civilians are tried in military courts, and torture becomes a legitimate means to gather intelligence. This is how the military gained the upper hand in the executive in Turkey until the mid-2000s, and still does in security-related policy-making i.e. the Kurdish conflict. In the U.S., civilians in the executive branch dominated the military, straining CMR at times due to disagreement on the extent of use of force. Although the U.S. remained more democratic than Turkey because of its deeply rooted democratic tradition and established laws, the quality of democracy in both cases diminished due to military CT measures and the excessive use of force.

Both countries have employed multiple CT approaches and tried to improve their criminal justice responses to terrorism. Turkey offered pardons to terrorists; however, laws remained punitive. In the U.S., several states passed anti-terrorism legislation that assigned a significant role to prosecutors to investigate and prosecute terrorists and cooperate with intelligence agencies.<sup>126</sup> These efforts, however, have not prevented shifts in CMR and failed in Turkey and remained limited in the U.S. case.

In sum, a military CT approach has not obliterated terrorism in either case. Clearly, “some amount of terrorism is likely to be part of life for the foreseeable future.”<sup>127</sup> A combination of military and other approaches to counterterrorism fare better than any single-handed approach.<sup>128</sup> Thus, future scholarship should tackle how other approaches work to instill healthy CMR and strong democracies, where civil liberties are protected and the executive is sufficiently constrained or at least mitigate the ill effects. Finally, an extension of the argument of this study to European cases may be the next step for a better understanding of the relationship between military counterterrorism measures, civil-military relations and democracy.

**Figure 1. Causal Mechanisms for Military Counterterrorism Measures in Democracies**



## Notes

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<sup>1</sup> William L. Eubank, and Leonard B. Weinberg, "Does democracy encourage terrorism?"

*Terrorism and Political Violence* 6, 4 (1994): 417-435; W. Eubank and L. Weinberg,

"Terrorism and Democracy: Perpetrators and Victims," *Terrorism and Political Violence*

13, 1 (2001): 155-164; John Mueller, *Overblown: How Politicians and the Terrorism*

*Industry Inflate National Security Threats and Why We Believe Them* (NY: Free Press,

2006); Erica Chenoweth, "Terrorism and Democracy," *Annual Review of Political*

*Science* 16 (2013): 355-378.

<sup>2</sup> Ronald Crelinsten, "The Discourse and Practice of Counter-Terrorism in Liberal

Democracies," *Australian Journal of Politics and History* 44, 1 (1998): 399.

<sup>3</sup> Glenn Sulmasy and John Yoo, "Challenges to Civilian Control of the Military: A

Rational Choice Approach to the War on Terror," *UCLALR* 54, 6 (2007). Richard H.

Kohn, "The Danger of Militarization in an Endless "War" on Terrorism," *The Journal of*

*Military History* 73, 1 (2009): 196.; Risa Brooks, "The Military and Homeland Security,"

*Public Administration and Management* 10, 2 (2005): 131. The only substantial work on

changes to CMR mechanisms due to counterterrorism is Jennifer Michelle Bean,

"Institutional Response to Terrorism: The Domestic Role of the Military in Consolidated

Democracies" Ph.D. Dissertation, University of Texas at Austin, 2008.

<sup>4</sup> See A. Pedahzur & M. Ranstorp, "A Tertiary Model for Countering Terrorism in

Liberal Democracies: The Case of Israel," *Terrorism and Political Violence* 13, 2 (2001):

1-26; A. Perliger, "How Democracies Respond to Terrorism: Regime Characteristics,

Symbolic Power and Counterterrorism," *Security Studies* 21, 3 (2012): 490-528.



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<sup>5</sup> Peter J. Katzenstein, “Same War-Different Views: Germany, Japan, and Counterterrorism,” *International Organization* 57, 4 (2003): 731–60.

<sup>6</sup> A. Przeworski and H. Teune, *The Logic of Comparative Social Inquiry* (New York: Wiley-Interscience, 1970). Most different systems design, according to Golden, has been the design of choice particularly of “economic theory for applied political analysis (for examples, see Levi 1988; Olson 1982; Rogowski 1989).” Miriam A. Golden, *Heroic Defeats: The Politics of Job Loss* (UK: Cambridge University Press, 1997), p. 38.

<sup>7</sup> Donatella della Porta, “Democracy in Movement: Some Conclusions,” in *Democracy in Social Movements*, ed. Donatella della Porta (NY: Palgrave MacMillan, 2009): 262-275.

<sup>8</sup> Robert A. Dahl. *On Democracy* (New Haven: YUP, 1998).

<sup>9</sup> This definition is used due to its focus on civil liberties and executive power in liberal democracies, See Monty G. Marshall and Keith Jagers, *Polity IV Project: Political Regime Characteristics and Transitions, 1800-2011*. College Park, MD: CIDCM, University of Maryland, <http://www.systemicpeace.org/inscr/p4manualv2010.pdf> accessed May 21, 2015.

<sup>10</sup> Audrey K. Cronin, “Behind the Curve: Globalization and Intl. Terrorism, *International Security*, 27:3, Winter 2002/2003:30-58.

<sup>11</sup> Rebecca Schiff, *The Military and Domestic Politics: A Concordance Theory of Civil-Military* (NY: Routledge, 2008).

<sup>12</sup> Barry Buzan, “Will the ‘Global War on Terrorism’ Be the New Cold War?” *International Affairs* 82, 6 (2006):1102.<sup>[1]</sup><sub>[SEP]</sub>

<sup>13</sup> Crelinsten, 1998.

<sup>14</sup> James Burke, “Theories of Democratic Civil-Military Relations,” *Armed Forces and*

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*Society* 29, 1 (2002): 7-29.

<sup>15</sup> Seymour Martin Lipset, "The Social Requisites of Democracy Revisited," *American Sociological Review* 59, 1 (1994): 1-22, 2.

<sup>16</sup> Robert A. Dahl. *On Democracy* (New Haven: YUP, 1998), 138.

<sup>17</sup> Arend Lijphart. *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries* (New Haven: YUP, 1999), 300.

<sup>18</sup> R.D. Putnam, *Making Democracy Work* (NJ: Princeton University Press, 1993), 173.

<sup>19</sup> Inglehart, R. 1997. *Modernization and Postmodernization*, (NJ: Princeton University Press, 1997); Larry Diamond, *Consolidating Democracy: Toward Consolidation*, (Baltimore: Johns Hopkins University Press, 1999).

<sup>20</sup> Crelinsten, 1998.

<sup>21</sup> Perliger summarizes the literature on CT approaches in democracies. We examine the implications of military CT approach, regardless of the choice to use this approach alone or combined with others.

<sup>22</sup> Ronald D. Crelinsten and Alex Schmid, "Western Responses to Terrorism: A Twenty-Five Year Balance Sheet," *Terrorism and Political Violence* 4, 4 (1992), 307-40.

<sup>23</sup> Sergei Boeke and Bart Schuurman, "Operation 'Serval': A Strategic Analysis of the French Intervention in Mali, 2013-2014" *Journal of Strategic Studies* 38, 6 (2015): 801-825.

<sup>24</sup> Peter Chalk, "The Response to Terrorism as a Threat to Liberal Democracy," *Australian Journal of Politics and History* 44/3 (1998): 373-88.

<sup>25</sup> Crelinsten and Schmid, 1992.

<sup>26</sup> Ronald D. Crelinsten, "Terrorism, Counterterrorism and Democracy: The Assessment

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of National Security Threats,” *Terrorism and Political Violence* 1/2 (1989): 242.

<sup>27</sup> Crelinsten and Schmid, 1992.

<sup>28</sup> Charles Dunlop, ‘The Police-ization of the Military’, *Journal of Political and Military Sociology* 27/2 (1999): 217–32.

<sup>29</sup> B. Buzan, O. Wæver, and J. De Wilde, *Security: A New Framework for Analysis* (Lynne Rienner Pub., 1998), 24.

<sup>30</sup> De Goede calls these uses of power at multiple cites “assemblages.” For a through explanation of how assemblages have worked in the fight against terrorism, see Marieke de Goede, *Speculative Security: The Politics of Pursuing Terrorist Monies* (Minneapolis, MN: University of Minnesota Press, 2012).

<sup>31</sup> Bean.

<sup>32</sup> Schiff, *The Military and Domestic Politics*.

<sup>33</sup> Burke, 2002.

<sup>34</sup> De Goede, 2012.

<sup>35</sup> William Eckhardt and Alan G. Newcombe, “Militarism, personality, and other social attitudes,” *Journal of Conflict Resolution* 13, 2 (1969): 210-219.

<sup>36</sup> Mark Johnson and Conor Gearty, *Civil liberties and the challenge of terrorism*. In: Park, Alison and Curtice, John and Thomson, Katarina and Phillips, Miranda and Johnson, Mark, (eds.) *British Social Attitudes: the 23rd Report: Perspectives on a Changing Society*. British social attitudes survey series (23) (London, UK: Sage Publications, 2007), 143-182.

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<sup>37</sup> Fareed Zakaria, "The Rise of Illiberal Democracy," *Foreign Affairs* 76 /6 (1997), 22-43; Larry Diamond, "Facing Up to the Democratic Recession," *Journal of Democracy* 26, 1 (2015):141-155.

<sup>38</sup> Peter Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, Mass.: Harvard University Press, 2003); Peter Feaver, "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations," *Armed Forces and Society* 24, 3 (1998).

<sup>39</sup> Militarization is the disposition to use organized violence, and militarism is the process of building the capacity for organized violence. See Alexander Wendt and Michael Barnett, "Dependent State Formation and Third World Militarization," *Review of International Studies* (1993): 321-347, 324.

<sup>40</sup> Douglas Bland, "A Unified Theory of Civil-Military Relations," *Armed Forces & Society* 26 (Fall 1999): 17-25, 17.

<sup>41</sup> Harold D. Lasswell, "The Garrison State Hypothesis Today," in *Changing Patterns of Military Politics*, ed. S. P. Huntington (New York: The Free Press, 1968).

<sup>42</sup> Matthew J. Morgan, *The American Military After 9/11. Society, State, and Empire* (NY: Palgrave MacMillan, 2008), 100.

<sup>43</sup> Samuel Huntington, *Political Order in Changing Societies* (CT: Yale University Press, 2006), 243.

<sup>44</sup> David Scott Palmer, "Countering Terrorism in Latin America. The Case of Shining Path in Peru," in *Essentials of Counterterrorism* James J. F. Forest (ed.) (CA: ABC-Clio, 2015), 251-271.

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<sup>45</sup> As the reelection of George W. Bush demonstrates, wartime leaders enjoy the benefits of a rally around the flag effect before they lose popularity due to the increasing costs of war.

<sup>46</sup> Anthony Dworkin, "Europe's New Counter-terror Wars," *European Council on Foreign Relations*, October 21, 2016.

[http://www.ecfr.eu/publications/summary/europes\\_new\\_counter\\_terror\\_wars7155](http://www.ecfr.eu/publications/summary/europes_new_counter_terror_wars7155) Last accessed on June 26, 2017.

<sup>47</sup> These hypotheses do not suggest that the decline in democratic standards cannot be reversed. The British Army in Northern Ireland, for example, abandoned internment in 1975. Therefore, we do not rule out the possibility that institutions can learn. For a discussion of internment and the British response to Irish republicans, see Robert W. White, *Out of the Ashes* (Newbridge, Kildare: Merrion Press, 2017), 121. See also Hans Born, Marina Caparini, Karl W. Haltiner, and Jürgen Kuhlmann (eds), *Learning from Crisis and Institutional Change* (New York: Routledge, 2006).

<sup>48</sup> Przeworski and Teune.

<sup>49</sup> Sidney Tarrow, "The Strategy of Paired Comparison: Toward a Theory of Practice" *Comparative Political Studies*, 43, 2 (2010): 235. See also Theodore W. Meckstroth, "I. "Most Different Systems" and "Most Similar Systems": A Study in the Logic of Comparative Inquiry." *Comparative Political Studies* 8, no. 2 (1975): 132-57.

<sup>50</sup> European democracies such as France, Germany, Spain, or the UK are other potential "hard cases." Raffaello Pantucci, "A contest to democracy? How the UK has responded to the current terrorist threat" *Democratization*, 17, 2 (2010): 251-271.

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<sup>51</sup> For other cases to explore the argument of this study, see Yonah Alexander, *Combating Terrorism. Strategies of Ten Countries* (MI: University of Michigan Press, 2002). None of these cases illustrate the CMR aspect of counterterrorism.

<sup>52</sup> İsmet G. İmset, *The PKK: A Report on Separatist Violence in Turkey (1973-1992)* (İstanbul: Turkish Daily News Publications, 1992), 9.

<sup>53</sup> The struggle against PKK terrorism was never portrayed as “war.” The state termed it “low intensity conflict” to avoid international repercussions. For death toll estimates, see Berkay Mandiracı, “Turkey’s PKK Conflict: The Death Toll,” International Crisis Group, July 20, 2016, <http://blog.crisisgroup.org/europe-central-asia/2016/07/20/turkey-s-pkk-conflict-the-rising-toll/> accessed August 21, 2017.

<sup>54</sup> For an alternative view, see Larry Diamond, “Facing Up to the Democratic Recession,” *Journal of Democracy* 26/1 (2015), 141-155. For normalization of CMR in early 2000s, see Nil S. Satana, Transformation of the Turkish Military and the Path to Democracy,” *Armed Forces & Society* 34, 3 (2008): 357-388.

<sup>55</sup> <http://www.freedomhouse.org>.

<sup>56</sup> Nil S. Satana, “The Kurdish Issue in June 2011 Elections: Continuity or Change in Turkey's Democratization?” *Turkish Studies* 13, 2 (2012): 29-52.

<sup>57</sup> <http://www.hrw.org/news/2012/09/03/turkey-end-impunity-state-killings-disappearances> accessed July 21, 2017.

<sup>58</sup> Michael Gunter, “Turgut Özal and the Kurdish Question,” in *Nationalisms and Politics in Turkey: Political Islam, Kemalism, and the Kurdish Issue*, eds. M. Casier and J. Jongerden (NY: Routledge, 2011), 88.

<sup>59</sup> <http://www.refworld.org/docid/4c4477652.html> accessed March 17, 2017.

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<sup>60</sup> [http://www.opbw.org/nat\\_imp/leg\\_reg/turkey/anti-terror.pdf](http://www.opbw.org/nat_imp/leg_reg/turkey/anti-terror.pdf) accessed March 28, 2017.

<sup>61</sup> Ergun Özbudun, “Turkey: How Far from Consolidation,” *Journal of Democracy*, 7, 3 (1996): 123-138.

<sup>62</sup> Satana, 2012, 170.

<sup>63</sup> Baskın Oran, *Türkiye’de Azınlıklar* (Istanbul: TESEV Yayınları, 2004).

<sup>64</sup> <http://www.hrw.org/sites/default/files/reports/turkey1110webwcover.pdf> accessed July 5, 2017.

<sup>65</sup> “Orduya güven azalıyor” *Vatan*, July 21, 2011.

<sup>66</sup> Nil S. Satana, “Civil-Military Relations in Europe, the Middle East and Turkey,” *Turkish Studies* 12, 2 (2011): 279-292.

<sup>67</sup> “Hem demokratik hem de militarist,” *Sabah*, November 26, 2011.

<sup>68</sup> Ekrem Karakoc, “Ethnicity and Trust in National and International Institutions: Kurdish Attitudes Toward Political Institutions in Turkey,” *Turkish Studies* 14, 1 (2013): 92-114.

<sup>69</sup> Galip Dalay, “Turkey’s Kurdish issue: From peace to low intensity-war,” *Aljazeera*, December 21, 2015.

<sup>70</sup> “Clashes in southeast Turkey kill 7 as new curfews imposed,” *Aljazeera*, December 14, 2015.

<sup>71</sup> William Hale. *Turkish Politics and the Military* (NY: Routledge, 2013).

<sup>72</sup> Michele Penner Angrist, “Party Systems and Regime Formation in the Modern Middle East: Explaining Turkish Exceptionalism,” *Comparative Politics*, 36 (2004): 229-249.

<sup>73</sup> Hasan Cemal, *Kürtler* (Istanbul: Doğan Kitap, 2003).

<sup>74</sup> <http://data.worldbank.org/country/turkey> accessed April 29, 2017.

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<sup>75</sup> All terrorism data are from Global Terrorism Database (GTD)

<http://www.start.umd.edu/gtd/search/Results.aspx?chart=country&search=turkey> version accessed on December 8, 2016.

<sup>76</sup> General Kundakçı's memoirs in Cemal, 2003, 269-70.

<sup>77</sup> Osman Pamukoğlu, *Unutulanlar Dışında Yeni Bir Şey Yok* (İstanbul: İnkılap Yayınevi, 2003).

<sup>78</sup> Baskın Oran, *Kalkık Horoz. Çekiç Güç ve Kürt Devleti* (İstanbul: Bilgi, 1998).

<sup>79</sup> Ibid.

<sup>80</sup> Interview with Süleyman Demirel by Bilal and Semra Çetin, series in *Vatan*, March 2009.

[http://haber.gazetevatan.com/Erbakan\\_28\\_Subat\\_kararlarini\\_imzaladi\\_ve\\_Uyguluyoruz\\_dedi/227396/1/Haber](http://haber.gazetevatan.com/Erbakan_28_Subat_kararlarini_imzaladi_ve_Uyguluyoruz_dedi/227396/1/Haber) accessed August 3, 2016.

<sup>81</sup> Zeki Sarigil, "The Turkish Military: Principal or Agent?" *Armed Forces and Society* 40, 1 (2014): 168-190.

<sup>82</sup> Metin Gurcan and Megan Gisclon, "Turkey's Security Sector After July 15: Democratizing Security or Securitizing the State?" *Turkish Policy Quarterly* 15, 4 (2017): 67-85.

<sup>83</sup> Metin Gurcan and Megan Gisclon, "From Autonomy to Full-fledged Civilian Control: The Changing Nature of Turkish Civil-Military Relations After July 15," Istanbul Policy Center, Sabanci University,

[http://ipc.sabanciuniv.edu/wpcontent/uploads/2016/08/IPM\\_PolicyBrief15July\\_12.08.16\\_web.pdf](http://ipc.sabanciuniv.edu/wpcontent/uploads/2016/08/IPM_PolicyBrief15July_12.08.16_web.pdf) accessed May 8, 2018; Suat Cubukcu, "The Rise of Paramilitary Groups in Turkey" *Small Wars Journal*, (2018), online journal,



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<sup>84</sup> <http://www.al-monitor.com/pulse/originals/2016/06/turkey-military-is-not-happy-with-foreign-policy.html> accessed May 17, 2018.

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